JOURNAL

OF THE

SENATE

OF THE

FIRST SESSION OF THE

125th GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA

BEING THE

REGULAR SESSION BEGINNING
TUESDAY, JANUARY 9, 2024

TABLE OF CONTENTS

Bills and Amendments by Committee
House Bill Index
Senate Bill Index
Senate Personal Index
Subject Matter Index

Tuesday, January 9, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Joshua 1:9b

Over and again, O Lord, we find Joshua admonished by you as you call upon him to, "Be strong and courageous."

Please bow with me as we pray together. Surely, O Lord, with people of the world, as fractious, angry and troubled as we know many to be -- the burdens upon any person in governmental leadership are so very great. So we do indeed call upon You, dear God, to grant to each man and woman serving here in the Senate of South Carolina also to be strong and courageous, as was Joshua urged to be. They must be so in order to help us as a State to continue to move forward, of course. But also they must be strong and courageous in order to stand up against forces that strive to diminish the good that Democracy is all about. So in the weeks and months to come during this new term, Lord, may these Senators and their aides represent the very best that real leadership has always been about. And through their collective wisdom and caring spirit, may they always work together, bringing about good for everyone. So we pray in Your loving name, dear Lord. Amen.

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

COMMUNICATIONS RECEIVED

Office of the Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201
November 10, 2023

Mr. Jeffrey S. Gossett
Clerk of the Senate
State House
Columbia, SC 29201

Dear Mr. Gossett:

The State Election Commission has certified to this office by mail the winner of the State Senate District 42 special election held on November 7, 2023. Please find enclosed a copy of the election results from the State Election Commission certifying Deon T. Tedder as winner of the special election for Senate District 42.

Please contact my office if you have any questions or need anything further.

Sincerely,
Mark Hammond
Secretary of State

State of South Carolina
Election Commission
1122 Lady Street, Suite 500
Columbia, SC 29201
November 10, 2023

The Honorable Mark Hammond
Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201

Dear Mr. Secretary:

The State Election Commission, in its capacity as the State Board of Canvassers, hereby certifies Deon T. Tedder as the winner of the State Senate District 42 Special Election held on November 7, 2023, in Charleston County and Dorchester County. The official results are as follows:

Sincerely,
/s/ Howard M. Knapp
Executive Director

ACTING PRESIDENT PRESIDES

Senator SETZLER assumed the Chair.

Privilege of the Chamber and Floor

On motion of Senator ALEXANDER, with unanimous consent, the Privilege of the Chamber and the Privilege of the Floor was extended to the family of Senator TEDDER.

Administration of Oath of Office
Senator Sworn In

Senator TEDDER presented himself at the Bar and the oath of office was administered by the PRESIDENT.

Senator TEDDER addressed the Senate with brief remarks.

Remarks by Senator TEDDER

Mr. PRESIDENT, members of the Senate, family and friends. Good afternoon! Today marks another milestone for me as I join you in this Chamber as a State Senator. I thank God for His grace and unwavering love because I could not have come this far without Him. I'd also like to recognize and thank my family who are present in the Chamber today. To my beautiful wife, Dr. Jillian from Greenville, S.C; thank you for your patience and support throughout this journey. Thank you for believing in me and keeping me grounded. For those that don't know, we just got married this summer in June, so the first five months of our marriage were shared with campaigning; however, we did get to travel to Italy for our honeymoon. So again, thank you for the sacrifices you've made to support me in this career to help others. I want to acknowledge my aunts, Shelia, Stephanie and Doris who are present and traveled from out of town to be here. Thank you for always being there with my mom and supporting me. And also to acknowledge my in-laws from Greenville (Mauldin), S.C., Pamela and Curtis Broughton. Thank you for your support and for raising such an amazing young lady! I want to thank my mother who is here today and traveled from Durham, N.C., to share in this special occasion. This woman has sacrificed so much and worked so hard to make sure I was able to have opportunities that she did not. And I want to thank my supporters from Charleston that are present in the Chamber today and thank you to all of the people of Senate District 42 for giving me a chance and choosing me to be your state Senator! To the attorneys and staff at RPWB, thank you for supporting me, but also for the opportunity to join this great highly esteemed law firm! Although he could not be here today, I want to also thank my predecessor, Senator Marlon Kimpson, who has been a mentor, supporter and friend. He has done a great job for the people of District

42, and I know that I have big shoes to fill. I look forward to continuing the work that he has done. And while I don't have a life-size cardboard cut out of myself, and I don't compliment myself in the mirror, we do have something in common. I just got back from the White House!

Now, for those who don't know me, I grew up in Durham, N.C. I lost my father unexpectedly a month after I graduated from high school at eighteen years old and that was devastating. I felt guilty going off to college four hours away to South Carolina State University because I was leaving my mom during such a challenging time. But she pushed me to pursue higher education. I felt even more guilty when she started working a part-time job in addition to her full-time job because my father's income was no longer, and she wanted to support me in college. I noticed how tiring and stressful it was working two jobs every day, but she continued to make those sacrifices amongst others to make sure her only child would be able to graduate from college. As a first-generation college graduate -- thank you Mom.

While in college, I had the honor of serving as an intern to the late Senator Ted Kennedy in the United States Senate -- a nineteen-year-old black male with no exposure to politics or law, roaming the halls of the U.S. Senate and Capitol working with people I had only seen on the news. I began to see the possible opportunities that would soon lie ahead. While at S.C. State, I was a member of The Marching 101 band where I played the trumpet. I graduated in 2012 and went on to attend and graduate from the University of South Carolina School of Law in 2015. I then had the honor of serving as a law clerk for the Honorable L. Casey Manning. I then moved to Charleston where I was a law clerk for Senn Legal, working for Senator SENN waiting on bar results. After that, I joined a firm and practiced personal injury and criminal defense for several years. Now, I am an associate attorney at Rogers, Patrick, Westbrook & Brickman, known as RPWB, where I focus on civil litigation, representing individuals, companies and governments in complicated disputes -- helping those who have been wronged.

While I am new to this Chamber, I am not new to the General Assembly. I've had the pleasure to serve a term and a half in the House of Representatives just across the hall. In the House, I worked across the aisle to get things done and I will do the same in the Senate. I take this position seriously and I am here to speak and work on behalf of those that elected me back home. My passion is fueled from my experiences and I wish my dad were here today to witness this historic moment for our family. But I will continue to strive to make him proud!

There is so much we can do together such as increasing wages and making housing affordable for all so that some little boy who wants to go to college can do so without his mother having to work multiple jobs. We can work together to improve our public education so every child can have equal access to a quality education. We can work together to fix our criminal justice system so that our laws don't apply differently to people based on race, sex and zip code. We can work together to make sure that when our state employees retire, they can do so and live comfortably and not have to go back to work to make ends meet. We can work together to simply ensure that every child in South Carolina has the same opportunities that we've been afforded.

There is a scripture that has gotten me through difficult times in life and its Jeremiah 29:11. "For I know the plans I have for you, declares the Lord. Plans to prosper you and not harm you; plans to give you a hope and a future." So I stand here today, as the youngest member of the state Senate (sorry Senator McELVEEN), enthusiastic to carry out the plan God has for me. To work together with all of you and be a fierce advocate for our constituents so we can continue to make South Carolina prosperous and provide a bright future to ALL South Carolinians! The South Carolina Senate is now Better With Tedder! Thank you, God bless you all, and God bless this great State!!

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

Office of the Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201
January 5, 2024

Mr. Jeffrey S. Gossett
Clerk of the Senate
State House
Columbia, SC 29201

Dear Mr. Gossett:

The State Election Commission has certified to this office by mail the winner of the State Senate District 19 special election held on January 2, 2024. Please find enclosed a copy of the election results from the State Election Commission certifying Tameika Isaac Devine as winner of the special election for Senate District 19.

Please contact my office if you have any questions or need anything further.

Sincerely,
Mark Hammond
Secretary of State

State of South Carolina
Election Commission
1122 Lady Street, Suite 500
Columbia, SC 29201
January 5, 2024

The Honorable Mark Hammond
Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201

Dear Mr. Secretary,

The State Election Commission, in its capacity as the State Board of Canvassers, hereby certifies Tameika Isaac Devine as the winner of the State Senate District 19 special election held on January 2, 2024, in Richland County. A copy of the results is enclosed.

Sincerely,
/s/ Howard M. Knapp
Executive Director

Privilege of the Chamber and Floor

On motion of Senator ALEXANDER, with unanimous consent, the Privilege of the Chamber and the Privilege of the Floor was extended to the family of Senator DEVINE.

Administration of Oath of Office
Senator Sworn In

Senator DEVINE presented herself at the Bar and the oath of office was administered by the PRESIDENT.

Senator DEVINE addressed the Senate with brief remarks.

Remarks by Senator DEVINE

Thank you, Mr. PRESIDENT. To the PRESIDENT, men and women of the South Carolina Senate, Chamber guests and the citizens of South Carolina, good afternoon -- first giving honor to God for without him my journey to this place at this time would not have ever been possible. I stand here before you today with great pride as a newest Senator to represent the citizens of South Carolina Senate District 19 -- a diverse district that spans from downtown Columbia all the way to the town of Irmo and the town of Blythewood. A distinct district that is diverse. It has urban, suburban and rural areas with very distinct needs and opportunities for all of its citizens. A district with rich history that has been served by distinguished Senators like the late civil rights leader, Isaiah DeQuincy Newman, the fire brand whom we all know, Senator Kay Patterson, and my predecessor, a powerful and meaningful community advocate in the late John L. Scott, Jr. It is with pride that I stand here, and I don't take it lightly that I have great, great mentors -- great men that I'm following. But I stand here as the first female to be Senator for District 19.

Today I would like to recognize and thank my family, who has always been with me through this journey of public service. To my mother Veronica Isaac, who is here with me, who continues to be the wind beneath my wings. She is always there no matter what I need her to do. She is picking up kids, making sure that they get fed -- and I mentioned yesterday sometimes they get better meals with her than they do with me. She is always there to be treasurer for my campaign, to put out signs, to wash clothes, whatever it is, and I could not be a public servant without her. So, I thank you mom. To my husband Jamie L. Devine who is also an elected official that's served fifteen years as a member of Richland School District One and has served as chairman several times. We are very much a community and a family who is about community. Our family has been in public service all of the lives of our children. But when it comes to me serving, he's always there to do whatever he needs to do and whatever I need him to do. So, I thank him. And to my children, Tamia, a freshman in college at American University who is not here with us today, my eighth grader, Jade, who is in public schools here in South Carolina, and my six-year-old, Jamison, who is also in first grade here in Richland County thank you all for allowing mommy to continue to serve. Sometimes it is not easy when I miss story time or things at school, but they know that I'm here to represent the citizens of South Carolina and that gives them pride and they always give me grace in order to serve our community.

To the members of this Body, I look forward to working with you. I am so honored to be able to work here with you for the betterment of the citizens of South Carolina. I know that we may not always agree on issues, but I know that we all have a deep passion and love for this great State, and her citizens. And that with that spirit we will always strive to build bridges, to make progress for the betterment of our State and our citizens. I want to thank the citizens of District 19 who have entrusted me to be their representative. Luke 12:48 states, from everyone who has been given much, much will be demanded. And from the one who has been entrusted with much, much more will be asked. I know that I've been entrusted with a lot from the citizens of District 19. So much more will be asked. And I stand here ready to take on those asks and to continue to fight for them and with them to make sure that District 19 is taken care of. I know that the shoes of John Scott can never be filled, but I know that with him as an angel looking down on us that I will continue to not only build on the foundation that he has started but continue opportunities for our great district.

For those of you meeting me for the very first time, I grew up right here in Columbia. Right here in District 19. I grew up here, then I went to Hampton University in Virginia for college. But I always knew that South Carolina was where I needed to be. So, I came back here to attend the University of South Carolina Law School. Right out of law school I started as a legal services attorney and then went onto work for the Attorney General's Office under Charlie Condon. That is where I first got my first inkling of public service. I never thought I wanted to be an elected official. But I always knew that I wanted to be a lawyer who made the law better for people. And as an assistant attorney general working over the violence against women program, I knew then that our laws in South Carolina could use someone with my skill, my intellect, to help build a better community. So, at the right age of twenty-nine, over twenty years ago, I ran for my first elected office. I became an at-large member of Columbia City Council here and I served almost two decades as a Columbia City Council person. That journey has now led me here to be a State Senator. Over the years, I have worked for this community, and for this State to make sure I was an advocate against gun violence, for better education, for affordable housing and for living wages. And as a council person, I did what I could at that level and when I left office, over a year ago, I knew that my work was not finished, but I had no idea what God's plan would be for me. When Senator Scott passed away in August, I prayed on what God would have next for me. And I decided to run in the special election for this seat. Again, not trying to fill John's

shoes, but trying to continue to represent this great district in a way that I knew no one else could, other than John Scott. And so again, I'm not going to fill his shoes, but I'm going to bring my own perspective to the Senate. I'm going to bring my tenacity for issues. I'm going to bring my ability to work across the lines to build bridges. And most importantly, I'm going to use my dedication to this great State to continue to find ways that we can build a better South Carolina. And so again, as this journey is just now starting, we have no idea where it will lead us but I'm here today for all of us to work together to continue to write South Carolina's story. I look forward to working with all of to you do that, so that all of our citizens are proud of our service here in this Body. Thank you.

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

PRESIDENT PRESIDES

At 12:32 P.M., the PRESIDENT assumed the Chair.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2021, and to expire June 30, 2025

Massage/Bodywork Therapist:

Bailey B. R. Maddox, LMT, CLT, 1898 Calhoun Street, Suite 8, Columbia, SC 29201-2650 *VICE* Jenny Vaught

Referred to the Committee on Labor, Commerce and Industry.

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

Massage/Bodywork Therapist:

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

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2021, and to expire June 30, 2025

Massage/Bodywork Therapist:

Janet Shaw, 802 Pinedale Road, West Columbia, SC 29170-2638

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2021, and to expire June 30, 2025

Massage/Bodywork Therapist:

Gloria Lee Smith, 201 Corley Woods Drive, Lexington, SC 29072-3845

Referred to the Committee on Labor, Commerce and Industry.

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

General Public:

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

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, Governor's School of Agriculture at John de la Howe School Board of Trustees, with the term to commence April 1, 2023, and to expire April 1, 2028

At-Large:

Hugh Mitchell Bland, 609 Buncombe Street, Edgefield, SC 29824-1016

Referred to the Committee on Education.

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

At Large, Public:

Michael R. Watkins, 100 Ariel Way, Easley, SC 29642-7781 *VICE* Anthony Foster

Referred to the Committee on Corrections and Penology.

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

Nonproprietary Nursing Home Administrator:

William H. Birmingham, Jr., 119 Parkside Dr., Anderson, SC 29621-7651

Referred to the Committee on Medical Affairs.

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

Residential Care Administrator:

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

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2022, and to expire June 9, 2025

Residential Care Administrator:

Sarah D. Doctor-Greenwade, PO Box 23328, Columbia, SC 29224

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2022, and to expire June 9, 2025

Hospital Administrator:

Elizabeth A. Schaper, 580 Bethesda Road, Spartanburg, SC 29302-5111

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2023, and to expire September 30, 2026

Occupational Therapist:

M. Rebecca T. Coleman, 605 Wando Street, Columbia, SC 29205-3964

Referred to the Committee on Medical Affairs.

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

Occupational Therapist:

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

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2023, and to expire May 31, 2026

Licensed or Certified Appraiser:

Pledger Bishop III, Valbridge Property Advisors 1250 Fairmont Ave., Mt. Pleasant, SC 29464 *VICE* Christopher Donato

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2022, and to expire May 31, 2025

Licensed Real Estate Broker:

Damian V. Burris, Broker in Charge Executive Realty Group, 700 Huger Street, Columbia, SC 29201-3663 *VICE* Ann R. King

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina Board of Real Estate Appraisers, with the term to commence April 30, 2021, and to expire April 30, 2024

Appraisal Management Company:

Mark Chapman, 197 Green Valley Road, Greenville, SC 29617-7014

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2022, and to expire May 31, 2025

Licensed or Certified Appraiser:

Malinda Griffin, 413 Windwood Street, Simpsonville, SC 29680-6586 *VICE* George Knight, Jr.

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2021, and to expire May 31, 2024

Licensed or Certified Appraiser:

Hezekiah E. Thompson, 200 Edward Street, Murrells Inlet, SC 29576-6003 *VICE* Michael B. Dodds

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2024, and to expire May 31, 2027

Licensed or Certified Appraiser:

Hezekiah E. Thompson, 200 Edward Street, Murrells Inlet, SC 29576-6003

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina Forestry Commission, with the term to commence June 30, 2022, and to expire June 30, 2028

At-Large, Public:

Eric W. Smith, 332 Eagle Ridge Road, Summerville, SC 29485-8499 *VICE* Harry S. Morrison

Referred to the Committee on Fish, Game and Forestry.

Initial Appointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2022, and to expire June 30, 2026

1st Congressional District:

John F. Seignious III, 735 Lavalier Square, Mt. Pleasant, SC 29464-7746 *VICE* Charles F. Koche

Referred to the Committee on Family and Veterans' Services.

Reappointment, South Carolina Mental Health Commission, with the term to commence July 31, 2023, and to expire July 31, 2028

5th Congressional District:

Crystal A. Maxwell, 2021 Bridgemill Drive, Suite 102, Fort Mill, SC 29707-9211

Referred to the Committee on Medical Affairs.

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

Hospital Employee:

Maureen Finger, 1325 Sewanee Avenue, Florence, SC 29501 *VICE* Lynette Y. Leland-Reed

Referred to the Committee on Medical Affairs.

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

Dietician, Consulting:

Beth Griffith, 934 Sherwood Circle, Lancaster, SC 29720 *VICE* Edna Cox Rice

Referred to the Committee on Medical Affairs.

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

Dietician, Nutritional Services Management:

Amanda Groesbeck, 123 Harmon Street, Lexington, SC 29072-3525 *VICE* Valerie L. Meador

Referred to the Committee on Medical Affairs.

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

Dietician, Clinical:

Robert Duffell Hoffman, 501 Gillsbrook Road, Lancaster, SC 29720-1915

Referred to the Committee on Medical Affairs.

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

Dietician, Community or Public Health:

Michelle Parisi, 229 Sassafras Drive, Easley, SC 29642-8264 *VICE* Rebecca Wrenn

Referred to the Committee on Medical Affairs.

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

Dietetics Educator:

Elizabeth Weikle MS, RD, LD, 2138 Cavendale Drive, Rock Hill, SC 29732-8303

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2024, and to expire June 30, 2028

1st Congressional District:

Alpha T. Bailey, 2305 North Main Street, Summerville, SC 29483

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2022, and to expire June 30, 2026

7th Congressional District:

Bryan H. Dowd, 1931 Osprey Drive, P. O. Box 5090, Florence, SC 29501-8133

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2023, and to expire June 30, 2027

3rd Congressional District:

Timothy W. Roberts, 2907 Rambling Path, Anderson, SC 29621

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2022, and to expire June 30, 2026

1st Congressional District:

Coleman Bates, 944 Kincade Dr., Mt. Pleasant, SC 29464-4518

Referred to the Committee on Labor, Commerce and Industry.

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

6th Congressional District:

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

Referred to the Committee on Labor, Commerce and Industry.

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

4th Congressional District:

Paul H. Kennemore III, 367 Meathward Circle, Moore, SC 29369

Referred to the Committee on Labor, Commerce and Industry.

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

At-Large, Physician:

Jon F. Lucas, 12 Paddock Run Lane, Simpsonville, SC 29681-5368

Referred to the Committee on Labor, Commerce and Industry.

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

At-Large:

Benson Garrick Messer, 550 Bimini Twist Circle, Lexington, SC 29072-8269

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2022, and to expire June 30, 2026

3rd Congressional District:

Andrew Osborne, 304 Greenville Church Road, Donalds, SC 29638-9306 *VICE* William J. D'Andrea

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2022, and to expire June 30, 2026

Barber:

Renee H. Patton, 5535 Highway 9, Suite C, Inman, SC 29349

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2022, and to expire June 30, 2026

Master Hair Care Specialist:

Paul E. Robinson, Jr., 4441 Deerfield Dr., Orangeburg, SC 29118

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2023, and to expire March 20, 2027

Cosmetologist:

LaQuita W. Horton, 1210 Cheraw Rd., Cassatt, SC 29032

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence March 31, 2024, and to expire March 31, 2028

Cosmetologist:

Tiffiny Q. Jones, 400 Oak Ridge Place, Easley, SC 29642-9088 *VICE* Patricia Walters

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2022, and to expire March 20, 2026

Cosmetologist:

Adrienne MacLeod, 3142 Cannon Road, Greer, SC 29651-5328 *VICE* Eddie L. Jones

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2023, and to expire March 20, 2027

Esthetician:

Elizabeth Anne Postilis, Browning Studio, LLC, 1941 D Woodruff Road, SC 29607-5938 *VICE* Marcia R. Delaney

Referred to the Committee on Labor, Commerce and Industry.

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

South Carolina State Development Board:

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

Referred to the Committee on Medical Affairs.

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

South Carolina Chamber of Commerce recommendation:

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

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 1, 2023, and to expire June 1, 2026

Audiologist:

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

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 30, 2024, and to expire June 30, 2028

Audiologist:

Gwendolyn D. Wilson, 2215 Hoffman Dr., Northwest, Orangeburg, SC 29118

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Board of Medical Examiners, with the term to commence June 30, 2022, and to expire June 30, 2026

At Large, Public:

Mary J. Richardson, 8119 Burdell Drive, Columbia, SC 29209-5108 *VICE* Mary Elizabeth Phillips

Referred to the Committee on Medical Affairs.

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

6th Congressional District, Registered Nurse:

Bridget J. Holder, Manager of Medical-Surgical and Telemetry Summerville Medical Center, 1581 Sebago Dr., Charleston, SC 29414-7922 *VICE* Sonya Kay Ehrhardt

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence June 30, 2020, and to expire June 30, 2024

7th Congressional District, Registered Nurse:

Leslie M. Lyerly, 636 Marsh Pond Road, Johnsonville, SC 29555-6617 *VICE* Jonela D. Davis

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2022, and to expire December 31, 2026

At-Large, Licensed Practical Nurse:

Melissa May-Engel, 1109 Aderly Oak Drive, Irmo, SC 29063-7892 *VICE* Tamara Day

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2022, and to expire December 31, 2026

2nd Congressional District, Registered Nurse:

Rebecca Morrison, 6009 Hampton Leas Lane, Columbia, SC 29209-1954

Referred to the Committee on Medical Affairs.

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

At-Large, Licensed Practical Nurse:

Frances C. Pagett, 6143 Marthas Glen Road, Columbia, SC 29209-1312 *VICE* Jan R. Burdette

Referred to the Committee on Medical Affairs.

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

4th Congressional District, Registered Nurse:

Sallie Beth Todd, 6 Sparrow Point Court, Simpsonville, SC 29680-6643

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence May 19, 2023, and to expire May 19, 2029

At-Large, Public:

Beverly L. Black, 3085 Moonlight Drive, Charleston, SC 29414-8048 *VICE* Leo Richardson

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2022, and to expire November 27, 2026

Independent Social Worker:

Jeffery Cameon, 403 Meadow Hill Way, Greer, SC 29650-5104 *VICE* Jane A. Anker

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2022, and to expire November 27, 2026

Independent Social Worker:

Dell Lancaster, 107 Crestland Dr., Columbia, SC 29210-4021 *VICE* Harold Patrick, Jr.

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2023, and to expire November 27, 2027

Master Social Worker:

Alicia Nix, 312 Winding Way, Columbia, SC 29212-1347 *VICE* Catherine M. Buchanan

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2022, and to expire April 6, 2028

6th Congressional District:

James T. Coker, PO Box 152, Kingstree, SC 29556-0152 *VICE* Mitch Lowrey

Referred to the Committee on Agriculture and Natural Resources.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2024, and to expire April 6, 2030

Veterinarian, 3rd Congressional District:

Mark Moore, 210 East Bennett Road, Westminister, SC 29693-3701 *VICE* Karl Wessinger

Referred to the Committee on Agriculture and Natural Resources.

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

6th Congressional District:

Willie L. Todd, Jr., Denmark Technical College Office of the President, PO Box 327, Denmark, SC *VICE* Juwan Ayers

Referred to the Committee on Judiciary.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2024, and to expire June 9, 2027

Residential Care Administrator:

Ms. Melissa T. Yetter, 202 Player Way, Simpsonville, SC 29681

Referred to the Committee on Medical Affairs.

STATEWIDE APPOINTMENTS

CARRIED OVER

Having received a favorable report from the Senate, the following appointments were carried over:

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2022, and to expire July 1,2024

Four-Year Institutions:

Oran P. Smith, 466 East Columbia Ave., Leesville, SC 2900-7317 *VICE* Linda L. Dolny

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2021, and to expire July 1,2025

At-Large:

Dr. Mitchell M. Zais, 1642 Tanglewood Road, Columbia, SC, 29204 *VICE* Benjamin Wright Satcher, Jr.

On motion of Senator MASSEY, with unanimous consent, the appointments were carried over.

REGULATIONS RECEIVED

The following were received and referred to the appropriate committees for consideration:

Document No. 5111
Agency: State Ethics Commission
Chapter: 52
Statutory Authority: 1976 Code Sections 8-13-320, 8-13-365, 8-13-1110, 8-13-1140, 8-13-1306, and 8-13-1356
SUBJECT: Campaign Practices and Reports
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5112
Agency: State Ethics Commission
Chapter: 52
Statutory Authority: 1976 Code Sections 8-13-320 and 8-13-540

SUBJECT: Contested Case Procedure
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5113
Agency: State Ethics Commission
Chapter: 52
Statutory Authority: 1976 Code Section 8-13-320
SUBJECT: General
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5114
Agency: State Ethics Commission
Chapter: 52
Statutory Authority: 1976 Code Sections 2-17-20, 2-17-25, 2-17-30, 2-17-35, 2-17-40, 2-17-90, 8-13-320, and 8-13-365
SUBJECT: Lobbyists, Lobbyist's Principals and Rating Entities
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5115
Agency: State Ethics Commission
Chapter: 52
Statutory Authority: 1976 Code Sections 8-13-320, 8-13-365, 8-13-1110, 8-13-1140, 8-13-1306, and 8-13-1356
SUBJECT: Statement of Economic Interests and Contract Disclosure Forms
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5168
Agency: Public Service Commission
Chapter: 103
Statutory Authority: 1976 Code Section 58-3-140
SUBJECT: Article 8, Practice and Procedure
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

TUESDAY, JANUARY 9, 2024

Document No. 5176
Agency: State Board of Education
Chapter: 43
Statutory Authority: 1976 Code Sections 59-5-60, 59-1-320, and 4 U.S.C Section 1, et seq.
SUBJECT: Displaying the Flag
Received by President of the Senate January 9, 2024
Referred to Committee on Education

Document No. 5177
Agency: Public Service Commission
Chapter: 103
Statutory Authority: 1976 Code Sections 58-3-140 and 58-27-150
SUBJECT: Article 3, Electric Systems
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5178
Agency: Public Service Commission
Chapter: 103
Statutory Authority: 1976 Code Sections 58-3-140 and 58-5-210
SUBJECT: Article 4, Gas Systems
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5179
Agency: Department of Disabilities and Special Needs
Chapter: 88
Statutory Authority: 1976 Code Section 44-20-220
SUBJECT: License Requirement for Facilities and Programs
Received by President of the Senate January 9, 2024
Referred to Committee on Medical Affairs

Document No. 5180
Agency: Department of Disabilities and Special Needs
Chapter: 88
Statutory Authority: 1976 Code Section 44-20-220
SUBJECT: Definitions
Received by President of the Senate January 9, 2024
Referred to Committee on Medical Affairs

Document No. 5181
Agency: Department of Disabilities and Special Needs
Chapter: 88
Statutory Authority: 1976 Code Section 44-20-220
SUBJECT: Day Programs for Persons with Intellectual Disability
Received by President of the Senate January 9, 2024
Referred to Committee on Medical Affairs

Document No. 5182
Agency: Department of Disabilities and Special Needs
Chapter: 88
Statutory Authority: 1976 Code Section 44-20-220
SUBJECT: Unclassified Facilities and Programs
Received by President of the Senate January 9, 2024
Referred to Committee on Medical Affairs

Document No. 5183
Agency: Public Service Commission
Chapter: 103
Statutory Authority: 1976 Code Sections 58-3-140 and 58-5-210
SUBJECT: Article 5, Sewerage Utilities
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5184
Agency: Public Service Commission
Chapter: 103
Statutory Authority: 1976 Code Sections 58-3-140 and 58-5-210
SUBJECT: Article 7, Water Utilities
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5187
Agency: Department of Labor, Licensing and Regulation - State Board of Registration for Foresters
Chapter: 53
Statutory Authority: 1976 Code Sections 40-1-70, 48-27-80, 48-27-140, and 48-27-190
SUBJECT: Quorum
Received by President of the Senate January 9, 2024
Referred to Committee on Fish, Game and Forestry

Document No. 5190
Agency: Department of Mental Health
Chapter: 87
Statutory Authority: 1976 Code Sections 44-9-100, 44-11-70, and 56-21-70
SUBJECT: Parking Regulations
Received by President of the Senate January 9, 2024
Referred to Committee on Medical Affairs

Document No. 5191
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 2022 Act No. 119, Section 5, effective January 27, 2022
SUBJECT: Solid Waste Management Regulation (Solar Projects)
Received by President of the Senate January 9, 2024
Referred to Committee on Medical Affairs

Document No. 5192
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10 and 7-3-20
SUBJECT: R.45-1, Definitions
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5193
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Section 7-3-10, 7-3-20, 7-13-1490, and 7-13-1655
SUBJECT: R.45-2, Instructions and Certification of Managers and Clerks in the Use of Vote Recorders
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5194
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10, 7-3-20, 7-13-1490, and 7-13-1655

SUBJECT: R.45-3, Tabulating Center Personnel
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5195
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10, 7-3-20, 7-13-1490, and 7-13-1655
SUBJECT: R.45-4, Certification of Program Instructions
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5196
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10, 7-3-20, 7-13-1490, and 7-13-1655
SUBJECT: R.45-5, Ballot Envelopes and Fold Over Ballot Cards
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5197
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10, 7-3-20, 7-13-1490, and 7-13-1655
SUBJECT: R.45-6, Defective Ballot Cards
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5198
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10, 7-3-20, 7-13-1490, and 7-13-1655
SUBJECT: R.45-7, Ballot Cards, Sealed After Tabulation
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5199
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10, 7-3-20, 7-13-325, 7-13-1490, and 7-13-1655
SUBJECT: R.45-9, Write-in-Ballots, Sealed After Tabulation
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5200
Agency: Department of Health and Environmental Control
Chapter: 30
Statutory Authority: 1976 Code Sections 48-39-10, et seq.
SUBJECT: Statement of Policy; Applying for a Permit; General Guidelines for All Critical Areas; and Specific Project Standards for Beaches and the Beach/Dune System
Received by President of the Senate January 9, 2024
Referred to Committee on Agriculture and Natural Affairs

Document No. 5201
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10 and 7-3-20
SUBJECT: Emergency Election Procedures
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5202
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10 and 7-3-20
SUBJECT: Poll Worker Training; Candidate Withdrawals
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5203
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10 and 7-3-20
SUBJECT: Procedures for Electronic Petitions

Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5204
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10, 7-3-20, 7-13-1490, and 7-13-1655
SUBJECT: R.45-10, Retention and Disposition of Certain Voting Records
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5205
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10 and 7-3-20
SUBJECT: Reports to State Election Commission by County Boards of Voter Registration and Elections
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5207
Agency: State Board of Financial Institutions
Chapter: 15
Statutory Authority: 1976 Code Section 34-1-60
SUBJECT: Mobile Home Loans, Savings and Loan
Received by President of the Senate January 9, 2024
Referred to Committee on Banking and Insurance

Document No. 5208
Agency: State Board of Financial Institutions
Chapter: 15
Statutory Authority: 1976 Code Section 34-26-210
SUBJECT: Notice of Intention to Withdraw Shares
Received by President of the Senate January 9, 2024
Referred to Committee on Banking and Insurance

Document No. 5209
Agency: State Board of Financial Institutions
Chapter: 15
Statutory Authority: 1976 Code Section 34-1-60
SUBJECT: Participation in RFC Loans
Received by President of the Senate January 9, 2024
Referred to Committee on Banking and Insurance

Document No. 5210
Agency: State Board of Financial Institutions
Chapter: 15
Statutory Authority: 1976 Code Section 34-1-110
SUBJECT: Borrower's Preference Re Attorney and Insurance
Received by President of the Senate January 9, 2024
Referred to Committee on Banking and Insurance

Document No. 5213
Agency: State Board of Financial Institutions
Chapter: 15
Statutory Authority: 1976 Code Section 34-1-60
SUBJECT: Servicemen’s Readjustment Act
Received by President of the Senate January 9, 2024
Referred to Committee on Banking and Insurance

Document No. 5215
Agency: State Board of Financial Institutions
Chapter: 15
Statutory Authority: 1976 Code Section 34-1-60
SUBJECT: Home Improvement Loans, Savings and Loan
Received by President of the Senate January 9, 2024
Referred to Committee on Banking and Insurance

Document No. 5216
Agency: State Board of Financial Institutions
Chapter: 15
Statutory Authority: 1976 Code Sections 34-1-60 and 34-1-110
SUBJECT: Insurance and Fidelity Bond Protection
Received by President of the Senate January 9, 2024
Referred to Committee on Banking and Insurance

Document No. 5217
Agency: State Board of Financial Institutions
Chapter: 15
Statutory Authority: 1976 Code Sections 34-1-60 and 34-1-110
SUBJECT: Investment of Surpluses
Received by President of the Senate January 9, 2024
Referred to Committee on Banking and Insurance

Document No. 5219
Agency: State Board of Financial Institutions
Chapter: 15
Statutory Authority: 1976 Code Section 34-1-110
SUBJECT: Limitations and Restrictions on Loans, Savings and Loan
Received by President of the Senate January 9, 2024
Referred to Committee on Banking and Insurance

Document No. 5221
Agency: Department of Motor Vehicles
Chapter: 90
Statutory Authority: 1976 Code Sections 56-1-5 et seq.
SUBJECT: Billing Accounts
Received by President of the Senate January 9, 2024
Referred to Committee on Transportation

Document No. 5222
Agency: State Board of Education
Chapter: 43
Statutory Authority: 1976 Code Sections 59-21-510, 59-33-10, and 59-33-10
SUBJECT: Criteria for Entry into Programs of Special Education for Students with Disabilities
Received by President of the Senate January 9, 2024
Referred to Committee on Education

Document No. 5223
Agency: State Board of Education
Chapter: 43
Statutory Authority: 1976 Code Sections 59-5-60, 59-5-100, 59-5-120, and 59-67-520

SUBJECT: Operation of Public Student Transportation Services
Received by President of the Senate January 9, 2024
Referred to Committee on Education

Document No. 5224
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10 and 7-3-20
SUBJECT: R.45-8, Defective and Duplicate Ballot Cards, Sealed After Tabulation
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5225
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10, 7-3-20, and 7-13-1640
SUBJECT: Retention and Storage of Election Records and Election Equipment
Received by President of the Senate January 9, 2024
Referred to Committee on Judiciary

Document No. 5226
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Sections 13-7-10 et seq.
SUBJECT: Transportation of Radioactive Waste Into or Within South Carolina
Received by President of the Senate January 9, 2024
Referred to Committee on Labor, Commerce and Industry

Document No. 5227
Agency: Department of Motor Vehicles
Chapter: 90
Statutory Authority: 1976 Code Sections 56-3-10 et seq.
SUBJECT: License Plates
Received by President of the Senate January 9, 2024
Referred to Committee on Transportation

Document No. 5228
Agency: Department of Motor Vehicles
Chapter: 90
Statutory Authority: 1976 Code Section 56-9-60
SUBJECT: Self-Insurers
Received by President of the Senate January 9, 2024
Referred to Committee on Transportation

Document No. 5229
Agency: Department of Social Services
Chapter: 114
Statutory Authority: 1976 Code Section 63-13-180
SUBJECT: Family Day Care Homes
Received by President of the Senate January 9, 2024
Referred to Committee on Family and Veterans' Services

Document No. 5231
Agency: Department of Social Services
Chapter: 114
Statutory Authority: 1976 Code Section 63-11-30
SUBJECT: Residential Group Care Facilities for Children
Received by President of the Senate January 9, 2024
Referred to Committee on Family and Veterans' Services

Document No. 5232
Agency: Department of Social Services
Chapter: 114
Statutory Authority: 1976 Code Section 63-11-30
SUBJECT: Wilderness Therapeutic Camps for Children
Received by President of the Senate January 9, 2024
Referred to Committee on Family and Veterans' Services

Document No. 5233
Agency: Department of Labor, Licensing and Regulation
Chapter: 10
Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-47-650, and 40-47-800
SUBJECT: Fee Schedule for the Board of Medical Examiners
Received by President of the Senate January 9, 2024
Referred to Committee on Medical Affairs

Document No. 5234
Agency: Department of Labor, Licensing and Regulation - State Board of Medical Examiners
Chapter: 81
Statutory Authority: 1976 Code Sections 40-1-70, 40-47-10, 40-47-110, and 40-47-1720
SUBJECT: Athletic Trainers
Received by President of the Senate January 9, 2024
Referred to Committee on Medical Affairs

Document No. 5235
Agency: Department of Labor, Licensing and Regulation - State Board of Physical Therapy Examiners
Chapter: 101
Statutory Authority: 1976 Code Section 40-45-60
SUBJECT: Board of Physical Therapy Examiners
Received by President of the Senate January 9, 2024
Referred to Committee on Medical Affairs

Document No. 5236
Agency: Department of Labor, Licensing and Regulation - Office of Occupational Safety and Health
Chapter: 71
Statutory Authority: 1976 Code Section 41-15-210
SUBJECT: Compensation for the Occupational Health and Safety Review Board
Received by President of the Senate January 9, 2024
Referred to Committee on Labor, Commerce and Industry

Document No. 5237
Agency: Department of Labor, Licensing and Regulation - Board of Examiners in Speech/Language Pathology and Audiology
Chapter: 115
Statutory Authority: 1976 Code Sections 40-1-70 and 40-67-70
SUBJECT: Board of Examiners in Speech/Language Pathology and Audiology
Received by President of the Senate January 9, 2024
Referred to Committee on Medical Affairs

Document No. 5238
Agency: Department of Labor, Licensing and Regulation - South Carolina Real Estate Commission
Chapter: 105
Statutory Authority: 1976 Code Sections 27-50-10(2), 40-1-70, and 40-57-60
SUBJECT: South Carolina Real Estate Commission (Residential Property Condition Disclosure Statement Form)
Received by President of the Senate January 9, 2024
Referred to Committee on Labor, Commerce and Industry

Document No. 5240
Agency: Department of Insurance
Chapter: 69
Statutory Authority: 1976 Code Sections 1-23-110, 38-3-110, and 38-71-2200 et seq.
SUBJECT: Pharmacy Benefits Managers
Received by President of the Senate January 9, 2024
Referred to Committee on Banking and Insurance

Document No. 5241
Agency: Department of Insurance
Chapter: 69
Statutory Authority: 1976 Code Sections 1-23-110, 38-3-110, 38-71-2200, and 38-71-2210 et seq.
SUBJECT: Pharmacy Services Administrative Organizations
Received by President of the Senate January 9, 2024
Referred to Committee on Banking and Insurance

Document No. 5243
Agency: Department of Labor, Licensing and Regulation
Chapter: 10
Statutory Authority: 1976 Code Sections 40-1-50 and 40-1-70
SUBJECT: Fee Schedule for the Building Codes Council
Received by President of the Senate January 9, 2024
Referred to Committee on Labor, Commerce and Industry

Document No. 5244
Agency: Department of Labor, Licensing and Regulation - State Licensing Board for Contractors
Chapter: 29

Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, and 40-11-60
SUBJECT: State Licensing Board for Contractors
Received by President of the Senate January 9, 2024
Referred to Committee on Labor, Commerce and Industry

Document No. 5245
Agency: Department of Labor, Licensing and Regulation - South Carolina Environmental Certification Board
Chapter: 51
Statutory Authority: 1976 Code Sections 40-1-70 and 40-23-60
SUBJECT: Environmental Certification Board
Received by President of the Senate January 9, 2024
Referred to Committee on Labor, Commerce and Industry

Document No. 5246
Agency: Department of Labor, Licensing and Regulation - South Carolina State Board of Registration for Professional Engineers and Land Surveyors
Chapter: 49
Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-22-50, and 40-22-60
SUBJECT: Professional Land Surveyor Licensure Requirements
Received by President of the Senate January 9, 2024
Referred to Committee on Labor, Commerce and Industry

Document No. 5247
Agency: Department of Labor, Licensing and Regulation - Board of Podiatry Examiners
Chapter: 134
Statutory Authority: 1976 Code Sections 40-1-70, 40-51-40, 40-51-67, 40-51-70, and 40-51-210
SUBJECT: Board of Podiatry Examiners
Received by President of the Senate January 9, 2024
Referred to Committee on Medical Affairs

Document No. 5248
Agency: Department of Labor, Licensing and Regulation - Building Codes Council
Chapter: 8

Statutory Authority: 1976 Code Sections 6-8-20, 6-9-40, 6-9-55, 6-9-63, 10-5-250, 23-43-40, 40-1-50, and 40-1-70
SUBJECT: Building Codes Council
Received by President of the Senate January 9, 2024
Referred to Committee on Labor, Commerce and Industry

Document No. 5249
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Sections 50-11-2200 and 50-11-2210
SUBJECT: Additional Regulations Applicable to Specific Properties
Received by President of the Senate January 9, 2024
Referred to Committee on Fish, Game and Forestry

Document No. 5250
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Sections 50-11-525 and 50-11-1090
SUBJECT: Rules and Regulations Governing the Issuance of Deer Depredation Permits
Received by President of the Senate January 9, 2024
Referred to Committee on Fish, Game and Forestry

Document No. 5251
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Sections 50-1-60, 50-1-200, 50-1-220, 50-9-650, 50-11-10, 50-11-105, 50-11-310, 50-11-315, 50-11-320, 50-11-365, 50-11-390, 50-11-410, 50-11-430, 50-11-500, 50-11-525, 50-11-530, 50-11-580, 50-11-2200, and 50-11-2210
SUBJECT: Wildlife Management Area Regulations
Received by President of the Senate January 9, 2024
Referred to Committee on Fish, Game and Forestry

Document No. 5252
Agency: Department of Labor, Licensing and Regulation - State Board of Social Work Examiners
Chapter: 110
Statutory Authority: 1976 Code Sections 40-1-70 and 40-63-70

SUBJECT: State Board of Social Work Examiners
Received by President of the Senate January 9, 2024
Referred to Committee on Family and Veterans' Services

Document No. 5253
Agency: Department of Labor, Licensing and Regulation - South Carolina Real Estate Commission
Chapter: 105
Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-57-60, 40-57-135, 40-57-320, 40-57-340, and 40-57-740
SUBJECT: Real Estate Commission
Received by President of the Senate January 9, 2024
Referred to Committee on Labor, Commerce and Industry

Document No. 5254
Agency: Department of Labor, Licensing and Regulation - South Carolina Board of Chiropractic Examiners
Chapter: 25
Statutory Authority: 1976 Code Section 40-9-30(D)(3)
SUBJECT: South Carolina Board of Chiropractic Examiners
Received by President of the Senate January 9, 2024
Referred to Committee on Medical Affairs

Document No. 5255
Agency: Department of Labor, Licensing and Regulation - Office of Elevators and Amusement Rides
Chapter: 71
Statutory Authority: 1976 Code Sections 41-16-140 and 41-18-120
SUBJECT: Office of Elevators and Amusement Rides
Received by President of the Senate January 9, 2024
Referred to Committee on Labor, Commerce and Industry

Document No. 5256
Agency: Department of Labor, Licensing and Regulation - State Board of Examiners in Psychology
Chapter: 100
Statutory Authority: 1976 Code Sections 40-1-70 and 40-55-40(d)
SUBJECT: State Board of Examiners in Psychology
Received by President of the Senate January 9, 2024
Referred to Committee on Medical Affairs

Document No. 5257
Agency: Department of Labor, Licensing and Regulation - State Board of Pharmacy
Chapter: 99
Statutory Authority: 1976 Code Sections 40-1-70, 40-43-60(D)(8), 40-43-83(I), and 40-43-86(B)(3)(c)
SUBJECT: State Board of Pharmacy
Received by President of the Senate January 9, 2024
Referred to Committee on Medical Affairs

Document No. 5258
Agency: Department of Labor, Licensing and Regulation - Office of Occupational Safety and Health
Chapter: 71
Statutory Authority: 1976 Code Section 41-15-220
SUBJECT: Recordkeeping
Received by President of the Senate January 9, 2024
Referred to Committee on Labor, Commerce and Industry

Document No. 5259
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Sections 50-9-640, 50-11-300, 50-11-500, 50-11-510, 50-11-525, 50-11-530, 50-11-540, 50-11-544, 50-11-546, 50-11-580, and 50-11-2200
SUBJECT: Turkey Hunting Rules and Seasons
Received by President of the Senate January 9, 2024
Referred to Committee on Fish, Game and Forestry

Document No. 5260
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Sections 50-1-200, 50-1-210, 50-11-310, 50-11-350, 50-11-390, 50-11-500, 50-11-530, 50-11-2200, and 50-11-2210
SUBJECT: Individual Antlerless Deer Tags, Antlerless Deer Limits for Private Lands in Game Zones 1-4, and Youth Deer Hunting Day
Received by President of the Senate January 9, 2024
Referred to Committee on Fish, Game and Forestry

TUESDAY, JANUARY 9, 2024

STANDING COMMITTEE CHANGES

The Senate proceeded to the selection of committee assignments.

Motion Adopted

On motion of Senator HUTTO, with unanimous consent, the committee selection process in Rule 19 was waived and vacancies were filled in the following manner:

STANDING COMMITTEES OF THE SENATE

AGRICULTURE AND NATURAL RESOURCES
Climer, David Wesley "Wes", Chairman
Verdin, Daniel B. "Danny", III
Williams, Kent M.
McElveen, J. Thomas, III
Sabb, Ronnie A.
Fanning, Michael "Mike"
Goldfinch, Stephen L., Jr.
Talley, Scott
Harpootlian, Richard A. "Dick"
Loftis, Dwight A.
Garrett, Billy
Gustafson, Penry
Johnson, Michael
Kimbrell, Josh
Stephens, Vernon
Massey, A. Shane
Reichenbach, Mike

BANKING AND INSURANCE
Cromer, Ronnie W., Chairman
Setzler, Nikki G.
Jackson, Darrell
Rankin, Luke A.
Alexander, Thomas C.
Malloy, Gerald
Davis, Tom
Bennett, Sean M.
Williams, Kent M.
Hutto, Brad
Turner, Ross

Gambrell, Michael W. “Mike”
Loftis, Dwight A.
Garrett, Billy
Kimbrell, Josh
Adams, Brian
Allen, Karl B.

CORRECTIONS AND PENOLOGY
Martin, Shane R., Chairman
Allen, Karl B.
Shealy, Katrina F.
Turner, Ross
McLeod, Mia
Rice, Rex F.
Senn, Sandra J. “Sandy”
Hembree, Greg
Adams, Brian
Garrett, Billy
Gustafson, Penry
Johnson, Michael
Stephens, Vernon
Reichenbach, Mike
Fanning, Michael “Mike”
Tedder, Deon
Devine, Tameika Isaac

EDUCATION
Hembree, Greg, Chairman
Setzler, Nikki G.
Rankin, Luke A.
Peeler, Harvey S., Jr.
Jackson, Darrell
Grooms, Lawrence K. “Larry”
Malloy, Gerald
Hutto, Brad
Young, Tom, Jr.
Turner, Ross
Rice, Rex F.
Talley, Scott
Massey, A. Shane
Cash, Richard J.

Allen, Karl B.
Loftis, Dwight A.
Johnson, Kevin L.

ETHICS
Bennett, Sean M., Chairman
Peeler, Harvey S., Jr.
Hutto, Brad
Rankin, Luke A.
Jackson, Darrell
Setzler, Nikki G.
Alexander, Thomas C.
Malloy, Gerald
Williams, Kent M.
Grooms, Lawrence K. “Larry”

FAMILY AND VETERANS SERVICES COMMITTEE
Shealy, Katrina F., Chairman
Young, Tom, Jr.
Johnson, Kevin L.
McElveen, J. Thomas, III
Climer, David Wesley “Wes”
Fanning, Michael “Mike”
Talley, Scott
Gambrell, Michael W. “Mike”
Cash, Richard J.
Harpootlian, Richard A. “Dick”
Adams, Brian
Gustafson, Penry
Johnson, Michael
Kimbrell, Josh
Stephens, Vernon
Reichenbach, Mike
Tedder, Deon

FINANCE
Peeler, Harvey S., Jr., Chairman
Setzler, Nikki G.
Alexander, Thomas C.
Grooms, Lawrence K., “Larry”
Verdin, Daniel B., “Danny”, III

Cromer, Ronnie W.
Jackson, Darrell
Williams, Kent M.
Davis, Tom
Martin, Shane R.
Allen, Karl B.
Bennett, Sean M.
Corbin, Thomas D. “Tom”
Hembree, Greg
Johnson, Kevin L.
McElveen, J. Thomas, III
Shealy, Katrina F.
Turner, Ross
Gambrell, Michael W. “Mike”
Fanning, Michael “Mike”
Goldfinch, Stephen L., Jr.
Young, Tom, Jr.
Matthews, Margie Bright

FISH, GAME AND FORESTRY
Campsen, George E. “Chip”, III, Chairman
Hutto, Brad
Cromer, Ronnie W.
Williams, Kent M.
McElveen, J. Thomas, III
Young, Tom, Jr.
Goldfinch, Stephen L., Jr.
Talley, Scott
Corbin, Thomas D. “Tom”
Bennett, Sean M.
Fanning, Michael “Mike”
Adams, Brian
Davis, Tom
Kimbrell, Josh
Reichenbach, Mike
Tedder, Deon
Devine, Tameika Isaac

INTERSTATE COOPERATION
Alexander, Thomas C., Chairman
Peeler, Harvey S., Jr.
Setzler, Nikki G.
Jackson, Darrell
Hutto, Brad

JUDICIARY
Rankin, Luke A., Chairman
Hutto, Brad
Malloy, Gerald
Campsen, George E. "Chip", III
Massey, A. Shane
Sabb, Ronnie A.
Climer, David Wesley "Wes"
McLeod, Mia
Rice, Rex F.
Senn, Sandra J. "Sandy"
Talley, Scott
Cash, Richard J.
Harpootlian, Richard A. "Dick"
Loftis, Dwight A.
Adams, Brian
Garrett, Billy
Gustafson, Penry
Johnson, Michael
Kimbrell, Josh
Stephens, Vernon
Reichenbach, Mike
Tedder, Deon
Devine, Tameika Isaac

LABOR, COMMERCE AND INDUSTRY
Davis, Tom, Chairman
Setzler, Nikki G.
Alexander, Thomas C.
Williams, Kent M.
Massey, A. Shane
Bennett, Sean M.
Corbin, Thomas D. "Tom"

Johnson, Kevin L.
Allen, Karl B.
Sabb, Ronnie A.
Gambrell, Michael W. “Mike”
Climer, David Wesley “Wes”
Senn, Sandra J. “Sandy”
Shealy, Katrina F.
Rice, Rex F.
Turner, Ross
Matthews, Margie Bright

LEGISLATIVE OVERSIGHT
Alexander, Thomas C., Chairman
Setzler, Nikki G.
Jackson, Darrell
Hutto, Brad
Malloy, Gerald
Campsen, George E. “Chip”, III
Williams, Kent M.
Massey A. Shane
Davis, Tom
Young, Tom, Jr.
Climer, David Wesley “Wes”
Talley, Scott
Allen, Karl B.

MEDICAL AFFAIRS
Verdin, Daniel B. “Danny”, III, Chairman
Peeler, Harvey S., Jr.
Hutto, Brad
Martin, Shane R.
Alexander, Thomas C.
Davis, Tom
Johnson, Kevin L.
Corbin, Thomas D. “Tom”
Matthews, Margie Bright
Gambrell, Michael W. “Mike”
Senn, Sandra J. “Sandy”
Cash, Richard J.
McLeod, Mia
Loftis, Dwight A.

Garrett, Billy
Sabb, Ronnie A.
Tedder, Deon

RULES
Massey, A. Shane, Chairman
Cromer, Ronnie W.
Malloy, Gerald
Martin, Shane R.
Campsen, George E. “Chip”, III
Corbin, Thomas D. “Tom”
Young, Tom, Jr.
Sabb, Ronnie A.
Grooms, Lawrence K. “Larry”
Hembree, Greg
McLeod, Mia
Shealy, Katrina F.
Goldfinch, Stephen L., Jr.
Harpootlian, Richard A. “Dick”
Johnson, Michael
Matthews, Margie Bright
Devine, Tameika Isaac

TRANSPORTATION
Grooms, Lawrence K. “Larry”, Chm.
Rankin, Luke A.
Verdin, Daniel B. “Danny”, III
Malloy, Gerald
Campsen, George E. “Chip”, III
Peeler, Harvey S., Jr.
Bennett, Sean M.
Hembree, Greg
McElveen, J. Thomas, III
Matthews, Margie Bright
Climer, David Wesley “Wes”
Rice, Rex F.

Senn, Sandra J. "Sandy"
Cash, Richard J.
McLeod, Mia
Harpootlian, Richard A. "Dick"
Stephens, Vernon

INDIVIDUAL COMMITTEE ASSIGNMENTS OF THE SENATE

ADAMS, BRIAN
Banking and Insurance
Corrections and Penology
Family and Veterans' Services
Fish, Game and Forestry
Judiciary

ALEXANDER, THOMAS C.
Banking and Insurance
Ethics
Finance
Interstate Cooperation, Chairman
Labor, Commerce and Industry
Legislative Oversight, Chairman
Medical Affairs

ALLEN, KARL B.
Corrections and Penology
Banking and Insurance
Education
Finance
Labor, Commerce and Industry
Legislative Oversight

BENNETT, SEAN M.
Banking and Insurance
Ethics, Chairman
Finance
Fish, Game and Forestry
Labor, Commerce and Industry
Transportation

CAMPSEN, GEORGE E. "CHIP", III
Fish, Game and Forestry, Chairman
Judiciary
Legislative Oversight
Rules
Transportation

CASH, RICHARD J.
Education
Family and Veterans' Services
Judiciary
Medical Affairs
Transportation

CLIMER, DAVID WESLEY "WES"
Agriculture and Natural Resources, Chairman
Family and Veterans' Services
Judiciary
Labor, Commerce and Industry
Legislative Oversight
Transportation

CORBIN, THOMAS D. "TOM"
Finance
Fish, Game and Forestry
Labor, Commerce and Industry
Medical Affairs
Rules

CROMER, RONNIE W.
Banking and Insurance, Chairman
Finance
Fish, Game and Forestry
Rules

DAVIS, TOM
Banking and Insurance
Finance
Fish, Game and Forestry
Labor, Commerce and Industry, Chairman

Legislative Oversight
Medical Affairs

DEVINE, TAMEIKA ISAAC
Corrections
Fish, Game and Forestry
Judiciary
Rules

FANNING, MICHAEL "MIKE"
Agriculture and Natural Resources
Corrections
Family and Veterans' Services
Finance
Fish, Game and Forestry

GAMBRELL, MICHAEL W. "MIKE"
Banking and Insurance
Family and Veterans' Services
Finance
Labor, Commerce and Industry
Medical Affairs

GARRETT, BILLY
Agriculture and Natural Resources
Banking and Insurance
Corrections and Penology
Judiciary
Medical Affairs

GOLDFINCH, STEPHEN L., JR.
Agriculture and Natural Resources
Finance
Fish, Game and Forestry
Rules

GROOMS, LAWRENCE K. "LARRY"
Education
Ethics
Finance

Rules
Transportation, Chairman

GUSTAFSON, PENRY
Agriculture and Natural Resources
Corrections and Penology
Family and Veterans' Services
Judiciary

HARPOOTLIAN, RICHARD A. "DICK"
Agriculture and Natural Resources
Family and Veterans' Services
Judiciary
Rules
Transportation

HEMBREE, GREG
Corrections and Penology
Education, Chairman
Finance
Rules
Transportation

HUTTO, BRAD
Banking and Insurance
Education
Ethics
Fish, Game and Forestry
Judiciary
Interstate Cooperation
Legislative Oversight
Medical Affairs

JACKSON, DARRELL
Banking and Insurance
Education
Ethics
Finance
Interstate Cooperation
Legislative Oversight

JOHNSON, KEVIN L.
Education
Family and Veterans' Services
Finance
Labor, Commerce and Industry
Medical Affairs

JOHNSON, MICHAEL
Agriculture and Natural Resources
Corrections and Penology
Family and Veterans' Services
Judiciary
Rules

KIMBRELL, JOSH
Agriculture and Natural Resources
Banking and Insurance
Family and Veterans' Services
Fish, Game and Forestry
Judiciary

LOFTIS, DWIGHT A.
Agriculture and Natural Resources
Banking and Insurance
Education
Judiciary
Medical Affairs

MALLOY, GERALD
Banking and Insurance
Education
Ethics
Judiciary
Legislative Oversight
Rules
Transportation

MARTIN, SHANE R.
Corrections and Penology, Chairman
Finance
Medical Affairs
Rules

MASSEY, A. SHANE
Agriculture and Natural Resources
Education
Judiciary
Labor, Commerce and Industry
Legislative Oversight
Rules, Chairman

MATTHEWS, MARGIE BRIGHT
Labor, Commerce and Industry
Finance
Medical Affairs
Rules
Transportation

McELVEEN, J. THOMAS, III
Agriculture and Natural Resources
Family and Veterans' Services
Finance
Fish, Game and Forestry
Transportation

McLEOD, MIA S.
Corrections and Penology
Judiciary
Medical Affairs
Rules
Transportation

PEELER, HARVEY S., JR.
Education
Ethics
Finance, Chairman
Interstate Cooperation

Medical Affairs
Transportation

RANKIN, LUKE A.
Banking and Insurance
Education
Ethics
Judiciary, Chairman
Transportation

RICE, REX F.
Corrections and Penology
Education
Judiciary
Labor, Commerce and Industry
Transportation

REICHENBACH, MIKE
Agriculture and Natural Resources
Corrections and Penology
Family and Veterans' Services
Fish, Game and Forestry
Judiciary

SABB, RONNIE A.
Agriculture and Natural Resources
Judiciary
Labor, Commerce and Industry
Medical Affairs
Rules

SENN, SANDRA J. "SANDY"
Corrections and Penology
Judiciary
Labor, Commerce and Industry
Medical Affairs
Transportation

SETZLER, NIKKI G.
Banking and Insurance
Education
Ethics
Finance
Interstate Cooperation
Labor, Commerce and Industry
Legislative Oversight

SHEALY, KATRINA F.
Corrections and Penology
Family and Veterans' Services, Chairman
Finance
Labor, Commerce and Industry
Rules

STEPHENS, VERNON
Agriculture and Natural Resources
Corrections and Penology
Family and Veterans' Services
Judiciary
Transportation

TALLEY, SCOTT
Agriculture and Natural Resources
Education
Family and Veterans' Services
Fish, Game and Forestry
Judiciary
Legislative Oversight

TEDDER, DEON
Corrections
Family and Veterans' Services
Fish, Game and Forestry
Judiciary
Medical Affairs

TURNER, ROSS
Banking and Insurance
Corrections and Penology
Education
Finance
Labor, Commerce and Industry

VERDIN, DANIEL B. "DANNY", III
Agriculture and Natural Resources
Finance
Medical Affairs, Chairman
Transportation

WILLIAMS, KENT M.
Agriculture and Natural Resources
Banking and Insurance
Ethics
Finance
Fish, Game and Forestry
Labor, Commerce and Industry
Legislative Oversight

YOUNG, TOM, JR.
Education
Family and Veterans' Services
Finance
Fish, Game and Forestry
Legislative Oversight
Rules

SEATING SELECTIONS

Pursuant to the Rules, the Senate proceeded to the selection of seats.

The Reading Clerk called the roll in accordance with Rule 4 for the purpose of seating selections as follows:

Seat 1 Sen. Peeler
Seat 2 Sen. Rankin
Seat 3 Sen. Alexander
Seat 4 Sen. Cromer
Seat 5 Sen. Grooms
Seat 6 Sen. Campsen

Seat 7	Sen. Davis
Seat 8	Sen. Shealy
Seat 9	Sen. Martin
Seat 10	Sen. Verdin
Seat 11	Sen. Cash
Seat 12	Sen. Loftis
Seat 13	Sen. Gustafson
Seat 14	Sen. Climer
Seat 15	Sen. Goldfinch
Seat 16	Sen. Gambrell
Seat 17	Sen. Bennett
Seat 18	Sen. Hembree
Seat 19	Sen. Turner
Seat 20	Sen. Massey
Seat 21	Sen. Young
Seat 22	Sen. Talley
Seat 23	Sen. Corbin
Seat 24	Sen. Hutto
Seat 25	Sen. Setzler
Seat 26	Sen. Jackson
Seat 27	Sen. K. Johnson
Seat 28	Sen. McElveen
Seat 29	Sen. Allen
Seat 30	Sen. Malloy
Seat 31	Sen. Devine
Seat 32	Sen. Williams
Seat 33	Sen. Matthews
Seat 34	Sen. Stephens
Seat 35	Sen. Tedder
Seat 36	Sen. McLeod
Seat 37	Sen. Sabb
Seat 38	Sen. Reichenbach
Seat 39	Sen. Harpootlian
Seat 40	Sen. Senn
Seat 41	Sen. Rice
Seat 42	Sen. Adams
Seat 43	Sen. Garrett
Seat 44	Sen. M. Johnson
Seat 45	Sen. Kimbrell
Seat 46	Sen. Fanning

Doctor of the Day

Senator McELVEEN introduced Dr. M. Mayes Dubose of Sumter, S.C., Doctor of the Day.

CO-SPONSORS ADDED

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

S. 20 Sen. McLeod
S. 109 Sen. Grooms
S. 148 Sen. Gustafson
S. 514 Sen. Gustafson
S. 527 Sens. Senn and Rice
S. 834 Sen. Bennett
S. 882 Sen. Kimbrell

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

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

lc-0300hdb24.docx : 95ff5347-d0bb-4170-943b-cc8acd4181b0

Prefiled and referred to the Committee on Judiciary.

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

S. 840 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-23-430, RELATING TO HEARINGS ON A PERSON'S FITNESS TO STAND TRIAL, SO AS TO REQUIRE THE CIRCUIT COURT TO ORDER INPATIENT TREATMENT OF PERSONS DETERMINED UNFIT TO STAND TRIAL IN CERTAIN CIRCUMSTANCES.

lc-0308vr24.docx : 857c0b06-3a02-4b60-baa0-54a54da6bc1b

Prefiled and referred to the Committee on Judiciary.

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

S. 841 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PROSECUTORS PERSONAL PRIVACY PROTECTION ACT" BY ADDING ARTICLE 9 TO CHAPTER 2, TITLE 30 SO AS TO DEFINE

NECESSARY TERMS, AND TO PROVIDE CURRENT AND FORMER PROSECUTORS HAVE THE OPTION OF MAKING PERSONAL CONTACT INFORMATION HELD BY STATE OR LOCAL GOVERNMENTS CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE, TO PROVIDE LIMITED EXCEPTIONS, AND TO PROVIDE RELATED PROCEDURES FOR EXERCISING THIS OPTION, AMONG OTHER THINGS; AND TO PROVIDE THE SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION SHALL CREATE A FORM FOR USE BY PROSECUTORS WHEN REQUESTING NONDISCLOSURE OF PERSONAL CONTACT INFORMATION, AND TO SPECIFY REQUIREMENTS FOR THE FORM.

lc-0502wab24.docx : e4c690ad-592a-4636-be67-5bd7a862c92c

Prefiled and referred to the Committee on Judiciary.

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

S. 842 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-13-40, RELATING TO THE COMPUTATION OF TIME SERVED BY PRISONERS, SO AS TO DELETE THE PROVISION THAT ALLOWS PRISONERS TO USE TIME SPENT UNDER MONITORED HOUSE ARREST AGAINST THEIR SENTENCE WHEN COMPUTING TIME SERVED BY A PRISONER.

lc-0408cm24.docx : 5e9a6464-40f1-467a-ad01-0a15eae1d951

Prefiled and referred to the Committee on Corrections and Penology.

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

S. 843 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-56-120, RELATING TO MISREPRESENTATIONS PROHIBITED, SO AS TO PROHIBIT A SOLICITATION FROM A PERSON OR GROUP REPRESENTING ITSELF AS A SOUTH CAROLINA-BASED NATIVE AMERICAN INDIAN TRIBE OR SOUTH CAROLINA-BASED NATIVE AMERICAN ENTITY UNLESS THE GROUP HAS BEEN FEDERALLY ACKNOWLEDGED AS A TRIBE, OR DESIGNATED AS A TRIBE, GROUP, OR SPECIAL INTEREST

ORGANIZATION BY THE BOARD OF THE STATE COMMISSION FOR MINORITY AFFAIRS.

sj-0039pb23.docx : 321625b6-9d66-47b4-8b45-eaeed37791b1

Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 844 -- Senator Rankin: A JOINT RESOLUTION TO CREATE A REVIEW AND STUDY COMMITTEE, TO PROVIDE THAT THE REVIEW AND STUDY COMMITTEE SHALL CONDUCT A THOROUGH STUDY AND REVIEW OF SOUTH CAROLINA'S CIVIL JUSTICE AND INSURANCE LAWS REGARDING COVERAGE AVAILABILITY, PREMIUM RATES, AND DEDUCTIBLES; AND TO PROVIDE THAT THE REVIEW AND STUDY COMMITTEE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND THE GOVERNOR.

sr-0502km24.docx : d29b98c1-1b0e-44d2-8756-6a7b154b22cf

Prefiled and referred to the Committee on Judiciary.

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

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

sj-0034mb24.docx : ab740f5f-4372-4a60-b0f6-1e0b7ccbed8c

Prefiled and referred to the Committee on Judiciary.

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

S. 846 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-31-401, RELATING TO CORPORATE NAME, SO AS TO PROHIBIT THE USE OF CERTAIN INDIAN DESCRIPTIONS AS PART OF A NONPROFIT CORPORATION'S CORPORATE NAME UNLESS THE ENTITY IS A FEDERALLY ACKNOWLEDGED TRIBE OR A

STATE DESIGNATED TRIBE, GROUP, OR SPECIAL INTEREST ORGANIZATION.

sj-0040pb23.docx : 6676b479-b43d-477a-9e5d-1e84c0c86013

Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 847 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 11 TO CHAPTER 111, TITLE 59 SO AS TO ESTABLISH THE "HEALTH CARE PROFESSIONAL LOAN FORGIVENESS PROGRAM", TO PROVIDE FOR THE ELIGIBILITY, ADMINISTRATION, AND FUNDING OF THE PROGRAM, TO CREATE AN ADVISORY COMMITTEE, AND TO DEFINE NECESSARY TERMS.

lc-0511wab24.docx : 75b9a02d-1dc0-4a2d-8174-7ad515cba319

Prefiled and referred to the Committee on Education.

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

S. 848 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA OMNIBUS FIREARM SAFETY ACT OF 2024" BY ADDING ARTICLE 2 TO CHAPTER 23, TITLE 16 SO AS TO REQUIRE THAT ANY FIREARM TRANSFER MUST BE PRECEDED BY A CRIMINAL BACKGROUND CHECK PERFORMED BY A LICENSED FIREARMS DEALER WITH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM, AND TO PROVIDE FOR EXCEPTIONS, NOTICE, AND CRIMINAL PENALTIES FOR VIOLATIONS OF THIS PROVISION; BY ADDING ARTICLE 12 TO CHAPTER 31, TITLE 23 SO AS TO PROVIDE FOR THE AUTHORITY OF LAW ENFORCEMENT OFFICERS TO SEIZE A PERSON'S FIREARMS AND AMMUNITION IF THE PERSON POSES A RISK OF IMMINENT PERSONAL INJURY TO HIMSELF OR OTHER INDIVIDUALS, TO ESTABLISH CRITERIA ADDRESSING APPLICATION FOR AND ISSUANCE OF A WARRANT, TO REQUIRE THE PROBATE COURT TO HOLD A HEARING WITHIN SEVEN DAYS OF EXECUTION OF THE WARRANT TO DETERMINE WHETHER THE FIREARMS AND AMMUNITION MAY BE RETURNED TO THE PERSON, AND FOR OTHER PURPOSES; BY ADDING CHAPTER 24 TO TITLE 16 SO AS TO DEFINE NECESSARY

TERMS, TO CREATE THE TIERED OFFENSES OF CRIMINAL STORAGE OF A FIREARM, TO PROVIDE EXCEPTIONS, TO MAKE CERTAIN PROVISIONS FOR WHEN AN INJURED CHILD IS RELATED TO THE PERSON WHO VIOLATES THE CHAPTER, AND TO REQUIRE UPON THE RETAIL SALE OR TRANSFER OF A FIREARM THAT THE SELLER GIVE NOTICE THAT IT IS UNLAWFUL FOR A PERSON TO STORE OR LEAVE A FIREARM WITHIN EASY REACH OF A CHILD; BY AMENDING SECTIONS 16-23-420 AND 16-23-430, RELATING TO POSSESSION OF A FIREARM ON SCHOOL PROPERTY AND CARRYING OF A WEAPON ON SCHOOL PROPERTY, RESPECTIVELY, BOTH SO AS TO INCREASE THE PENALTIES FOR THE OFFENSES; AND BY ADDING ARTICLE 9 TO CHAPTER 31, TITLE 23 SO AS TO PROVIDE THAT RESIDENTS OF THIS STATE WHO OWN OR POSSESS FIREARMS SHALL OBTAIN AND CARRY LIABILITY INSURANCE THAT COVERS LOSSES OR DAMAGES RESULTING FROM ANY NEGLIGENT OR ACCIDENTAL USE OF THE FIREARM, TO PROVIDE THAT PROOF OF INSURANCE MUST BE DISPLAYED UPON DEMAND BY LAW ENFORCEMENT OFFICERS, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

lc-0427cm24.docx : 3622d476-07fd-4cce-a2a1-cbf06c97b0c7

Prefiled and referred to the Committee on Judiciary.

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

S. 849 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-230, RELATING TO SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A SCHEDULE III CONTROLLED SUBSTANCE, WITH EXCEPTIONS; AND BY ADDING SECTION 44-53-372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES.

sr-0487km24.docx : 25737ec9-d2a9-4b45-92a5-b61f2c47d948

Prefiled and referred to the Committee on Judiciary.

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

S. 850 -- Senator Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-108, RELATING TO PROBATE, TESTACY, AND APPOINTMENT PROCEEDINGS AND ULTIMATE TIME LIMIT, SO AS TO PROVIDE THAT APPOINTMENT PROCEEDINGS MAY BE MAINTAINED IN RELATION TO THE ESTATE OF AN INDIVIDUAL PURSUANT TO SECTION 804 OF THE "HONORING OUR PACT ACT OF 2022".

sr-0455km23.docx : 53c2cdb3-270c-4353-ae9f-be0472b970f4

Prefiled and referred to the Committee on Judiciary.

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

S. 851 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-230, RELATING TO THE AUTHORITY OF PHARMACISTS TO DISPENSE OR ADMINISTER CERTAIN INJECTABLE HORMONAL CONTRACEPTIVES BY STANDING ORDER OF A PRESCRIBER, SO AS TO PROVIDE THESE DISPENSATIONS OR ADMINISTRATIONS ALTERNATIVELY MAY BE MADE PURSUANT TO A WRITTEN JOINT PROTOCOL ISSUED BY THE BOARD OF MEDICAL EXAMINERS AND THE BOARD OF PHARMACY.

lc-0498wab24.docx : 049868e2-caaf-437f-aa01-a4fbff6ce6a9

Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 852 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-2930, RELATING TO OPERATING A MOTOR VEHICLE WHILE UNDER INFLUENCE OF ALCOHOL OR DRUGS TO AMEND THE PENALTIES TO PERMIT A SENTENCE OF BOTH A FINE AND INCARCERATION AND TO REQUIRE A CONVICTED PERSON TO ATTEND A DUI VICTIM IMPACT PANEL; BY AMENDING SECTION 56-5-2933, RELATING TO DRIVING WITH AN UNLAWFUL ALCOHOL CONCENTRATION; TO PERMIT A SENTENCE OF BOTH A FINE AND INCARCERATION AND TO REQUIRE A CONVICTED PERSON TO ATTEND A DUI VICTIM IMPACT PANEL; BY AMENDING SECTION 56-5-2941, RELATING TO AN IGNITION INTERLOCK DEVICE SO AS TO DELETE THE PROVISION THAT NOTHING IN THE SECTION REQUIRES INSTALLATION OF AN IGNITION INTERLOCK

DEVICE PRIOR TO THE CONTESTED CASE HEARING; BY AMENDING SECTION 56-5-2945, RELATING TO THE OFFENSE OF FELONY DRIVING UNDER THE INFLUENCE, SO AS TO CREATE THE OFFENSE OF FELONY DRIVING UNDER THE INFLUENCE SECOND DEGREE AND ESTABLISH PENALTIES; BY AMENDING SECTION 56-5-2947, RELATING TO CHILD ENDANGERMENT; TO INCLUDE THE OFFENSES OF RECKLESS VEHICULAR HOMICIDE AND RECKLESS DRIVING AS VIOLATIONS SUBJECT TO A CHARGE OF CHILD ENDANGERMENT; BY AMENDING SECTION 56-5-2950, RELATING TO IMPLIED CONSENT TO TESTING FOR ALCOHOL OR DRUGS; TO PROVIDE THAT AN ARRESTING OFFICER IS NOT REQUIRED TO OFFER A BREATH TEST TO A SUSPECT WHOM HE HAS REASONABLE SUSPICION IS UNDER THE INFLUENCE OF DRUGS OTHER THAN ALCOHOL, AND TO PROVIDE THAT LABORATORY TECHNICIANS, PHLEBOTOMISTS, AND EMERGENCY MEDICAL TECHNICIANS MAY OBTAIN BLOOD OR URINE SAMPLES; BY AMENDING SECTION 56-5-2951, RELATING TO SUSPENSION OF A LICENSE FOR REFUSAL TO SUBMIT TO TESTING OR FOR CERTAIN LEVEL OF ALCOHOL CONCENTRATION. SO AS TO PROVIDE THAT A PERSON ISSUED A LICENSE SUSPENSION MAY INSTALL AN IGNITION INTERLOCK DEVICE WITHIN THIRTY DAYS AND OBTAIN A TEMPORARY DRIVER'S LICENSE WITH AN IGNITION INTERLOCK RESTRICTION, AND TO PROVIDE THAT A PERSON WHO REFUSES TO SUBMIT TO A CHEMICAL TEST MUST HAVE HIS DRIVER'S LICENSE SUSPENDED FOR ONE YEAR FOR A FIRST OFFENSE, AND TO PROVIDE INCREASED SUSPENSIONS FOR SUBSEQUENT OFFENSES, OR IF A PERSON TAKES THE TESTS AND REGISTERS AN ALCOHOL CONCENTRATION OF OVER FIFTEEN ONE-HUNDREDTH OF ONE PERCENT OR MORE, THAT HIS LICENSE IS SUSPENDED FOR TWO MONTHS; BY AMENDING SECTION 56-5-2953, RELATING TO INCIDENT SITE AND BREATH TEST SITE VIDEO RECORDING, SO AS TO PROVIDE THAT NOTHING IN THIS SECTION MAY BE CONSTRUED TO COMPEL OR AUTHORIZE A DISMISSAL OF A DUI OFFENSE IF THE OFFICER SUBSTANTIALLY COMPLIES WITH THE STATUTE AND THAT MOTIONS FOR SUPPRESSION OF EVIDENCE UNDER THE STATUTE MUST BE MADE PRIOR TO JEOPARDY ATTACHING; BY AMENDING SECTION 56-5-2920, RELATING TO RECKLESS

DRIVING, SO AS TO CREATE THE OFFENSE OF FELONY RECKLESS DRIVING WITH GREAT BODILY INJURY AND TO ESTABLISH PENALTIES; BY ADDING SECTION 56-5-2960 TO PROVIDE THAT A PERSON CONVICTED OF FELONY DRIVING UNDER THE INFLUENCE CAUSING THE DEATH OR DISABILITY OF A PARENT OR GUARDIAN, THAT THE DEFENDANT MAY BE ORDERED TO PAY CHILD SUPPORT AS RESTITUTION FOR THE DURATION OF ANY PROBATION ORDERED; BY AMENDING SECTION 56-1-286, RELATING TO SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES WITH A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, SO AS TO PROVIDE THAT A PERSON ISSUED A NOTICE OF SUSPENSION MAY OBTAIN A TEMPORARY LICENSE WITH AN IGNITION INTERLOCK RESTRICTION; AND BY AMENDING SECTION 56-1-400, RELATING TO SURRENDER OF LICENSE, SO AS TO REMOVE THE PROVISION THAT NOTHING IN THIS SECTION REQUIRES A PERSON TO OBTAIN AN IGNITION INTERLOCK UNLESS AN OFFENSE IS ALCOHOL RELATED.

sj-0041bm23.docx : 8430148e-f16f-455d-ba62-2ac04a35adc0

Prefiled and referred to the Committee on Judiciary.

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

S. 853 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "LASER HAIR REMOVAL ACT"; BY ADDING SECTION 40-85-10 SO AS TO PROVIDE DEFINITIONS RELATED TO LASER HAIR REMOVAL; BY ADDING SECTION 40-85-20 SO AS TO PROVIDE THAT ONLY FDA APPROVED LASERS MAY BE USED WHEN PERFORMING LASER HAIR REMOVAL; BY ADDING SECTION 40-85-30 SO AS TO PROVIDE THAT ONLY HEALTH PROFESSIONALS MAY PERFORM LASER HAIR REMOVAL AND TO PROVIDE FOR TRAINING OF NON-PHYSICIAN HEALTH PROFESSIONALS WHO PROVIDE LASER HAIR REMOVAL; BY ADDING SECTION 40-85-40 SO AS TO REGULATE THE PRACTICE OF LASER HAIR REMOVAL; AND BY ADDING SECTION 40-85-50.

sr-0497km24.docx : 24b716ca-c7c5-4901-81c9-20e33e62e391

Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 854 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 53, TITLE 44, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, SO AS TO ESTABLISH THE SAFER SYRINGE PROGRAM, TO PROVIDE WHO MAY ESTABLISH AND OPERATE A SAFER SYRINGE PROGRAM, TO PROVIDE WHAT SERVICES THE PROGRAM MAY OFFER, AND TO PROVIDE IMMUNITY FROM CRIMINAL AND CIVIL LIABILITY FOR PROGRAM EMPLOYEES, PARTICIPANTS, AND LAW ENFORCEMENT; AND BY AMENDING SECTION 44-130-20, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA OVERDOSE PREVENTION ACT, SO AS TO ADD ORGANIZATIONS PROVIDING SAFER SYRINGE SERVICES TO THE DEFINITION OF COMMUNITY DISTRIBUTOR.

sr-0484km24.docx : af732bbe-bfd4-4926-8809-4a472f0ec9d7

Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 855 -- Senator Davis: A JOINT RESOLUTION TO ESTABLISH THE HEALTHCARE MARKET REFORM STUDY COMMITTEE, TO PROVIDE FOR THE STUDY COMMITTEE'S MEMBERSHIP AND THE COMMITTEE'S AFFILIATED NONVOTING ADVISORY BOARD, TO PROVIDE THAT THE COMMITTEE SHALL STUDY WHETHER TO RECOMMEND THE ADOPTION OF VARIOUS MEASURES AFFECTING THE PROVISION OF HEALTH CARE SERVICES IN SOUTH CAROLINA AND THE POTENTIAL BENEFITS ASSOCIATED WITH THESE MEASURES, TO REQUIRE THE STUDY COMMITTEE TO ISSUE A REPORT WITH FINDINGS AND RECOMMENDATIONS, TO REQUIRE THE STUDY COMMITTEE TO RETAIN A THIRD PARTY, INDEPENDENT, EXPERT CONSULTANT, OR CONSULTANTS TO ADVISE THE STUDY COMMITTEE, AND TO PROVIDE FOR THE DISSOLUTION OF THE STUDY COMMITTEE.

sr-0482km24.docx : 699dd4b9-22e8-4a99-8dce-6d2d0d5c4d31

Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 856 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-1-920, RELATING TO DEFINITIONS PERTAINING TO DEVELOPMENT IMPACT FEES, SO AS TO MODIFY DEFINITIONS; BY AMENDING SECTION 6-1-930, RELATING TO DEVELOPMENTAL IMPACT FEES, SO AS TO PROVIDE THAT SYSTEM IMPROVEMENT COSTS DO NOT INCLUDE REPAIR, OPERATION, OR MAINTENANCE OF EXISTING OR NEW CAPITAL IMPROVEMENTS OR ADMINISTRATIVE AND OPERATING COSTS OF THE RELATED GOVERNMENTAL ENTITY; BY AMENDING SECTION 6-1-960, RELATING TO THE RECOMMENDED CAPITAL IMPROVEMENTS PLAN, SO AS TO MODIFY THE CIRCULATION AND PREPARATION REQUIREMENTS OF THE PLAN; AND BY AMENDING SECTION 6-1-1020, RELATING TO REFUNDS OF IMPACT FEES, SO AS TO PROVIDE THAT IMPACT FEES THAT HAVE NOT BEEN EXPENDED WITHIN SEVEN YEARS OF THE DATE THEY WERE SCHEDULED TO BE EXPENDED MUST BE REFUNDED TO THE OWNER OF RECORD OF PROPERTY ON WHICH A DEVELOPMENT IMPACT FEE HAS BEEN PAID.

sr-0485km24.docx : c1e19dde-3853-4133-bb9d-9864521c9c17

Prefiled and referred to the Committee on Finance.

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

S. 857 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGY AND COSMETOLOGISTS SO AS TO PROVIDE A DEFINITION FOR "MOBILE SALON" AND "PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATION"; AND BY ADDING SECTION 40-13-365 SO AS TO PROVIDE FOR PERMITTING AND REGULATION OF MOBILE SALONS AND PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATIONS.

sr-0496km24.docx : 46858c8a-f199-4f64-ad69-09e7ac8f1c4f

Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 858 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-130, RELATING TO HEALTH CARE FACILITY LICENSURE DEFINITIONS, SO AS TO ADD A DEFINITION FOR "ACUTE HOSPITAL CARE AT HOME"; BY AMENDING SECTION 44-7-170, RELATING TO CERTIFICATE OF NEED PROGRAM EXEMPTIONS, SO AS TO EXEMPT ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES; AND BY ADDING SECTION 44-7-267 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS FOR LICENSING ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES.

sr-0450km23.docx : b2e8a7f8-55c9-4745-91dd-3ca63285c35d

Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 859 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "STATE EMPLOYMENT SKILLS BASED HIRING ACT"; BY ADDING SECTION 8-11-188 SO AS TO REQUIRE THE OFFICE OF HUMAN RESOURCES TO CONDUCT PERIODIC REVIEWS OF THE EDUCATIONAL, EXPERIENTIAL, AND TRAINING REQUIREMENTS FOR ALL EXECUTIVE BRANCH JOBS WITH A SPECIAL EMPHASIS ON WHETHER A FOUR-YEAR COLLEGE DEGREE IS NECESSARY, TO PROVIDE THAT THE OFFICE OF HUMAN RESOURCES SHALL REDUCE THE REQUIREMENTS IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE OFFICE OF HUMAN RESOURCES SHALL REPORT ITS ACTIONS PURSUANT TO THIS ACT; AND SO AS TO PROVIDE THAT THE FIRST PERIODIC REVIEW SHALL COMMENCE WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS ACT.

sr-0463km23.docx : 72f05d36-4bd5-4191-9eb3-c951d3e2d70a

Prefiled and referred to the Committee on Finance.

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

S. 860 -- Senator Martin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 33 TO TITLE 56 SO AS TO REQUIRE A MOTOR VEHICLE REPAIR FACILITY TO PROVIDE A CUSTOMER A WRITTEN ESTIMATE, TO REQUIRE CONSENT FROM THE CUSTOMER BEFORE SERVICE OR REPAIR BEGINS, TO PROHIBIT A MOTOR VEHICLE REPAIR

FACILITY FROM EXCEEDING ITS APPROVED ESTIMATE, TO REQUIRE DISPLAY OF THESE REGULATIONS IN THE FACILITY, TO REQUIRE NOTICE OF USE OF "AFTER-MARKET" OR USED PARTS, TO GIVE CUSTOMERS THE RIGHT TO INSPECT AND RETAIN REPLACED PARTS, AND TO PROVIDE REMEDIES AND PENALTIES FOR FAILURE TO COMPLY WITH THESE PROVISIONS.

sr-0500km24.docx : fa1a7cf2-8fc8-4409-93c8-27254c6140fa

Prefiled and referred to the Committee on Transportation.

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

S. 861 -- Senator Martin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 36-1-201, RELATING TO THE DEFINITION OF "MONEY", SO AS TO PROVIDE THAT MONEY DOES NOT INCLUDE A CENTRAL BANK DIGITAL CURRENCY.

sr-0501km24.docx : 950c7bf4-4dce-4f05-904b-328a42e4b4d3

Prefiled and referred to the Committee on Banking and Insurance.

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

S. 862 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-30, RELATING TO CAREGIVER REQUIREMENTS, SO AS TO PROVIDE FOR EDUCATIONAL AND PRE-SERVICE TRAINING REQUIREMENTS.

sr-0106jg23.docx : 000464d8-5f08-4073-aba5-52bb515ddb1f

Prefiled and referred to the Committee on Family and Veterans' Services.

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

S. 863 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-130, RELATING TO DEFINITIONS FOR THE STATE HEALTH FACILITY LICENSING ACT, SO AS TO PROVIDE THAT THE DEFINITION OF HOSPITAL DOES NOT INCLUDE A RESIDENTIAL TREATMENT FACILITY FOR CHILDREN, ADOLESCENTS, OR YOUNG ADULTS IN NEED OF MENTAL HEALTH TREATMENT THAT IS PHYSICALLY PART OF A LICENSED PSYCHIATRIC HOSPITAL.

sr-0466km23.docx : d8318123-f881-4fad-b31b-9d2f830a37f5

Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 864 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-26-110, RELATING TO YOUTH SUICIDE PREVENTION TEACHER TRAINING, SO AS TO PROVIDE REQUIREMENTS FOR TRAINING OF INDIVIDUALS EMPLOYED IN A KINDERGARTEN THROUGH A TWELFTH GRADE SCHOOL OR INSTITUTION OF HIGHER EDUCATION.

sr-0033jg23.docx : 614288fd-27cf-4420-8ecf-2afa9c4cc0e6

Prefiled and referred to the Committee on Education.

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

S. 865 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-1-375, RELATING TO STUDENT IDENTIFICATION CARDS AND CONTACT INFORMATION FOR NATIONAL SUICIDE PREVENTION LIFELINE, SO AS TO PROVIDE FOR INCLUSION OF PRIVATE SCHOOLS AND SCHOOLS SERVING KINDERGARTEN THROUGH TWELFTH GRADE, AND TO PROVIDE ALTERNATIVE METHODS OF DELIVERY OF INFORMATION FOR SCHOOLS THAT DO NOT ISSUE IDENTIFICATION CARDS.

sr-0032jg23.docx : 1712875c-8604-4800-a789-a17716b74d13

Prefiled and referred to the Committee on Education.

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

S. 866 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-48-30, RELATING TO DEFINITIONS, SO AS TO PROVIDE A REASONABLE EXPECTATION STANDARD FOR THE DETERMINATION OF WHETHER SOMEONE IS LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE; AND BY AMENDING SECTION 44-48-20, RELATING TO LEGISLATIVE FINDINGS, SO AS TO CLARIFY THE METHOD OF DETERMINATION FOR THE

LIKLIHOOD THAT A PERSON WILL ENGAGE IN FUTURE ACTS OF SEXUAL VIOLENCE.

sr-0102jg24.docx : 0bfeb67b-920f-4ac9-8b39-faa26a22805c

Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 867 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-26-42 SO AS TO PROVIDE THAT A PERSON WHO HOLDS A PROFESSIONAL CERTIFICATE ISSUED BY THE SOUTH CAROLINA DEPARTMENT OF EDUCATION FOR TWENTY OR MORE YEARS AND WHO TEACHES IN THIS STATE FOR TWENTY OR MORE YEARS MAY RENEW ANNUALLY THE CERTIFICATE BY PARTICIPATING IN REQUIRED DISTRICT PROFESSIONAL DEVELOPMENT WITHOUT HAVING TO SATISFY ANY ADDITIONAL RENEWAL REQUIREMENTS, AND TO PROVIDE THAT THESE PROVISIONS APPLY NOTWITHSTANDING THE PROVISIONS OF THE CERTIFICATE RENEWAL PLAN DEVELOPED BY THE OFFICE OF TEACHER CERTIFICATION OR ANOTHER PROVISION OF LAW.

sr-0499km24.docx : cfe094d7-169a-4b13-a8b4-e54e20cd5263

Prefiled and referred to the Committee on Education.

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

S. 868 -- Senator Hembree: A CONCURRENT RESOLUTION CALLING UPON THE UNITED STATES CONGRESS AND PRESIDENT OF THE UNITED STATES TO WITHDRAW FROM THE WORLD HEALTH ORGANIZATION.

sedu-0056db-db24.docx : d0868ec8-bf25-464a-bd83-9c09b8ef2635

Prefiled and referred to the Committee on Medical Affairs.

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

S. 869 -- Senators Sabb and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-108, RELATING TO PROBATE, TESTACY, AND APPOINTMENT PROCEEDINGS AND ULTIMATE TIME LIMIT, SO AS TO PROVIDE THAT APPOINTMENT PROCEEDINGS MAY BE MAINTAINED IN RELATION TO THE ESTATE OF AN

INDIVIDUAL PURSUANT TO SECTION 804 OF THE "HONORING OUR PACT ACT OF 2022".
sr-0461km23.docx : a342a547-5db3-44bf-941f-705fe4d332d9
Prefiled and referred to the Committee on Judiciary.
Read the first time and referred to the Committee on Judiciary.

S. 870 -- Senator McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-17-605 SO AS TO CREATE THE OFFENSE OF UNLAWFUL CONCEALMENT OF A DEATH AND TO PROVIDE PENALTIES.
lc-0191ahb24.docx : c06f47e3-d1a7-4d61-ad72-7bc2d69e4ab3
Prefiled and referred to the Committee on Judiciary.
Read the first time and referred to the Committee on Judiciary.

S. 871 -- Senator McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO THE MEMBERSHIP OF THE JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, AND QUALIFICATIONS, SO AS TO PROVIDE THAT CERTAIN FACTORS MUST, RATHER THAN SHOULD, BE CONSIDERED; AND BY AMENDING SECTION 2-19-90, RELATING TO THE ELECTION OF JUDGES IN JOINT SESSION OF THE GENERAL ASSEMBLY, SO AS TO REQUIRE MEMBERS OF THE GENERAL ASSEMBLY WHO ARE LICENSED ATTORNEYS PRACTICING LAW IN THE COURTS OF THIS STATE TO RECUSE THEMSELVES FROM VOTING IN ALL JUDICIAL ELECTIONS.
lc-0198ahb24.docx : 05b65462-2c15-4965-b410-990b924df07d
Prefiled and referred to the Committee on Judiciary.
Read the first time and referred to the Committee on Judiciary.

S. 872 -- Senator McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 2-19-10, 2-19-20, 2-19-35, 2-19-70, 2-19-80, AND 2-19-90, ALL RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION, SO AS TO CHANGE THE COMMISSION'S PROCESS FOR NOMINATING JUDICIAL CANDIDATES FROM THE NOMINATION OF THREE QUALIFIED CANDIDATES TO THE RELEASE OF A LIST OF ALL QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY.
lc-0195ahb24.docx : 830ffe63-9ffb-4ac3-9af5-b64fd76aee2e
Prefiled and referred to the Committee on Judiciary.
Read the first time and referred to the Committee on Judiciary.

S. 873 -- Senator McLeod: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 15, ARTICLE V OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO QUALIFICATIONS OF JUSTICES AND JUDGES OF THE SUPREME COURT, THE COURT OF APPEALS, AND THE CIRCUIT COURT, SO AS TO PROVIDE THAT IN ADDITION TO THE QUALIFICATIONS FOR JUSTICES AND JUDGES CONTAINED IN THIS SECTION, NO PERSON MAY BE ELECTED AS THE CHIEF JUSTICE OR AS AN ASSOCIATE JUSTICE OF THE SUPREME COURT OR AS A JUDGE OF THE COURT OF APPEALS WHO HAS NOT PREVIOUSLY SERVED AS A JUDGE OF A COURT OF RECORD IN THIS STATE.

lc-0199ahb24.docx : 159599fe-b7d0-4782-8677-f5525b36615c

Prefiled and referred to the Committee on Judiciary.

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

S. 874 -- Senator McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA PRO BIRTH ACCOUNTABILITY ACT"; BY ADDING ARTICLE 8 TO CHAPTER 41, TITLE 44 SO AS TO REQUIRE COMPENSATION OF CERTAIN WOMEN GIVING BIRTH TO A CHILD WHO BUT FOR A FETAL HEARTBEAT LAW COULD CHOOSE TO TERMINATE THE PREGNANCY, AND FOR OTHER PURPOSES.

lc-0328vr24.docx : d04d8726-a8bd-4807-b18e-61c4b6cc9e60

Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

S. 875 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 7-13-1180 SO AS TO REQUIRE EACH COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS TO CONDUCT HAND COUNT POSTELECTION AUDITS OF ALL VOTES CAST WITHIN A MINIMUM NUMBER OF RANDOMLY SELECTED PRECINCTS; BY ADDING SECTION 7-13-1510 SO AS TO REQUIRE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS TO PUBLISH BALLOT TABULATION REPORTS DETAILING, AMONG OTHER THINGS, TIMESTAMPS ASSOCIATED WITH EACH BALLOT CAST; BY AMENDING SECTION 7-3-20, RELATING TO THE DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO REQUIRE

SECURITY ASSESSMENTS OF THE VOTING SYSTEM AND OTHER ELECTION SYSTEMS, INCLUDING SECURITY AUDITS CONDUCTED AT LEAST ANNUALLY BY INDEPENDENT THIRD-PARTY VENDORS; AND BY AMENDING SECTION 7-5-186, RELATING TO THE STATEWIDE VOTER REGISTRATION DATABASE, SO AS TO PROHIBIT THE SHARING OF CONFIDENTIAL INFORMATION OR DATA WITH THIRD-PARTY NONPROFIT GROUPS OR PRIVATE ORGANIZATIONS.

lc-0312hdb24.docx : 57cf4cdd-f896-4743-af49-36fad40e9907

Prefiled and referred to the Committee on Judiciary.

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

S. 876 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-6-120 SO AS TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES, SUBJECT TO FEDERAL APPROVAL, TO INCLUDE COVERAGE OF RAPID WHOLE GENOME SEQUENCING AS A SEPARATELY PAYABLE SERVICE FOR CERTAIN MEDICAID RECIPIENTS; TO REQUIRE THAT THE GENETIC DATA GENERATED AS A RESULT OF THE SEQUENCING BE USED ONLY FOR SPECIFIED PURPOSES, WITH EXCEPTIONS; TO REQUIRE THE DEPARTMENT TO SEEK FEDERAL APPROVAL AS NEEDED TO ACCOMPLISH THE PURPOSES OF THIS SECTION; AND FOR OTHER PURPOSES.

lc-0316vr24.docx : f40af059-f01d-4289-8ee7-37895503a269

Prefiled and referred to the Committee on Medical Affairs.

Read the first time and referred to the Committee on Medical Affairs.

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

sj-0014sw23.docx : 65e02214-50e4-44c1-947b-5f18f90fd374

Prefiled and referred to the Committee on Judiciary.

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

S. 878 -- Senators Harpootlian and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 22-1-10(A), RELATING TO THE APPOINTMENT AND TERM OF MAGISTRATES, SO AS TO PROVIDE THAT MAGISTRATES MAY NO LONGER SERVE IN HOLDOVER CAPACITY LONGER THAN NINETY DAYS.

sr-0459km24.docx : b81acb42-00f0-4345-840f-e07cdca80ecc

Prefiled and referred to the Committee on Judiciary.

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

S. 879 -- Senators Harpootlian, McLeod and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO APPOINTMENT OF THE JUDICIAL MERIT SELECTION COMMISSION, SO AS TO PROVIDE THAT TWO MEMBERS MUST BE APPOINTED UPON THE RECOMMENDATION OF THE SOUTH CAROLINA BAR ASSOCIATION; BY AMENDING SECTION 2-19-30, RELATING TO JMSC HEARINGS, SO AS TO PROVIDE THAT A CANDIDATE MAY NOT WITHDRAW HIS CANDIDACY AFTER THE JMSC BEGINS ITS INVESTIGATION INTO HIS QUALIFICATIONS; BY AMENDING SECTION 2-19-35, RELATING TO CRITERIA FOR INVESTIGATIONS AND CONSIDERATION BY THE JMSC SO AS TO PROVIDE THAT THE COMMISSION SHALL NOT CONSIDER ANY INFORMATION FROM ANONYMOUS SOURCES; BY AMENDING SECTION 2-19-70, RELATING TO PROHIBITION AGAINST CERTAIN PEOPLE BEING ELECTED TO A JUDGESHIP, SO AS TO PROHIBIT ANY PERSON RELATED TO A MEMBER OF THE GENERAL ASSEMBLY BY CONSANGUINITY OR AFFINITY WITHIN THE SECOND DEGREE FROM BEING ELECTED JUDGE; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES ARE SUBMITTED TO THE GENERAL ASSEMBLY; AND BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO CLARIFY WHEN AN INCUMBENT JUDGE MAY WITHDRAW HIS NAME FROM CONSIDERATION BY THE JMSC.

sr-0448km23.docx : aa10e45b-c186-4840-9dd3-37a4eaf92b45

Prefiled and referred to the Committee on Judiciary.

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

S. 880 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-605 SO AS TO CREATE THE OFFENSE OF RECKLESS ENDANGERMENT, TO DEFINE TERMS PERTAINING TO THIS OFFENSE, AND TO PROVIDE PENALTIES; BY AMENDING SECTION 16-3-610, RELATING TO CERTAIN OFFENSES COMMITTED WITH A CARRIED OR CONCEALED DEADLY WEAPON, SO AS TO INCLUDE RECKLESS ENDANGERMENT; AND BY AMENDING SECTION 17-15-55(C), RELATING TO RECONSIDERATION BY CIRCUIT COURT OF BOND SET BY SUMMARY COURT AND SUBSEQUENT VIOLENT OFFENDERS, SO AS TO REQUIRE THE BOND FOR THE OFFENSE OF RECKLESS ENDANGERMENT TO BE HELD IN CIRCUIT COURT IF THE OFFENSE WAS COMMITTED BY A PERSON ALREADY OUT ON BOND FOR A PREVIOUS VIOLENT OFFENSE, RECKLESS ENDANGERMENT OFFENSE, OR ANY FELONY OFFENSE INVOLVING A FIREARM.

sr-0105jg24.docx : 96a864e5-7d5f-4c32-be12-fbda562e864f

Prefiled and referred to the Committee on Judiciary.

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

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

sj-0041pb23.docx : 75923ce0-615e-41c3-90e9-e9f57ff99c64

Prefiled and referred to the Committee on Judiciary.

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

S. 882 -- Senators M. Johnson and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-380 SO AS TO PROVIDE THAT A PARENT OR THE LEGAL GUARDIAN OF A MINOR MUST BE NOTIFIED WHEN A HEALTH CARE PROFESSIONAL PRESCRIBES MEDICATION TO THE MINOR, TO PROVIDE THAT A PHARMACIST CANNOT FILL A PRESCRIPTION FOR A MINOR WITHOUT THE MINOR'S PARENT OR LEGAL GUARDIAN CONSENTING, TO PROVIDE

THAT A PARENT OR LEGAL GUARDIAN CANNOT BE PROHIBITED FROM VIEWING HIS MINOR'S PRESCRIPTION HISTORY, AND TO PROVIDE THAT THESE PROVISIONS DO NOT APPLY TO AN EMANCIPATED MINOR OR A MARRIED MINOR.

sr-0462km23.docx : b90fccf9-4c03-4537-abd4-95511a9880aa

Prefiled and referred to the Committee on Family and Veterans' Services.

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

S. 883 -- Senator M. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 42-17-20, RELATING TO A HEARING BEFORE COMMISSION ON COMPENSATION PAYABLE, SO AS TO REQUIRE THE HEARING SHALL BE HELD IN THE COUNTY SEAT WITHIN A DISTRICT UNLESS AN ALTERNATIVE COURTHOUSE IS PROVIDED BY THE COUNTY CLERK.

sj-0032mb24.docx : 8a094454-abc0-4c89-ba33-d15e9b9ed1d2

Prefiled and referred to the Committee on Judiciary.

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

S. 884 -- Senator Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15-36-10, RELATING TO FRIVOLOUS LAWSUITS, SO AS TO PROVIDE THAT SANCTIONS MUST BE IMPOSED UNDER CERTAIN CONDITIONS, TO PROVIDE THAT A COURT OR PARTY PROPOSING SANCTIONS MUST EXPEDITIOUSLY NOTIFY THE COURT AND ALL PARTIES OF THE CONDUCT CONSTITUTING A VIOLATION, TO PROVIDE THAT THE ATTORNEY, PARTY, OR PRO SE LITIGANT WHO ALLEGEDLY COMMITTED THE VIOLATION HAS FIFTEEN DAYS TO RESPOND TO THE ALLEGATIONS, AND TO INCLUDE THE COSTS OF DEPOSITIONS AND REASONABLE FEES FOR TESTIFYING EXPERT WITNESSES AS REASONABLE COSTS.

sr-0492km24.docx : bc44ea94-9bf1-481d-91bd-b03aa15b38de

Prefiled and referred to the Committee on Judiciary.

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

S. 885 -- Senator Kimbrell: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE III AND SECTION 1, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO QUALIFICATIONS OF MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES AND ELIGIBILITY FOR OFFICE FOR OFFICERS OF THIS STATE, RESPECTIVELY, SO AS TO PROVIDE THAT MEMBERS OF THE GENERAL ASSEMBLY AND OFFICERS OF THIS STATE MUST PASS A TEST ON THE CONTENT AND CONTEXT OF THE CONSTITUTION OF THIS STATE AND THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

sr-0446km23.docx : 445e941f-ea58-4396-be1d-4ba8702887e4

Prefiled and referred to the Committee on Judiciary.

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

S. 886 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-5-320, RELATING TO APPLICATIONS FOR MOTOR VEHICLE DRIVERS' LICENSES AND VOTER REGISTRATION, SO AS TO PROVIDE THAT EACH STATE IDENTIFICATION CARD APPLICATION OR MOTOR VEHICLE DRIVER'S LICENSE APPLICATION, INCLUDING RENEWAL APPLICATIONS, SUBMITTED TO THE DEPARTMENT OF MOTOR VEHICLES SHALL SERVE AS AN APPLICATION FOR VOTER REGISTRATION; TO ELIMINATE THE REQUIREMENT THAT THE APPLICANT SIGN A SEPARATE VOTER REGISTRATION PORTION OF THE APPLICATION IN ORDER TO REGISTER; TO PROVIDE THAT THE APPLICANT SHALL CONSENT TO THE USE OF HIS SIGNATURE FROM HIS STATE IDENTIFICATION CARD OR DRIVER'S LICENSE ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES FOR VOTER REGISTRATION PURPOSES; AND TO PROVIDE A PROCEDURE BY WHICH AN INDIVIDUAL CAN DECLINE REGISTRATION.

sr-0495km24.docx : 2cd5a385-3ca0-42e7-802d-0221188f4df1

Prefiled and referred to the Committee on Judiciary.

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

S. 887 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27-40-680 SO AS TO PROVIDE THAT A TENANT HAS THE RIGHT TO COUNSEL IN AN EVICTION PROCEEDING BETWEEN THE TENANT AND A LANDLORD AND TO AUTHORIZE THE COURT TO APPOINT COUNSEL TO DEFEND A TENANT IF IT DETERMINES THE TENANT IS UNABLE TO FINANCIALLY RETAIN ADEQUATE LEGAL COUNSEL.

smin-0097aa23.docx : adeba309-108f-429f-b960-cdaf06337630

Prefiled and referred to the Committee on Judiciary.

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

S. 888 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-19-10, RELATING TO DEFINITIONS FOR PURPOSES OF THE YOUTHFUL OFFENDER ACT, SO AS TO REDEFINE THE TERM "YOUTHFUL OFFENDER" TO CHANGE THE YOUTHFUL OFFENDER ELIGIBILITY REQUIREMENTS BY TYING ELIGIBILITY TO THE AGE AT THE TIME OF COMMISSION OF AN OFFENSE RATHER THAN THE TIME OF CONVICTION; AND BY AMENDING SECTION 24-19-50, RELATING TO POWERS OF COURTS UPON CONVICTION OF YOUTHFUL OFFENDERS, SO AS TO MAKE A CONFORMING CHANGE.

smin-0095aa23.docx : 9e2e6de3-b693-494d-81c1-0ae82cafb145

Prefiled and referred to the Committee on Corrections and Penology.

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

S. 889 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 23, TITLE 16, RELATING TO OFFENSES INVOLVING WEAPONS, BY ADDING ARTICLE 2, TO REQUIRE THAT ANY FIREARM TRANSFER MUST BE PRECEDED BY A CRIMINAL BACKGROUND CHECK PERFORMED BY A LICENSED FIREARMS DEALER WITH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM, AND TO PROVIDE FOR EXCEPTIONS, NOTICE, AND CRIMINAL PENALTIES FOR VIOLATIONS OF THIS PROVISION.

smin-0099aa23.docx : 900497a2-5a64-442f-bf36-ad71033ff521

Prefiled and referred to the Committee on Judiciary.

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

S. 890 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-440, RELATING TO DISCHARGING FIREARMS AT OR INTO DWELLINGS, STRUCTURES, ENCLOSURES, VEHICLES, OR EQUIPMENT, AND PENALTIES, SO AS TO PROVIDE IT IS UNLAWFUL TO KNOWINGLY DISCHARGE FIREARMS AT OR IN THE DIRECTION OF ONE OR MORE INDIVIDUALS, AND PROVIDE A PENALTY.

lc-0433cm24.docx : 913fe46f-30df-4d5a-8ddd-eba1af86dfd4

Prefiled and referred to the Committee on Judiciary.

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

S. 891 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO CHAPTER 7, TITLE 6 SO AS TO ESTABLISH THE "SOUTH CAROLINA INCLUSIONARY HOUSING ACT", TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO ADOPT AND USE VOLUNTARY INCLUSIONARY HOUSING STRATEGIES TO INCREASE THE AVAILABILITY OF AFFORDABLE HOUSING.

lc-0296dg24.docx : 11d07b98-7d79-4e27-84ec-99e08d95c778

Prefiled and referred to the Committee on Judiciary.

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

S. 892 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-180 SO AS TO PROVIDE THAT THE SCENT OF MARIJUANA ALONE DOES NOT PROVIDE LAW ENFORCEMENT WITH REASONABLE SUSPICION OR PROBABLE CAUSE TO SUPPORT A STOP, SEARCH, SEIZURE, OR ARREST.

lc-0309hdb24.docx : 94f5cd28-b9bc-4e6d-a8b1-84b74b4cee84

Prefiled and referred to the Committee on Judiciary.

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

S. 893 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-24-60, RELATING TO THE REQUIREMENT THAT PUBLIC SCHOOL ADMINISTRATORS REPORT CERTAIN STUDENT CRIMINAL MISCONDUCT TO LAW ENFORCEMENT, SO AS TO PROVIDE ADMINISTRATORS IMMEDIATELY SHALL REFER MINOR INCIDENTS OF STUDENT FIGHTING TO A PANEL OF SCHOOL BOARD MEMBERS TO REVIEW AND CONSIDER FOR

REFERRAL TO LOCAL LAW ENFORCEMENT, TO PROVIDE THE PANEL SHALL CONDUCT THE REVIEW AND MAKE THE REFERRAL DETERMINATION WITHIN FORTY-EIGHT HOURS, TO PROVIDE STUDENTS INVOLVED IN SUCH INCIDENTS MAY NOT BE CHARGED OR DETAINED BY LAW ENFORCEMENT FOR ANY CRIME RELATED TO THE INCIDENT UNTIL THE PANEL MAKES ITS DETERMINATION, AND TO DEFINE A NECESSARY TERM.

lc-0506wab24.docx : 623c76d4-ba53-4af6-afd7-7b09818dce97

Prefiled and referred to the Committee on Education.

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

S. 894 -- Senator Grooms: A CONCURRENT RESOLUTION TO CONGRATULATE MICHAEL A. LOCKLIEAR UPON THE OCCASION OF HIS RETIREMENT AS MAYOR OF THE TOWN OF MONCKS CORNER, TO COMMEND HIM FOR HIS TWENTY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0514km-vc24.docx : 4807b756-3ba1-4458-bcf9-ff616e873fd8

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

S. 895 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE THE GREATER CAYCE WEST COLUMBIA CHAMBER OF COMMERCE FOR BEING NAMED THE 2023 OUTSTANDING CHAMBER OF COMMERCE IN BOTH SOUTH CAROLINA AND NORTH CAROLINA.

sr-0511km-vc24.docx : c6fd46b2-7463-4130-a210-e8761df00c2e

The Senate Resolution was adopted.

S. 896 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CAPTAIN JOSEPH KENNETH "JOE" JONES.

sr-0494km-hw24.docx : d8698c6c-37e4-43b6-a7de-7d12dbb66d96

The Senate Resolution was adopted.

S. 897 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JESSICA FRY, FOUNDER AND CEO OF WILD HEARTS EQUINE THERAPY CENTER.

sr-0517km-vc24.docx : 36489a55-7565-4a92-b7cb-df96c9718d21

The Senate Resolution was adopted.

S. 898 -- Senator Verdin: A CONCURRENT RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MICHAEL DEL PRIORE, TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS, AND TO HONOR HIS MEMORY ON WHAT WOULD HAVE BEEN HIS SEVENTIETH BIRTHDAY.

sr-0503km-vc24.docx : 84bb8ae8-1154-4c64-9727-158c1ffcfe30

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

S. 899 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE PEYTON O'BRIEN ON AN OUTSTANDING SEASON AND TO HONOR HER FOR WINNING THE SOUTH CAROLINA CLASS 3A INDIVIDUAL STATE CHAMPIONSHIP.

sr-0480km-hw23.docx : 4a5713b3-a4bb-40b8-9b51-b126d5adbd5a

The Senate Resolution was adopted.

S. 900 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE MICHAEL R. BRENAN UPON THE OCCASION OF HIS RETIREMENT AS THE SOUTH CAROLINA REGIONAL PRESIDENT FOR TRUIST BANK, TO COMMEND HIM FOR HIS TWENTY-FOUR YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0442km-hw23.docx : 28e89780-0240-4474-8050-6582b996d65b

The Senate Resolution was adopted.

S. 901 -- Senators Martin, Peeler and Cromer: A SENATE RESOLUTION TO CONGRATULATE BARBARA RIPPY ON THE OCCASION OF HER NINETIETH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

sr-0449km-vc23.docx : e9004c64-e016-45aa-ac3d-674a9107af28

The Senate Resolution was adopted.

S. 902 -- Senator Hutto: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF PEGGY KATHRYN JAMES-TYLER AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

sr-0444km-hw23.docx : 9849085b-b861-4a29-b438-602b3c614927

The Senate Resolution was adopted.

S. 903 -- Senator Campsen: A BILL TO AMEND SECTION 5 OF ACT 91 OF 2021, RELATING TO FLOUNDER CATCH LIMITS, SO AS TO REPEAL THE SUNSET CLAUSE.

sfgf-0019bc24.docx : 8c680217-b9e4-45eb-a058-7d8db891ac76

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 904 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-17-500(B), RELATING TO THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO MINORS WITHOUT PROOF OF AGE, SO AS TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS AND TO REQUIRE THE PERSON SEEKING TO PURCHASE A TOBACCO PRODUCT OR ALTERNATIVE NICOTINE PRODUCTS TO PRESENT PROOF OF AGE UPON DEMAND; AND BY AMENDING SECTION 16-17-500(D), RELATING TO THE LOCATION OF VENDING MACHINES FOR TOBACCO PRODUCTS AND ALTERNATIVE NICOTINE PRODUCTS, SO AS TO ALLOW THE PURCHASE OF TOBACCO PRODUCTS AND ALTERNATIVE NICOTINE PRODUCTS FROM VENDING MACHINES IN CERTAIN ESTABLISHMENTS.

sr-0464km23.docx : f45dc30e-5710-4332-9550-3f448a83ea02

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

S. 905 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-155-110, RELATING TO THE IMPLEMENTATION OF A COMPREHENSIVE, SYSTEMATIC APPROACH TO READING BY THE DEPARTMENT OF EDUCATION, SO AS TO ENSURE ALIGNMENT WITH SCIENTIFICALLY-BASED READING INSTRUCTION AND FOUNDATIONAL LITERACY SKILLS; BY AMENDING SECTION 59-155-120, RELATING TO DEFINITIONS, SO AS TO INCLUDE NEW DEFINITIONS AND AMEND CURRENT DEFINITIONS; BY AMENDING SECTION 59-155-130, RELATING TO THE DUTIES OF THE DEPARTMENT, SO AS TO ENSURE IMPLEMENTATION OF READ TO SUCCEED IS BASED IN THE SCIENCE OF READING, STRUCTURED LITERACY, AND FOUNDATIONAL LITERACY SKILLS; BY AMENDING SECTION 59-155-140, RELATING TO READING PROFICIENCY PLANS, SO AS TO AMEND REQUIREMENTS FOR READING PLANS; BY AMENDING SECTION 59-155-150, RELATING TO READINESS

ASSESSMENT, SO AS TO REQUIRE THE ADMINISTRATION OF A BOARD APPROVED READINESS ASSESSMENT TO 4K AND 5K WITHIN THE FIRST THIRTY DAYS OF THE SCHOOL YEAR; BY ADDING SECTION 59-150-155 SO AS TO PROVIDE REQUIREMENTS FOR UNIVERSAL READING SCREENERS; BY AMENDING SECTION 59-155-160, RELATING TO RETENTION FOR THIRD GRADE STUDENTS AND SUMMER READING CAMP REQUIREMENTS, SO AS TO CLARIFY GOOD CAUSE EXEMPTIONS AND ENSURE DISTRICTS INCLUDE GRADES K-2 IN SUMMER READING CAMPS; BY AMENDING SECTION 59-155-170, RELATING TO COMPETENCIES AND PROFESSIONAL DEVELOPMENT, SO AS TO REQUIRE THEY BE BASED IN FOUNDATIONAL LITERACY SKILLS; BY AMENDING SECTION 59-155-180, RELATING TO PRE-SERVICE AND IN-SERVICE TEACHER EDUCATION PROGRAMS, SO AS TO AMEND ENDORSEMENT REQUIREMENTS; BY AMENDING SECTION 59-155-200, RELATING TO PROMOTION OF READING HABITS AND SKILLS DEVELOPMENT, SO AS TO REMOVE SPECIFIC DISTRICT REQUIREMENTS; BY AMENDING SECTION 59-155-210, RELATING TO STANDARDS, PRACTICES, AND PROCEDURES, SO AS TO ENSURE THE DEPARTMENT PROVIDES GUIDANCE TO DISTRICTS ON IMPLEMENTATION OF THIS CHAPTER; AND BY AMENDING SECTION 59-18-310, RELATING TO DEVELOPMENT OR ADOPTION OF THE STATEWIDE ASSESSMENT PROGRAM, SO AS TO REQUIRE FORMATIVE ASSESSMENTS BE ADMINISTERED THREE TIMES A SCHOOL YEAR.

sedu-0003kg24.docx : b59b9605-e528-4441-b903-d6db21bd102a

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

S. 906 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SEIZURE SAFE SCHOOLS ACT"; AND BY ADDING SECTION 59-63-97 SO AS TO REQUIRE THE ESTABLISHMENT OF SEIZURE ACTION PLANS IN PUBLIC SCHOOLS, AND TO PROVIDE REQUIREMENTS FOR SUCH PLANS AND THEIR IMPLENTATION, AMONG OTHER THINGS.

sedu-0058db24.docx : dbaaa324-c882-461c-b965-c52ea57a90a0

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

S. 907 -- Senators M. Johnson and Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS.
lc-0298dg24.docx : 3e6bf847-fd0c-4544-9a77-b0ed2d2f9fa4

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

S. 908 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-104-20, RELATING TO THE PALMETTO FELLOWS SCHOLARSHIP PROGRAM SO AS TO EXTEND BENEFITS OF THE PROGRAM BEGINNING WITH THE SCHOOL YEAR 2024-2025 TO ELIGIBLE GRADUATE STUDENTS WHO COMPLETE THEIR UNDERGRADUATE WORK IN FEWER SEMESTERS THAN AUTHORIZED FOR ELIGIBILITY; BY AMENDING SECTION 59-149-10, RELATING TO LIFE SCHOLARSHIPS, SO AS TO PROVIDE THAT LIFE SCHOLARSHIPS MAY BE AVAILABLE TO ELIGIBLE GRADUATE STUDENTS AS INDICATED IN THE COMMISSION ON HIGHER EDUCATION'S REGULATIONS; BY AMENDING SECTION 59-149-10, RELATING TO LIFE SCHOLARSHIPS SO AS TO EXTEND BENEFITS OF THE PROGRAM TO ELIGIBLE GRADUATE STUDENTS WHO COMPLETE THEIR UNDERGRADUATE WORK IN FEWER SEMESTERS THAN AUTHORIZED FOR ELIGIBILITY; BY AMENDING SECTION 59-149-30, RELATING TO FULL-TIME ENROLLMENT REQUIREMENT FOR LIFE SCHOLARSHIP, SO AS TO PROVIDE THAT THE BENEFIT MAY BE AVAILABLE TO ELIGIBLE GRADUATE STUDENTS; BY AMENDING SECTION 59-149-60, RELATING TO DURATION OF SCHOLARSHIP FOR THE LIFE SCHOLARSHIP, SO AS TO PROVIDE THAT THE BENEFIT MAY BE AVAILABLE TO ELIGIBLE GRADUATE STUDENTS AS INDICATED IN THE COMMISSION ON HIGHER EDUCATION'S REGULATIONS; AND BY AMENDING SECTION 59-149-90, RELATING TO ADDITIONAL DEGREES, SO AS TO INDICATE THAT ELIGIBLE GRADUATE STUDENTS MAY

RECEIVE LIFE SCHOLARSHIPS FOR THEIR REMAINING PERIOD OF UNDERGRADUATE ELIGIBILITY.

sj-0043pb23.docx : c4ef0cda-0faf-4aac-b9bf-7dcc418be749

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

S. 909 -- Senator Davis: A BILL TO AMEND SECTION 58-3-20 RELATING TO THE MEMBERSHIP OF THE PUBLIC SERVICE COMMISION, SO AS TO REDUCE THE NUMBER OF COMMISSIONERS FROM 7 TO 5 AND TO PROVIDE FOR QUALIFICATIONS, ELECTIONS, AND TERMS OF SERVICE OF THE COMMISSIONERS; TO AMEND SECTION 58-3-250 RELATING TO THE PUBLIC SERVICE COMMISSION'S ORDERS AND DECISIONS, SO AS TO PROVIDE REQUIREMENTS FOR VERBAL DIRECTIVES MADE DURING A COMMISSION BUSINESS MEETING AND SERVICE OF ALL FINAL ORDERS AND DECISIONS FOLLOWING A VERBAL DIRECTIVE; TO AMEND SECTION 58-4-10(B) RELATING TO THE OFFICE OF REGULATORY STAFF'S REPRESENTATION OF "PUBLIC INTEREST" BEFORE THE COMMISSION, SO AS TO AMEND "PUBLIC INTEREST"; TO AMEND SECTION 58-4-40(C) RELATING TO CONFLICTS OF INTEREST, SO AS TO PROHIBIT AN EMPLOYEE OF THE OFFICE OF REGULATORY STAFF FROM BEING INVOLVED IN A MATTER BEFORE THE COMMISSION FOR FIVE YEARS IF THE MATTER INVOLVES THE BUSINESS WITH WHICH THE EMPLOYEE WAS FORMERLY EMPLOYED; TO AMEND SECTION 58-27-2100 RELATING TO FINDINGS AND ORDERS OF THE COMMISSION, SO AS TO PROVIDE REQUIREMENTS FOR VERBAL DIRECTIVES MADE AT A COMMISSION BUSINESS MEETING AND SERVICE OF THE FINAL WRITTEN ORDER FOLLOWING A VERBAL DIRECTIVE; TO REQUIRE THE PUBLIC UTILITIES REVIEW COMMITTEE TO RETAIN AN INDEPENDENT EXPERT TO CONDUCT A COMPREHENSIVE STUDY OF ANY STATE OR FEDERAL OFFICIAL BOARD OR COMMISSION WITH SIMILAR ROLES TO THE PUBLIC SERVICE COMMISSION OR THE OFFICE OF REGULATORY STAFF, TO PROVIDE FOR THE SCOPE OF STUDY, AND TO REQUIRE A REPORT TO BE ISSUED TO THE GENERAL ASSEMBLY BY JANUARY 1, 2025; TO ADD ARTICLE 24, CHAPTER 27, TITLE 58 TO ESTABLISH AN ENERGY IMBALANCE MARKET, AND TO PROVIDE FOR THAT MARKET'S REQUIREMENTS AND PROCESSES AND TO MAKE

RELATED FINDINGS; TO ADD SECTION 58-37-45 SO AS TO ESTABLISH FINDINGS BY THE GENERAL ASSEMBLY RELATING TO ECONOMIC DEVELOPMENT, FUTURE ENERGY RESOURCES, TRANSITION FROM COAL-FIRED ELECTRICITY GENERATION, AND CONSIDERATIONS FOR THE PUBLIC SERVICE COMMISSION TO TAKE INTO ACCOUNT WHEN EVALUATING INTEGRATED RESOURCE PLANS; TO ADD SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN ELECTRIC GENERATION AND TRANSMISSION FACILITIES WITH INVESTOR-OWNED ELECTRIC UTILITIES AND TO PROVIDE CERTAIN CONDITIONS FOR OWNERSHIP; TO ADD SECTION 58-33-20(10) SO AS TO DEFINE "LIKE FACILITY"; TO AMEND ARTICLE 3, CHAPTER 33, TITLE 58 RELATING TO CERTIFICATION OF MAJOR UTILITY FACILTIES, SO AS TO PROVIDE FOR ADDITIONAL CONSIDERATIONS FOR A CERTIFICATE, PROVIDE WHAT ACTIVITIES MAY OCCUR PENDING CONSIDERATION OF AN APPLICATION, AND PROVIDE FOR PROCESSES AND PROCEDURES FOR AN APPLICATION AND RELATED PUBLIC HEARING; TO ADD SECTION 55-33-175, SO AS TO ESTABLISH THAT THE GRANT OF A CERTIFICATE FOR A GENERATION FACILITY OR DETERMINATION IT CONSTITUTES A LIKE FACILITY REPLACEMENT CONSTITUTES A CONCLUSIVE DETERMINATION THAT A PUBLIC PURPOSE EXISTS FOR SUPPORTING THE CONDEMNATION OF PROPERTY REASONABLY DETERMINED TO BE NECESSARY OR CONVENIENT FOR THE RELATED FACILITY; TO ADD 55-33-195 SO TO PROVIDE THE GENERAL ASSEMBLY'S ENCOURAGEMENT OF DOMINION ENERGY AND THE PUBLIC SERVICE AUTHORITY TO PREPARE TO CONSTRUCT ONE OR MORE NATURAL GAS-FIRED COMBINED CYCLE GENERATION FACILITIES AND FOR RELATED TRANSMISSION FACILITIES, DUKE ENERGY CAROLINAS TO MAKE NECESSARY DETERMINATION RELATED TO CONSTRUCTING A SECOND POWERHOUSE AT BAD CREEK PUMPED HYDRO STATION, AND TO ENCOURAGE DUKE ENERGY CAROLINAS AND DUKE ENERGY PROGRESS TO MAKE DETERMINATIONS RELATED TO CONSTRUCTING HYDROGEN CAPABLE NATURAL GAS GENERATION, AND TO MAKE CERTAIN FINDINGS AND INSTRUCTIONS RELATED TO THESE PROJECTS; TO ADD SECTION 58-33-196, SO AS TO

ENCOURAGE STUDIES RELATED TO SMALL MODULAR NUCLEAR FACILITIES, REQUIRE ANNUAL PROJECT REPORTS TO THE PUBLIC SERVICE COMMISSION BY ANY UTILITY PURSUING DEPLOYMENT OF THESE NUCLEAR FACILITIES, AND PERMIT ELECTRICAL UTILITIES TO APPLY FOR A STATE GRANT TO PAY FOR RELATED STUDIES; TO ADD SECTION 58-33-440 SO AS TO ESTABLISH THE "POWERSC INNOVATION FUND" FOR THE PURPOSE OF ESTABLISHING A SOUTH CAROLINA ENERGY INNOVATION HUB AND AWARDING GRANTS ON A COMPETITIVE BASIS, AND TO PROVIDE FOR CERTAIN REQUIREMENTS RELATED TO THE FUND; TO AMEND SECTIONS 58-33-310 AND 320, RELATED TO JUDICIAL REVIEW OF MATTERS FROM THE PUBLIC SERVICE COMMISSION, SO AS TO PROVIDE THAT A FINAL ORDER ISSUED BY THE COMMISSION PURSUANT TO CHAPTER 33, TITLE 58, IS IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT, TO PROVIDE FOR AN EXPEDITED HEARING, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO DEFINE "COST-EFFECTIVE" AND "DEMAND-SIDE MANAGEMENT PILOT PROGRAM"; TO AMEND SECTION 58-37-20, RELATING TO THE ADOPTION OF PROCEDURES ENCOURAGING ENERGY EFFICIENCY AND CONSERVATION, SO AS TO PROVIDE FOR FINDINGS BY THE GENERAL ASSEMBLY TO EXPAND DEMAND-SIDE MANAGEMENT PROGRAMS, AND TO REQUIRED ELECTRICAL UTILITIES TO PROVIDE AN ANNUAL REPORT TO THE PUBLIC SERVICE COMMISSION REGARDING DEMAND-SIDE MANAGEMENT PROGRAMS; TO AMEND SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES OF GAS AND ELECTRIC UTILITIES, SO AS TO MAKE TECHNICAL CHANGES; TO ADD SECTION 58-37-35, SO AS TO PERMIT AN ELECTRICAL UTILITY TO PROPOSE PROGRAMS AND INCENTIVES TO ENCOURAGE DEMAND-SIDE MANAGEMENT PROGRAMS WHERE A CUSTOMER USES A CUSTOMER-SITED DISTRIBUTION ENERGY RESOURCE OR COMBINATION OF RESOURCES TO REDUCE ELECTRIC CONSUMPTION OR THE CUSTOMER'S CONTRIBUTION TO THE ELECTRICAL UTILITY'S SYSTEM OR LOCAL COINCIDENTAL PEAK DEMAND; TO AMEND SECTION 58-37-40(B), RELATED TO INTEGRATED RESOURCE PLANS, SO AS TO ESTABLISH REQUIREMENTS,

PROCESSES AND PROCEDURES FOR A UTILITY'S TRANSMISSION AND DISTRIBUTION RESOURCE PLAN; TO AMEND SECTION 58-40-10, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "CUSTOMER-GENERATOR" AND TO ADD THE DEFINITIONS OF "REMOTE NET METERING", "REMOTE NET METERING CUSTOMER", AND "REMOTE NET METERING CREDIT"; TO AMEND SECTION 58-40-20, RELATING TO NET ENERGY METERING, SO AS TO REQUIRE THE PUBLIC SERVICE COMMISSION TO PROVIDE CERTAIN ENTITIES THE OPPORTUNITY TO OFFSET ALL OR PART OF THEIR ELECTRICITY NEEDS THROUGH RENEWABLE ENERGY RESOURCES, AND TO REQUIRE THE COMMISSION TO OPEN A DOCKET TO ESTABLISH A REMOTE NET METERING PROGRAM FOR EACH ELECTRICAL UTILITY BY JANUARY 1, 2025, AND TO PROVIDE REQUIREMENTS AND PROCEDURES FOR THESE PROGRAMS; TO AMEND SECTION 58-41-10, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF "ENERGY STORAGE FACILITY"; TO ADD CHAPTER 43, TITLE 58 SO AS TO ESTABLISH FINDINGS AND REQUIREMENTS FOR PROGRAMS RELATING TO RESILIENT ENERGY RESOURCES AND RENEWABLE ENERGY MICROGRIDS; TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE THE POTENTIAL COSTS AND BENEFITS OF ESTABLISHING A NONPROFIT ENTITY TO SERVE AS A THIRD-PARTY ADMINISTRATOR FOR ENERGY EFFICIENCY PROGRAMS AND OTHER DEMAND-SIDE MANAGEMENT PROGRAMS AND TO ESTABLISH THE SCOPE OF THE STUDY; TO AMEND SECTION 58-31-227, RELATED TO RENEWABLE ENERGY FACILITIES AND RESOURCES FOR THE PUBLIC SERVICE AUTHORITY, SO AS TO PROVIDE FOR COMPETITIVE PROCUREMENT OF ANCILLARY SERVICES, ENERGY STORAGE FACILITIES, AND OTHER ENERGY SOURCES, AND TO PROVIDE FOR ADDITIONAL REQUIREMENTS; TO ADD CHAPTER 42 TO TITLE 58 TO ESTABLISH REQUIREMENTS, PROCESSES AND PROCEDURES FOR ELECTRICAL UTILITIES TO OBTAIN RENEWABLE ENERGY AND ENERGY STORAGE RESOURCES THROUGH COMPETITIVE PROCUREMENT AND TO ESTABLISH REQUIREMENTS FOR ELECTRICAL UTILITIES TO OBTAIN VARIABLE FUEL-COST GENERATION FACILITIES, NON-VARIABLE FUEL-COST GENERATION FACILITIES AND

DEMAND-SIDE RESOURCES THROUGH COMPETITIVE PROCUREMENT; TO ADD SECTIONS 58-27-861, SO AS TO PROVIDE FOR DEFINITIONS AND CERTAIN RATE TERMS FOR QUALIFYING CUSTOMERS; TO ADD SECTION 58-27-862, SO AS TO PROVIDE FOR DEFINITIONS AND CERTAIN TERMS OF SERVICE AND RATES FOR AN ELIGIBLE ELECTRIC CUSTOMER; TO AMEND SECTION 48-1-100, RELATED TO PERMITS FOR DISCHARGE OF WASTES OR AIR CONTAMINANTS, SO AS TO ESTABLISH PROCESSES AND PROCEDURES FOR THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO REVIEW AN APPLICATION FOR CERTIFICATION PURSUANT TO SECTION 401 OF THE CLEAN WATER ACT, AND TO FURTHER PROVIDE FOR APPLICATION MODIFICATIONS AND PERMITTED ACTIVITIES BY THE APPLICANT PENDING REVIEW OF AN APPLICATION FOR CERTIFICATION OR A PERMIT; TO ADD SECTION 48-1-105, SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ESTABLISH PROCESSES AND PROCEDURES FOR EXPRESS PERMIT AND CERTIFICATION REVIEWS FOR CERTAIN WATER RELATED PERMITS, APPROVALS, OR CERTIFICATIONS.

lc-0234ha24.docx : cf8b8c6e-c182-4416-983a-0dc029766b28

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

S. 910 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-5-30 SO AS TO PROHIBIT AND DEFINE CERTAIN PREDATORY LOAN PRACTICES AS UNLAWFUL, TO PROVIDE THAT BANKS AND CREDIT UNIONS ARE EXEMPT, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL ENFORCE VIOLATIONS OF THIS CODE SECTION, AND TO PROVIDE THAT INDIVIDUALS AGGRIEVED BY ACTIONS PROHIBITED BY THIS CODE SECTION MAY PURSUE ALL REMEDIES AVAILABLE UNDER THE LAWS OF THIS STATE.

sr-0425km23.docx : f2e45f1d-cf78-4be0-a127-ede5cb88dd5b

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

S. 911 -- Senators Gambrell and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA PHARMACY PRACTICE ACT SO AS TO DEFINE "OUTSOURCING FACILITY"; AND BY ADDING SECTION 40-43-197 SO AS TO PERMIT A PHARMACY'S OR PHARMACIST'S ACQUISITION, ADMINISTRATION, AND DISPENSATION OF DRUGS COMPOUNDED OR REPACKAGED BY AN OUTSOURCING FACILITY.
sr-0537km24.docx : 0010e1ef-2456-4692-a065-2c9ccd30bb8c

Read the first time and referred to the Committee on Medical Affairs.

S. 912 -- Senator Davis: A JOINT RESOLUTION TO EXPRESS SUPPORT FOR THE SC NEXUS FOR ADVANCED RESILIENT ENERGY AND TO ENCOURAGE THE CONTINUED GLOBAL LEADERSHIP TO REDUCE THE STATE'S ENVIRONMENTAL IMPACT WHILE ENHANCING THE ECONOMIC OUTPUT.
lc-0302ph24.docx : b9cbf5e2-82d7-46aa-b852-e053ceef58e7

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

S. 913 -- Senators Rankin, Sabb and Talley: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 7, 2024, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUSTICE OF THE SUPREME COURT, UPON HIS RETIREMENT ON OR BEFORE JULY 31, 2024, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JULY 31, 2034; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 9, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT,

SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 2, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A

SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 4, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 8, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 11, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH EXPIRES JUNE 30, 2026; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 16, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 6, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 1, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A

SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE JULY 1, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024.

sj-0004ec-ec23.docx : ab701398-6474-4110-bc78-6b320b16b32f

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

S. 914 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-90, RELATING TO ITEMS INCLUDED OR EXCLUDED FROM GROSS PROCEEDS OF SALES, SO AS TO EXCLUDE FEES OR CHARGES IMPOSED BY A FUNERAL HOME OR UNDERTAKER FOR THE USE OF ITS EQUIPMENT IN ITS PROVISION OF BURIAL OR GRAVESIDE SERVICES.

lc-0290dg24.docx : 0a677313-8358-45bd-acc4-76b39a6c8412

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

S. 915 -- Senators Peeler, Alexander, Setzler, Verdin, Davis, Hutto and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO CREATE THE EXECUTIVE OFFICE OF HEALTH AND POLICY AND PROVIDE FOR THE DUTIES OF THE SECRETARY OF THE AGENCY; BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DISSOLVE SEVERAL DEPARTMENTS AND CREATE THE STATE OFFICE OF THE SECRETARY OF PUBLIC HEALTH AND POLICY; BY AMENDING SECTION 8-17-370, RELATING TO THE MEDIATION OF GRIEVANCES BY THE STATE HUMAN RESOURCES DIRECTOR SO AS TO ADD THE SECRETARY OF HEALTH AND POLICY, THE DIRECTORS OF THE COMPONENT DEPARTMENTS OF THE EXECUTIVE OFFICE OF HEALTH AND POLICY, AND ALL DIRECT REPORTS TO THE SECRETARY AND TO DIRECTORS OF THE COMPONENT DEPARTMENTS; BY AMENDING SECTION 43-21-70, RELATING TO THE

EMPLOYMENT OF THE DIRECTOR OF THE DEPARTMENT AND ADVISORY COUNCIL ON AGING, SO AS TO PROVIDE THAT THE SECRETARY OF HEALTH AND POLICY SHALL APPOINT A DIRECTOR TO BE THE ADMINISTRATIVE OFFICER OF THE DEPARTMENT ON AGING; AND TO REPEAL TITLE 44, CHAPTER 9 RELATING TO THE STATE DEPARTMENT OF MENTAL HEALTH.

sr-0530km24.docx : d0b05d29-766d-4edd-be73-e013c6eb9f61

Read the first time and referred to the Committee on Medical Affairs.

S. 916 -- Senator Cromer: A BILL TO AMEND SECTION 1(C) OF ACT 485 OF 1998, RELATED TO THE NEWBERRY COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE THAT ALL PERSONS DESIRING TO QUALIFY AS A CANDIDATE FOR THE BOARD OF TRUSTEES MUST FILE A STATEMENT OF INTENTION OF CANDIDACY WITH THE COUNTY ELECTION COMMISSION INSTEAD OF FILING A PETITION.

sr-0473km24.docx : c8dbe9a9-b15d-4ee7-ae66-8bc30a305e84

Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 917 -- Senator Grooms: A SENATE RESOLUTION TO RECOGNIZE THE WEEK OF JANUARY 21-27, 2024, AS NATIONAL CORONER AND MEDICOLEGAL DEATH INVESTIGATOR WEEK IN HONOR OF THE PUBLIC SERVICE OF THE SOUTH CAROLINA CORONERS ASSOCIATION, CORONERS, DEPUTY CORONERS, AND MEDICOLEGAL DEATH INVESTIGATORS.

sr-0526km-hw24.docx : 49dcc8f3-b70a-4f51-9263-6ae5b07958c1

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

S. 918 -- Senator Garrett: A SENATE RESOLUTION TO RECOGNIZE AND HONOR TOM LOVE FOR HIS YEARS OF OUTSTANDING SERVICE TO THE JOHN DE LA HOWE SCHOOL, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

lc-0162ha-gm24.docx : f379c470-cfd2-4240-8c9d-01e436f38e79

The Senate Resolution was adopted.

S. 919 -- Senator Garrett: A SENATE RESOLUTION TO CELEBRATE THE NINETY SIX HIGH SCHOOL MARCHING BAND AND BAND DIRECTOR ON AN OUTSTANDING SEASON AND TO APPLAUD THEM ON CAPTURING THE 2023 SOUTH CAROLINA BAND DIRECTORS ASSOCIATION CLASS A STATE CHAMPIONSHIP.

lc-0198ha-rm24.docx : 5fd3f8b5-2433-47eb-9b49-1e8dd527f58f

The Senate Resolution was adopted.

S. 920 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR NINE ALUMNI OF LOWER RICHLAND HIGH SCHOOL WHOSE CAREERS INCLUDED PLAYING OR COACHING IN THE NATIONAL FOOTBALL LEAGUE AND TO CONGRATULATE THEM ON THEIR CAREER SUCCESS.

lc-0299vr-gm24.docx : 98b68df0-038b-4c69-b8a7-336274d0a7c9

The Senate Resolution was adopted.

S. 921 -- Senator Jackson: A SENATE RESOLUTION TO COMMEND SAINT PAUL MISSIONARY BAPTIST CHURCH OF WINNSBORO FOR A CENTURY AND A HALF OF SERVICE TO THE COMMUNITY AND TO EXTEND WARMEST CONGRATULATIONS ON THE OCCASION OF THE CHURCH'S HISTORIC ONE HUNDRED FIFTIETH ANNIVERSARY.

lc-0292dg-rm24.docx : d474444d-9f04-4a93-bdb8-f9495a1a248b

The Senate Resolution was adopted.

S. 922 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MATTIE JOHNSON ANDERSON ROBERSON OF RICHLAND COUNTY FOR HER EXEMPLARY CAREER AS AN EDUCATOR, CIVIC AND CHURCH LEADER, AND COMMUNITY ADVOCATE.

lc-0285hdb-gm24.docx : 2d51363f-f049-4506-b317-51fc3d95d602

The Senate Resolution was adopted.

S. 923 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF STEVEN CHRISTOPHER FOOSHE OF RICHLAND COUNTY AND TO

EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

lc-0318vr-rm24.docx : b3bd0ad3-5e6d-4db3-ad36-a85e174aae2d

The Senate Resolution was adopted.

S. 924 -- Senator Reichenbach: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CARLOS WASHINGTON FOR HIS MANY YEARS OF DEDICATED COMMUNITY SERVICE TO THE PEOPLE OF FLORENCE COUNTY AND TO EXTEND BEST WISHES AS HE CONTINUES TO SERVE IN THE YEARS AHEAD.

lc-0375cm-rm24.docx : 0e1c45a5-e915-408f-a21f-6b0f266593aa

The Senate Resolution was adopted.

S. 925 -- Senator Fanning: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE BROTHERS OF THE STERLING ELK LODGE #344 OF THE IMPROVED BENEVOLENT PROTECTIVE ORDER OF ELKS OF THE WORLD, INC., IN ROCK HILL AND TO CONGRATULATE THEM UPON THE OCCASION OF THEIR ONE HUNDREDTH ANNIVERSARY OF MUTUAL FELLOWSHIP AND COMPASSION IN THE ROCK HILL COMMUNITY.

lc-0258dg-gm24.docx : b0365704-1f39-49d9-a538-f8d870e15d6c

The Senate Resolution was adopted.

S. 926 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR RICHARD SEAN DWAYNE DOGAN, PASTOR OF LONG BRANCH BAPTIST CHURCH, AND TO CONGRATULATE HIM AS HE CELEBRATES A QUARTER OF A CENTURY OF SERVICE TO HIS GOD, TO HIS CONGREGATION, AND TO THE COMMUNITY.

lc-0354sa-gm24.docx : 684f5e1f-7529-4257-a634-62273a26afe5

The Senate Resolution was adopted.

S. 927 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR T. J. TERRELL, PASTOR OF ENOREE FORK BAPTIST CHURCH, AND TO COMMEND HIM FOR HIS MEANINGFUL COMMUNITY OUTREACH AND FOR SERVING AS PASTOR OF ENOREE FORK BAPTIST CHURCH FOR FIVE YEARS.

lc-0371sa-gm24.docx : 566f9c47-cf94-4d97-9b45-418351a5aa7e

The Senate Resolution was adopted.

S. 928 -- Senator Fanning: A SENATE RESOLUTION TO CELEBRATE THE JOYOUS OCCASION OF THE ONE HUNDRED TWENTY-FIFTH ANNIVERSARY OF THE WEEPING MARY BAPTIST CHURCH AND TO COMMEND PASTOR LARRY E. FLOYD AND THE CONGREGATION FOR THEIR YEARS OF DEDICATED SERVICE TO THE YORK COUNTY COMMUNITY.
lc-0265dg-gm24.docx : aabd04a4-af59-4e45-9bdf-5c032701d845
The Senate Resolution was adopted.

S. 929 -- Senator Tedder: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF THE HONORABLE DAVID J. MACK III AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
lc-0215ha-kar24.docx : e311e508-2687-4d72-9007-9e6a06f05eab
The Senate Resolution was adopted.

S. 930 -- Senator Tedder: A SENATE RESOLUTION TO RECOGNIZE AND HONOR BISHOP BRIAN DAVID MOORE, THE SENIOR PASTOR OF THE LIFE CENTER CHURCHES IN CHARLESTON AND CHARLOTTE, THE PRESIDING PRELATE OF THE LIFE CENTER FELLOWSHIP OF INTERDEPENDENT CHURCHES AND MINISTRIES, INC., AND THE EXECUTIVE VICE CHAIRMAN OF THE GOSPEL MUSIC WORKSHOP OF AMERICA, INC.
lc-0538wab-gm24.docx : 1fcaa9fd-3985-43b9-a24e-c9ffa49064c7
The Senate Resolution was adopted.

S. 931 -- Senators Setzler and McElveen: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF CARLTON WILKES THOMPSON, AFFECTIONATELY KNOWN AS "GAMECOCK JESUS", AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
sr-0520km-hw24.docx : 61fa4a63-6603-488d-beb0-33897c22637c
The Senate Resolution was adopted.

S. 932 -- Senators McElveen, Malloy and K. Johnson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF THE HONORABLE GEORGE ROOSEVELT GIBSON OF MAYESVILLE AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

lc-0451cm-rm24.docx : 63d49d1f-90e8-446f-b729-c63ccb22c096

The Senate Resolution was adopted.

S. 933 -- Senator Fanning: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE GOLD HILL AME ZION CHURCH OF LANCASTER ON THE OCCASION OF ITS HISTORIC ONE HUNDRED TWENTY-FIFTH ANNIVERSARY AND TO COMMEND THE CHURCH FOR A CENTURY AND A QUARTER OF SERVICE TO GOD AND THE COMMUNITY.

lc-0454cm-rm24.docx : 156b24d8-0bcd-4ca8-97a4-8b41c7824712

The Senate Resolution was adopted.

S. 934 -- Senator Fanning: A SENATE RESOLUTION TO COMMEND SAINT PAUL MISSIONARY BAPTIST CHURCH OF WINNSBORO FOR A CENTURY AND A HALF OF SERVICE TO THE COMMUNITY AND TO EXTEND WARMEST CONGRATULATIONS ON THE OCCASION OF THE CHURCH'S HISTORIC ONE HUNDRED FIFTIETH ANNIVERSARY.

lc-0362cm-cm24.docx : 0cb4ef18-ef1d-436c-bb97-d0c14317b8ad

The Senate Resolution was adopted.

S. 935 -- Senator Fanning: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE CONGREGATION AND PASTOR OF NEW MT. OLIVET AFRICAN METHODIST EPISCOPAL ZION CHURCH, FOR ONE HUNDRED FIFTY YEARS OF WORSHIPING THEIR GOD AND SERVING THEIR COMMUNITY, AND TO CONGRATULATE THEM UPON THE OCCASION OF THEIR SESQUICENTENNIAL ANNIVERSARY.

lc-0406wab-gm24.docx : f8319f54-e6b1-466e-871a-e84b09c2613f

The Senate Resolution was adopted.

S. 936 -- Senator Fanning: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF CAPTAIN CARLTON CARTER OF CHESTER, A BRAVE AND COURAGEOUS FIREFIGHTER, AND TO CONVEY THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

lc-0396sa-gm24.docx : d75d342f-1496-4689-a1a4-bb312f776c51

The Senate Resolution was adopted.

S. 937 -- Senator Jackson: A CONCURRENT RESOLUTION TO REMEMBER AND HONOR HARRIETTE EUGENIA "HETTIE" ANDERSON, THE MODEL FOR THE STUNNING SAINT-GAUDENS DOUBLE EAGLE COIN MINTED FROM 1907 TO 1933.

lc-0415cm-gm24.docx : c8b756d7-678e-41b0-b9bf-c57ac967686e

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

S. 938 -- Senators Rice, Cash and Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR BUTCH WOMACK, MAYOR OF THE CITY OF EASLEY, FOR OVER FORTY YEARS OF SERVICE TO THE CITY.

lc-0321dg-gm24.docx : d2a59178-6ffb-4a74-81df-5bf50b6a3e0b

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

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Tuesday, January 9, 2024 - 5:30 p.m. - 7:30 p.m.

Members, Reception, University of South Carolina Alumni Center, 900 Senate Street, hosted by the **SOUTH CAROLINA BANKERS ASSOCIATION**

Wednesday, January 10, 2024 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **BLEEDING DISORDERS ASSOCIATION OF SOUTH CAROLINA**

Wednesday, January 10, 2024 - 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, State House Grounds, hosted by the **SOUTH CAROLINA MANUFACTURERS ALLIANCE - SOUTH CAROLINA TIRE COUNCIL**

Wednesday, January 10, 2024 - 5:00 p.m. - 7:00 p.m.
Members, Reception, Palmetto Club, 1231 Sumter Street, hosted by the **DESIGN CONSTRUCTION PARTNERSHIP**

Wednesday, January 10, 2024 - 5:00 p.m. - 8:00 p.m.
Members, Reception and Dinner, University of South Carolina Alumni Center, 900 Senate Street, hosted by the **SOUTH CAROLINA CHAMBER OF COMMERCE**

Wednesday, January 10, 2024 - 6:00 p.m. - 9:00 p.m.
Members, Reception and Dinner, Columbia Convention Center, 1101 Lincoln Street, hosted by **THE RILEY INSTITUTE AT FURMAN UNIVERSITY**

Thursday, January 11, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by the **FOUNDATION FOR THE SOUTH CAROLINA COMMISSION FOR THE BLIND**

Tuesday, January 16, 2024 - 6:00 p.m. - 8:00 p.m.
Members and Staff, Reception, Columbia Convention Center, 1101 Lincoln Street, hosted by **LEXINGTON COUNTY DEVELOPMENT CORPORATION - "LEXINGTON COUNTY NIGHT"**

Tuesday, January 16, 2024 - 6:00 p.m. - 8:00 p.m.
Members and Staff, Reception, Palmetto Club, 1231 Sumter Street, hosted by the **WINE & SPIRITS WHOLESALERS ASSOCIATION OF SOUTH CAROLINA**

Wednesday, January 17, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA EMS ASSOCIATION**

Wednesday, January 17, 2024 - 11:30 a.m. - 2:00 p.m.
Members and Staff, Luncheon, 112 Blatt Building, hosted by the **SOUTH CAROLINA TRUCKING ASSOCIATION**

Wednesday, January 17, 2024 - 5:00 p.m. - 7:00 p.m.
Members, Reception, Atrium of the Capital Center, 1201 Main Street, hosted by the **SOUTH CAROLINA ECONOMIC DEVELOPERS' ASSOCIATION**

Wednesday, January 17, 2024 - 5:00 p.m. - 7:00 p.m.
Members and Staff, Reception, Columbia Convention Center, 1101 Lincoln Street, hosted by the **SOUTH CAROLINA BREWERS GUILD**

Wednesday, January 17, 2024 - 6:00 p.m. - 8:00 p.m.
Members and Staff, Reception, Columbia Museum of Art, 1515 Main Street, hosted by the **SOUTH CAROLINA METRO CHAMBERS COALITION**

Thursday, January 18, 2024 - 8:00 a.m. - 10:00 a.m.
Members, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA ASSOCIATION OF SPECIAL PURPOSE DISTRICTS**

Tuesday, January 23, 2024 - 5:30 p.m. - 7:00 p.m.
Members, Reception, Capital City Club, 1201 Main Street, hosted by the **NORTH EASTERN STRATEGIC ALLIANCE (NESA)**

Tuesday, January 23, 2024 - 5:30 p.m. - 8:00 p.m.
Members and Staff, Reception, Bourbon, 1214 Main Street, hosted by the **CONSERVATION VOTERS OF SOUTH CAROLINA**

Wednesday, January 24, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by the **AMERICAN CANCER SOCIETY CANCER ACTION NETWORK**

Wednesday, January 24, 2024 - 11:30 a.m. - 2:00 p.m.
Members and Staff, Luncheon, 112 Blatt Building, hosted by the **SOUTH CAROLINA STUDENT LOAN ASSOCIATION**

Wednesday, January 24, 2024 - 5:00 p.m. - 7:00 p.m.
Members and Staff, Reception, Atrium of the Capital Center, 1201 Main Street, hosted by the **SOUTH CAROLINA BAR ASSOCIATION**

Thursday, January 25, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by **SCBIO**

Tuesday, January 30, 2024 - 5:30 p.m. - 8:00 p.m.
Members and Staff, Reception, Atrium of the Capitol Center, 1201 Main Street, hosted by the **CITY OF COLUMBIA**

Tuesday, January 30, 2024 - 5:30 p.m. - 7:30 p.m.
Members, Reception, Palmetto Club, 1231 Sumter Street, hosted by the **SOUTH CAROLINA OPTOMETRIC PHYSICIANS ASSOCIATION**

Tuesday, January 30, 2024 - 6:00 p.m. - 8:00 p.m.
Members and Staff, Reception, Burr Forman Law Firm, 1221 Main Street, hosted by the **SOUTH CAROLINA TELECOMMUNICATIONS AND BROADBAND ASSOCIATION**

Wednesday, January 31, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by **MEDTRUST MEDICAL TRANSPORT, LLC**

Wednesday, January 31, 2024 - 11:30 a.m. - 1:00 p.m.
Members, Luncheon, State House Grounds, hosted by the **SOUTH CAROLINA BAPTIST CONVENTION**

Wednesday, January 31, 2024 - 11:30 a.m. - 2:00 p.m.
Members, Luncheon, Palmetto Club, 1231 Sumter Street, hosted by the **SOUTH CAROLINA ASSOCIATION OF TECHNICAL COLLEGE COMMISSIONERS**

Wednesday, January 31, 2024 - 5:00 p.m. - 7:00 p.m.
Members and Staff, Reception, University of South Carolina Alumni Center, 900 Senate Street, hosted by the **SOUTH CAROLINA REALTORS**

Wednesday, January 31, 2024 - 6:00 p.m. - 8:00 p.m.
Members, Reception, Capital City Club, 1201 Main Street, hosted by the **SOUTH CAROLINA GOVERNOR'S SCHOOL FOR SCIENCE AND MATH FOUNDATION**

Wednesday, January 31, 2024 - 6:30 p.m. - 9:00 p.m.
Members and Staff, Reception, 1208 Washington Street, hosted by **MUSC HEALTH**

Motion Adopted

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

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Steven Fooshe of Columbia, S.C. Steven was a graduate of Clemson University and earned a master's degree from the University of South Carolina. He was a lobbyist for over twenty years and was the owner and a consultant for Steven Fooshe and Associates. Steven was a loving father and devoted son and brother who will be dearly missed.

ADJOURNMENT

At 1:09 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, January 10, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Galatians 6:9

Paul wrote to the faithful in Galatia, saying to them: "Let us not become weary in doing good, for at the proper time we will reap a harvest if we do not give up."

Let us pray: O wondrous Lord, there is no way at all that these leaders can ignore all of the challenges which are before them this year. Nor can state and national leaders from coast-to-coast escape from the simple realities that there are fewer and fewer easy answers to solving the needs bound up in all of those challenges. That is why we pray fervently, dear God, that at least these women and men serving the people of South Carolina will not give up, that they will continue diligently working together to find reasonable, fair and often even courageous solutions that will bring genuine good to every man, woman and child in our State. These very people who have elected each Senator deserve nothing less. This we pray in Your loving name, dear Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Cromer	Devine
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Michael	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler

Shealy	Stephens	Talley
Turner	Williams	Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Local Appointment

Initial Appointment, Hampton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Patricia Brantley-Moore, 681 5th Street E., Estill, SC 29918-4282

Privilege of the Chamber

On motion of Senator PEELER, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to Claude McMillan in recognition of his retirement after thirty-five years of service with the South Carolina Senate Sergeant at Arms office.

Doctor of the Day

Senator MALLOY introduced Dr. Wesley Frierson of West Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator M. JOHNSON, at 2:08 P.M., Senator KIMBRELL was granted a leave of absence for today.

Expression of Personal Interest

Senator GOLDFINCH rose for an Expression of Personal Interest.

Remarks by Senator GOLDFINCH

Thank you, PRESIDENT ALEXANDER. I want to take just a minute to come to the well and thank all of you. I don't even know how to begin. I was deployed to Africa in June. I was injured August 1st. For those of you who do not know, I fell in a bunker and hyperextended my shoulder, tearing my pectoral muscle and rotator cuff off of my right shoulder. It was not pleasant, as you can imagine. I was in the middle of nowhere in Djibouti, Africa, in the horn of Africa. I was medevacked out on August 7th. I was picked up in a C17 and met by two pilots and a nurse on an

airfield outside of Djibouti. As they were taking my vitals, I noticed the accent of my pilot. I asked him if he was from South Carolina and sure enough he was from Mount Pleasant, South Carolina. We began talking and eventually he figured out I was in politics and he said he couldn't remember the name of his Senator, but it was a really good-looking guy with good hair. I said, "That has to be Senator CAMPSEN." I knew it right off the bat, it's a small world.

I want to thank you so much for your thoughts, prayers, emails and texts. This experience has truly given me a new purpose for my life, in addition to my role as husband and father. The execution of the mission of the Army and the National Guard, all the way through from pre-deployment to deployment was fantastic. And I couldn't be prouder of what this Nation and our servicemen and women do. But when you come home -- and this has nothing to do with the National Guard, but it has everything to do with active duty and the medical military complex around active duty -- it's a totally different story. In fact, it is a horrible story and I hope one day to share it with you. It is a story of trying to get home -- to actually get home.

Once my surgery and my rehab were completed, there was no exit. There was no exit for me. I was stationed with soldiers in this recovery unit -- in fact, a number of soldiers from the South Carolina National Guard who were also injured, some of whom have been there since 2019. My neighbor, who was an army reservist from South Carolina stationed at Fort Stewart, had been stuck at the soldier recovery unit at Fort Stewart for two years. Two years after his surgery and his rehab and his recovery he is still there. The medical military complex that's been built for this system does not work for National Guardsmen or Reservists, period -- it doesn't work. It is a broken system. And I intend to go to work to try to help fix it. It has been a full-time job for me since I was at Fort Stewart helping soldiers try to transition out of active duty and back to South Carolina. I held multiple town halls, helped everybody figure out who their Congressperson was, file their Congressional paperwork, get their stamps and notaries and how to write everything legibly. But at the end of the day, you as Senators know this better than most, we're used to being able to make a phone call and get something done for our constituents. I felt totally helpless in this system. And I have more influence than any one of them did and I felt completely helpless. Just imagine how they feel, sitting alone in a soldier recovery unit at Fort Stewart, waiting to go home to their families and their jobs and they can't get there.

I would like to conclude by saying I have found another purpose for my life, and it is to help those soldiers figure out how to get home. I'm going to be working on that and I may require your assistance at some point in time. I don't know how, and I don't know when, and I don't know where, but I'm going to work on this problem. I have committed to the National Guard and to those soldiers that I am going to work on this problem and I would appreciate your help. If you haven't noticed, my voice is a little off. When I had surgery they gave me too much nerve block and paralyzed my diaphragm then they damaged my vocal cords trying to get me to breathe again. I am never going to be able to speak the same. They have told me it is probably a permanent loss of voice. So I have to speak at this tone from now on but I intend to use my voice to speak loudly in the halls of Congress to try to get them to remedy this problem and I want you to help me if you would. That is all I have PRESIDENT ALEXANDER, thank you all so much.

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

Expression of Personal Interest

Senator HUTTO rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 143 Sen. Devine
S. 418 Sen. Loftis
S. 882 Sens. Gustafson, Climer, Garrett and Loftis

RECALLED

S. 948 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE THE WEEK OF JANUARY 21-27, 2024, AS NATIONAL CORONER AND MEDICOLEGAL DEATH INVESTIGATOR WEEK IN HONOR OF THE PUBLIC SERVICE OF THE SOUTH CAROLINA CORONERS ASSOCIATION, CORONERS, DEPUTY CORONERS, AND MEDICOLEGAL DEATH INVESTIGATORS.

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

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

RECALLED

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

Senator TALLEY asked unanimous consent to make a motion to recall the Bill from the Committee on Family and Veterans' Services.

The Bill was recalled from the Committee on Family and Veterans' Services and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 939 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE GREG OLIVER UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS NEARLY FOUR DECADES OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0429km-vc23.docx

The Senate Resolution was adopted.

S. 940 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE ESTELLA SHEILA FORD UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER MANY YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0426km-vc23.docx

The Senate Resolution was adopted.

S. 941 -- Senators Alexander, Adams, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Tedder, Turner, Verdin,

Williams and Young: A SENATE RESOLUTION TO CONGRATULATE CLAUDE R. MCMILLAN III UPON THE OCCASION OF HIS RETIREMENT AS ASSISTANT DIRECTOR OF SECURITY FOR THE L. MARION GRESSETTE BUILDING, TO COMMEND HIM FOR HIS THIRTY-FIVE YEARS OF DEDICATED SERVICE TO THE SOUTH CAROLINA SENATE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0519km-hw23.docx

The Senate Resolution was adopted.

S. 942 -- Senators Alexander, Adams, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Tedder, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE MARTHA CASTO UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER FORTY-ONE YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0506km-vc23.docx

The Senate Resolution was adopted.

S. 943 -- Senators Young, Talley and Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO GENERAL EXEMPTION FROM AD VALOREM TAXES, SO AS TO PROVIDE THAT UP TO TWO MOTOR VEHICLES HELD IN TRUST FOR THE BENEFIT OF A DISABLED VETERAN ARE EXEMPT FROM AD VALOREM TAXES.

sr-0521km24.docx

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

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

REQUIREMENTS OF FAMILY LEAVE INSURANCE POLICIES, AND PROVIDE EXCLUSIONS, AMONG OTHER THINGS.
lc-0300ph24.docx

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

S. 945 -- Senators Gambrell and Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-1-320, RELATING TO MILLAGE RATE LIMITATIONS, SO AS TO ALLOW A MUNICIPALITY WITHOUT AN OPERATING MILLAGE ON JANUARY 1, 2024, OR A MUNICIPALITY THAT INCORPORATES AFTER JANUARY 1, 2024, TO IMPOSE AN OPERATING MILLAGE AND TO IMPOSE LIMITATIONS.
lc-0297dg24.docx

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

S. 946 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-1210, RELATING TO THE STATE ADVISORY COMMITTEE ON THE REGULATION OF CHILDCARE FACILITIES, SO AS TO CHANGE THE ORGANIZATION OF THE MEMBERS; AND BY AMENDING SECTION 63-13-1220, RELATING TO COMMITTEE DUTIES, SO AS TO CHANGE THE QUORUM OF MEMBERS REQUIRED TO VOTE FROM EIGHT TO SIX.
sr-0539km24.docx

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

S. 947 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-910, RELATING TO KIDNAPPING, SO AS TO ALLOW SENTENCING FOR THE CRIME OF KIDNAPPING AND OTHER CRIMES.
sedu-0059db24.docx

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

S. 948 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE THE WEEK OF JANUARY 21-27, 2024, AS NATIONAL CORONER AND MEDICOLEGAL DEATH INVESTIGATOR WEEK IN HONOR OF THE PUBLIC SERVICE OF THE SOUTH CAROLINA CORONERS ASSOCIATION,

CORONERS, DEPUTY CORONERS, AND MEDICOLEGAL DEATH INVESTIGATORS.
sr-0541km-vc24.docx

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

S. 949 -- Senator McLeod: A SENATE RESOLUTION TO HONOR THE CARDINAL NEWMAN SCHOOL VOLLEYBALL TEAM AND COACHES ON THEIR IMPRESSIVE WIN OF THE 2023 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS 4A STATE CHAMPIONSHIP TITLE AND TO SALUTE THEM ON A FABULOUS SEASON.
lc-0178ha-rm24.docx

The Senate Resolution was adopted.

H. 4751 -- Rep. G. M. Smith: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, HENRY DARGAN MCMASTER, GOVERNOR OF THE STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 24, 2024, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.
lc-0215ahb-ahb24.txt

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

H. 4752 -- Reps. Ballentine, Kilmartin, Alexander, Anderson, Atkinson, Bailey, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis,

Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE DUTCH FORK HIGH SCHOOL VARSITY FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2023 SOUTH CAROLINA CLASS AAAAA STATE CHAMPIONSHIP TITLE.

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

H. 4753 -- Reps. Ballentine, Kilmartin, Calhoon, Caskey, Forrest, May, McCabe, Ott, Taylor, White, Wooten, Alexander, Anderson, Atkinson, Bailey, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Carter, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO CELEBRATE THE CHAPIN HIGH SCHOOL COMPETITIVE CHEER TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN UNDEFEATED SEASON AND TO CONGRATULATE THEM ON CAPTURING THE 2023 CLASS AAAAA STATE CHAMPIONSHIP TITLE.

lc-0303hdb-rm24.txt

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

REPORT OF STANDING COMMITTEE

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 882 -- Senators M. Johnson, Kimbrell, Gustafson, Climer, Garrett and Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-380 SO AS TO PROVIDE THAT A PARENT OR THE LEGAL GUARDIAN OF A MINOR MUST BE NOTIFIED WHEN A HEALTH CARE PROFESSIONAL PRESCRIBES MEDICATION TO THE MINOR, TO PROVIDE THAT A PHARMACIST CANNOT FILL A PRESCRIPTION FOR A MINOR WITHOUT THE MINOR'S PARENT OR LEGAL GUARDIAN CONSENTING, TO PROVIDE THAT A PARENT OR LEGAL GUARDIAN CANNOT BE PROHIBITED FROM VIEWING HIS MINOR'S PRESCRIPTION HISTORY, AND TO PROVIDE THAT THESE PROVISIONS DO NOT APPLY TO AN EMANCIPATED MINOR OR A MARRIED MINOR.

Ordered for consideration tomorrow.

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

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

RECOMMITTED

H. 3774 -- Reps. McCravy, G.M. Smith, Hiott, W. Newton, Pope, Yow, M.M. Smith, Hardee, J.E. Johnson, Hixon, Bustos, Erickson, Landing, Davis, Crawford, B.L. Cox, Connell, Vaughan, Ligon, T. Moore, Moss, Lawson, Hyde, Leber, B.J. Cox, Wooten, Whitmire, Long, Gagnon, Bradley, Herbkersman, Nutt, Mitchell, B. Newton, Jordan, Brewer, Murphy, Gilliam, Willis, Blackwell, Elliott, Guest, Oremus, Felder, Chapman, Haddon, S. Jones, Pace, Gibson, Robbins, Burns, Chumley and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “HUMAN LIFE PROTECTION ACT”; BY ADDING ARTICLE 7 TO CHAPTER 41, TITLE 44 SO AS TO BAN ABORTIONS IN THIS STATE, TO PROVIDE FOR EXCEPTIONS TO THE BAN ON ABORTIONS, TO PROTECT THE USE OF CONTRACEPTIVES AND ALTERNATIVE REPRODUCTIVE TECHNOLOGIES, TO PROVIDE PENALTIES, TO PROVIDE A CIVIL CAUSE OF ACTION FOR FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS ARTICLE, TO

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

On motion of Senator MASSEY, the Bill was recommitted to the Committee on Medical Affairs.

Recorded Vote

Senators CORBIN, CASH and MARTIN desired to be recorded as voting against the motion to recommit the Bill.

CARRIED OVER

H. 3977 -- Reps. Sandifer, Hardee and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-55-730 SO AS TO ALLOW INSURERS TO POST AN INSURANCE POLICY OR ENDORSEMENT ON THEIR WEBSITE IF CERTAIN CONDITIONS ARE MET.

On motion of Senator CROMER, with unanimous consent, the Bill was carried over.

AMENDMENT PROPOSED, CARRIED OVER

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

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

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (SJ-3518.MF0048S), which was proposed:

Amend the bill, as and if amended, by striking SECTION 3 and inserting:

SECTION 3. This act takes effect on May 19, 2024.

Renumber sections to conform.

Amend title to conform.

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

OBJECTION

S. 260 -- Senators Rankin, Hutto and Stephens: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; BY AMENDING TITLE 61, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, TO PROVIDE FOR THE ESTABLISHMENT, IMPLEMENTATION, AND ENFORCEMENT OF A MANDATORY ALCOHOL SERVER TRAINING AND EDUCATION PROGRAM, TO REQUIRE SERVERS OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IN LICENSED OR PERMITTED BUSINESSES TO OBTAIN ALCOHOL SERVER CERTIFICATES, TO PROVIDE GUIDANCE FOR THE CURRICULA OF THE TRAINING PROGRAMS, TO PROVIDE FOR THE DEPARTMENT OF REVENUE TO BE RESPONSIBLE FOR APPROVAL OF THE TRAINING PROGRAMS AND IMPLEMENTATION OF THE ALCOHOL SERVER CERTIFICATES, TO REQUIRE FEES FROM PROVIDERS OF TRAINING PROGRAMS AND FROM APPLICANTS FOR ALCOHOL SERVER CERTIFICATES TO COVER THE COSTS OF THE MANDATORY TRAINING AND ENFORCEMENT, TO REQUIRE COORDINATION AMONG THE DEPARTMENT OF REVENUE, THE STATE LAW ENFORCEMENT DIVISION, AND OTHER STATE AND LOCAL AGENCIES FOR THE IMPLEMENTATION AND ENFORCEMENT OF THESE PROVISIONS, AND TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; BY AMENDING SECTION 61-2-60, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND BY AMENDING SECTION 61-2-145, SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

Senator TURNER objected to consideration of the Bill.

RECOMMITTED

S. 710 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS - CONSUMER FINANCE DIVISION, RELATING TO CHECK-CASHING SERVICE: PURCHASE OF GOODS OR SERVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5141, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

RECOMMITTED

S. 711 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS - CONSUMER FINANCE DIVISION, RELATING TO CHECK-CASHING SERVICE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5140, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

CARRIED OVER

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND

MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS

PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

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

READ THE SECOND TIME

H. 3872 -- Reps. Murphy, Caskey, B. Newton, Brewer, Robbins, Sandifer, Herbkersman, Rutherford, Wooten, Connell, Mitchell and Hager: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-150-145 SO AS TO EXEMPT CERTAIN PERSONALLY IDENTIFIABLE INFORMATION CONCERNING LOTTERY CLAIMS FROM NONCONSENSUAL DISCLOSURE OR RELEASE UNDER THE FREEDOM OF INFORMATION ACT, TO PROVIDE THE LOTTERY COMMISSION MAY DISCLOSE CERTAIN INFORMATION CONCERNING LOTTERY CLAIMS WITHOUT CONSENT, AND TO PROVIDE AN EXCEPTION FOR PARTICIPANTS IN CERTAIN PROMOTIONS; AND BY AMENDING SECTION 30-4-40, RELATING TO MATTERS EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO MAKE A CONFORMING CHANGE.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

The question being the second reading of the Bill.

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

Ayes 44; Nays 0

AYES

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

Total--44

NAYS

Total--0

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

READ THE SECOND TIME

H. 3960 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-686 SO AS TO DESIGNATE THE SOUTH CAROLINA POULTRY FESTIVAL IN LEXINGTON COUNTY AS THE OFFICIAL STATE POULTRY FESTIVAL.

The Senate proceeded to a consideration of the Bill.

Senator SHEALY explained the Bill.

The question being the second reading of the Bill.

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

Ayes 44; Nays 0

AYES

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

Total--44

NAYS

Total--0

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

READ THE SECOND TIME

H. 4352 -- Reps. Calhoon and Felder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 53-3-270 SO AS TO DESIGNATE THE MONTH OF MARCH OF EACH YEAR AS “MIDDLE LEVEL EDUCATION MONTH”.

The Senate proceeded to a consideration of the Bill.

Senator SHEALY explained the Bill.

The question being the second reading of the Bill.

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

Ayes 44; Nays 0

AYES

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

Total--44

NAYS

Total--0

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

CARRIED OVER

H. 3782 -- Reps. West, Yow, Jefferson, Ligon, Nutt, Anderson, Hardee, Bannister, Thayer, Blackwell and Oremus: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-12-300, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF “VIDEO SERVICE”.

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

CARRIED OVER

H. 4120 -- Reps. Pope and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-3-80 SO AS TO CREATE THE "ILLEGAL IMMIGRATION ENFORCEMENT UNIT" WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE IT TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT AGENCY; BY REPEALING SECTION 23-6-60 AND CHAPTER 30 OF TITLE 8 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF PUBLIC SAFETY AND RECORDING AND REPORTING OF IMMIGRATION LAW VIOLATIONS; AND BY ADDING SECTION 40-1-35 SO AS TO PROVIDE CERTAIN IMMIGRANTS ARE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THIS TITLE.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

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

AMENDED, READ THE SECOND TIME

S. 801 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-430, RELATING TO DESIGNATION OF VOTING PRECINCTS IN OCONEE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS MAY BE FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE.

The Senate proceeded to a consideration of the Bill.

Senators YOUNG and MASSEY proposed the following amendment (LC-801.HDB0002S), which was adopted:

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

SECTION X. Section 7-7-40 of the S.C. Code is amended to read:

Section 7-7-40. (A) In Aiken County there are the following voting precincts:

Aiken No. 1
Aiken No. 2
Aiken No. 3
Aiken No. 4
Aiken No. 5
Aiken No. 6
Aiken No. 47
Anderson Pond No. 69
Ascauga Lake
Ascauga Lake No. 84
Bath
Beech Island
Belvedere No. 9
Belvedere No. 44
Belvedere No. 62
Belvedere No. 74
Breezy Hill
Breezy No. 87
Carolina Heights
Cedar Creek No. 64
China Springs
Clearwater
College Acres
Community No. 86
Couchton
Creek No. 85
Eureka
Fox Creek No. 58
Fox Creek No. 73
Gem Lakes No. 60
Gem Lakes No. 77
Gloverville
Graniteville
Hammond
Hammond No. 81
New Holland
Hitchcock No. 66
Hollow Creek
Jackson
Langley
Levels No. 52

Levels No. 72
Levels No. 83
Lynwood
Midland Valley No. 51
Midland Valley No. 71
Midlands No. 88
Millbrook
Misty Lakes
Monetta
Montmorenci No. 22
Montmorenci No. 78
New Ellenton
North Augusta No. 25
North Augusta No. 26
North Augusta No. 27
North Augusta No. 28
North Augusta No. 29
North Augusta No. 54
North Augusta No. 55
North Augusta No. 67
North Augusta No. 68
North Augusta No. 80
Oak Grove
Perry
Redds Branch
Salley
Sandstone No. 70
Sandstone No. 79
Shaws Fork
Shiloh
Silver Bluff
Six Points No. 35
Six Points No. 46
Sleepy Hollow No. 65
South Aiken No. 75
South Aiken No. 76
South Creek No. 89
Tabernacle
Talatha
Pine Forest
Vaucluse

Wagener
Ward
Warrenville
White Pond
Willow Springs
Windsor
Windsor No. 82

(B) Precinct lines defining the precincts provided in subsection (A) of this section are as shown on the official map ~~prepared by and~~ on file with the Revenue and Fiscal Affairs Office designated as document ~~P-03-22~~P-03-24 and as shown on certified copies of the official map provided by the office to ~~the State Election Commission and~~ the Board of Voter Registration and Elections of Aiken County.

(C) Polling places for the precincts provided in subsection (A) of this section must be established by the Board of Voter Registration and Elections of Aiken County with the approval of a majority of the county legislative delegation.

Amend the bill further, by striking SECTION and inserting:

SECTION X. This act takes effect on March 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Loftis	Malloy
Martin	Massey	Matthews

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

Total--44

NAYS

Total--0

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

STATEWIDE APPOINTMENT
Confirmation

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2022, and to expire July 1, 2024

Four-Year Institutions:

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

On motion of Senator HEMBREE, the question was confirmation of Oran P. Smith.

Senator STEPHENS asked unanimous consent to make a motion to carry over the appointment with Senator STEPHENS retaining the floor.

Senator MASSEY objected.

Senator MALLOY spoke on the confirmation.

The question was confirmation of Mr. Smith.

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

Ayes 35; Nays 5

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Jackson	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--35

NAYS

Devine	Matthews	McLeod
Sabb	Stephens	

Total--5

The appointment of Oran P. Smith was confirmed.

CARRIED OVER

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

At-Large:

Dr. Mitchell M. Zais, 1642 Tanglewood Road, Columbia, SC, 29204 *VICE* Benjamin Wright Satcher, Jr.

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

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Hampton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Patricia Brantley-Moore, 681 5th Street E., Estill, SC 29918-4282

Motion Adopted

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

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Robert (Bob) Eugene Prevatte of Gaffney, S.C. Bob proudly served the U.S. Navy during WWII from 1942-1946. He graduated from Wofford College where he was inducted into the Wofford College Athletic Hall of Fame in 1980. He coached in North Carolina before becoming the football coach at Gaffney in 1956 where he coached fourteen seasons, won five AAA State Championships and was named South Carolina Coach of the Year four times. Bob later worked at Spartan Foods before retirement. Bob was a loving father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senators DEVINE, ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSEN, CASH, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, LOFTIS, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, REICHENBACH, RICE, SABB, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TEDDER, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of the Honorable John L. Scott, Jr. of Columbia, S.C. Senator Scott was a beloved member of the South Carolina General Assembly for thirty-three years. He was first elected in 1990 where he served nine terms in the House of Representatives. Senator Scott was elected to the Senate in 2008 where he served four terms. He was a champion for his constituents and the people of South Carolina. Senator Scott was a loving husband and devoted father who will be dearly missed.

ADJOURNMENT

At 2:28 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, January 11, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Exodus 13:21

It is in the Book of Exodus that we find this bold, dramatic image: "By day the Lord went ahead of them in a pillar of cloud to guide them on their way and by night in a pillar of fire to give them light."

Once again, join me in prayer, please: O ever-faithful God, as we reflect upon the wondrous image of the cloud and the fire guiding Your beloved people long, long ago, help each of us to know that You continue to embrace and direct us even today. And this of course is true in every setting of life, if only we also will trust in Your grace and Your might and Your love. Therefore, dear Lord, we do pray with a passion that You enfold in Your guiding spirit each of these women and men charged with leading the Senate of this State. May they trust you completely as this Session unfolds this year and as weighty issues are handled and hopefully resolved. And just as you bless this Body, Lord, so bless all of our troops serving in so many spots around the globe, and as well bestow Your care on our fellow citizens in and around Bamberg, blasted by a brutal 125 mile an hour tornado on Tuesday. All this, O Lord, we humbly ask in Your loving name. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Campsen	Cash	Corbin
Cromer	Davis	Devine
Fanning	Garrett	Goldfinch
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*

Johnson, Michael	Loftis	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Talley
Tedder	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator K. JOHNSON introduced Dr. Robert Ridgeway of Manning, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator HEMBREE, at 11:28 A.M., Senator BENNETT was granted a leave of absence for today.

Leave of Absence

On motion of Senator M. JOHNSON, at 11:28 A.M., Senator KIMBRELL was granted a leave of absence for today.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 882 Sen. Adams

S. 910 Sens. Shealy, Gambrell and Hutto

S. 948 Sens. Stephens, Adams, Senn, Campsen, Goldfinch, Climer and Bennett

RECALLED AND COMMITTED

S. 806 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-1-180, RELATING TO ADJOURNMENT OF GENERAL ASSEMBLY AND CONDITIONS FOR EXTENDED SESSION, SO AS TO PROVIDE THAT THE DATE FOR SINE DIE ADJOURNMENT IS AUTOMATICALLY EXTENDED IF THE HOUSE OF REPRESENTATIVES DOES NOT GIVE THIRD READING TO THE ANNUAL APPROPRIATIONS ACT ON OR BEFORE MARCH

TENTH, SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY CALL THEIR RESPECTIVE BODIES INTO SESSION AFTER THE SINE DIE ADJOURNMENT DATE TO FINISH ANY UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION, AND TO PROVIDE THE TIME PERIOD DURING WHICH THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY BE CALLED BACK TO COMPLETE THE UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION.

On motion of Senator RANKIN, with unanimous consent, the Bill was recalled from the Committee on Judiciary and committed to the Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 950 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-11-720, RELATING TO ENTITIES WHOSE EMPLOYEES AND RETIREES ARE ELIGIBLE FOR STATE HEALTH AND DENTAL INSURANCE PLANS, SO AS TO INCLUDE SCHOOL BOARD MEMBERS.
lc-0309dg24.docx

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

S. 951 -- Senator Stephens: A SENATE RESOLUTION TO CONGRATULATE BERNIE BELL GILMORE ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE YEARS AHEAD.
sr-0540km-vc24.docx

The Senate Resolution was adopted.

S. 952 -- Senator Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-71-180 SO AS TO PROVIDE STANDARDS FOR POLICY PROVISIONS OF

MEDICARE SUPPLEMENT POLICIES AND CERTIFICATES IN THIS STATE.
lc-0503wab24.docx

Senator FANNING spoke on the Bill.

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

S. 953 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-1-2100 SO AS TO PROVIDE DEFINITIONS RELATED TO LODGING MARKETPLACES; BY ADDING SECTION 6-1-2110 SO AS TO PROHIBIT A GOVERNING BODY FROM PROHIBITING SHORT-TERM RENTALS EXCEPT UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 6-1-510, RELATING TO DEFINITIONS CONCERNING LOCAL ACCOMMODATIONS TAXES, SO AS TO INCLUDE OPERATORS OF LODGING MARKETPLACES IN THE DEFINITION OF LOCAL ACCOMMODATIONS TAX; BY AMENDING SECTION 6-1-520, RELATING TO THE IMPOSITION OF LOCAL ACCOMMODATIONS TAX, SO AS TO PROVIDE THAT LOCAL GOVERNING BODIES IMPOSING A LOCAL ACCOMMODATIONS TAX MUST NOTIFY THE DEPARTMENT OF REVENUE AND THE STATE TREASURER; BY AMENDING SECTION 6-1-570, RELATING TO REMITTING TAX TO A LOCAL GOVERNING BODY, SO AS TO PROVIDE THAT LOCAL ACCOMMODATIONS TAXES MUST BE COLLECTED, REMITTED, AND ADMINISTERED IN THE SAME MANNER AS IN SECTION 12-36-920; BY AMENDING SECTION 6-1-620, RELATING TO DEFINITIONS RELATED TO THE BEACH PRESERVATION ACT, SO AS TO INCLUDE RENTALS FACILITATED BY A LODGING MARKETPLACE IN THE DEFINITION OF BEACH PRESERVATION FEE; BY AMENDING SECTION 6-1-630, RELATING TO BEACH PRESERVATION FEES, SO AS TO PROVIDE THAT THE LOCAL GOVERNING BODY ISSUING A TAX PURSUANT TO THIS SECTION MUST NOTIFY THE DEPARTMENT OF REVENUE AND THE STATE TREASURER; BY AMENDING SECTION 6-1-650, RELATING TO NOTICE OF DROPPED RENTAL PROPERTY, SO AS TO EXEMPT LODGING MARKETPLACES; BY AMENDING SECTION 5-7-30, RELATING TO POWERS CONFERRED UPON MUNICIPALITIES, SO AS TO PROVIDE THAT ANY TAXES IMPOSED UPON

LODGING ACCOMMODATIONS BE COLLECTED AND ADMINISTERED BY THE DEPARTMENT OF REVENUE IN THE SAME MANNER AS IN SECTION 12-36-920; BY AMENDING SECTION 12-36-70, RELATING TO THE DEFINITION OF "RETAILER" AND "SELLER", SO AS TO PROVIDE THAT A PERSON OPERATING AS A LODGING MARKETPLACE BE CONSIDERED A "RETAILER" OR "SELLER"; BY ADDING SECTION 12-36-72 SO AS TO PROVIDE A DEFINITION FOR A LODGING MARKETPLACE; BY AMENDING SECTION 12-36-920, RELATING TO THE TAX ON ACCOMMODATIONS FOR TRANSIENTS, SO AS TO PROVIDE THAT TRANSACTIONS BY LODGING MARKETPLACES ARE SUBJECT TO THE SEVEN PERCENT SALES TAX; AND BY REPEALING SECTION 12-36-922 RELATING TO ACCOMMODATIONS TAX RETURN INFORMATION.

sr-0457km23.docx

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

S. 954 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

sedu-0060db24.docx

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

S. 955 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-5-400 SO AS TO ESTABLISH THE LIMITED COMMERCIAL BLUE CRAB LICENSE AND THE REQUIREMENTS FOR OBTAINING THE LICENSE; BY AMENDING SECTION 50-5-325, RELATING TO COMMERCIAL EQUIPMENT LICENSES AND FEES, SO AS TO REVISE THE FEE STRUCTURE FOR THE COMMERCIAL TRAP LICENSE; BY AMENDING SECTION 50-5-350, RELATING TO THE TRANSFERABILITY OF LICENSES, SO AS TO EXEMPT THE LIMITED COMMERCIAL BLUE CRAB LICENSE FROM THE GENERAL TRANSFER PROHIBITION; BY AMENDING SECTION

50-5-360, RELATING TO LICENSES TO ENGAGE IN SHEDDING PEELER CRABS, SO AS TO REQUIRE THAT AN APPLICANT'S OR LICENSEE'S BUSINESS PREMISES BE CAPABLE OF PEELER SHEDDING OPERATIONS; BY AMENDING SECTION 50-5-545, RELATING TO TRAPS FOR TAKING BLUE CRAB, SO AS TO PROVIDE FOR THE MATERIAL, DIMENSIONS, AND ESCAPE VENT REQUIREMENTS OF THE TRAPS; BY ADDING SECTION 50-5-1302 SO AS TO ESTABLISH A RECREATIONAL LIMIT OF ONE-HALF BUSHEL OF BLUE CRABS PER PERSON PER DAY NOT TO EXCEED ONE BUSHEL PER BOAT; BY ADDING SECTION 50-5-1345 SO AS TO PROHIBIT THE USE OF CRAB TRAPS IN THE WATERS OF THIS STATE FROM JANUARY 16 THROUGH JANUARY 29 OF EACH YEAR; BY AMENDING SECTION 50-5-330, RELATING TO RECREATIONAL EQUIPMENT LIMITS, SO AS TO INCREASE THE NUMBER OF TRAPS THAT MAY BE USED FOR RECREATIONAL PURPOSES FROM TWO TO TEN WITH A RECREATIONAL CRAB TRAP ENDORSEMENT; AND BY AMENDING SECTION 50-9-540, RELATING TO RECREATIONAL SALTWATER FISHING LICENSES SO AS TO PROVIDE FOR THE COST OF THE RECREATIONAL CRAB TRAP ENDORSEMENT.
sfgf-0020bc24.docx

Senator CAMPSEN spoke on the Bill.

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 956 -- Senator Garrett: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THOMAS CLYDE BURROUGHS, CHIEF WARRANT OFFICER FOUR, RETIRED, FOR AN OUTSTANDING CAREER AND TO CONGRATULATE HIM ON HIS VALOR IN SERVICE FOR WHICH HE WAS AWARDED THE PURPLE HEART.
lc-0236ha-gm24.docx

The Senate Resolution was adopted.

S. 957 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND

HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200, RELATING TO CONDITIONS FOR ALLOWING REINSURANCE CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY AMENDING SECTION 38-13-10, RELATING TO INSURER EXAMINATIONS, SO AS TO PROVIDE SUCH EXAMINATIONS ARE FINANCIAL EXAMINATIONS, TO APPLY THE PROVISIONS TO HEALTH MAINTENANCE ORGANIZATIONS AND OTHER LICENSEES OF THE DEPARTMENT, TO PROVIDE MARKET CONDUCT EXAMINATIONS, AND TO REMOVE OBSOLETE PROVISIONS, AMONG OTHER THINGS; BY AMENDING SECTION 38-13-70, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DIRECTOR OR HIS DESIGNEES MAY CONDUCT INVESTIGATIONS, TO PROVIDE FOR THE CONFIDENTIALITY OF INVESTIGATIONS, AND TO PROVIDE FINAL ORDERS DISCIPLINING LICENSEES ARE PUBLIC INFORMATION, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-57-130, RELATING TO INSURANCE TRADE PRACTICES, SO AS TO PROVIDE REVISED EXEMPTIONS FROM PROVISIONS PROHIBITING MISREPRESENTATIONS, SPECIAL INDUCEMENTS, AND REBATES IN INSURANCE CONTRACTS.
lc-0541wab24.docx

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

H. 4720 -- Rep. Bannister: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2024-2025 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

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

H. 4807 -- Reps. G. M. Smith, Weeks, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan,

Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE SUMTER NATIVE JORDAN MONTGOMERY ON HIS DEBUT AS A STARTING PITCHER FOR THE 2023 WORLD SERIES AND TO APPLAUD HIS TEAM, THE TEXAS RANGERS, ON CAPTURING THEIR FIRST WORLD SERIES TITLE IN TEAM HISTORY.

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

H. 4830 -- Reps. Taylor, Blackwell, Oremus, Hixon and Clyburn: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE UNIVERSITY OF SOUTH CAROLINA AIKEN EVENTING TEAM MEMBERS FOR AN EXTRAORDINARY SEASON AND TO CONGRATULATE THEM FOR CAPTURING THE UNIVERSITY'S FIRST NATIONAL CHAMPIONSHIP IN ANY SPORT.

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

HOUSE CONCURRENCES

S. 894 -- Senator Grooms: A CONCURRENT RESOLUTION TO CONGRATULATE MICHAEL A. LOCKLIEAR UPON THE OCCASION OF HIS RETIREMENT AS MAYOR OF THE TOWN OF MONCKS CORNER, TO COMMEND HIM FOR HIS TWENTY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

Returned with concurrence.

Received as information.

S. 898 -- Senator Verdin: A CONCURRENT RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MICHAEL DEL PRIORE, TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS, AND TO HONOR HIS

MEMORY ON WHAT WOULD HAVE BEEN HIS SEVENTIETH BIRTHDAY.

Returned with concurrence.

Received as information.

S. 937 -- Senator Jackson: A CONCURRENT RESOLUTION TO REMEMBER AND HONOR HARRIETTE EUGENIA "HETTIE" ANDERSON, THE MODEL FOR THE STUNNING SAINT-GAUDENS DOUBLE EAGLE COIN MINTED FROM 1907 TO 1933.

Returned with concurrence.

Received as information.

S. 938 -- Senators Rice, Cash and Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR BUTCH WOMACK, MAYOR OF THE CITY OF EASLEY, FOR OVER FORTY YEARS OF SERVICE TO THE CITY.

Returned with concurrence.

Received as information.

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

ORDERED ENROLLED FOR RATIFICATION

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

H. 3977 -- Reps. Sandifer, Hardee and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-55-730 SO AS TO ALLOW INSURERS TO POST AN INSURANCE POLICY OR ENDORSEMENT ON THEIR WEBSITE IF CERTAIN CONDITIONS ARE MET.

H. 3872 -- Reps. Murphy, Caskey, B. Newton, Brewer, Robbins, Sandifer, Herbkersman, Rutherford, Wooten, Connell, Mitchell and Hager: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-150-145 SO AS TO EXEMPT CERTAIN PERSONALLY IDENTIFIABLE INFORMATION CONCERNING LOTTERY CLAIMS FROM NONCONSENSUAL DISCLOSURE OR RELEASE UNDER THE FREEDOM OF INFORMATION ACT, TO PROVIDE THE LOTTERY COMMISSION MAY DISCLOSE CERTAIN INFORMATION

CONCERNING LOTTERY CLAIMS WITHOUT CONSENT, AND TO PROVIDE AN EXCEPTION FOR PARTICIPANTS IN CERTAIN PROMOTIONS; AND BY AMENDING SECTION 30-4-40, RELATING TO MATTERS EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO MAKE A CONFORMING CHANGE.

H. 3960 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-686 SO AS TO DESIGNATE THE SOUTH CAROLINA POULTRY FESTIVAL IN LEXINGTON COUNTY AS THE OFFICIAL STATE POULTRY FESTIVAL.

H. 4352 -- Reps. Calhoon and Felder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 53-3-270 SO AS TO DESIGNATE THE MONTH OF MARCH OF EACH YEAR AS "MIDDLE LEVEL EDUCATION MONTH".

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 801 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-430, RELATING TO DESIGNATION OF VOTING PRECINCTS IN OCONEE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS MAY BE FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE.

OBJECTION

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS

IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO

PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

Senator MALLOY objected to the consideration of the Bill.

OBJECTION

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

TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY

AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Senator MALLOY objected to the consideration of the Bill.

CARRIED OVER

H. 3782 -- Reps. West, Yow, Jefferson, Ligon, Nutt, Anderson, Hardee, Bannister, Thayer, Blackwell and Oremus: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-12-300, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "VIDEO SERVICE".

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

CARRIED OVER

H. 4120 -- Reps. Pope and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-3-80 SO AS TO CREATE THE "ILLEGAL IMMIGRATION ENFORCEMENT UNIT" WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE IT TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT AGENCY; BY REPEALING SECTION 23-6-60 AND CHAPTER 30 OF TITLE 8 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF PUBLIC SAFETY AND RECORDING AND REPORTING OF IMMIGRATION LAW VIOLATIONS; AND BY ADDING SECTION 40-1-35 SO AS TO PROVIDE CERTAIN IMMIGRANTS ARE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THIS TITLE.

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

CARRIED OVER

S. 882 -- Senators M. Johnson, Kimbrell, Gustafson, Climer, Garrett and Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-380 SO AS TO PROVIDE THAT A PARENT OR THE LEGAL GUARDIAN OF A MINOR MUST BE NOTIFIED WHEN A HEALTHCARE PROFESSIONAL PRESCRIBES MEDICATION TO THE MINOR, TO PROVIDE THAT A PHARMACIST CANNOT FILL A PRESCRIPTION FOR A MINOR WITHOUT THE MINOR'S PARENT OR LEGAL GUARDIAN CONSENTING, TO PROVIDE THAT A PARENT OR LEGAL GUARDIAN CANNOT BE PROHIBITED FROM VIEWING HIS MINOR'S PRESCRIPTION HISTORY, AND TO PROVIDE THAT THESE PROVISIONS DO NOT APPLY TO AN EMANCIPATED MINOR OR A MARRIED MINOR.

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

READ THE SECOND TIME

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

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Loftis	Malloy
Massey	Matthews	McElveen
McLeod	Peeler	Rankin

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

Total--43

NAYS

Total--0

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

ADOPTED

S. 948 -- Senators Grooms, Stephens, Adams, Senn, Campsen, Goldfinch, Climer and Bennett: A CONCURRENT RESOLUTION TO RECOGNIZE THE WEEK OF JANUARY 21-27, 2024, AS NATIONAL CORONER AND MEDICOLEGAL DEATH INVESTIGATOR WEEK IN HONOR OF THE PUBLIC SERVICE OF THE SOUTH CAROLINA CORONERS ASSOCIATION, CORONERS, DEPUTY CORONERS, AND MEDICOLEGAL DEATH INVESTIGATORS.

The Resolution was adopted, ordered sent to the House.

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

MADE SPECIAL ORDER

H. 3690 -- Reps. Taylor, G.M. Smith, Thayer, Bradley, Hiott, Bannister, W. Newton, Sandifer, West, Davis, Erickson, J.E. Johnson, Jordan, Whitmire, Hixon, Elliott, Forrest, Wooten, Bustos, Willis, Yow, Carter, Hartnett, Moss, McCravy, B.J. Cox, Haddon, Burns, Chumley, Oremus, Hardee, Ligon, Long, Gilliam, Magnuson, Lawson, Nutt, Brewer, Guffey, Hager, Mitchell, Neese, Sessions, Vaughan, Robbins, Kilmartin, M.M. Smith, B. Newton, Hewitt, Leber, Pope, Blackwell, Caskey and Landing: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE “ESG PENSION PROTECTION ACT”; BY AMENDING SECTION 9-16-10,

RELATING TO RETIREMENT SYSTEM FUNDS DEFINITIONS SO AS TO ADD A DEFINITION OF "PECUNIARY FACTOR"; BY AMENDING SECTION 9-16-30, RELATING TO DELEGATION OF FUNCTIONS BY THE COMMISSION, SO AS TO PROVIDE THAT PROXY VOTING DECISIONS MUST BE BASED ON PECUNIARY FACTORS; BY AMENDING SECTION 9-16-50, RELATING TO INVESTMENT AND MANAGEMENT CONSIDERATIONS BY TRUSTEES, SO AS TO PROVIDE THAT THE COMMISSION MAY ONLY CONSIDER PECUNIARY FACTORS IN MAKING CERTAIN INVESTMENT DECISIONS; BY AMENDING SECTION 9-16-320, RELATING TO ANNUAL INVESTMENT PLANS SO AS TO REQUIRE CERTAIN MEETINGS; BY AMENDING SECTION 9-16-330, RELATING TO STATEMENT OF ACTUARIAL ASSUMPTIONS AND INVESTMENT OBJECTIVES, SO AS TO REQUIRE CERTAIN CERTIFICATIONS; AND BY ADDING SECTION 9-16-110 SO AS TO PROVIDE THAT THE ATTORNEY GENERAL MAY BRING AN ACTION TO ENFORCE CERTAIN PROVISIONS.

Senator MASSEY moved that the Bill be made a Special Order.

The Bill was made a Special Order.

MOTION ADOPTED

At 11:54 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

STATEWIDE APPOINTMENT

Confirmation

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2021, and to expire July 1, 2025

At-Large:

Mitchell M. Zais, 1642 Tanglewood Road, Columbia, SC 29204-3308 *VICE* Benjamin Wright Satcher, Jr.

On motion of Senator HEMBREE, the question was confirmation of Mitchell M. Zais.

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

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--41

NAYS

Harpootlian	Hutto

Total--2

The appointment of Mitchell M. Zais was confirmed.

Motion Adopted

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

REPORT RECEIVED

Judicial Merit Selection Commission

Report of Candidate Qualifications
2023

Date Draft Report Issued: Thursday, January 11, 2024
Date and Time Final Report Issued: Noon, Tuesday, January 16, 2024

Judicial candidates are not free to seek or accept commitments until Tuesday, January 16, 2024, at Noon.

Judicial Merit Selection Commission

Rep. Micajah P. "Micah" Caskey IV, Chairman
Sen. Luke A. Rankin, Vice Chairman
Sen. Ronnie A. Sabb
Sen. Scott Talley
Rep. J. Todd Rutherford
Rep. Wallace H. "Jay" Jordan, Jr.

Hope Blackley
Lucy Grey McIver
Andrew N. Safran
J.P. "Pete" Strom Jr.

Erin B. Crawford, Chief Counsel
Patrick Dennis, Counsel

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6623
January 11, 2024

Dear Members of the General Assembly:

Enclosed is the Judicial Merit Selection Commission's Report of Candidate Qualifications. This Report is designed to assist you in determining how to cast your vote. The Commission is charged by law with ascertaining whether judicial candidates are qualified for service on the bench. In accordance with this mandate, the Commission has thoroughly investigated all judicial candidates for their suitability for judicial service.

The Commission's finding that a candidate is qualified means that the candidate satisfies both the constitutional criteria for judicial office and the Commission's evaluative criteria. The attached Report details each candidate's qualifications as they relate to the Commission's evaluative criteria.

Judicial candidates are **prohibited** from asking for your commitment until **12:00 Noon on Tuesday, January 16, 2024. Further, members of the General Assembly are not permitted to issue letters of introduction, announcements of candidacy, statements detailing a candidate's qualifications, or commitments to vote for a candidate until 12:00 Noon on Tuesday, January 16, 2024. In summary, no member of the General Assembly should, orally or in writing,**

communicate about a candidate's candidacy until this designated time after the release of the Judicial Merit Selection Commission's Report of Candidate Qualifications. If you find a candidate violating the pledging prohibitions or if you have questions about this report, please contact Erin B. Crawford, Chief Counsel to the Commission, at (803) 212-6689.

Thank you for your attention to this matter.

Sincerely,

Representative Micajah P. "Micah" Caskey IV

Judicial Merit Selection Commission

Rep. Micajah P. "Micah" Caskey IV, Chairman
Sen. Luke A. Rankin, Vice Chairman
Sen. Ronnie A. Sabb
Sen. Scott Talley
Rep. J. Todd Rutherford
Rep. Wallace H. "Jay" Jordan, Jr.

Hope Blackley
Lucy Grey McIver
Andrew N. Safran
J.P. "Pete" Strom Jr.

Erin B. Crawford, Chief Counsel
Patrick Dennis, Counsel

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6623
January 11, 2024

Dear Fellow Members of the General Assembly:

This letter is written to call your attention to issues raised during the December 2003, Judicial Merit Selection hearings concerning a judicial candidate's contact with members of the General Assembly, as well as third parties contacting members on a candidate's behalf. It is also to remind you of these issues for the current screening.

Section 2-19-70(C) of the South Carolina Code contains strict prohibitions concerning candidates seeking or legislators giving their pledges of support or implied endorsement through an introduction prior to 48 hours after the release of the final report of the Judicial Merit Selection Commission ("Commission"). The purpose of this section is to ensure that members of the General Assembly have full access to the report prior to being asked by a candidate to pledge his or her support.

The final sentence of Section 2-19-70(C) provides that "the prohibitions of this section do not extend to an announcement of candidacy by the candidate and statements by the candidate detailing the candidate's qualifications" (emphasis added). Candidates may not, however, contact members of the Commission regarding their candidacy. Please note that six members of the Commission are also legislators.

In April 2000, the Commission determined that Section 2-19-70(C) means no member of the General Assembly should engage in any form of communication, written or verbal, concerning a judicial candidate before the 48-hour period expires following the release of the Commission's report. The Commission would like to clarify and reiterate that until at least 48 hours have expired after the Commission has released its final report of candidate qualifications to the General Assembly, only candidates, and not members of the General Assembly, are permitted to issue letters of introduction, announcements of candidacy, or statements detailing the candidates' qualifications.

The Commission would again like to remind members of the General Assembly that a violation of the screening law is likely a disqualifying offense and must be considered when determining a candidate's fitness for judicial office. Further, the law requires the Commission to report any violations of the pledging rules by members of the General Assembly to the House or Senate Ethics Committee, as may be applicable.

Should you have any questions regarding this letter or any other matter pertaining to the judicial screening process, please do not hesitate to call Erin B. Crawford, Chief Counsel to the Commission, at (803) 212-6689.

Sincerely,

Representative Micajah P. "Micah" Caskey IV

Chairman

INTRODUCTION

The Judicial Merit Selection Commission is charged by law to consider the qualifications of candidates for the judiciary. This report details the reasons for the Commission's findings, as well as each candidate's qualifications as they relate to the Commission's evaluative criteria. The Commission operates under the law that went into effect on July 1, 1997, and which dramatically changed the powers and duties of the Commission. One component of this law is that the Commission's finding of "qualified" or "not qualified" is binding on the General Assembly. The Commission is also cognizant of the need for members

of the General Assembly to be able to differentiate between candidates and, therefore, has attempted to provide as detailed a report as possible.

The Judicial Merit Selection Commission is composed of ten members, four of whom are non-legislators. The Commission has continued the more in-depth screening format started in 1997. The Commission has asked candidates their views on issues peculiar to service on the court to which they seek election. These questions were posed in an effort to provide members of the General Assembly with more information about candidates and the candidates' thought processes on issues relevant to their candidacies. The Commission has also engaged in a more probing inquiry into the depth of a candidate's experience in areas of practice that are germane to the office he or she is seeking. The Commission feels that candidates should have familiarity with the subject matter of the courts for which they offer, and feels that candidates' responses should indicate their familiarity with most major areas of the law with which they will be confronted.

The Commission also used the Citizens Committees on Judicial Qualifications as an adjunct of the Commission. Since the decisions of our judiciary play such an important role in people's personal and professional lives, the Commission believes that all South Carolinians should have a voice in the selection of the state's judges. It was this desire for broad-based grassroots participation that led the Commission to create the Citizens Committees on Judicial Qualifications. These committees are composed of individuals who are both racially and gender diverse, and who also have a broad range of professional experiences (*i.e.,* lawyers, teachers, businessmen, bankers, and advocates for various organizations). The committees were asked to advise the Commission on the judicial candidates in their regions. Each regional committee interviewed the candidates from its assigned area and also interviewed other individuals in that region who were familiar with the candidate either personally or professionally. Based on those interviews and its own investigation, each committee provided the Commission with a report on their assigned candidates based on the Commission's evaluative criteria. The Commission then used these reports as a tool for further investigation of the candidate if the committee's report so warranted. Summaries of these reports have also been included in the Commission's report for your review.

The Commission conducts a thorough investigation of each candidate's professional, personal, and financial affairs, and holds public hearings during which each candidate is questioned on a wide variety of issues. The Commission's investigation focuses on the following

evaluative criteria: constitutional qualifications, ethical fitness, professional and academic ability, character, reputation, physical health, mental health, and judicial temperament. The Commission's investigation includes the following:

(1) survey of the bench and bar through BallotBox online;
(2) SLED and FBI investigation;
(3) credit investigation;
(4) grievance investigation;
(5) study of application materials;
(6) verification of ethics compliance;
(7) search of newspaper articles;
(8) conflict of interest investigation;
(9) court schedule study;
(10) study of appellate record;
(11) court observation; and
(12) investigation of complaints.

While the law provides that the Commission must make findings as to qualifications, the Commission views its role as also including an obligation to consider candidates in the context of the judiciary on which they would serve and, to some degree, govern. To that end, the Commission inquires as to the quality of justice delivered in the courtrooms of South Carolina and seeks to impart, through its questioning, the view of the public as to matters of legal knowledge and ability, judicial temperament, and the absoluteness of the Judicial Canons of Conduct as to recusal for conflict of interest, prohibition of ex parte communication, and the disallowance of the acceptance of gifts. However, the Commission is not a forum for reviewing the individual decisions of the state's judicial system absent credible allegations of a candidate's violations of the Judicial Canons of Conduct, the Rules of Professional Conduct, or any of the Commission's nine evaluative criteria that would impact a candidate's fitness for judicial service.

The Commission expects each candidate to possess a basic level of legal knowledge and ability, to have experience that would be applicable to the office sought, and to exhibit a strong adherence to codes of ethical behavior. These expectations are all important, and excellence in one category does not make up for deficiencies in another.

Routine questions related to compliance with ethical Canons governing ethics and financial interests are now administered through a written questionnaire mailed to candidates and completed by them in advance of each candidate's staff interview. These issues are no longer

automatically made a part of the public hearing process unless a concern or question was raised during the investigation of the candidate. The necessary public record of a candidate's pledge to uphold the Canons is his or her completed and sworn questionnaire.

This report is the culmination of lengthy, detailed investigatory work and public hearings. The Commission takes its responsibilities seriously, believing that the quality of justice delivered in South Carolina's courtrooms is directly affected by the thoroughness of its screening process. Please carefully consider the contents of this report, which we believe will help you make a more informed decision. **Please note that the candidates' responses included herein are restated verbatim from the documents that the candidates submitted as part of their application to the Judicial Merit Selection Commission. All candidates were informed that the Commission does not revise or alter the candidates' submissions, and thus, any errors or omissions in the information contained in this draft report existed in the original documents that the candidate submitted to the Commission.**

This report conveys the Commission's findings as to the qualifications of all candidates currently offering for election to the South Carolina Supreme Court, Court of Appeals, Circuit Court, Family Court, and the Administrative Law Court.

SUPREME COURT
QUALIFIED AND NOMINATED

The Honorable John W. Kittredge
Supreme Court, Chief Justice

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Supreme Court, Chief Justice, one candidate applied for this vacancy. Accordingly, the name and qualifications of one candidate is hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Justice Kittredge meets the qualifications prescribed by law for judicial service as Supreme Court, Chief Justice.

Justice Kittredge was born in 1956. He is 67 years old and a resident of Greenville, South Carolina. Justice Kittredge provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1982.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Justice Kittredge.

Justice Kittredge demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Justice Kittredge reported that he has made $607.26 in campaign expenditures for stamps, paper, envelopes, typing assistance, scanning costs, and clerical assistance.

Justice Kittredge testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Justice Kittredge testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Justice Kittredge to be intelligent and knowledgeable.

Justice Kittredge reported that he has taught the following law-related courses:

(a) I have also spoken to diverse groups across the state. I have spoken to school children, including middle and high school students. I have further spoken to college level students and law school students. I have spoken to many civic organizations, such as Rotary, Civitan, and Kiwanis. In speaking to students and civic groups, the primary focus has been an understanding of the legal system and the importance of the rule of law. I have spoken to other groups as well, such as law enforcement officers.

(b) I have spoken at many CLE programs. While the topics have varied, I am generally asked to present on the topics of civility and professionalism. This is the result of my service as chair of the Chief Justice's Commission on the Profession. For example, when the Bridge the Gap program existed, I was the speaker for many years on civility and professionalism. I have also spoken at the South Carolina Bar Convention on numerous occasions, including CLE programs and the Plenary Luncheon. In January 2023, I presented the "State of the Judiciary" talk to the House of Delegates.

Justice Kittredge reported that he has published the following:

(a) Around 1978, I wrote a paper entitled The Inevitability of Police Discretion, which was published in the South Carolina Law Enforcement Officers Association magazine.

(b) An article on juvenile justice was published in the Greenville News in December, 1992.

(4) Character:

The Commission's investigation of Justice Kittredge did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Justice Kittredge did not indicate any evidence of a troubled financial status. Justice Kittredge has handled his financial affairs responsibly.

The Commission also noted that Justice Kittredge was punctual and attentive in his dealings with the Commission, and the

Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Justice Kittredge reported that his last available rating by a legal rating organization, Martindale-Hubbell, was AV.

Justice Kittredge reported that he has not served in the military.

Justice Kittredge reported that he has never held public office other than judicial office.

(6) Physical Health:

Justice Kittredge appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Justice Kittredge appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Justice Kittredge was admitted to the South Carolina Bar in 1982.

He gave the following account of his legal experience since graduation from law school:

(a) I served as a law clerk to the Honorable William W. Wilkins, Jr., then United States District Judge, from August 1982 through August 1984.

(b) From September 1984 until July 1991, I worked at the law firm of Wilkins, Nelson and Kittredge. I had a litigation practice. I was involved in the administrative management of our law firm.

(c) I also worked as a part-time assistant solicitor from 1984 until mid-1985, and then again for several months in 1986 to try several cases at the request of the Solicitor. As an assistant solicitor, I prosecuted many criminal cases.

(d) I was elected by the General Assembly to the Family Court bench in 1991.

(e) In 1996, I was elected by the General Assembly to the Circuit Court bench.

(f) In 2003, I was elected by the General Assembly to the Court of Appeals.
(g) In 2008, I was elected by the General Assembly to the Supreme Court.

Justice Kittredge reported the frequency of his court appearances prior to his service on the bench as follows:
(a) Federal: two times per year;
(b) State: weekly.

Justice Kittredge reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:
(a) Civil: 30%;
(b) Criminal: 10%;
(c) Domestic: 60%;
(d) Other: 0%.

Justice Kittredge reported the percentage of his practice in trial court prior to his service on the bench as follows:
(a) The vast majority of my practice was in the trial court
(b) The majority of my jury trials came from my service as an assistant solicitor. I do not recall exact numbers concerning cases tried and cases settled. As an assistant solicitor, I was a part-time prosecutor; I was assigned specific cases that were viewed as "definite trials." Very few of my assigned cases were resolved by guilty plea. On the civil side in private practice, at any given time, I was handling between fifty and one hundred cases.
(c) As a prosecutor, I was specifically assigned cases that had to be tried. As a result, most criminal cases went to trial and resulted in a jury verdict. Concerning civil and domestic cases, as was (and is) customary, most cases were resolved by settlement before or during trial. My best guess is that eighty percent (80%) of the cases were resolved by agreement and twenty percent (20%) were tried.
(d) I probably did have a case or cases settle immediately after jury selection, but I cannot recall a specific instance.

Justice Kittredge provided that during the past five years prior to his service on the bench, his time was equally divided between sole counsel and co-counsel.

The following is Justice Kittredge's account of his five most significant litigated matters:

(a) *State v. Floyd McDuffie.* (approximately 1985, Greenville County General Sessions Court.) I prosecuted many cases as an assistant solicitor, and this case was significant to me. It involved a highly publicized murder and robbery. Interesting legal questions arose during the trial. The defendant was convicted of armed robbery and manslaughter and sentenced to jail.

(b) *State v. Donnie Robinson.* (approximately 1986, Greenville County General Sessions Court.) I prosecuted this defendant for armed robbery and kidnapping. This was a highly publicized case in which the defendant kidnapped the victim at gunpoint in the parking lot of Haywood Mall in Greenville. The defendant then forced the victim to withdraw money from her bank account. The victim eventually escaped from the defendant. The jury convicted the defendant on all counts, and he received a life sentence.

(c) *Stogner v. City of Mauldin.* 84-CP-23-680. I, along with my law partner, represented the defendant. Plaintiff filed a myriad of claims (including a 42 USC §1983 cause of action) arising from a challenge to the zoning ordinance of the City of Mauldin. The case was tried to a jury. Judgment for defendant at the close of evidence.

(d) *Collins Music v. Terry et al.* 87-CP-23-2982. I represented plaintiff in this common pleas action. The case received substantial publicity. Plaintiff alleged breach of contract, tortious interference with contractual relations and unfair trade practices. Plaintiff prevailed. Judgment was entered in the approximate amount of $18,000 actual damages and $100,000 punitive damages. The case was appealed and affirmed by the Court of Appeals. (303 S.C. 358, 400 S.E.2d 783 (1991)). I also handled the appeal.

(e) *First Baptist Church of Mauldin v. City of Mauldin.* 90-CP-23-955. I represented the church (on a pro bono basis) in its petition to close a road on its property. The road closing was necessary to enable the church to expand its facility to accommodate its growing membership. This was far more than a typical road closing case. For

political reasons, the church's petition was adamantly opposed by the City of Mauldin. Significant publicity surrounded the case and trial. Following a lengthy trial, judgment was entered in favor of the church and the road was closed, thus enabling the church to expand its facilities. I was elected to the Family Court bench while the case was on appeal to the Supreme Court. The Supreme Court affirmed, 308 S.C. 226, 417 S.E.2d 592 (1992).

The following is Justice Kittredge's account of five civil appeals he has personally handled:

(a) *Collins Music v. Terry,* 303 S.C. 358, 400 S.E.2d 783 (Ct. App. 1991).

(b) *S.C. Tax Commission v. S. C. Tax Board of Review,* 305 S.C. 183, 407 S.E.2d 627 (1991). I argued the case before the Supreme Court, but I did not write the brief.

(c) *Watson v. Watson,* 291 S.C. 13, 351 S.E.2d 883 (Ct. App. 1986).

(d) *Burns v. Burns.* 293 S.C. 1, 358 S.E.2d 168 (Ct. App. 1987).

(e) *Lineberger v. Lineberger.* 303 S.C. 248, 399 S.E.2d 786 (Ct. App. 1990).

Justice Kittredge reported that he has not personally handled any criminal appeals. He also reported the following:

I have not, as an attorney, personally handled a criminal appeal. However, as an appellate judge, I have authored hundreds of opinions. Attached to this application is a list of all opinions I have authored while serving on the Court of Appeals and to date on the Supreme Court.

Justice Kittredge reported that he has held the following judicial office(s):

(a) I was elected by the General Assembly to the Family Court bench on May 8, 1991, and reelected in May 1995. The Family Court is a court of limited jurisdiction.

(b) In 1996, I was elected by the General Assembly to an At-Large Circuit Court judgeship (Seat 11).

(c) In 1998, I was elected to a Resident Circuit Court judgeship (Thirteenth Judicial Circuit, Seat 4). The Circuit

Court is South Carolina's general jurisdiction court, civil and criminal.

(d) In 2003, I was elected to the Court of Appeals. The Court of Appeals is an intermediate, error-correction appellate court.

(e) In 2008, I was elected to the Supreme Court. The Supreme Court is the highest court in South Carolina. While the Supreme Court primarily serves as an appellate court, it has authority to hear matters in its original jurisdiction. *See* Article V of the South Carolina Constitution.

Justice Kittredge provided the following list of his most significant orders or opinions:

(a) *Moore v. Moore*, 414 S.C. 490, 779 S.E.2d 533 (2015).

(b) *Adoptive Couple v. Baby Girl*, 395 S.C. 625, 731 S.E.2d 550 (2012) (Kittredge, J., dissenting), *rev'd* 133 S.Ct. 2552 (2013) (reversing majority decision and adopting Justice Kittredge's view that Indian Child Welfare Act did not bar adoption of child where Indian parent abandoned Indian child prior to birth).

(c) *Abbeville Cnty. Sch. Dist. v. State*, 410 S.C. 619, 767 S.E.2d 157 (2014) (Kittredge, J., dissenting); see also Abbeville Cnty. Sch. Dist. v. State, 414 S.C. 166, 777 S.E.2d 547 (2015) (order) (Kittredge, J., dissenting), *superseded by* 415 S.C. 19, 780 S.E. 2d 609 (2015) (Kittredge, J., dissenting).

(d) *Bd. of Trustees of School Dist. of Fairfield County v. State*, 395 S.C. 276, 718 S.E.2d 210 (2011).

(e) *State v. Moore*, 429 S.C. 465, 839 S.E.2d 882 (2020).

(f) I have been an appellate judge since 2003. I have authored hundreds of opinions. I am attaching to my application a list of all appellate opinions I have authored.

Justice Kittredge reported no other employment while serving as a judge:

(9) Judicial Temperament:

The Commission believes that Justice Kittredge's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Justice Kittredge "Qualified" in the evaluative criteria of

constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary comments.

Justice Kittredge is married to Lila Graham Hewell Kittredge. He has three children.

Justice Kittredge reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar – 1982 to present;
(b) Greenville County Bar – 1982 to present.
Justice Kittredge provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Upstate Warrior Solutions - Board of Directors, Greenville, S.C.;
(b) Commission on Accreditation for Law Enforcement Agencies –
National Commissioner;
(c) Greenville Country Club, Greenville, S.C.;
(d) Poinsett Club, Greenville, S.C.;
(e) First Presbyterian Church, Greenville, S.C. – previously served as an Elder;
(f) Haynsworth-Perry Inn of Court, Greenville, S.C.

Justice Kittredge further reported:

(a) I believe I am well qualified to serve as Chief Justice of the South Carolina Supreme Court. My academic background includes summa cum laude, Phi Beta Kappa, Order of the Coif; and Wig and Robe.
(b) This June concluded by thirty-second year of judicial service to South Carolina. I am the first and only person ever in South Carolina to serve on the four major courts—Family Court, Circuit Court, Court of Appeals and the Supreme Court. My service at every level has prepared me well to serve as Chief Justice. I am no stranger to hard work.

(c) As a trial judge, I (1) served as chief administrative judge on numerous occasions on Family and Circuit Court; (2) formed Bench-Bar committees in Family and Circuit Court to facilitate productive and positive communications between judges and practicing attorneys on matters affecting the court: (3) assembled and participated in the committee which resulted in the implementation of the successful Alternate Dispute Resolution Program in Greenville County; (4) was assigned and tried many complex cases, including medical malpractice, products liability, constitutional challenges to state statutes, etc.; (5) was responsible for the organization, scheduling and presentation of many JCLEs at Family Court and Circuit Court conferences; (6) was assigned numerous death penalty cases by the Supreme Court, including death penalty post-conviction relief; (7) served on numerous occasions as an Acting Associate Justice of the Supreme Court; and (8) was appointed many times by the Supreme Court as a special referee in matters in the Supreme Court's original jurisdiction, and in all such cases the Supreme Court unanimously adopted my Report and Recommendation in published opinions.

(d) For the past approximately twenty years, I have served as an appellate judge, the last fifteen on the Supreme Court. I enjoy the challenges of novel and difficult issues we frequently encounter at the appellate level. I hope my work product (legal opinions) is acceptable to the Bench and Bar. It has been and remains my goal to write understandable and meaningful opinions for the Bench and Bar. My judicial philosophy is that judges adjudicate and legislators legislate.

(e) I have served on the Chief Justice's Commission on the Profession since approximately 2003. In 2008, I was appointed as Chairman of the Commission on the Profession and have served in that capacity since. The Commission on the Profession has led the way on numerous improvements to the system of justice, including the mentoring program and numerous rule changes.

(f) In 2015, I received a lifetime achievement award from Chief Justice Toal for my contributions to the legal profession. I was the first recipient of this award.

(g) I wish to add a final comment. I have no agenda, other than to honor my oath as a judge and uphold the rule of law. I bring neither a bias nor an agenda to the discharge of my judicial duties. I am faithful to the rule of law, and my record of almost thirty-two years in the state judiciary so reflects. Moreover, beyond my uncompromising commitment to the rule of law, I have tried my best to treat everyone with kindness and respect.

I thank the JMSC for its consideration of my application for election to the position of Chief Justice of the Supreme Court.

(11) Commission Members' Comments:

The Commission noted Justice Kittredge's remarkable experience, having served on each of the statewide courts in South Carolina and being the only person to have done so. The Commission also took note of the exceptional amount of positive feedback it received concerning all areas of Justice Kittredge's qualifications.

The Commission found that Justice Kittredge is an exemplary candidate to be Chief Justice of the South Carolina Supreme Court.

(12) Conclusion:

The Commission found Justice Kittredge qualified, and nominated him for election to the Supreme Court, Chief Justice.

COURT OF APPEALS
QUALIFIED AND NOMINATED

The Honorable Jerry Deese Vinson Jr.
Court of Appeals, Seat 8

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Vinson meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Vinson was born in 1960. He is 63 years old and a resident of Florence, South Carolina. Judge Vinson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1985.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Vinson.

Judge Vinson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Vinson reported that he has not made any campaign expenditures.

Judge Vinson testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Vinson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Vinson to be intelligent and knowledgeable.

Judge Vinson reported that he has taught the following law-related courses:

(a) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/12/97
(b) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 8/28/98

(c) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/24/99
(d) Family Law Ethics Seminar 12/4/99
(e) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/15/00
(f) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/21/01
(g) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/20/02
(h) Ethical Issues in Appointed Cases 10/18/02
(i) Guardian Ad Litem Certification 1/10/03
(j) SC Bar Cool Tips Seminar 4/25/03
(k) Children's Law Seminar 10/14/05
(l) SC Bar CLE – Panel Discussion – New Tools for the Family Court 1/27/06
(m) SC Bar CLE - Children's Issues in Family Court – Relocation: A New Approach 3/17/06
(n) 2006 Orientation School for New Judges 7/10/06
(o) Charleston County Family Law Seminar – Observations from the Bench 11/17/06
(p) Children's Issues in Family Court – Guardian ad litem Reports What's in It for Me? 3/23/07
(q) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Ten Things Lawyers Need to Know about Temporary Hearings 9/21/07
(r) Children's Law Project Seminar on Abuse & Neglect 11/16/07
(s) SC Bar CLE - Tips from the Bench – Divorce and Separation – The Devil is in the Details: Checklists as Tools 2/15/08
(t) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Best Legal Practices in Abuse and Neglect Cases –a Work in Progress 9/19/08
(u) SC Bar Hot Tips from the Coolest Domestic Law Practitioners –Thoughts from the Bench – Top Ten Basics All Lawyers Need to Know 9/19/08
(v) Children's Law Center Conference – Best Legal Practices in Abuse and Neglect Cases 10/31/08
(w) SC Bar Convention - Family Law Section-Advantages of the New Financial Declaration 1/23/09

(x) SCDSS CLE - Attorney Training – Best Legal Practices in Abuse and Neglect Cases -Panel Discussion 2/27/09

(y) SC Bar Hot Tips from the Coolest Domestic Law Practitioners - Common Evidentiary Issues: Oops! I Did It Again 9/18/09

(z) Training for Attorneys Appointed in Abuse & Neglect Cases 1/15/10

(aa) SC Bar - Children's Law Committee Seminar– Best Legal Practices in Abuse and Neglect cases 1/23/10

(bb) SCCFCJ Conference – Best Legal Practices 4/22/10

(cc) Guardian ad Litem training on Best Legal Practices in Abuse and Neglect Cases 5/17/10

(dd) SC Bar – Solo & Small Firm Seminar – What Every Lawyer Should Know About Family Court 9/24/10

(ee) SC Bar Hot Tips from the Coolest Domestic Law Practitioners –Trial Tips from the Bench 10/1/10

(ff) Child Support Enforcement CLE – Best Legal Practices in Abuse and Neglect Cases 10/29/10

(gg) Family Court Judges Mini Summit on Justice for Children –Best Legal Practices in Child Abuse and Neglect Cases 12/2/10

(hh) Orientation School for New Family Court Judges - Alimony 6/8/11

(ii) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/16/11

(jj) SC Bar Family Court Judges Bench/Bar – Effective Pre-Trial Practice in a Small Market 12/2/11

(kk) Orientation School for New Family Court Judges - Alimony 5/31/12 (ll) VIP SCNYTD – SCDSS Independent Living Conference Youth Speak Workshop – Panel Discussion 6/8/12

(mm) SC Supreme Court Institute – Panel Discussion – Overview of the South Carolina Courts 6/19/12

(nn) Forum on Judicial Independence & Diversity LWVSC 8/7/12

(oo) SC Bar Hot Tips from the Coolest Domestic Law Practitioners –Show Your Love: Ten Suggestions for a Happier Relationship with Your Judge 9/28/12

(pp) Francis Marion University Criminal Justice Class – Lecture on Juvenile Justice 11/20/12

(qq) SCAJ Annual Conference – Rules of Procedure – Order of Protection 8/1/13

(rr) Orientation School for New Family Court Judges - Alimony 5/31/13

(ss) SC Bar Hot Tips from the Coolest Domestic Law Practitioners –New Rule on Temporary Hearings: Page Limitations, Time Limitations, Exceptions to the Rule 9/27/13

(tt) Orientation School for New Family Court Judges - Alimony 6/19/14

(uu) SC Bar Hot Tips Seminar – Just the Factors Ma'am: Attorney Fees 9/26/14

(vv) SCCA Orientation School for New Judges - Alimony 6/4/15

(ww) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Relationships: the Practitioners Professional Responsibility 9/25/15

(xx) SCCA Orientation School for New Family Court Judges - Alimony 6/2/16

(yy) SC Bar Hot Tips from the Coolest Domestic Law Practitioners –Ain't Mishebavin: Conduct, Lawyers Oath, Rule 9 9/23/16

(zz) South Carolina Summit on Access to Justice for All –Self-Represented Litigants 10/24/16

(aaa) Twelfth Circuit Tips from the Bench 10/28/16

(bbb) Children's Law Seminar 11/4/16

(ccc) Orientation School for New Family Court Judges - Alimony 5/4/17

(ddd) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – And It Is So Ordered: Order Details 9/22/17

(eee) SC Bar Family Court Judges Bench/Bar – Standardizing "Standard"Visitation: A View from the Bench 12/1/17

(fff) Children's Law Center – Raising the Bar for Children 4/13/18

(ggg) SCCA Orientation School for New Judges - Alimony 5/17/18

(hhh) SC Bar Hot Tips Seminar – Amuse Bouche 9/21/18

(iii) Orientation School for New Family Court Judges – Alimony 5/29/19

(jjj) SC Bar Hot Tips Seminar – Seven Habits of Highly Effective Family Court Litigators 9/20/19
(kkk) SC Bar CLE – Panel for Improving Temporary Hearings 10/6/19
(lll) Orientation School for New Family Court Judges – Alimony 6/9/20
(mmm) View from the Bench – Indigent Defense – via WebEx 6/12/20
(nnn) SC Bar Hot Tips Seminar – The New Normal: Disposition by Packet 9/25/20
(ooo) Mediation Symposium – Charleston Law School – Family Law & ADR – Panel Discussion 2/26/21
(ppp) USC School of Law – Family Court System 3/10/21
(qqq) Orientation School for New Family Court Judges – Alimony 5/25/21
(rrr) SC Bar Hot Tips Seminar – It Bears Repeating 9/24/21
(sss) USC School of Law – Family Court System 3/1/22
(ttt) SC Bar Hot Tips Seminar – Up the Road: Your Case on Appeal 9/23/22
(uuu) Practicing before the Appellate Courts – Panel 11/5/22
(vvv) USC School of Law – Family Court System 1/24/23
(www) SC Family Court Judges Conference – From the Family Court to the Court of Appeals: Opinions & Observations 4/27/23
(xxx) SC Bar LRE Mock Trial Competitions, Presiding Judge for regional, state and national 7/04 – present

Judge Vinson reported the following about publishing article and books:

I have prepared seminar materials for a majority of the seminars at which I have spoken.

(4) Character:

The Commission's investigation of Judge Vinson did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Vinson did not indicate any evidence of a troubled financial status. Judge Vinson has handled his financial affairs responsibly.

The Commission also noted that Judge Vinson was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Vinson reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Vinson reported that he has not served in the military.

Judge Vinson reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Vinson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Vinson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Vinson was admitted to the South Carolina Bar in 1985.

He gave the following account of his legal experience since graduation from law school:

(a) From August 1985 until April 1986, I practiced as an associate with Haigh Porter in Florence, South Carolina. My responsibilities primarily involved mortgage foreclosure actions and real estate transactions.
(b) From April 1986 until July 1987, I served as a law clerk to the Honorable John H. Waller, Jr., Circuit Judge for the Twelfth Judicial Circuit. My responsibilities involved assisting Judge Waller with research and reviewing Orders and other documents presented for execution by Judge Waller.
(c) From July 1987 until April 1992, I practiced as an associate with Turner, Padget, Graham and Laney, P.A. in Florence, South Carolina. My practice involved civil

litigation in State and Federal Court, primarily related to defense of insureds in personal injury, premises liability and business litigation.

(d) From April 1992 until December 1992, I practiced as an attorney with the Fallon Law Firm in Florence, South Carolina. My practice involved civil litigation, primarily representing plaintiffs in personal injury cases.

(e) From January 1993 until January 2001, I was a shareholder with the Vinson Law Firm, PA, in Florence, South Carolina. My practice involved civil and domestic litigation, including personal injury cases and business litigation, as well as divorce and custody actions. I also represented the Department of Social Services as a contract attorney for four (4) years during this period of time, litigating all abuse and neglect cases.

(f) From January 2001 until June 30, 2004, I was a partner at McDougall and Self, L.L.P. practicing in the Florence, South Carolina office. My practice was limited to Family Court litigation.

(g) On February 4, 2004, I was elected by the Legislature to the Twelfth Judicial Circuit Family Court, Seat Three. I served in that position from July 1, 2004 until December 31, 2021.

(h) On February 3, 2021, I was elected by the Legislature to the South Carolina Court of Appeals, Seat Eight. I began service in this position since January 1, 2022.

Judge Vinson reported that he has held the following judicial office(s):
From July 1, 2004 to December 2021, I served on the Family Court for the Twelfth Judicial Circuit. I was elected three times by the Legislature for that position. From January 1, 2022 to present, I have served on the Court of Appeals, Seat 8. I was elected by the Legislature for this position.

Judge Vinson reported no other employment while serving as a judge.

Judge Vinson further reported the following regarding unsuccessful candidacies:
Court of Appeals, Seat 3, 2019.

(9) Judicial Temperament:

The Commission believes that Judge Vinson's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee-Dee Citizens Committee on Judicial Qualifications found Judge Vinson to be "Well Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee did not provide a summary statement or related comments.

Judge Vinson is married to Flora Sue Lester Vinson. He has no children.

Judge Vinson reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar
- -Judicial member (Current)
- -House of Delegates (Past member)
- -Family Law Section Council - Chair (2001 - 2002) (Past member)
- -Law Related Education Committee (Current member) - Chair (2010 – 2012)

(b) South Carolina Women Lawyers Association (Current member)

(c) National Council of Juvenile and Family Court Judges (Past member)
- -Served on Board of Trustees from 2008 to 2011
- -Finance Committee member from 2010 to 2016

(d) South Carolina Family Court Judges Association (Past member)
- -President (2012 – 2013)
- -President Elect (2011 - 2012)
- -Secretary/Treasurer (2010-2011)

(e) Bench/Bar Committee (2005-2017)
- -Chair (2012-2014)
- -Best practices Subcommittee – Chair and Co-Chair (2009 to 2017)

(f) Governor's Task Force for Adoption and Foster Care (2007 to 2008)
(g) American Bar Association – Judicial Division (Past member)
(h) Family Court Judges Advisory Committee (2010-2013)
(i) Pee Dee Inn of Court (Current member)
(j) John Belton O'Neall Inn of Court (Current member)
(k) South Carolina Appellate Court Judges Association (Current member)

Judge Vinson provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Confirmed Communicant at St. John's Church and former Vestry Member
(b) Member, and Past President, of Francis Marion University Alumni Association
(c) Former member and Vice-Chair of Francis Marion University Foundation Board
(d) Graduate of Leadership Florence
(e) Recipient of Francis Marion University Outstanding Member of Alumni Association
(f) Kiwanian of the Year
(g) Participant at National Security Seminar, United States Army War College
(h) Recipient of Francis Marion University John S. Boyce Award
(i) Pee Dee Inn of Court
(j) John Belton O'Neall Inn of Court

Judge Vinson further reported:

It has been an honor and privilege to have served as a Family Court Judge for the past seventeen years and as a Court of Appeals Judge for the past eighteen months. I am very grateful to have been afforded this opportunity for service to my state and to its citizens. I take my judicial oath very seriously and find that it serves as a constant reminder that my conduct, both inside and outside the courtroom, influences the perception of our judicial system. I remain mindful of the significant impact that the decisions I make as a judge have upon litigants appearing before me.

Before starting law school, I worked as a bag boy, bus driver, theater usher, janitor, and delivery person. In my legal career, I have served as a circuit court law clerk, an associate at a large firm, a member of a small firm, and a Judge. These experiences have broadened my perspective and enhanced my appreciation for those involved in our legal system. I believe these varied life experiences have helped me be a better person and a better judge.

(11) Commission Members' Comments:

Commission members commented that Judge Vinson is efficient, kind, very experienced, and exudes civility.

(12) Conclusion:

The Commission found Judge Vinson qualified, and nominated him for re-election to Court of Appeals, Seat 8.

Whitney B. Harrison
Court of Appeals, Seat 9

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Harrison meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Ms. Harrison was born in 1985. She is 38 years old and a resident of Columbia, South Carolina. Ms. Harrison provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2011.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Harrison.

Ms. Harrison demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Harrison reported that she has made $442.59 in campaign expenditures for metered postage, palm cards, paper, envelopes, and copying.

Ms. Harrison testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Harrison testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Harrison to be intelligent and knowledgeable.

Ms. Harrison reported that she has taught the following law-related courses:

(a) September 19, 2017: I delivered Presbyterian College's Constitution Day speech, where I discussed the toolbox of rights and protections found in our constitution; afterwards I had Q&A with faculty and staff;
(b) June 14, 2018: I spoke at Palmetto Girls State about my experience with the practice of law;
(c) September 24, 2018; I spoke at the Honorable Michelle Child's Federal Court Mentoring Lunch regarding appellate practice—including briefing, motions practice, and oral argument preparation—with the Deputy Staff Attorney of the Court of Appeals and a fellow appellate practitioner;
(d) August 3, 2019: I was on a panel at the South Carolina Association for Justice (SCAJ) convention for the Consumer Protection Section CLE with co-counsel, an attorney from Office of Regulatory Staff, and a reporter from The State to discuss the VC Summer Litigation;
(e) November 20, 2019: I spoke again at Judge Child's Federal Court Mentoring Lunch regarding appellate practice.

(f) From January 2020 through May 2020, I was part of Cornell Law School's Clinical Program in connection with Moore v. Stirling. This weekly class was a hybrid of legal course work for law students and counsel meetings with Cornell faculty and students, fellows and staff attorneys from Justice 360, and other criminal practitioners;

(g) November 7, 2021: I spoke on a panel about civil litigation and appellate practice with two fellow practitioners and former appellate clerks for the Supreme Court and Court of Appeals' mentoring program;

(h) March 28, 2022: I taught a three-hour class on appellate practice and procedure in a South Carolina law survey course at Presbyterian College, which stemmed from the weekly constitutional law course I taught at Presbyterian College in Spring 2013;

(i) In June 2022, I spoke at Palmetto Girls State with the practice of law.

(j) August 5, 2022: I presented at the SCAJ convention for the Family Law Section—on supersedeas filings at the Court of Appeals and issue preservation;

Ms. Harrison reported that she has published the following:

(a) Incorporating Service Work Into Your Practice, South Carolina Young Lawyer, February 2011, Volume 2, Issue 2, p. 15. (Co-authored with Professor Amy Milligan of University of South Carolina School of Law).

(b) A Best Friend to All: A Tribute to the Honorable Tanya A. Gee; South Carolina Young Lawyer, December 2016, Volume 9, Issue 2, p. 3; The Docket, December 2016, Volume 10, Issue 10, p. 2; RICHBARNEWS, November/December 2016, p. 6.

(c) Inspired to Dream: Inspired to Give, PC Annual Report, July 2020, p. 19.

(4) Character:

The Commission's investigation of Ms. Harrison did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Harrison did not indicate any evidence of a troubled financial status. Ms. Harrison has handled her financial affairs responsibly.

The Commission also noted that Ms. Harrison was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Harrison reported that her rating by legal rating organizations as follows:
Super Lawyers, Rising Star (2014-2021),
Super Lawyers, Super Lawyer (2022),
National Trial Lawyers, 40 under 40 (twice).

Ms. Harrison reported that she has not served in the military.

Ms. Harrison reported that she has never held public office.

(6) Physical Health:

Ms. Harrison appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Harrison appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Harrison was admitted to the South Carolina Bar in 2011.

She gave the following account of her legal experience since graduation from law school:

Upon graduating from law school, I clerked for the Honorable Aphrodite K. Konduros, on the South Carolina Court of Appeals. While working for Judge Konduros, I reviewed briefs and records in criminal, civil, family, workers' compensation, and administrative law cases; researched legal issues raised and wrote bench memoranda to assist the judges; presented my analysis and recommendations on my assigned cases to the appellate panel to help prepare them for oral argument; and assisted with the drafting of opinions.

In March 2013, I accepted a job in private practice, working for McGowan, Hood, Felder & Phillips, LLC (MHFP) on anti-trust litigation, along with an agreement that I could establish an appellate practice overtime. During my first year, I worked primarily on class action litigation brought on behalf of the State through parens patrie, where I served as the primary associate for the team. Over the course of that year, I started handling my firm's appeals at the Supreme Court of South Carolina and South Carolina Court of Appeals.

From March 2014 to July 2015, I continued handling MHFP's appeals to the South Carolina appellate courts and assisted with appeals to the United States Court of Appeals for the Fourth Circuit and drafting a writ of certiorari to the United States Supreme Court. In total, I served as lead counsel on nine appeals and argued five times before our appellate courts during this period. Additionally, I worked with the named partners on medical malpractice cases and personal injury cases—assisting at every stage of litigation by drafting pleadings, arguing motions, and taking depositions, along with handling motions, jury charges, and witnesses at trial.

In Spring 2015, the Honorable Kaye G. Hearn invited me to clerk in her chambers at the Supreme Court of South Carolina. While unexpected, the opportunity to sharpen my appellate skills was significant, and I accepted the position with the conditions that before leaving private practice I could complete two milestones, already calendared: (1) try my first medical malpractice case; and (2) argue for the first time before the Supreme Court.

With both conditions met, in August 2015 I began clerking for Justice Hearn. At the Supreme Court, I worked on novel issues in every area of the law. I also had exposure to original jurisdiction cases, which provided an opportunity to work on cases involving elections, death penalty, utilities, and constitutional issues.

In August 2016, I returned to MHFP with a heightened desire to firmly establish myself as a name in appellate practice. As part of those efforts, I placed an emphasis on gaining as much courtroom experience as possible through motions practice and trial work to master procedural and discovery issues that are often addressed on appeal, while also increasing my appellate work. These matters included: medical malpractice, personal

injury, civil rights, first amendment claims, and probate. During 2017, I began taking on appeals and trial work from other law firms while continuing to work with MHFP's trial teams for larger cases and complex appeals. Today, I continue to work under this rubric, which gives me the incredible ability to continually work on fascinating issues at trial and on appeal.

Ms. Harrison reported the frequency of her court appearances during the past five years as follows:
(a) Federal: 5%;
(b) State: 95%.

Ms. Harrison reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 75%;
(b) Criminal: 5%;
(c) Domestic: 15%;
(d) Other: 5% administrative.

Ms. Harrison reported the percentage of her practice in trial court during the past five years as follows:
(a) What percentage of your practice was in trial court, including cases that settled prior to trial?
(b) What number of cases went to trial and resulted in a verdict? 25%
(c) What number of cases went to trial and resolved after the plaintiff's or State's case? 0
(d) What number of your cases settled after a jury was selected but prior to opening statements? 0%

My practice is unique. Generally, I am associated as co-counsel in trial court for two reasons: (1) a case is certain to go to trial or (2) a case includes a novel issue that will likely require an appeal—typically stopping a case after summary judgment or in the days leading up to trial (including the day or week before). I have tried multiple cases to verdict in circuit court and have arbitrated a case.

Ms. Harrison provided the following regarding her role as counsel during the past five years:
For trial matters, I served as co-counsel, where I typically handled motions and legal strategy, and during trial I handled

motions, record preservation, and occasional examination of witnesses. In appellate matters, I served as chief counsel—regardless of whether I was co-counsel in the underlying matter or retained to handle the appeal.

The following is Ms. Harrison's account of her five most significant litigated matters:

(a) VC Summer Litigation (*Lightsey v. S.C. Elec. & Gas Co., et al.*, Case No. 2017-CP-25-00335 & *Cook v. S.C. Pub. Serv. Auth., et al.*, Case No. 2019-CP-23-06675).

This litigation stemmed from the abandonment of the VC Summer Nuclear Project (the Project) on July 31, 2017, by South Carolina Electric & Gas Company (SCE&G) and South Carolina Public Service Authority (Santee Cooper). Class counsel filed a lawsuit against the utility companies for their negligence and mismanagement of the Project.

In stark contrast to traditional utility law, the Base Load Review Act (BLRA), allowed SCE&G to charge customers for construction costs prior to service, i.e. providing electricity to be used by customers, from the new units. In total, SCE&G customers advanced over $2 billion in financing costs at the time of abandonment. The determinative legal issue in this matter was the BLRA's constitutionality. At the hearing, I argued the BLRA was unconstitutional because it violated Article I, Section 22 of the South Carolina Constitution, which contains an express protection of the right of notice and an opportunity to be heard in administrative agency cases, as well violating the Fifth and Fourteenth amendments of the United States Constitution and the delegation doctrine.

Months after I argued this constitutional challenge, the circuit court issued instructions regarding anticipated rulings on the Class's constitutional arguments. These instructions provided the impetus for SCE&G to begin settlement negotiation. This case settled for almost $2.2 billion—$178 million in cash and $2 billion in rate relief administered through the Public Service Commission.

As to Santee Cooper, the determinative legal issues were defining the duties owed to these customers. Generally, a utility company does not owe a duty to its customers regarding rates. Articulating a duty between the company and the customers was heightened because Santee Cooper is a state entity. Additionally,

because of the Project's nature as a joint venture with SCE&G, it was necessary to craft a separate and distinct duty between SCE&G and Santee Cooper's customers. By arguing that Santee Cooper's customers were financing the project for Santee Cooper and in turn SCE&G, it provided an avenue to satisfy elements of both negligence theories.

In the weeks leading up to trial, where a jury would determine whether a duty existed, Santee Cooper moved to strike future damages, valued at nearly $4 billion, as a means of limiting liability/recovery at trial. Santee Cooper and SCE&G argued that the future damages were speculative. Following my argument that they were ascertainable, the Court agreed and found $4 billion could be requested at trial. The case settled shortly thereafter. In total, the settlement provided for $520 million in cash and $510 million in rate relief.

(b) *Kosciusko v. Parham*, 428 S.C. 481, 836 S.E.2d 362 (Ct. App. 2019).

This appeal addressed whether South Carolina law permits issues relating to child custody and visitation to be submitted to binding arbitration without oversight from the family court or appellate review. I represented the mother, who argued that the family court did not have jurisdiction to enforce a custody arrangement decided in arbitration because allowing an arbitrator to decide custody violated multiple state laws—specifically, ones in which the General Assembly vested exclusive jurisdiction in the family court to determine issues with children—as well as court rules. This was a case of first impression and the Court of Appeals found that child custody may not be arbitrated. Two years later, the Supreme Court in *Singh v. Singh*, agreed and relied on this case's reasoning and the mother's arguments. 434 S.C. 223, 225, 863 S.E.2d 330, 331 (2021) ("[O]ur reading of the statutes and court rules is consistent with the analysis of the court of appeals in *Kosciusko*.").

(c) *Moore v. Stirling*, 436 S.C. 207, 871 S.E.2d 423 (2022).

For the first time in almost thirty years, the Supreme Court granted oral argument to a habeas corpus petition in a death

penalty case to address an issue of first impression. This case challenged the Court's methodology for conducting a proportionality review on direct appeal. By way of background, following a death sentence in circuit court, the case is appealed directly to the Supreme Court. While addressing any merit issue raised by the defendant, the Court separately conducts a proportionality review as mandated by the General Assembly—one vested solely with the Supreme Court. Practically, the Court is charged with confirming the sentence is proportionate to the crime based on prior cases in the State. In interpreting this mandate, the Court previously decided it would only compare the case before it to cases where the death sentences were upheld.

My client challenged the Court's limited comparison pool arguing that the pool invited only one outcome because of the pool's limited size. The pool failed to account for cases with similar facts in which: a death sentence was not sought, a death notice was withdrawn, or a death sentence was not imposed—including consideration of the lesser sentences. In the absence of a rule change, my client contended that the Court was failing to carry out its statutory directive from the General Assembly. The Supreme Court agreed and modified its rule to allow a defendant to submit comparison cases that should be taken into consideration during its proportionality review.

(d) *Gartrell v. Aiken Regional Medical Center*, Court of Common Pleas, Aiken County, Civil Action No: 15-CP-02-0794.

My client became a triple-amputee as a result of medical negligence. After a two-week trial alongside MHFP partners, an Aiken County jury awarded a $13.75 million verdict. In anticipation of a large verdict, I was invited to the trial team to preserve the record for appeal, handle motions and jury charges, and prepare for post-trial motions to sustain the verdict, including constitutional challenges to any reduction. In preparation for those constitutional challenges, I utilized primary documents from the 1700 and 1800s, and worked with historians and research librarians in the months leading up to trial. While this matter did not get appealed, this was the first

case that blended my passion for complexity and novel law into the circuit court in anticipation of an appeal to the Supreme Court through original jurisdiction. Following this experience, I saw an avenue to practice in my own unique way.

(e) Shareholder Dispute (*Andrews v. Broom*, Op. No. 2018-002223, 2022 WL 539073, at *1 (S.C. Ct. App. filed Feb. 9, 2022) *Broom v. Ten State St., LLP*, Op. No. 2015-MO-057 (S.C. Sup. Ct. filed Sept. 30, 2015) (reversing *Broom v. Ten State St. LLP*, Op. No. 2015-UP-030 (S.C. Ct. App. filed January 14, 2015).

This business dispute, spanning eighteen years of litigation and counting, involves a partnership dissolution with an assertion of a novel issue surrounding a minority shareholder, along with numerous issues involving preservation, statutes of limitations, and civil procedure. I have been involved with the case's two appeals to the Court of Appeals, two writs of certiorari to the Supreme Court, and a bench trial. Included within this lengthy litigation are a series of firsts for me: first appellate brief—Broom v. Ten State St. LLP, Op. No. 2015-UP-030 (S.C. Ct. App. filed January 14, 2015); first win at the Supreme Court—Broom v. Ten State St., LLP, Op. No. 2015-MO-057 (S.C. Sup. Ct. filed Sept. 30, 2015), and my first bench trial.

Without getting too far into the procedural weeds or business disagreements, Mr. Broom has asserted since 2016 that the case was moot following his 2015 favorable Supreme Court's favorable ruling and remittitur. In 2018, Mr. Broom raised these arguments in a motion to dismiss before the trial court. The trial court disagreed and allowed the matter to proceed to a bench trial. At trial, Mr. Broom was successful on all but one claim, which he appealed. In 2022, the Court of Appeals agreed with Mr. Broom that it was an error of law for the trial to have occurred because the issues were moot on procedural grounds. The case is currently pending before the Supreme Court.

For me, this case highlights the importance of preserving a record on appeal and continually renewing arguments for appeal.

The following is Ms. Harrison's account of five civil appeals she has personally handled:

(a) *Rainey v. S.C. Dep't of Soc. Servs.*, 434 S.C. 342, 344, 863 S.E.2d 470, 471 (Ct. App. 2021);
(b) *Broom v. Ten State St., LLP*, Op. No. 2015-MO-057 (S.C. Sup. Ct. filed Sept. 30, 2015); *Andrews v. Broom*, Op. No. 2018-002223, 2022 WL 539073, at *1 (S.C. Ct. App. filed Feb. 9, 2022);
(c) *Sims v. Amisub of S.C., Inc.*, 414 S.C. 109, 110, 777 S.E.2d 379, 380 (2015);
(d) *Roddey v. Wal-Mart Stores E., LP*, 415 S.C. 580, 583, 784 S.E.2d 670, 672 (2016);
(e) *Michael v. Michael*, Op. No. 2016-001498, 2018 WL 1956476, at *1 (S.C. Ct. App. Apr. 25, 2018).

The following is Ms. Harrison's account of two criminal appeals she has personally handled:
(a) *Moore v. Stirling*, 436 S.C. 207, 211, 871 S.E.2d 423, 425 (2022).
(b) *State v. Robinson*, 438 S.C. 421, 426, 882 S.E.2d 883, 886 (Ct. App. 2023), reh'g denied (Feb. 9, 2023).

Ms. Harrison further reported the following regarding unsuccessful candidacies:
In November 2022, I was found qualified and nominated by JMSC for the Court of Appeals, Seat 2. Prior to election in February 2023, I withdrew.

(9) Judicial Temperament:
The Commission believes that Ms. Harrison's temperament would be excellent.

(10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Ms. Harrison to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Midlands Citizens Committee noted, "Exceptionally qualified as she was in 2022."

Ms. Harrison is not married. She does not have any children.

Ms. Harrison reported that she was a member of the following Bar and professional associations:

(a) South Carolina Bar Association (2011 to present); involvement includes: Torts & Insurance Council (2018-2021); Practice and Procedures Committee (2020 to Present);
(b) South Carolina Bar Foundation Board (2018 to Present); involvement includes: Cole Committee Chair (overseeing scholarship donations for CLEs), Finance Committee member, and Grants Committee member (helping interview and propose awards of grants to non-profit organizations); South Carolina Supreme Court Historical Society Co-Chair (2018 to 2021);
(c) South Carolina Association for Justice (2016 to Present); involvement: Rules and Practice Chair (2018 to Present);
(d) South Carolina Women Lawyers Association (2020 to Present);
(e) Supreme Court Historical Society (2018 to Present); involvement: revived Supreme Court Historical Society as co-chair through Bar Foundation and now am a member under new framework;
(f) Supreme Court Common Pleas Docketing Committee (2017 to Present);
(g) American Association of Justice (2022); member.

Ms. Harrison provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations and was recognized with the following awards:

Current Involvement

(a) Presbyterian College Board of Trustees
(b) Downtown Church (PCUSA)
(c) Historic Columbia

Past Involvement:

(a) SC Appleseed Board Member
(b) Femex Columbia

Awards/Recognition:

(a) SC Bar's Trial and Appellate Advocacy Award;
(b) Presbyterian College's Young Alumna Award;
(c) 20 under 40, The State;

(d) Best and Brightest: 35 and Under, Columbia Magazine;
(e) William Plumer Jacobs Society Member.

Ms. Harrison further reported:

I love a courtroom podium. It's where I have always felt most at home in this profession. The law comes alive during an argument when I am peppered with hypotheticals and nuanced questions to test the strength and veracity of my arguments. It's in those moments that the courtroom becomes my stage as I am pushed by the ticking appellate clock to prioritize and persuade seamlessly while balancing the bench's questions. I generally dislike discussing myself and resist a spotlight—a truth I felt with force as I answered the last fifty-seven questions. But in a courtroom, it's never about me. I stand front and center, giving voice to issues that need to be squarely addressed. When I leave court, I know I have given it my all, using my time and talents to make a difference—living out my definition of service.

I grew up with parents who made service an organic part of our family. From hosting Cub Scout meetings in our living room every Monday night for nearly six years to volunteering with every clean-up project, ticket table, or random event that needed more hands, we were there ready to serve. It was instilled in me that when you care about your community you show up—wherever and however you can.

This emphasis on making service a daily practice is what drew me to Presbyterian College, whose motto "while we live, we serve" continues to inspire me twenty-years later. There, my mentor, former PC President Dr. John V. Griffith, often brought our conversations about life and my future back to a paraphrased verse in Deuteronomy, stating: "we are heirs of cities we did not build." His point being that with our grand inheritances comes a responsibility to serve our communities using our unique gifts to ensure that those who follow us will receive not only the same, but better. I left college anticipating that the law would be my vocation and my path to serve.

As you read in my application, my path had obstacles including having to take the bar exam three times. There were moments when I questioned if I would ever practice law. And even after I was admitted, I was certain my bar failures would be a shameful embarrassment that would follow my career—a blemish used to size up my intellect and talent. Yet, with the passing of time, I

have come to see that experience for what it really is: a sign of my strength and determination.

During the fall of my 3L year, I was diagnosed with cancer. I underwent surgery to prevent melanoma from spreading, which involved the removal of a grapefruit-size mass. I declined doctors' advice to take leave from school and returned to law school hooked to a machine with tubes coming out of my clothes. There was nothing normal about the rest of that school year (or the year that followed). But I adapted because I had three goals I was determined to accomplish: finish school, deliver our class speech at graduation as planned, and pass the bar exam that October—almost a year from the date of my diagnosis.

I achieved the first two goals—walking across the graduation stage with my classmates and delivering a speech on service. But it took an extra year of studying when I was not working at the Court of Appeals or focused on healing, to pass the bar exam.

Trusting my inner voice that reminded me "I am strong enough to try" despite the pressure to do otherwise was the most significant decision I will likely ever make. There is no question there were challenging, humbling, and downright awful days that occurred as I faced setbacks both personally and professionally. Yet, those are the days that profoundly shaped me, giving me the perspective that I want a lifetime of days filled with purpose and meaningful service. This, in turn, sharpened my drive and forced me to try harder, embracing late nights and early mornings to fully commit to a task at hand. I learned I am not afraid to be an outlier and the value of following my own compass and its passions. Those two years of choosing to try rather than accepting defeat made me a better lawyer and a better servant.

It is still that inner voice that boldly guides me in all aspects of life. In the law, it has encouraged me to take on challenging novel issues and remain unwavering in my advocacy. In so doing, I have represented South Carolinians from all walks of life including: a businessman, an injured DSS worker, a single mother fighting for her kids, a child abandoned by his family, a utility customer, a triple amputee, a man on death row, and so many others. My vocation has become my service—with an unassailable conviction and stronger confidence than I could have anticipated.

As I look forward and consider my responsibility as an heir to our State, I believe my legal talents and experiences have uniquely prepared me to serve on the Court of Appeals. Although I will undoubtedly miss my beloved podium, I know serving on the bench offers more opportunity to build on our jurisprudence for the betterment of our heirs, which after everything remains my goal.

(11) Commission Members' Comments:

One affidavit was filed against Ms. Harrison by William Keefer Brumbach. The Commission thoroughly reviewed all documents while carefully considering the allegations and the nine evaluative criteria provided in statute. At the public hearing, the Commission heard testimony, questioned the complainant, and allowed Ms. Harrison to reply to the allegations both in writing and orally.

After thoroughly reviewing the complaint and listening to the testimony at the public hearing, the Commission does not find a failing on the part of Ms. Harrison in the nine evaluative criteria. The Commission finds specifically that the complaint lacks merit and should not impede Ms. Harrison's candidacy.

The Commission commended Ms. Harrison on her energy and her wealth of relevant experience.

(12) Conclusion:

The Commission found Ms. Harrison qualified, and nominated her for election to Court of Appeals, Seat 9.

The Honorable Jan B. Bromell Holmes
Court of Appeals, Seat 9

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Holmes meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Holmes was born in 1970. She is 53 years old and a resident of Georgetown, South Carolina. Judge Holmes

provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Holmes.

Judge Holmes demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Holmes reported that she has made $108.24 in campaign expenditures for postage.

Judge Holmes testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Holmes testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Holmes to be intelligent and knowledgeable.

Judge Holmes reported that she has taught the following law-related courses:

(a) I have presented at New Judges School for Newly Elected Family Court Judges on the topic of Domestic Matters in 2021 and on the topics of Child Custody, Visitation and Contempt in 2022 and 2023.
(b) I have presented in the 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2016, 2017, 2018, 2019, 2021 and 2023 Horry

County Bar Family Court Seminar-Procedural for Family Court practitioners.

(c) I was a panelist at the Attorney General's Youth Summit on Human Trafficking on June 27, 2018.

(d) I have presented at the National Business Institute One Day Seminar entitled "What Family Court Judges Want You to Know" on October 28, 2011.

(e) I have presented at the Children's Law Center Volunteer Guardian ad Litem Conference entitled Permanency Planning for Children on October 7, 2011 to volunteer guardian ad litems.

(f) I have presented at the Children's Law Center "Training for Attorneys Appointed in Abuse and Neglect Cases in the 15th Judicial Circuit on November 13, 2009.

(g) I presented at the 2013 South Carolina Solicitor's Association Annual Conference on Juvenile Delinquency matter to Juvenile Solicitors on September 22, 2013.

(h) I have presented at the SC Bar CLE entitled Fifteenth Circuit Tips from the Bench: What Your Judges Want You to Know on November 18, 2016.

Judge Holmes reported that she has published the following:

(a) I have prepared written materials for seminars of which I have presented.

(b) Family Court Bench/Bar Best Practices Manual for South Carolina Department of Social Services Abuse and Neglect Cases. As Board Member assisted in editing the manual prior to distribution for use in DSS Abuse and Neglect cases.

(4) Character:

The Commission's investigation of Judge Holmes did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Holmes did not indicate any evidence of a troubled financial status. Judge Holmes has handled her financial affairs responsibly.

The Commission also noted that Judge Holmes was punctual and attentive in her dealings with the Commission, and the

Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Holmes reported that she is not rated by any legal rating organization.

Judge Holmes reported that she has not served in the military.

Judge Holmes reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Holmes appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Holmes appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Holmes was admitted to the South Carolina Bar in 1995.

She gave the following account of her legal experience since graduation from law school:

(a) Since my graduation from law school on May 13, 1995, I worked for Morant and Morant Law Firm located at 1022 Prince Street in Georgetown, SC from September 1995 to July 1997. I performed title searches, closed real estate loans, handled social security disability cases, personal injury cases, prepared wills, prepared deeds and handled family court cases. I had no administrative or financial duties.

(b) (b) From July 1997 to June 2007, I ventured out and opened my own law firm, Jan B. Bromell, P.A. Seventy five (75%) of my practice consisted of domestic matters. I prosecuted and defended child support and child custody cases, divorce, alimony, separate maintenance and support, adoption and termination of parental rights, appointed and retained on juvenile cases, appointed and retained on abuse and neglect matters, name change, annulment, equitable

distribution, and orders of protection. Twenty-four percent (24%) of my practice consists of civil matters. I handled real estate transactions, performed title searches, handle social security disability cases, personal injury cases, prepared power of attorney, contracts, wills and deeds. One percent (1%) of my practice consisted of criminal cases. I was responsible for administrative and financial duties.

(c) Elected as Family Court Judge Seat 1, Fifteenth Judicial Circuit on February 7, 2007. Began work July 2, 2007 and working continuously since.

(d) Appointed to sit as Acting Justice on the South Carolina Supreme Court by Chief Justice Donald W. Beatty to hear and dispose of cases on November 15, 2017, December 14, 2022 and April 20, 2023. I reviewed the record of appeal, appellant and respondent briefs, heard oral arguments and determined along with all other justices the outcome of cases scheduled on the particular days.

(e) Appointed to sit as Acting Judge of South Carolina Court of Appeals by Chief Justice Donald W. Beatty beginning July 1, 2023 to December 31, 2023.

Judge Holmes reported the frequency of her court appearances prior to her service on the bench as follows:
(a) federal: Only once in 2006. Case scheduled for trial on 09/20/06, but settled.
(b) state: 5 to 10 times per month for domestic hearings/trials, roster meetings for civil matters, civil trials, roll call for criminal matters, criminal trials, probate court chemical dependency or estate hearings, master in equity hearings.

Judge Holmes reported the percentage of her practice involving civil, criminal, domestic and other matters prior to her service on the bench as follows:
(a) Civil: 24%;
(b) Criminal: 1%
(c) Domestic: 75%
(d) Other:

Judge Holmes reported her practice in trial court as follows:
(a) 25% of cases were in trial court.
(b) 1% of cases went to trail and resulted in a verdict.

(c) 0 cases went to trail and resolved after the plaintiff's or State's case.
(d) 0 cases settled after a jury was selected but prior to opening statements.

Judge Holmes provided that during the past five years prior to her service on the bench she most often served as sole counsel.

The following is Judge Holmes's account of her five most significant litigated matters:

(a) *Gallant-Taylor vs. Taylor*, 2002 DR 22 156 was an annulment action based on non-consummation of marriage and fraud. The parties met in 1995 and never engaged in sexual intercourse while dating. Plaintiff Wife was a Christian and Defendant Husband was a Minister. The parties believed that sexual intercourse was an act reserved for married couples. Thus, the couple agreed not to engage in intercourse until married. The parties were married on December 29, 2001 in Georgetown County. Throughout the marriage, Defendant Husband offered excuses as to why he could not engage in sexual intercourse with Plaintiff Wife. Defendant Husband's continuous refusal to engage in sexual intercourse with Plaintiff Wife led to the parties' separation on May 3, 2002 in Columbia, SC. Plaintiff Wife filed an action for annulment. The court found based on the testimony of Plaintiff Wife that: (1) the parties agreed that intimacy was appropriate when two parties were married; (2) the Plaintiff Wife expected that the parties would consummate their relationship once they were married; (3) the Plaintiff Wife was reasonable in expecting that the parties would consummate their relationship once they were married; (4) the parties never engaged in sexual relations during marriage; (5) the Plaintiff is entitled to have her marriage annulled based on non-consummation of marriage and (6) the Plaintiff is entitled to have her marriage annulled based on fraud.
(b) *Stephens, Respondent vs. Stephens,* Appellant Unpublished Opinion No. 2002-UP 077 was significant because the Court of Appeals agreed with my position that the trial court erred in apportioning the marital debts of the parties. At the time of the commencement of marital litigation, the

total credit card debt of the parties was $24,927.30. Of this total debt, the trial court ordered Husband to pay $22,065.07 and ordered Wife to pay $2,862.23. The trial court, in its order, failed to address any of the factors as they relate to apportionment of marital debt. The Court found the Husband at fault in the break up of the marriage and Wife was granted a divorce on the grounds of physical cruelty. Although fault is one factor for the court to address in equitably dividing marital property, it does not justify a severe penalty. Morris vs. Morris 335 S.C. 525, 517 S.E.2d 720 (Ct. App. 1999). The Wife argued that because she was given the marital home by the Husband and there exists a mortgage of $13,000.00 on the home, the award is fair. However, the Wife received the marital home as part of the settlement agreement. There was no indication that the Court considered this debt in apportioning the debt. The Court of Appeals was unable to discern from the record the family court's basis for its apportionment of the credit card debt. The case was remanded for further consideration and discussion of the factors set forth in S.C. Code of Laws Ann. § 20-7-472 (Supp). The Court of Appeals further stated that the court may adjust the apportionment of the debt if it deems such an adjustment is appropriate.

(c) *Moore vs. Moore* 2002 DR 22 156 was a two day contested trial concerning custody of the parties' minor children, alimony and attorney fees. A guardian was appointed to represent the interests of the minor children. I represented the Defendant Father. The Court awarded custody of the parties two minor children to the Father. In determining custody, the Family Court considered the character, fitness, attitude and inclination on the part of each parent as they impact or relate to the child. Paparella v. Paparella 340 S.C. 186, 531 S.E.2d 297 (Ct. App. 2000). The Court found the Father to be more actively involved in the children's daily life. The Court also found the Father to be the primary caretaker of the minor children. The Court was guided in awarding custody to the primary caretaker by the cases of Smith v. Smith 294 S.C. 194, 363 S.E.2d 404 (Ct. App. 1987) and Epperly v. Epperly 312 S.C. 411, 440 S.E.2d 884 (1994). Mother was denied alimony. The factors were not proven. Mother was also ordered to pay a

portion of Father's attorney's fees based on the factors in Glasscock vs. Glasscock , 304 S.C. 158, 403 S.E. 2d 313 (1991) and clarified in EDM v. TAM 307S.C. 471, 415 S.E.2d 812 (1992): the difficulty of the matter, favorable results obtained, reasonableness of time and costs incurred, ability of the Mother to pay attorney fees and inability of the Father to pay attorney fees if no assistance is provided.

(d) *Harrell vs. Gubicza* 2004 DR 26 2251 was a two day contested trial concerning custody of the parties' minor child. A guardian was appointed to represent the interests of the minor child. I represented the Plaintiff Father. The Father brought this action to save his daughter from the immoral environment of the Defendant and Defendant's Mother home. The parties were never married and the child was born out of wedlock. The law states that custody of a child born out of wedlock is with the mother. However, an acknowledged father may petition the court for custody or visitation. At such proceeding, the best interest of the minor child is the determining factor S.C. Code of Laws Ann. § 20-7-953 (B) (1976). Absent an agreement or court order regarding child custody, both parties are equally entitled to the custody of the minor child. S.C. Code of Laws Ann. § 20-7-100 (Supp). In this case we had a child born out of wedlock to young parents who had not had the issue of custody decided between them. At the temporary hearing, custody of the minor child was awarded to the Plaintiff because of the affidavits submitted on his behalf as well as the fact that the Defendant did not appear. At the conclusion of the merits hearing, the Court undertook the awesome task of looking into the past of each party and predicting which of the two available environments would advance the best interest of the child and bring about the best adjusted mature individual. Cook v. Cobb 271 S.C. 136, 142, 245 S.E.2d 612, 615 (1978). The Court awarded custody of the minor child to the Father.

(e) *Pushia vs. Pushia* 2005 DR 22 470 was a divorce matter wherein the Plaintiff Wife sought alimony. The parties were married for twenty years. For most of the marriage, the Plaintiff Wife was a homemaker. The Defendant Husband's monthly income was $5869. The Plaintiff Wife's imputed monthly income was $893. The Defendant

Husband was ordered to pay child support for the parties' two minor children in a semi-monthly amount of $392.50 plus the 5% court costs. The Court found that although the Plaintiff Wife was a homemaker, she had a high school education, nursing degree, was very computer literate, skilled in word processing and had the probability of good opportunity. The court considered the following in awarding rehabilitative alimony: (1) the duration of the marriage; (2) the age, health, and education of the supported spouse; (3) the parties' accustomed standard of living; (4) the ability of the supporting spouse to meet his needs while meeting the needs of the supported spouse; (5) the time necessary for the supported spouse to acquire job training or skills; (6) the likelihood that the supported spouse will successfully complete retraining; and (7) the supported spouse's likelihood of success in the job market. Plaintiff testified that she desired to go back to school to obtain a dual degree in Medical Office Clerical Assistant and Office Systems Technology at Horry Georgetown Technical College. While pursuing this career, Plaintiff Wife would need financial support to assist her with the college expenses and the household expenses. The Court further considered the additional schooling required by the Plaintiff Wife as well as the time necessary for the Plaintiff Wife to look for and obtain employment after school to sufficiently support herself. The Court awarded the sum of $1000 per month for 5 years, beginning June 15, 2006 and continuing the 15th of each month thereafter. The Court believed this amount to be sufficient rehabilitative alimony for the Defendant Husband to pay and for the Plaintiff Wife to receive. The amount would allow the Plaintiff Wife to meet her expenses at approximately the same level during the marriage. The Defendant Husband was the principal wage earner and provided the family with a comfortable standard of living. Defendant Husband earned $60,000 per year most of which was earned at his principal employment with International Paper Company. The Court found that Defendant Husband would have no difficulty maintaining his standard of living by payment of $1000.00 to Plaintiff Wife on a monthly basis. The award was intended to encourage Plaintiff Wife to become self-

supporting after the divorce from Defendant Husband. I believe this to be the trend of the court in these type cases.

The following is Judge Holmes 's account of two civil appeals she has personally handled:

(a) *Sheryl L. Stephens, Respondent v. Michael Anthony Stephens, Appellant*. Appeal from Georgetown County Haskell T. Abbott, III, Family Court Judge. Unpublished Opinion No. 2002-UP-077. submitted November 14, 2001-Filed February 11, 2002. Affirmed in Part; Remanded in Part. In this case, I represented the Appellant.

(b) *Ralph Hoffman, Appellant vs. Lola Watts, Respondent*, Appeal from Georgetown County Master in Equity, Benjamin H. Culbertson. Affirmed. Unpublished Opinion. In this case, I represented the Respondent.

Judge Holmes reported that she has not personally handled any criminal appeals.

(a) Judge Holmes reported that she has held the following judicial office(s): Elected by SC General Assembly February 7, 2007 as Family Court Judge , Fifteenth Judicial Circuit, Seat 1. Re-elected February 2013 and February 2019 to same position.

(b) Appointed to sit as an Acting Justice on the Supreme Court of South Carolina to hear and dispose of matters on November 15, 2017, December 14, 2022 and April 20, 2023.

(c) Appointed to sit as an Acting Judge on the South Carolina Court of Appeals from July 1, 2023 to December 31, 2023.

Judge Bromell Holmes provided the following list of her most significant orders or opinions:

(a) *High v. High*, 697 S.E.2d 690 (S.C. Court of Appeals) Decided July 28, 2010.

This was a divorce action with an agreement on equitable distribution of marital property and debt. The contested issues were child custody and attorney fees. The matter was appealed. The Father appealed my order granting Mother sole custody of

the couple's two children, arguing the family court erred in: (1) refusing to qualify Teressa Harrington, LPC as an expert witness; (2) prohibiting the introduction of statements made by the couple's minor daughter to Harrington; (3) refusing to admit Harrington's records into evidence; (4) making certain findings of fact relevant to the issue of custody which were not supported by the record; (5) failing to consider important factors contained in the record in its award of primary custody to Mother; (6) awarding Mother sole custody based on the fact that Mother was historically the caregiver of the minor children; and (7) granting Mother custody based on the primary caretaker factor. The Mother cross-appealed arguing that the family court erred in (1) hearing Father's untimely motion to alter or amend, and (2) failing to award her attorney's fees and costs. The Court of Appeals affirmed my ruling.

(b) *In the Interest of Spencer R. a juvenile under the age of seventeen*, 692 S.E.2d 569 (S.C. Court of Appeals) Decided April 25, 2010.

This was a juvenile delinquency matter in which Spencer R. was charged with pointing and presenting a firearm. This case was my first juvenile trial as a family court judge. What was difficult about this case is that the State charged the juvenile in one petition for pointing and presenting a firearm at three different people. I didn’t understand why the State didn’t file three petitions, one for each person. It was clear to me that the juvenile intended to point and present a firearm at one of the individuals, but not the other two. However, because of how the petition was filed, I thought that I had to find the juvenile delinquent on the petition. The juvenile appealed his conviction for presenting a firearm, alleging the family court erred in finding sufficient evidence to support his conviction. The Court of Appeals affirmed the conviction of one of the individuals and reversed the conviction of the other two individuals. I am particularly proud of this case because prior to my ruling, there was no case law in the State of South Carolina which defined presenting a firearm.

(c) *Simmons vs. Simmons*, 392 S.C. 412 (2011), 709 S.E.2d 666 Decided May 9, 2011.

This was a difficult case for me. The parties divorced in 1990 and entered into a family court-approved settlement agreement that was determined to be void in part. A central part of the parties' agreement required Husband to give Wife one-third of his Social Security benefits if he began receiving them at age 62 or one-half of those benefits if he began receiving them at age 65. The Social Security benefits were to "be construed only as a property settlement, and shall not in any way be considered or construed as alimony." Husband attained the age of 62 in 1994 and 65 in 1997, but he failed to pay Wife any portion of his Social Security benefits. In December of 2003, Wife filed a petition for a rule to show cause, seeking to compel compliance with the agreement. Husband responded by filing a Rule 60(b)(4), SCRCP,[2] motion, asserting that the family court lacked subject matter jurisdiction to order division of his Social Security benefits. The family court dismissed Husband's subject matter jurisdiction challenge, and Husband appealed. The court of appeals reversed. Simmons v. Simmons, 370 S.C. 109, 634 S.E.2d 1 (Ct. App. 2006). The court found that the Social Security Act, specifically 42 U.S.C. § 407(a) (2010), preempted and expressly precluded the parties' agreement to divide Husband's Social Security benefits. As a result, the court voided that portion the agreement. The appeal presented the question of whether the family court may revisit, in whole or in part, the now partially voided agreement. I ruled in 2008 that I lacked subject matter jurisdiction to reconsider the 1990 court- approved agreement. The Supreme Court reversed and remanded for reconsideration of the court-approved agreement.

(d) *Scott Meyers v. SCDSS* 2022–UP-141 filed March 17, 2022 Scott and Catherine Meyers appealed my order dismissing their petition to adopt their niece based on the fact that they did not satisfy the requirements of the ICPC. On appeal, they argued the family court erred in finding the Interstate Compact on the Placement of Children

(ICPC) applied to the action because they are related to minor child. The Court of Appeals found that the ICPC applies and statutorily bars the Meyers from adopting the minor child. My ruling was affirmed.

(e) *In the Interest of Justin B., a Juvenile Under the Age of Seventeen*, 747 S.E.2d 774 (S.C. Sup. Ct. decided August 28, 2013)

This case was also significant to me in that it involved sexual abuse committed between siblings. On May 3, 2009, Justin B's adoptive mother witnessed him sexually molest his adoptive sister and notified police. In August 2009, he was indicted for CSC–First in violation of section 16-3-655(A)(1) of the South Carolina Code. S.C. Code Ann. § 16-3-655(A) (Supp. 2012). Pursuant to a negotiated plea deal in which the juvenile agreed to plead guilty if allowed to do so in family court, the juvenile was brought before me on a juvenile petition in November 2009. He admitted guilt and was subsequently adjudicated delinquent. I committed the juvenile for an indeterminate period to the Department of Juvenile Justice, not to exceed his twenty-first birthday, and required him to undergo counseling. He was also ordered to register as a sex offender as required by section 23-3-460 of the South Carolina Code, and to comply with section 23-3-540's electronic monitoring requirements. Id. §§ 23-3-460, -540. The Juvenile appealed challenging the active electronic monitoring requirements of section 23-3-540 of the South Carolina Code Section 23-3-540 that individuals convicted of certain sex-related offenses, including criminal sexual conduct with a minor in the first degree (CSC–First), submit to electronic monitoring for the duration of the time the individual is required to remain on the sex offender registry. S.C. Code Ann. § 23-3-540(A)–(H) (Supp.2012). An individual found guilty of CSC–First is required to register as a sex offender bi-annually for life. Id. §§ 23-3-430, -460 (Supp. 2012). Section 23-3-540 also provides that ten years from the date electronic monitoring begins, an individual may petition the chief administrative judge of the general sessions court for the county in which the offender resides for an order of release from the monitoring requirements. Id. § 23-3-540(H). However, those persons convicted of CSC–First may not petition for this review. Id. Thus, these sex offenders must submit to monitoring for the duration of their lives.

Justin B argued that, because he is a juvenile, this imposition constitutes cruel and unusual punishment in violation of the federal and state constitutions. The Supreme Court found that electronic monitoring is not a punishment, and rejected Justin

B's claim. However, the Supreme Court allowed the juvenile to have periodic judicial review to determine the necessity of continued electronic monitoring. My decision was affirmed as modified.

Judge Holmes reported no other employment while serving as a judge.

Judge Holmes further reported the following regarding unsuccessful candidacies: 2022 Judicial Merit Selection Commission Screening, Court of Appeals, Seat 2.

(9) Judicial Temperament:

The Commission believes that Judge Holmes 's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Holmes to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary comments.

Judge Holmes is married to Cleveland Bernard Holmes. She has two children.

Judge Holmes reported that she was a member of the following Bar and professional associations:

(a) South Carolina Conference of Family Court Judges (President, 2022-2023, Vice President, 2021-2022) and (Secretary/Treasurer, 2020-2021)
(b) Family Court Advisory Committee (2020-Present)
(c) South Carolina Bar Association (1997-Present)
(d) Georgetown County Bar Association (1997-Present)
(e) Coastal Women Lawyers
(f) South Carolina Bar Pro Bono Board (Past Member)
(g) Coastal Inn of Court (2017-Present)
(h) South Carolina Family Court Inn of Court (2021-Present)
(i) Family Court Bench/Bar (2009-2017)

Judge Holmes provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Alpha Kappa Alpha Sorority, Inc. (Parliamentarian 2016-2018) Member of the Year for 2009

(b) St. Paul AME Church, Steward (2005-Present), Finance Committee(2005-Present) Christian Education Department (2004-Present), Women's Missionary Society (1995-Present) Youth Choir Director (2016-Present).

Judge Holmes further reported:

I have come into contact with thousands of people over the past fifteen years as a Family Court Judge as well as the preceding twelve years prior to my judgeship as an attorney. Throughout my life, I have lived by the golden rule "do unto others as you would have them do unto you". I have treated all individuals with the utmost respect. These individuals came from many walks of life. I am naturally inclined to attentively and objectively listen to all parties in a dispute. I am inherently fair, courteous, diligent, patient, humble and compassionate. I possess the intellectual capacity to interpret legal principles, apply them to the facts of each case and clearly and logically communicate the reasoning leading to my conclusions. I have been patient, dignified, open-minded and diligent in disposing of my cases. I have handled the pressure of a rigorous schedule. I have maneuvered the uncertainties of returning to our new normal by being flexible in accommodating a different courtroom format such as continuing the use of virtual hearings when warranted. The totality of my life experiences has equipped me to become an outstanding Court of Appeals Judge. I'm looking forward to expanding my horizons.

(11) Commission Members' Comments:

Five affidavits were filed against Judge Holmes by the following complainants: Shanda Nicol, Karon Mitchell, Iris B. Bullard, John Gallman, and Tucker S. Player. Additionally, each of the complainants provided oral testimony before the Commission. The Commission thoroughly reviewed the affidavits and any accompanying documents provided from the complainants, as well as a written response and oral testimony from Judge

Holmes. After careful consideration of the testimony, complaints, response, and accompanying documents, the Commission does not find a failing on the part of Judge Holmes in the nine evaluative criteria. Further, and of note, none of these complaints were filed against her in her prior candidacy for election to the Court of Appeals. Moreover, the Commission concluded that the complaints lacked credibility.

The Commission commented that Judge Holmes is a well-respected member of the judiciary. They noted she is a dedicated and thoughtful jurist who treats others with dignity and respect.

(12) Conclusion:

The Commission found Judge Holmes qualified, and nominated her for election to Court of Appeals, Seat 9.

The Honorable Matthew Price Turner
Court of Appeals, Seat 9

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Turner meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Turner was born in 1978. He is 45 years old and a resident of Laurens, South Carolina. Judge Turner provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2003.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Turner.

Judge Turner demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Turner reported that he has made $257.09 in campaign expenditures for resume paper, postage, and campaign cards.

Judge Turner testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Turner testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Turner to be intelligent and knowledgeable.

Judge Turner reported that he has taught the following law-related courses:

(a) In 2018, I spoke at the "Lessons from the Bench" CLE presented by the Newberry County Bar. My topic was "Getting to know the New Judge" which was a question and answer session to allow practitioners in my Circuit the opportunity to ask questions regarding my preferences for handling cases, etc.
(b) I spoke at the 2018 Bench Bar seminar on the topic of "Problematic Practice in Family Court."

Judge Turner reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Turner did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Turner did not indicate any evidence of a troubled financial status. Judge Turner has handled his financial affairs responsibly.

The Commission also noted that Judge Turner was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Turner reported that his last available rating by a legal rating organization, Martindale Hubbell, was BV Distinguished (2010).

Judge Turner reported that he has not served in the military.

Judge Turner reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Turner appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Turner appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Turner was admitted to the South Carolina Bar in 2003.

He gave the following account of his legal experience since graduation from law school:

(a) Turner and Burney, P.C., Associate, August 2003-2007
(b) Turner and Burney, P.C., Partner, 2007 –March 2018
(c) Family Court judge-March 2018-present

Turner and Burney was a general practice firm. During my time as a practicing attorney, we had offices in Laurens and Simpsonville. I represented clients in cases in Common Pleas, General Sessions, Probate Court, Family Court, and

Magistrate's Court. I also represented clients in appellate matters and argued several appeals to the Court of Appeals and Supreme Court. I was involved in the management of the practice, including the staff and finances. I was also the attorney responsible for overseeing the firms' trust account for many years prior to my election to the Family Court bench.

Judge Turner reported the frequency of his court appearances prior to his service on the bench as follows:

(a) Federal: None;
(b) State: During my time in practice, my schedule varied from week to week. I may have one (1) court appearance one (1) week, and three (3)-four (4) appearances the next. There were also some weeks that I did not have any court appearances.

Judge Turner reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:

(a) Civil: 20%;
(b) Criminal: 20%;
(c) Domestic: 50%;
(d) Other: 10%.

Judge Turner reported that during the five years prior to his election to the bench, 80% of his practice was in trial court, including matters that settled prior to trial.

The following is Judge Turner's account of his five most significant litigated matters:

(a) *Kevin Bragg v. Morgan Bragg*, 2011 WL 11735683 (Ct. App. 2011)- I represented the mother in this post-divorce action. Father filed an action alleging that there was a substantial change in circumstances which he claimed warranted an order granting him sole custody. This case involved several temporary and/or emergency hearings and a two (2) day final hearing. Father asked for temporary custody on three (3) separate occasions during the pendency of the action. Father alleged that Mother had exposed the minor child to the use of illicit drugs and the excessive consumption of alcohol. Father further alleged

that mother was involved in relationships with younger men and exposed the child to these relationships overnight. Father presented several witnesses who testified that mother was exposing the child to numerous young men and having them spend the night with the child present. Father's witnesses also testified that mother supplied these underage men with alcohol and that she excessively consumed alcohol while the child was in her care. We were able to establish that father's witnesses were either not credible or were biased. After the two-day trial, the court found that the child was doing well in school, was in no danger while in mother's care, and was well taken care of by mother. As such, the court awarded sole custody to mother.

Father appealed the Family Court's decision alleging that the court erred in failing to find a substantial change in circumstances. I also represented mother in the appeal. The Court of Appeals affirmed the Family Court's decision.

(b) *State of South Carolina v. Hunter* – This was a DJJ action. I represented the juvenile who was charged with lynching. The juvenile was a fine, young man who was in the eighth (8th) grade at the time of the charge. He was in Honors classes and played on the school football team. The juvenile and several other young men were accused of attacking a friend in the locker room. The victim's mother worked for a local law firm and was extremely upset with my client. She was very involved in the case and sought full prosecution. The juvenile was suspended for ten (10) days as a result of the allegations. The case went to trial. At trial, I was able to establish that there was no proof my client was involved in the attack despite the State witness's prior testimony to the contrary. The trial judge granted my motion for directed verdict and dismissed the case. It was extremely rewarding to be able to assist this nice, young man.

(c) (c) *Richard Aiken v. World Finance Corp*., 373 S.C. 144, 644 S.E.2d 705 (2007)- This was a civil action against World Finance. Mr. Aiken borrowed money from World Finance, and after his loan was paid in full, a World Finance employee misused the personal financial information of Mr. Aiken and others. My former partner

represented Mr. Aiken at the trial level. World Finance filed a motion to compel arbitration based upon the arbitration agreement contained in the loan application. The trial judge denied the motion to compel arbitration and World Finance appealed. My former partner asked me to handle the appeal. I conducted the research, drafted the briefs, and argued at the Court of Appeals and Supreme Court. Both appellate courts affirmed the trial judge. This case was featured in South Carolina Lawyers Weekly.

(d) *Jarred Linton v. Chelsea Calvert*, 2013-DR-30-461- This case involved the custody of a young child who was born out of wedlock. The parents were also very young. I represented the father who filed this action seeking custody. The child was less than one (1) year old at the time the case was filed and had lived with mother since birth. Father alleged that mother could not provide a stable home for the child, that she had no routine for child, that she was exposing the child to different men, and that she was putting her personal interests above the child's. The parents lived several hours apart. Mother alleged that father only wanted custody so that he didn't have to drive hours to visit his child. She also alleged that father was not capable of taking care of the young child. At the temporary hearing, mother submitted an affidavit which included many false and/or misleading allegations. Based upon the same, mother was granted temporary custody and father was granted one (1) weekend per month visitation. The final hearing was tried over the course of two (2) days. As a result of the deposition of the mother and other discovery obtained, father was able to establish that mother was not credible. Mother acknowledged on cross-examination that she made numerous misrepresentations and false statements in the affidavit she submitted at the temporary hearing. We were also able to establish that father was a fit parent who was capable of caring for the child on a full-time basis. The court awarded father sole custody and attorneys fees. This case was very rewarding for me due to the fact that we were able to obtain sole custody for a young, single father. It was also rewarding to be able to disprove the many false and misleading allegations mother

made at the temporary hearing which led to her obtaining sole custody on a temporary basis.

(e) *James Richard Miles v. Theodora Miles*, 393 S.C. 111, 711 S.E.2d 880 (2011)- This was a modification action in which my firm represented the former husband ("Husband"). Husband sought a modification of the previously approved agreement which required him to maintain health and dental insurance on his ex-wife ("Wife"). The agreement also contained a provision stating that the parties waived alimony. My former partner represented husband at the trial level. The trial court found the fact that wife waived alimony in the agreement unambiguously showed the intent of the parties that the health insurance maintenance provision was not support, and therefore, not modifiable. I was asked to handle the appeal. I handled all aspects of the appeal, including arguing the case at the Supreme Court. The Court of Appeals affirmed the trial court without oral argument. The Supreme Court reversed, holding not only that the health insurance maintenance provision was a modifiable incident of support, but that husband established a substantial change in circumstances warranting a modification of the provision.

The following is Judge Turner's account of five civil appeals he has personally handled:

(a) *James Richard Miles v. Theodora Miles*, 393 S.C. 111, 711 S.E.2d 880 (2011)
(b) *Duckett v. Goforth*, 374 S.C. 446, 649 S.E.2d 72 (Ct. App. 2007)
(c) *Simpson v. World Finance Corporation of South Carolina*, 373 S.C. 178, 644 S.E.2d 723 (2007)
(d) *Kevin Bragg v. Morgan Bragg*, 2011 WL 11735683 (Ct. App. 2011)
(e) *Kathleen Lollis and Linda Campbell v. Lisa Dutton, et. al.*, 421 S.C. 467, 807 S.E.2d 723 (Ct. App. 2017)

The following is Judge Turner's account of the criminal appeal he has personally handled:

State of South Carolina v. Raymond Franklin. Unpublished Opinion No: 2014-UP-110 (Ct. App. Filed March 12, 2014)

Judge Turner reported that he has held the following judicial office:

I currently serve as Family Court Judge for the Eighth Judicial Circuit, Seat 1. I was initially elected on February 7, 2018 and began serving on March 26, 2018. I was re-elected to this position in 2019.

The Family Court, in general, has jurisdiction to hear the following types of cases: actions for divorce, legal separation, separate support and maintenance; actions for the annulment of marriages; actions for child support and alimony, as well as actions to enforce the same; actions for name changes of children and adults; actions for paternity; actions for custody and/or visitation of children; actions related to the abuse of children and vulnerable adults; actions involving juveniles charged with criminal offenses; actions for the termination of parental rights and adoption.

Judge Turner provided the following list of his most significant orders or opinions:

(a) *Reginald Swain v. Daniel Bollinger*, 435 S.C 280, 866 S.E.2d 923 (2022). This case involved a request by grandfather to terminate the rights of the child's father and to allow him to adopt his grandchild. Grandfather and his wife had custody of their grandchild and raised the child for years as both parents were abusing drugs. The grandparents did not want to terminate their own daughters' rights so only grandfather sought to adopt the child. Granting the adoption would lead to grandfather and his daughter being listed as the child's parents on the birth certificate. I denied the request for termination of father's parental rights and adoption by grandfather. Grandfather appealed and the Court of Appeals affirmed my decision. Grandfather then appealed to the Supreme Court who reversed my decision in an opinion authored by Justice Hearn.

(b) *Elena Glinyanay v. William Tobias*, 437 S.C. 137, 871 S.E.2d 193 (Ct. App. 2022). This was a highly contested custody modification action brought by the mother based on serious allegations of misconduct by father. It was tried

over the course of four (4) days. I granted mother sole custody and suspended father's custody. Father appealed my decision. The Court of Appeals affirmed in part and reversed in part.

(c) *Amanda Murphy v. Monte Murphy*, 2023 WL 3093093 (Ct. App. 2023). This was a custody modification action that was tried over the course of three (3) days. The original order granted the parties joint custody with alternating weekly visitation. I modified the prior order granting the parties joint custody with mother being designated primary custodial parent. I also modified the alternating weekly visitation schedule. The Court of Appeals affirmed my decision in an unpublished opinion.

(d) *Katie Buist v. Michael Buist*, 2007-DR-01-254. This case was complicated from a factual and procedural standpoint. The case was initially tried by the Honorable Billy A. Tunstall, Jr. in 2009. Husband appealed, arguing that the trial court erred in the apportionment of the marital estate and the award of attorney's fees. In 2012, the Court of Appeals reversed the trial court's order regarding the apportionment of the marital estate and remanded the issue. Husband then appealed the issue of attorney's fees to the Supreme Court. In 2014, the Supreme Court found that the issue regarding attorney's fees was not preserved for appeal. Therefore, this matter was remanded to the trial Court in 2014 for further proceedings solely on the issue of the apportionment of the marital estate. Judge Tunstall passed away while this case was on appeal. The case came before me for a contested trial in 2019. Neither party appealed my decision despite insinuation from both sides that any decision issued by the trial court would be appealed again.

(e) *South Carolina Department of Social Services v. Caressa Norris, et. al.*, 2023 WL3451531 (Ct. App. 2023). This was a highly contested termination of parental rights action that resulted in a three (3) day trial. I issued an order terminating the parental rights of both parents. Both parents appealed. The Court of Appeals affirmed my decision in an unpublished opinion.

Judge Turner reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Turner's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualifications found Judge Turner to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee stated in summary, "Judge has a fine record as a Family Court judge and was an experienced and well-regarded practitioner before he ascended to the bench. The Committee is confident that his experience, ability and character make him a fine candidate for the Court of Appeals."

Judge Turner is married to Megan Wadford Turner. He has two children.

Judge Turner reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar
(b) Laurens County Bar; President 2006-2018
(c) South Carolina Conference of Family Court Judges

Judge Turner provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) First Baptist Church, Laurens
1) Board of Deacons: 2009-2012; 2014-2017, 2019-2022
Board Chair (2016-2017; 2022)
2) Former Vice-Chair of Pastor Search Committee
(b) YMCA of Greater Laurens- member and former Board Member

Judge Turner further reported:

I have always been a driven, goal-oriented person. When I commit to do something, I put in one hundred percent (100%) effort. I pride myself on having a strong work ethic. To that end, I have no problem working long hours to ensure that the task is completed thoroughly and precisely. I have continued that practice on the bench. I am relatively young and have the energy and motivation needed to be an effective judge.

I have served on various boards in my community and my church, and have volunteered with many organizations and ministries in my community. My experiences serving on these boards, coaching, and volunteering have given me the opportunity to work with adults and children from all walks of life which has taught me to always be open minded.

During my fifteen (15) years in private practice, I had the pleasure of working with clients through some of the most difficult times they ever faced. It was truly a rewarding experience to help my clients navigate through those tough times.

It has been an absolute honor and privilege for me to serve as Family Court judge for the past five (5) years. Although some days can be sad and/or challenging, I have thoroughly enjoyed my experience so far.

Throughout my life, I have made a conscience effort to be kind and respectful to others, and to treat them the way I want to be treated. I have continued that practice on the bench. I truly believe that I have been as fair and patient with lawyers and litigants as anyone can be and I will continue to be fair and patient if elected to the Court of Appeals.

(11) Commission Members' Comments:

The Commission noted that Judge Turner has vast experience in all areas of law from his time in private practice as well as his time as a Family Court judge. The Commission also noted that Judge Turner has a great reputation regarding his treatment of attorneys and litigants who appear in his courtroom.

(12) Conclusion:

The Commission found Judge Turner qualified, and nominated him for election to Court of Appeals, Seat 9.

CIRCUIT COURT
QUALIFIED AND NOMINATED

Grant Gibbons
Circuit Court, Second Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Gibbons meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Gibbons was born in 1963. He is 60 years old and a resident of Aiken, South Carolina. Mr. Gibbons provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1991.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Gibbons.

Mr. Gibbons demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Gibbons reported that he has made $635.26 in campaign expenditures for postage, informational cards, and a webpage.

Mr. Gibbons testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Gibbons testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Gibbons to be intelligent and knowledgeable.

Mr. Gibbons reported that he has taught the following law-related courses:

The South Carolina Commission on Indigent Defense created the South Carolina Indigent Defense Academy in 2014. I am a founding member of the faculty. The courses include PD 101, PD 102, and PD 103. Each course lasts for two and a half days. This training is done over three chambers weeks each year and is mandatory for new defenders.

(a) PD 101 – Holistic Defense, Client and Family Relationships, and Initial Contact with Clients.
(b) PD 102 – Cross-Examination Planning and Techniques, I also serve as a group leader to review and critique the students on all PD 102 exercises. This session includes Case Theme and Strategy, Opening Argument, Direct Examination, Cross-Examination, and Closings.
(c) PD 103 – Group leader for reviewing critiquing and coaching the students on all topics covered in PD 103. This session includes Advanced Cross-Examination, Exhibits, Experts, Evidence, Impeachment, and Pre-Trial Motions.

Mr. Gibbons reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Gibbons did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Gibbons did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Mr. Gibbons was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Gibbons reported that he is not rated by any legal rating organization.

Mr. Gibbons reported that he has not served in the military.

Mr. Gibbons reported, regarding the holding of public office: I do not believe Circuit Public Defender is considered a public office. However, if it is one, I have served in that capacity from July 9, 2008 until present.

(6) Physical Health:

Mr. Gibbons appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Gibbons appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Gibbons was admitted to the South Carolina Bar in 1991.

He gave the following account of his legal experience since graduation from law school:

(a) 1991-1993: Assistant Solicitor, Second Judicial Circuit, assigned to Barnwell and Bamberg Counties.
(b) 1993-1995: Deputy Solicitor, Second Judicial Circuit, violent crime, and sex crime prosecutor for the entire circuit.
(c) 1995-2008: Deputy Solicitor, Second Judicial Circuit, teaching, hiring, and training of attorneys, above caseload in the entire circuit, co-counsel on seven capital prosecutions.

(d) 2008-Present: Circuit Public Defender, Second Judicial Circuit. Manage and negotiate office budgets on state, county, and city levels. These routinely involve over 3 million dollars per year. I also serve as personnel manager for an office of thirteen attorneys along with thirteen support staff. I oversee and review financial audits of the operation yearly. I maintain a caseload of violent crimes, and I have defended one capital case.

Mr. Gibbons further reported regarding his experience with the Circuit Court practice area:

I have been involved in the General Sessions Court in the entire Second Judicial Circuit continuously for over thirty years. I have been a prosecutor, defender, or supervising attorney for nearly every term of court. As Deputy Solicitor I was responsible for creating trial rosters and dockets and supervising and assisting other attorneys on their cases. I did this while also carrying a full caseload myself. I have worked closely with violent crime victims and helped them navigate the criminal process. I have cultivated and maintained close working relationships with law enforcement and court personnel. As a young prosecutor, I routinely tried ten to twelve jury trials per year. These cases ranged from minor offenses up to death penalty cases. In 2008 I was approached by local attorneys and encouraged to seek the position of Circuit Public Defender. I have now held this position for over fifteen years. I have carried a caseload my entire tenure. I handle at least five matters during each term of court. Our circuit has at least twenty terms of General Sessions Court per year. I have defended everything from minor offenses up to a death penalty defense. I routinely serve as co-counsel with new attorneys when they try serious cases.

State v. Dahkir Anderson, murder trial July 10, 2023; (2022-GS-02-00569)
Mr. Anderson was tried for murder, trafficking meth, kidnapping, and other charges. He was alleged to have abducted the victim along with four co-defendants. Evidence was produced that indicated they took him at gunpoint, tied his hands, and drove around Aiken County looking for a dog he stole from Mr. Anderson. Mr. Anderson admitted to assaulting

the victim but denied the murder. He went to trial as the sole defendant in the case. The medical examiner testified that death was the result of homicidal beating. The body was burned at some point, but the examiner could not testify if it was before or after death. There were several issues associated with this trial. There was a horrendous seven-second video of the victim gasping for breath on the ground with a pistol stuck to his chin. There were also gruesome photos of the burned body being taken from a shallow grave. The jury returned a guilty verdict on Murder and Kidnapping, but was unable to reach a unanimous verdict on the drug and weapon charges. Mr. Anderson was given a life sentence.

State v. Marcus Turner, murder trial December 5, 2018; (2018-GS-02-00440)

This case involved a charge of Murder and Robbery. Mr. Turner, along with two co-defendants, called a cab for a ride home. The cab driver and his girlfriend responded to the request. Upon arriving the passengers exited the vehicle and refused to pay the fare. An argument ensued and the elderly cab driver was struck in the head by the defendant. The other two men then reached in and took items from the driver and the passenger. The cab driver then fled the scene. The following day, the victim had some issues and sought medical attention. He was found to have a subdural hematoma and was rushed into surgery. After surgery, he lapsed into a coma. Approximately a month later he died in the hospital. This case was complicated by the fact that the victim suffered a fall shortly before this incident and did injure his head. Medical experts were consulted, and the proximate cause of death was somewhat unclear. We proceeded to trial and during the course of the trial, the state approached me with a plea offer. Mr. Turner elected to plead guilty to voluntary manslaughter. This case was a prime example of so many legal disputes. As attorneys we must learn, study, and come to understand a wide variety of information. I had to give myself a crash course on brain injuries and the associated medical terms and processes. I believe this will be similar to my experiences as a judge in dealing with the myriad of legal issues associated with civil and criminal matters.

State v. Denzil Jordan, burglary 1st, kidnapping, armed robbery, A&B 1st August 9, 2018; (2018GS0200083)
Mr. Jordan was tried on the above charges. The allegations were that he, along with co-defendants, entered the victim's residence, tied him up, pistol-whipped him, and forced him to turn over his debit cards and PINs. They then held him there while a co-defendant went and withdrew funds and made purchases ensuring that they had been given the correct PIN. Entry was made into his residence after a female co-defendant, who went to school with the victim, convinced the victim that she was romantically interested in him. The female let her compatriots into the residence when the victim was out of the room. There were the usual technicalities associated with a multiple-defendant trial. The female defendant became a witness for the state. The defendant was convicted and received a sentence of twenty-five years to run concurrently.

In the civil realm, my experience consists of civil matters ancillary to the criminal system. I have dealt with PCR issues and have always reviewed the civil process and paperwork associated with these cases. As a young prosecutor, I argued appeals to the circuit court which had civil procedure aspects. During that time, I spent a short stint doing civil drug forfeiture actions and bond estreatments which have civil components. Our circuit jurists have always scheduled civil motions and hearings during criminal court. I have watched hundreds of these matters over my three decades in court. I am sure I will have much to learn and adapt to as I deal with civil cases. However, part of being a trial lawyer is being a fast study of new and unfamiliar material. I am confident that with hard work and determination, I can get up to speed quickly. I will also try to cultivate relationships with more experienced judges who can act as mentors when I need them. I plan on utilizing civil CLE courses whenever possible to further my assimilation.
Mr. Gibbons reported the frequency of his court appearances during the past five years as follows:
(a) Federal: 0
(b) State: Over twenty terms every year, approximately five matters per term.

Mr. Gibbons reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 0%
(b) Criminal: 100%
(c) Domestic: 0%
(d) Other: 0%

Mr. Gibbons reported his practice in trial court as follows:

(a) 85% settled prior to trial
(b) 5% of cases went to trial and resulted in a verdict
(c) 5% cases went to trial and resolved after the plaintiff's or State's case
(d) 5% cases settled after a jury was selected but prior to opening statements

Mr. Gibbons provided the following regarding his role as counsel during the past five years: In my office we don't try cases solo. Most often I was co-counsel training younger attorneys. I was often chief counsel on cases but selected less experienced attorneys to serve as co-counsel as a means of helping them learn.

The following is Mr. Gibbons's account of his five most significant litigated matters:

(a) *State v. Joshua Jones*, 2012-GS-02-01854 (no appeal or PCR action was filed). This was a capital murder case. The defendant killed his pregnant girlfriend in her bed in Georgia, he then took his father's car and fled to Aiken, South Carolina. He was parked in a parking space in a neighborhood park in the middle of the night. A neighbor reported a suspicious vehicle to law enforcement. An officer responded to check on the vehicle. When the officer approached Mr. Jones, he shot and killed her. A high-speed chase ensued when her backup officers responded. Mr. Jones eluded the officers but was arrested without incident when he was located at a relative's home. At the bond hearing on this case, Mr. Jones entered the courtroom gnashing his teeth and growling. He was somewhat unresponsive to the court's questions. This hearing was aired by local

television stations and quickly went viral. I was appointed to represent Mr. Jones. We immediately arranged for a private mental evaluation to be performed by a renowned psychiatric expert. We also performed an exhaustive social, mental, and family background. Although this was clearly the murder of a law enforcement officer, we were able to establish that Mr. Jones was suffering from acute schizophrenia at the time of the offense. We found a family history of mental conditions going back generations. Based on these findings the state agreed not to seek a death sentence and Mr. Jones was found guilty but mentally ill and was given a life sentence. This case confirmed my belief that it is extremely important to actively work on every case as soon as possible.

(b) *State v. Marcus Turner*, 2018-GS-02-00440. This case involved a charge of Murder and Robbery. Mr. Turner, along with two co-defendants, called a cab for a ride home. The cab driver and his girlfriend responded to the request. Upon arriving the passengers exited the vehicle and refused to pay the fare. An argument ensued and the elderly cab driver was struck in the head by the defendant. The other two men then reached in and took items from the driver and the passenger. The cab driver then fled the scene. The following day the victim was having some issues and decided to seek medical attention. He was found to have a subdural hematoma and was rushed into surgery. After surgery, he lapsed into a coma. Approximately a month later he died in the hospital. This case was complicated by the fact that the victim suffered a fall shortly before this incident and did injure his head. Medical experts were consulted, and the proximate cause of death was somewhat unclear. We proceeded to trial and during the trial, the state approached me with a plea offer. Mr. Turner elected to plead guilty to voluntary manslaughter. This case was a prime example of so many legal disputes. As attorneys we must learn, study, and come to understand a wide variety of information. I had to give myself a crash course on brain injuries and the associated medical terms and processes. I

believe this will be similar to my experiences as a judge in dealing with the myriad of legal issues associated with civil and criminal matters.

(c) *State v. Clarence Ashby*, 1979-GS-02-00268. On May 6, 1979, Clarence Ashby, who was seventeen years of age at the time, robbed an elderly gentleman. His co-defendant, who was nineteen years of age, shot and killed the victim. On July 11, 1979, the pair entered a plea of guilty and were sentenced to life for the murder and a consecutive twenty-five years for armed robbery. At the time of sentencing, murder convictions allowed for parole eligibility after the service of twenty years. If parole was granted it would remain for the defendant's remaining life. Aiken v. Byars, 410 S.C. 534, 765 S.E.2d 572 (SC 2014), was decided and provided a possible resentencing for any defendant who received a life without parole sentence while under the age of eighteen. Mr. Ashby filed for relief. I was appointed to address his motion. The law was clear that he could not obtain relief under the current case law. I joined other attorneys who were attempting to argue that Mr. Ashby, along with similarly precluded persons, had received a de facto life without parole sentence, and should be granted similar relief. This was not a probable remedy. As an alternative, I also started creating a history of Mr. Ashby's situation. I was very surprised to see that this case was pled to a life sentence barely over two months after the incident in question. Mr. Ashby was sent to maximum security prison at the age of seventeen. He described the horrors associated with the early years of his incarceration. He also informed me that he had contracted AIDS. I was able to track down the victim's daughter. I called and spoke with her by phone. She told me that their family had never been contacted when the case went to court. They found out about the sentence much later. They never heard any details of the crime, nor any details about the sentence itself. Nor had they ever been contacted about prior parole requests or hearings. When I shared the details of Mr. Ashby's involvement, and the details of his life while serving the thirty-seven

years of his incarceration, the daughter was graciously in agreement that he should be paroled. I filed the appropriate documents and was able to get Mr. Ashby released on parole. This was one of the most satisfying cases of my career. Had Mr. Ashby not filed his ineffective motion, we never would have met, and he would likely still be incarcerated.

(d) *State v. Scott Merkerison*, 2011-GS-02-01651. Mr. Merkerison went to trial for the offenses of kidnapping, criminal sexual conduct first degree, and attempted murder. He was accused of kidnapping, raping, and assaulting his girlfriend's daughter. The daughter was an adult. On the night in question, the victim alleged that she went to the defendant's house and was watching a movie with him. She claimed he forced her to perform oral sex. She indicated that she bit his penis causing a cut and also lodging some of his skin in her teeth. She then said he vaginally raped her twice immediately after the bite. She showed broken blood vessels in her eyes and bruising on her neck. Before trial, I met with the investigating officer and reviewed some glaring problems with the victim's statement. I shared my investigator's findings about a huge fight going on between the victim's mother and the defendant. It appeared this may have been a planned event to harm the defendant. He felt that he needed to interview her again due to issues he had with the allegations. He decided to re-interview the victim. Before he could meet with her, he got a call from the prosecutor on the case forbidding him from having any contact with the victim. These facts came out during cross-examination. Other facts caused serious doubts about the prior statement. I strongly urged my client not to testify. I told him that I thought her credibility had been thoroughly shredded. He insisted on testifying. He described the event and indicated that he did grab the woman around the neck when she refused to let go of his penis. He also said after she finally let go, he restrained her for a few seconds. The jury returned a verdict of guilty on the kidnapping charge, and not guilty of the other offenses. I argued at

sentencing that the jury had found that this was not a sexually related kidnapping event. The judge agreed and gave the defendant seven years and did not require sex offender registration. Jurors were approached after the trial and indicated that they only found him guilty of the kidnapping because he said he did not immediately release the woman after she let go of him. My client said he was at peace because he just wanted the truth to be told.

(e) *State v. Wise*, 359 S.C. 14, 596 S.E.2d 475, 2004 S.C. LEXIS 112. This was a death penalty trial after Hastings Wise, a disgruntled employee, entered a manufacturing plant and opened fire on employees and security personnel. Hastings Arthur Wise was convicted of four counts of murder, three counts of assault and battery with intent to kill, one count of second-degree burglary, and four counts of possession of a weapon during the commission of a violent crime. The jury found two aggravating circumstances: a murder was committed during the commission of a burglary, and two or more persons were murdered by one act or pursuant to one scheme or course of conduct. The appellant was sentenced to death on the jury's recommendation for each count of murder, twenty years consecutive on each count of assault and battery with intent to kill, fifteen years concurrent for burglary, and five years concurrent on each weapon possession conviction. I was co-counsel to the elected solicitor on this trial. Mr. Wise was represented by two very capable attorneys who made every effort to defend him. Venue was changed from Aiken, SC to Beaufort, SC, numerous motions were filed and argued, and the case went to trial. Throughout the process, Mr. Wise refused to allow his counsel to use defenses or arguments they desired to employ. He refused to allow them to speak with his family, or to address any mental issues. Following his conviction, Mr. Wise attempted to waive all appeals and proceed with execution. What impressed me about this case was the example I saw of defense attorneys continuing to ably defend and represent a client in a horrible situation, who was continuously working against their efforts.

These attorneys remained professional and dedicated even though they had been appointed to this task.

Mr. Gibbons reported he has not personally handled any civil or criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. Gibbons's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Gibbons to be "Well-Qualified" as in the evaluative criteria of ethical fitness, character, and reputation; and "Qualified" in the evaluative criteria of constitutional qualifications, professional and academic ability, physical health, mental stability, experience, and judicial temperament. The Committee stated in summary, "Lack of civil experience."

Mr. Gibbons is married to Bonnie Carol Bass Gibbons. He has four children.

Mr. Gibbons reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar - member
(b) National Association of Criminal Defense Lawyers – member
(c) South Carolina Association of Criminal Defense Lawyers - member
(d) South Carolina Association of Justice – member
(e) Aiken County Bar Association - member

Mr. Gibbons provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Southern Wolves Wrestling Club – Volunteer Assistant Coach 2020 to present.

Mr. Gibbons further reported:

I began my legal career as a young husband and father. I took a position with the Second Judicial Circuit Solicitors Office and

was asked to work in Bamberg and Barnwell counties. I was determined to give this position every effort. There had never been a prosecutor who actually lived in Barnwell or Bamberg, so I decided that I would move my small family to Barnwell County and live in the community that I was going to serve.

I cherish the eight years that I lived and worked in Barnwell. I was a one-man operation, so I learned every facet of the criminal system. I formed lasting relationships with law enforcement and the local community that continue to this day. I had the opportunity to prepare and try a very large number of serious cases early in my career. In the first few years of my tenure, I tried several murder cases.

After a few years of being the sole attorney, another prosecutor was assigned to the Barnwell office. There had been some turnover in the Aiken office, and I was asked to assume responsibilities in all three counties. I had successfully prosecuted a number of child sexual abuse cases in the satellite counties, and I was asked to be the sex crime prosecutor for the circuit in addition to my violent crime caseload. At that time, I was promoted to Deputy Solicitor.

During the 1990s our Circuit had a string of death penalty crimes. I assisted our elected Solicitor as co-counsel on seven capital cases. As more and more of my responsibilities moved to Aiken, I decided to relocate my family. However, I continued to run the satellite office and carry caseloads in all three counties.

Another opportunity presented itself during this time. A horrific murder and robbery occurred in Denmark, South Carolina. Investigation revealed that the persons responsible had ties to a drug ring the federal government was pursuing. I was designated as a Special Assistant United States attorney. I was co-counsel in the federal murder trial of the four defendants involved in the murder. This gave me a chance to experience how different the federal court system is regarding resources and caseloads.

In 2007 the Circuit Public Defender legislation was enacted. I was approached by local bar members about applying for this position. I enjoyed my job as a prosecutor, and I enjoyed

working with everyone in the system. After much contemplation and many prayers, I decided to apply for Circuit Public Defender.

I felt that the existing system was severely broken and that I could organize the office and bring a higher sense of professionalism to the operation. Some of the accomplishments that I have made in my current position are:

(a) I created teams within the office so most conflict cases could stay in the office, rather than being assigned to private attorneys;
(b) I designated an attorney to work solely in the juvenile court, alleviating the conflict of being required to be in two courts at once;
(c) I worked closely with county officials to bring public defender salaries more in line with solicitor salaries;
(d) I was eventually able to convert our case management system to a nearly paperless operation;
(e) My office has one of the lowest attorney turnover rates in the state;
(f) My office has one of the best county funding ratios in the state.

Work has always been a very important part of my life. My parents encouraged me to work in many different fields starting at a very young age. I learned how to work hard and how to work with people from all walks of life. These jobs included the following:

(a) Surveyor's Assistant for a Mining Engineer - We surveyed property borders for uranium mining claims.
(b) Lab Assistant at a Medical Clinic - Developed X-rays, prepared specimens for testing, and assembled and sterilized medical instruments.
(c) Laborer for a Fence Building Company - Prepared sites and built residential fences.
(d) Rig Worker for a Commercial Drilling Company - We drilled test holes to map uranium deposits for miners.
(e) Explosives Crew Member for Uranium Processing Mill - I set explosive charges used to excavate a 10-acre retaining reservoir for liquid waste.

Integrity:
There are also things that I have not experienced. I think they are important considerations regarding my career.

(a) I have never been sued in state or federal court by either a defendant I was prosecuting or a client.
(b) I have never had a case overturned on Post Conviction Relief.
(c) I had cases overturned on appeal due to evolving legal issues, but never for inappropriate actions, words, or conduct on my part.
(d) I have never been censured or admonished by any court.
(e) My conduct has never been questioned by any legal watchdog groups such as the ACLU or NAACP.

Demeanor:
As Deputy Solicitor and as Circuit Public Defender, I worked with many past and present judges. I quickly learned that they all do things a little differently. I gained a unique perspective on their different policies and personalities. I learned by observation what techniques worked best and what practices created problems.

I have observed judges who were respectful yet firm, and judges who did what needed to be done, even when it was not easy. I have also witnessed judges who were fair and courteous to everyone in the system and yet upheld the decorum and respect their courtroom deserved while meting out justice accordingly. Unfortunately, I have experienced opposite behaviors as well.

I believe that my work history, my life experience, and my personal demeanor would make me an effective, efficient, and productive jurist.

(11) Commission Members' Comments:

The Commission commended Mr. Gibbons on his excellent demeanor and temperament, as reflected in the BallotBox survey responses. The Commission noted Mr. Gibbons's vast experience with criminal law.

(12) Conclusion:

The Commission found Mr. Gibbons qualified, and nominated him for election to Circuit Court, Second Judicial Circuit, Seat 2.

David W. Miller
Circuit Court, Second Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED, AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Miller meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Miller was born in 1972. He is 51 years old and a resident of Aiken, South Carolina. Mr. Miller provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Miller.

Mr. Miller demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Miller reported that he has made $130.66 in campaign expenditures for cards.

Mr. Miller testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Miller testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Miller to be intelligent and knowledgeable.

Mr. Miller reported that he has taught the following law-related courses:

(a) I have lectured at the S.C. Prosecution Commission's Prosecution Boot Camp each year from 2012 through 2022. At the Boot Camps, Senior Assistant and Deputy Solicitors are given specific topics to cover during instructional periods and all instructors participate in discussion and performance workshops. Instructors critique students on their performances with assigned fact patterns and lead group discussions. I taught the following individual classes to the participants over the years listed: Hearsay (2013, 2014, 2015) Sentencing Fundamentals (2013, 2014), Guilty Pleas: Negotiations, Agreements and Procedure (2016, 2017, 2018).

(b) I made two presentations for the S.C. Bar's pro bono project, Legal Lessons: A series for the Public in 2012. The Legal Lessons series was a program to introduce members of the public to specific areas of the law by providing classes taught by lawyers with experience in that practice area. The courses were scheduled at the local technical college over the course of several consecutive weeks and included a one-hour class on each subject along with a question and answer period afterward. I presented an "Overview of the South Carolina State Courts" (09/17/2012) and "Criminal Law" (10/29/2012).

(c) I have lectured at the S.C. Solicitor's Association Annual Conference since 2017. I have conducted classes covering several evidence-related topics. In 2017, I presented a lecture titled "Obtaining Evidence Lawfully" that focused on unusual or technical situations where prosecutors are called upon to obtain evidence in cases using specific types of court orders. This lecture was presented in coordination with Senior Deputy Attorney General Don Zelenka, who

presented a companion lecture titled "Getting and Using Evidence- Problems, trends, and the Appellate Courts".

(d) In 2018, I presented a lecture titled "Investigating and Prosecuting Animal Abuse Cases" that focused on the unique aspects of investigating and prosecution of animal abuse cases including societal attitudes that impact presentation of evidence to juries and the impact of social media and public outcry on courts' sentencing. I also presented a "follow-up" to the 2017 lecture called "Using Search Warrants, Subpoenas, and Court Orders". This lecture discussed the appropriate use of search warrants and court orders to obtain evidence in criminal prosecutions, focusing on ethical and procedural concerns and how those concerns impact communication with law enforcement agencies.

(e) Following my lecture at the SCSA Annual Conference, I was invited to be a guest facilitator for a workshop on Investigating and Prosecuting Animal Abuse cases at the Southeast Animal Alliance Annual Conference in Augusta, Georgia. The workshop took law enforcement personnel through the process of investigating and documenting a complaint to testifying at trial, where I served alternately as the prosecutor and the defense attorney for various witnesses.

(f) In 2019, I was a co-presenter in a two-hour block of training focused on issues concerning animal cruelty for the South Carolina Summary Court Judges' annual training.

Mr. Miller reported that he has not published any books or articles.

(4) Character:

The Commission’s investigation of Mr. Miller did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission’s investigation of Mr. Miller did not indicate any evidence of a troubled financial status. Mr. Miller has handled his financial affairs responsibly.

The Commission also noted that Mr. Miller was punctual and attentive in his dealings with the Commission, and the

Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Miller reported that his rating by a legal rating organization, Martindale-Hubbell, is AV.

Mr. Miller reported the following military service:
1991-95 U.S. Marine Corps Active Duty, Corporal, Honorable Discharge
1995-96 USMC Reserve, Corporal, Honorable Discharge

Mr. Miller reported that he has never held public office.

(6) Physical Health:

Mr. Miller appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Miller appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Miller was admitted to the South Carolina Bar in 2001.

He gave the following account of his legal experience since graduation from law school:

(a) 2001-2002 Law Clerk for The Honorable Rodney A. Peeples
(b) 2002-2004 Robert J. Harte, P.C. Associate attorney involved in general litigation matters representing plaintiffs and criminal and civil defendants.
(c) 2004-2009 Smith, Massey, Brodie, Guynn & Mayes, P.C. Associate attorney involved in general litigation matters representing plaintiffs and criminal and civil defendants.
(d) 2009-2013 Office of the Solicitor, 2nd Judicial Circuit - Assistant Solicitor prosecuting felonies and misdemeanors in the General Sessions and Magistrate courts, and handling appeals from magistrate and municipal courts.

(e) 2013-2015 Office of the Solicitor, 2nd Judicial Circuit - Deputy Solicitor for Aiken County prosecuting felonies and misdemeanors in General Sessions, coordinating prosecution/docket management for Aiken County, and working special Information Technology projects for the Office. In this position my administrative tasks included management of staff and oversight of dockets for individual court terms.

(f) 2015-Present Office of the Solicitor, 2nd Judicial Circuit - Deputy Solicitor for Barnwell and Bamberg Counties prosecuting felonies and misdemeanors in the General Sessions and Magistrate courts, continuing to work as needed on cases in Aiken County, and continuing implementation of technology initiatives throughout the Second Judicial Circuit. Administrative duties in this position increased to include input with the elected Solicitor on office personnel, budgetary needs, equipment and space issues, preparation of performance appraisals of employees, complete management of criminal dockets in both counties, and coordination of terms of court with incoming judges and other court personnel. Additionally, I coordinate training for law enforcement personnel throughout the circuit and in other jurisdictions while continuing to train other lawyers under my supervision.

Mr. Miller further reported regarding his experience with the Circuit Court practice area:

My first job as a member of the South Carolina Bar was working as a law clerk for The Honorable Rodney A. Peeples. I then practiced as a private attorney for seven years before becoming an Assistant Solicitor and, later, a Deputy Solicitor in charge of two counties in our circuit. Through this experience, I have handled many different types of cases, both civil and criminal.

Before joining the Solicitor's Office, I defended numerous criminal cases involving defendants charged with everything from murder and criminal sexual conduct to driving under the influence. Additionally, I represented both plaintiffs and defendants in civil matters while in private practice. As an

associate attorney in a medium sized firm, I handled diverse civil litigation matters ranging from personal injury cases to contract disputes in Common Pleas and Magistrate courts. I was personally involved in the litigation involving the Estate of James Brown before leaving private practice. My civil practice was necessarily diverse because of my firm's limited market. Our firm did not advertise for personal injury cases, and most of the civil matters I handled were taken on an hourly fee basis. I handled contract disputes between businesses, land disputes and nuisance claims, will contests, mechanic's lien cases, and condemnation claims. I was also occasionally appointed by the Circuit Court as a Special Referee to hear non-jury civil claims.

I have prosecuted hundreds of cases as an Assistant, and now Deputy Solicitor, in the Second Judicial Circuit. Many of these cases were violent felonies including multi-defendant armed robbery cases, murders and home invasions. In the past five years, I have practiced exclusively in criminal court. During that time I have handled over one thousand cases, including several jury trials. In those cases, and cases that resulted in resolutions prior to trial, I have dealt with motions to suppress evidence, Neil v. Biggers hearings, Jackson v. Denno hearings, motions in limine, as well as other motions. I have been responsible for presenting expert witness testimony and have been called upon to cross examine expert witnesses called by the defense. I have frequently been asked to draft Orders for the Court following rulings on complex factual or legal issues.

My experience as a criminal defense attorney has shaped the way I prosecute cases throughout my career as a prosecutor. Lengthy, sometimes life-long prison sentences can be necessary to protect society from a particular person, but those situations are, fortunately, extremely rare. I pride myself in my ability to work with the defense bar and judges to come up with fair and just resolutions to cases. I also take pride in my reputation as a capable trial attorney if a resolution cannot be reached.

Mr. Miller reported the frequency of his court appearances as follows:
(a) federal: 0%
(b) state: 100%

Mr. Miller reported the percentage of his practice involving civil, criminal, domestic and other matters as follows:
(a) Civil: 1% (Post Conviction Relief Actions)
(b) Criminal: 85%
(c) Domestic: 0%
(d) Other: 14% (Administrative)

Mr. Miller reported their practice in trial court as follows:
(a) 85% was in trial court, including cases that settled prior to trial;
(b) 30 (estimated) cases went to trial and resulted in a verdict;
(c) 0 cases went to trial and resolved after the plaintiff's or State's case;
(d) 0 cases settled after a jury was selected but prior to opening statements.

Mr. Miller provided that during the past five years he most often served as chief counsel, but also frequently appeared as associate counsel when one of the junior lawyers under his supervision was trying a case.

The following is Mr. Miller's account of his five most significant litigated matters:

(a) *David Mark Hill v. State of SC*, 377 S.C. 462, 661 S.E.2d 92 (2008). This case was a Capital PCR where the Petitioner ultimately waived his rights to appeal and was put to death. This case is significant to me for many reasons. It was the first and only time I argued a case before the South Carolina Supreme Court. I was criticized for helping Hill waive his appeals and proceed with imposition of the death sentence by other lawyers that handled capital litigation. Although I disagreed with Hill's decision to waive his appeals, I had no doubt Hill was competent to make that decision, so I was obligated to assist him seeking the waiver. But the most impactful thing about the case was that my client requested that I be one of his witnesses when the sentence was carried out, so I ultimately watched my client be put to death on June 6, 2008.

(b) *State of SC v. Honorio Gurrero*, 382 S.C. 620, 677 S.E.2d 603. This was an extremely complex case logistically because it involved four defendants (none of whom spoke English) and four different defense attorneys. All of the defendants were tried together. This case is also significant to me because it was the first criminal case I ever defended in General Sessions Court. It was also the first case that I had overturned on appeal when the South Carolina Supreme Court agreed with me that a directed verdict in favor of my client should have been granted at the close of the State's case.

(c) *State of SC v. Michael Paul Buckmon*. Michael Paul Buckmon and Matthew Bolen sexually assaulted and killed Donna Dempsey in Barnwell County on November 1, 2013. Her home was set on fire in an attempt to conceal the sexual assault and subsequent burglary of the residence. The SLED investigation of the crime spanned from Allendale County to Pickens County and resulted in a nearly 800 page investigative report. The SLED arson investigator and several SLED analysts were qualified as experts in the case and offered testimony concerning the evidence collected during the investigation. There were very few lay witnesses in the case because many people were fearful of Buckmon. He had previously been convicted of murder and sentenced to life but later had his conviction overturned by the Supreme Court. The case was very difficult to organize and present to the jury in a logical fashion because of the sheer volume of evidence to be presented. Buckmon was convicted of murder, arson in the first degree, and criminal sexual conduct in the first degree at trial and sentenced to life.

(d) *State of SC v. Leon Amos Jason James*. This was a multi-defendant armed robbery in Bamberg County. I tried the case against two of the most respected lawyers in Bamberg and was able to obtain a conviction on all charges. The Defendant was sentenced to life pursuant to S.C. Code 17-25-45 because he had prior convictions for armed robbery. I also convicted one of the co-defendants in a separate trial. He was given a

life sentence because he had several prior armed robbery convictions. The third co-defendant in the case pled guilty but did not testify in either trial for the State.

(e) *State of SC v. Demetrius Boyd*. This was a home invasion case where I was appointed to represent the Defendant. He was charged with Burglary 1st Degree, Kidnapping, and Assault and Battery with Intent to Kill. The case is significant to me because the Defendant was one of the most difficult criminal defendants I ever represented, but I was convinced he was not guilty of the crimes he was charged with. Less than two weeks before the trial, I received the State's notice of intent to seek life without parole. We tried the case and the jury found the defendant not guilty on all charges.

The following is Mr. Miller's account of one civil appeal he has personally handled:
David Mark Hill v. State of SC, 377 S.C. 462, 661 S.E.2d 92 (2008). South Carolina Supreme Court, April 28, 2008.

Mr. Miller reported that he has not personally handled any criminal appeals.

Mr. Miller further reported the following regarding unsuccessful candidacies:

I was a candidate for Circuit Judge, At-Large Seat 14, in the Fall of 2012. I was found to be qualified but not nominated by the Judicial Merit Selection Commission.

I was a candidate for Circuit Judge, At-Large Seat l, in the Fall of 2016. I withdrew from the race before the Judicial Merit Selection Commission reported on my candidacy.

I was a candidate for Resident Circuit Court Judge for the Second Judicial Circuit, Seat l, in the Spring of 2019. I withdrew from the race after being found qualified and nominated by the Judicial Merit Selection Commission.

I was a candidate for Circuit Judge, At-Large Seat 12, in the Fall of 2020. I was found to be qualified but not nominated by the Judicial Merit Selection Commission.

(9) Judicial Temperament:

The issue of temperament was raised in the complaints filed against Mr. Miller, and several of the BallotBox surveys questioned the suitability of Mr. Miller's temperament for the bench. The Commission reviewed the BallotBox survey responses for Mr. Miller and there were multiple concerns regarding his temperament. However, overall, the BallotBox comments regarding Mr. Miller's judicial temperament were more positive than negative.

Mr. Miller was questioned about temperament extensively at the public hearing and he testified that he is passionate about the positions he takes in the courtroom, and, as a solicitor, he is the end of the line. He stated that sometimes when trying to find a reasonable compromise, there are times when he has to "draw a line in the sand", which can sometimes be interpreted poorly. He recognizes that when sitting on the bench, you're not an advocate for either side, and have better control over what's going on in in the courtroom. The Commission believes that Mr. Miller's temperament is adequate for someone seeking election as a judge.

(10) Miscellaneous:

The Midlands Citizens Committee reported Mr. Miller to be "Qualified" in the evaluative criteria of constitutional qualifications, ethical fitness, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Very qualified and with his past experience will be an asset to the judiciary!"

Mr. Miller is not married and has no children.

Mr. Miller reported that he was a member of the following Bar and professional associations:

(a) Aiken County Bar, 2001 - Present, President 2004-06;
(b) South Carolina Trial Lawyers Association, 2001 - 2008, Member, Board of Governors 2005-08;
(c) South Carolina Association for Justice, 2014-Present (Public Sector Member)

Mr. Miller provided that he was recognized by the following awards:

(a) Ernest Hollings Award for Excellence in State Prosecution (2020)

(b) J. Strom Thurmond Prosecutor of the Year for the Second Judicial Circuit (2011)

Mr. Miller further reported:

There are several moments in my career that have helped shape who I am. In 2006, I was appointed lead counsel on the Post-Conviction Relief Application for David Mark Hill, who was sentenced to death after he murdered three people in Aiken County in 1996. Ultimately, Hill decided to waive his appeals and asked that his death sentence be imposed. Following our appearance on the case before the South Carolina Supreme Court, Hill asked that I be present as his witness at his execution. I spent the last twelve hours of David Hill's life with him in a small cell at the Capital Punishment Facility of the South Carolina Department of Corrections. I witnessed his execution that evening.

In November of 2008, Strom Thurmond was elected Solicitor of the Second Judicial Circuit. In late December, he asked me to become an Assistant Solicitor for his office. It was a difficult decision for me because I had gotten married just a few weeks after his election. In less than ninety days, I went from a single, relatively successful private attorney living in a rented townhouse, to a married Assistant Solicitor living in my first home with my new wife and two children. In retrospect, there is no question I made the right decision when I joined Solicitor Thurmond's staff. Working as an Assistant Solicitor allowed me to be in the courtroom where I always dreamed I'd be. In addition to my prosecutorial duties, I was allowed to work with new attorneys in the office and formally mentor several of our lawyers through the SC Bar's lawyer mentoring program.

In December of 2011, Aiken Department of Public Safety Master Public Safety Officer Edward Scott Richardson was shot and killed by Stephon Carter. Two months later, Aiken Department of Public Safety Master Corporal Sandra Rodgers was shot and killed by Joshua Jones. These murders devastated our community. Solicitor Thurmond assigned me as the lead counsel in the Stephon Carter case and assigned Deputy Solicitor

Beth Ann Young as the lead counsel in the Joshua Jones case. In November of 2012, Solicitor Thurmond determined our office would seek the death penalty against Stephon Carter.

For the next two and a half years, I was the lead attorney dealing with all matters involved in the case. Ultimately, we offered a plea agreement to Caner that would require him to spend life in prison without the possibility of parole. The decision to make the plea offer, and the defense's decision to accept the offer, was only possible because of the countless hours spent working the case and communicating with the officers at ADPS and family members of Officer Richardson.

During my time as an Assistant Solicitor and now as a Deputy Solicitor, I have taken on more administrative functions. Since May of 2015, I have been in charge of our "lowcountry" offices in Barnwell and Bamberg Counties. I have developed strong relationships with the defense bar, court personnel, and law enforcement agencies there. I have also managed the criminal dockets in both counties.

When I ran for Circuit Court Judge previously, I was asked many questions about my tenure as the law clerk for Judge Rodney Peeples. Judge Peeples was an incredible judge and remains an amazing person. I continue to love and respect him; he is like a father to me, as he is for all of his former clerks. He had a style that was not unique when he came to the bench, but the world changed a lot in the three decades on the bench. Unfortunately, he did not always change the way he did things with the times. As much as I love and respect him, I would have a different demeanor on the bench. Academically, Judge Peeples had few equals. Some of the most influential and ground-breaking cases in South Carolina over the last half century have his name attached to them. In my experience, he dispassionately applied the facts to the law, and when the result wasn't fair, he said so, but he still followed the law. Occasionally, that resulted in the law changing, but his decision was going to be based on the law and the facts of the case as he understood them. This is the influence I hope Judge Peeples would have on me as judge. I know that I will be faced with tough decisions, but I will always do what I believe the law requires, even if I am not happy about the result. Judges should apply the law, not seek to change it.

Many other Judges have influenced the demeanor I would hope to have on the bench and are a model for judges. For

example, Judge Thomas W. Cooper of Manning is the ultimate "lawyer's judge" to me. He commands control of the courtroom without anger or intimidation. He is fair to all litigants, and their lawyers. He makes informed, timely decisions without unnecessarily commenting on the matters before him. He is kind and courteous, and that civility extends from him to the opposing parties in the courtroom. As I have worked as a solicitor, and before in private practice, I have had the opportunity to appear before dozens of circuit court judges. The best of them have similarities that I have noticed and hope to emulate. Of particular note is the judicial demeanor of Judge William Keesley, Judge Clifton Newman, Judge Early and Judge Casey Manning. Each of them, in their own way, display the best of judicial demeanor and temperament and watching them has prepared me for the challenge of becoming a circuit court judge.

My desire to ascend to the Circuit Court bench is driven by my desire to improve the judicial system in South Carolina. I have learned and always tried to emulate the best attributes of the lawyers and judges I have known. Being a solicitor has allowed me a great opportunity to observe many judges in the courtroom. In each judge, I looked for the things they did that I would want to do if I was in their position. I feel I am ready to take on that challenge, and to become an example to the lawyers that will follow in my footsteps. My desire to be a Circuit Court Judge is not "the next step", it is the culmination of the career of a trial attorney. That certainly does not mean I don't have room to grow, just that I have never been and do not seek to be an appellate lawyer or judge. I want to be the best circuit court judge in South Carolina.

(11) Commission Members' Comments:

Two complaints against Mr. Miller were heard by the Commission. The first from Sarah Ford, attorney for the victims in the underlying case. The second from Karl Stoller, the father of one of the victims in the underlying case. The complaints allege, in relative part, that Mr. Miller failed to properly communicate with victims as required by law. The Commission reviewed the complaints, Mr. Miller's written response, and heard testimony from the parties. Based on the testimony, the Commission requested, received, and reviewed emails between Complainant Ford and Mr. Miller.

The evidence as well as the testimony of the complainants shows that the victims were represented by counsel during the time in question, and there is no evidence or testimony of consent from the victims' lawyer or authorization as a matter of law or court order allowing Mr. Miller to communicate directly with the victims. The Commission concludes that Mr. Miller only communicated with the victims through their lawyer (Complainant Ford), and that his communication is consistent with Rule 4.2 of the South Carolina Rules of Professional Conduct, which prohibits direct communication with any person the lawyer knows to be represented by another lawyer without the consent of that other lawyer or authority to do so by law or a court order.

Multiple emails as well as testimony at the hearing show that the victims' counsel made sure the victims were informed throughout the case by arranging meetings, coordinating calls and conversations, and informing the victims of hearings and other pending matters. Communication seemed consistent between Mr. Miller and Complainant Ford, the victims' attorney, throughout the pendency of the matter and this same communication seemed consistent with the rules of professional responsibility.

In the nine days leading up to the final hearing, Mr. Miller wrote multiple emails to Complainant Ford explaining the desire to dispose of the entire case, the plea deal and its exact terms, and even the rationale behind the plea. The email evidence indicates that Mr. Miller communicated fully and completely with Complainant Ford, as was his obligation. One victim had a zoom call on the Tuesday before the hearing to discuss the case. The other victim had a zoom call on Wednesday to explain that the State would be dropping the indictment, but not until after the hearing on Friday to ensure they had the opportunity to be heard in court. The victims and their counsel, Complainant Ford, were present at the hearing on Friday. The emails show that Mr. Miller communicated openly and candidly with Complainant Ford regarding the plan to dispose of the case.

Testimony from Complainant Stoller indicates that he was unaware of the plea arrangement until arriving in the Courtroom on the Friday of the hearing. The Commission unanimously found his claims in his complaint to be credible; however, the evidence also clearly and indisputably indicates that the victims' counsel (Complainant Ford) was fully aware of the existence of a plea arrangement and its precise terms prior to Friday. The evidence also indicates that Mr. Miller had no ability under the rules of professional responsibility to communicate with the victim, but only through their counsel, which he did on multiple occasions. The Commission is unable to determine why Complainant Ford, who was the victims' counsel, did not communicate the information that was clearly in her possession to Complainant Stoller prior to Friday's hearing, despite her having more than adequate notice, explanation, and information from Mr. Miller to do so. Given the clear and irrefutable record of emails between Mr. Miller and the Complainant well before the Friday hearing, the Commission found Complainant Ford's testimony at the public hearing claiming otherwise to be both misleading and extremely troubling.

In conclusion, in assessing the veracity of the complaints and all the evidence before the Commission, the claims that Mr. Miller failed to communicate with the victims as required by law are baseless, unreliable, and without merit.

(12) Conclusion:

The Commission found Mr. Miller qualified, and nominated him for election to Circuit Court, Second Judicial Circuit, Seat 2.

Dissenting Opinion by Rep. Micah Caskey and Mr. Pete Strom

We write to dissent in the opinion of the majority of the Judicial Merit Selection Commission finding Mr. Miller qualified and nominated for service on the Circuit Court Bench. There is no question that Mr. Miller is an excellent and ethical attorney and prosecutor as evidenced by the glowing recommendations of giants in his local bar. However, we must respectfully dissent in the finding of the majority; because, although we find that he meets and exceeds the standards of several evaluative criteria,

we do not believe that he has the requisite judicial temperament to serve on the Circuit Court bench. We believe that now is the time for the Judicial Merit Selection Commission to send a strong and consistent message to judges, those who want to be judges, and to each member of the General Assembly, as well as the public at large, that there is no place in our state for judges who have poor temperament.

The sole issue here for us is Mr. Miller's temperament. Although a complaint was filed against Mr. Miller, we agree with the others on the Commission that the complaint was meritless and that instead of indicating issues with Mr. Miller, it instead highlighted his adherence to ethical rules of lawyers and his professional ability. However, a recurring theme in his current and past screenings has been that he has a poor temperament, which mirrors concerns by members of the bench and bar that his temperament negatively impacts his ability to be a judge. Mr. Miller has himself acknowledged that his temperament has on some occasions been poor because of his need to be a zealous advocate as a prosecutor on behalf of the State of South Carolina, and he promises that it will be better in the future in his different role as an impartial judge. Unfortunately, we cannot buy into his promise that electing him will place a different man inside the black judicial robe. Do occasional bad days or isolated episodes showing a failing in temperament warrant a finding that the candidate is unqualified for judicial service? Perhaps not. We are all human, and we all make mistakes. However, we are not confronted with a temporary lapse in temperament or a single bad day. We are instead faced with a recurring theme, over several screenings and over many years, of poor temperament. We cannot rely on a candidate's election promise when we firmly believe that a person's past actions are the best predictor of his future ones. Mr. Miller has had years to correct the concerns raised about him, and it appears, by the same concerns still being made, that he has either chosen not to correct them or he cannot correct them. If Mr. Miller is elected as a judge and we accept the majority's belief that he will be a better judge than he was a lawyer, then we are stuck with that decision for at least six years if the majority are wrong. That risk is simply too great to take.

Most South Carolinians are rarely if ever part of our judicial system. But a judge with a bad temperament could result in a litigant or party who only has one interaction with our judicial system, losing faith in it because of the actions of a bad judge. Judges are trustees of the legal system, and their actions which carry so much weight must always be above reproach. Because of this, we must be extraordinarily careful with whom we entrust this power over our friends and neighbors. We must set very high standards for those who want to be judges and we must hold them to those standards consistently and without regard to who they are. Our stringent review needs to send a signal to those who want to be judges that they cannot have a bad day and lose their temper or have a substantive lapse in concentration, because of what that means for those who appear before the judge. If the judge is short or rude to a litigant or their attorney, a litigant can reasonably worry that the judge is not going to be fair to their case. If there is doubt about the impartiality of a judge, there will be no faith in the verdict meted out by that judge. Our society is based on people trusting in the administration of justice. It is only the trust in the process and in those who carry it out that allows us to be governed by the stroke of the pen rather than the point of the bayonet.

Our guiding directive, in keeping faith with those who are given the responsibility to screen candidates for the bench, is that people can rely on the quality and integrity of judges. This candidate fell short of the standard we must expect from someone who seeks to be a judge and wield the enormous power given to them. Instead of making excuses, it is time that we make a stand that those with poor temperament will not be allowed to serve our state as judges. We feel compelled to make our stand here. Because of the continued failure in his temperament and the failure to correct that shortcoming over the years despite knowing of those concerns, we must conclude that Mr. Miller is not qualified for judicial office. Therefore, we respectfully dissent from the Commission’s decision that he is qualified and nominated.

THURSDAY, JANUARY 11, 2024

Martha M. Rivers Davisson
Circuit Court, Second Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Rivers Davisson meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. Rivers Davisson was born in 1972. She is 51 years old and a resident of Aiken, South Carolina. Ms. Rivers Davisson provided in her application she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1996.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Rivers Davisson.

Ms. Rivers Davisson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to a judge, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Rivers Davisson reported that she has not made $112.20 in campaign expenditures for stamps.

Ms. Rivers Davisson testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Rivers Davisson testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Rivers Davisson to be intelligent and knowledgeable.

Ms. Rivers Davisson reported that she has taught the following law-related course:
In April 2019, I presented the Law School for Non-Lawyers class sponsored by the South Carolina Bar in Aiken, South Carolina on the topic of Child Protection Hearings. This series of lectures is designed to provide an overview of the judicial system and its impact on citizens.

Ms. Rivers Davisson reported that she has published the following book:
"The Leaner and Meaner Youthful Offender Act," South Carolina Lawyer, Volume 9, Number 3, November/December 1997.

(4) Character:

The Commission's investigation of Ms. Rivers Davisson did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Ms. Rivers Davisson did not indicate any evidence of a troubled financial status. Ms. Rivers Davisson has handled her financial affairs responsibly.

The Commission also noted that Ms. Rivers Davisson was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Rivers Davisson reported that her rating by a legal rating organization Martindale-Hubbell is Distinguished 4.4/5.0.

Ms. Rivers Davisson reported that she has not served in the military.

Ms. Rivers Davisson reported that she has never held public office.

(6) Physical Health:

Ms. Rivers Davisson appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Rivers Davisson appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Rivers Davisson was admitted to the South Carolina Bar in 1996.

She gave the following account of her legal experience since graduation from law school:

After graduation from the USC School of Law in 1996, I clerked for one year for the Honorable Thomas L. Hughston, Jr. of the Eighth Judicial Circuit. I then became an associate attorney at Bedingfield & Williams in Barnwell, SC. From 1997 to 2000, I assisted the partners, Daniel W. Williams and Walter Bedingfield, in the general practice of law. I developed my own caseload consisting of domestic litigation, civil litigation, real estate closings and continued to assist the partners in criminal defense and civil litigation. I was assigned a paralegal but had no management duties for the firm or its finances.

In 1999, my husband entered what was then known as the Masters in International Business (MIB) program at the Darla Moore School of Business at USC. In August 2000, I left Bedingfield & Williams to live with Doug in Zurich, Switzerland, during a portion of his required international internship. We returned in December 2000. I then began my practice as a sole practitioner in January 2001 in Williston, South Carolina. My practice developed much like my associate work. As a sole practitioner, I established and managed the trust accounts and operating accounts. I hired a part time assistant to help with the financial management. When I managed the closing of real estate loans, I maintained two trust accounts, one for real estate matters and one for general practice. In 2018, my solo practice was converted to a limited liability corporation, Rivers Law LLC. In 2020, I opened an office in Aiken, South Carolina.

My office has consistently had staff of one to three persons. I am the administrative manager as well as the financial manager.

In 2018, I ended my real estate practice and now focus on criminal defense, Family Court, and civil litigation. I have been a 608 (appointed defense attorney) in criminal and Family Court abuse and neglect cases for several years. I did not renew my criminal defense contract in 2022.

Ms. Rivers Davisson further reported regarding her experience with the Circuit Court practice area:

My first job was as a law clerk to a circuit court judge. I then began working at a small law firm, primarily for the local criminal defense lawyer in the Second Judicial Circuit. I assisted in preparing and defending clients with him for three years. For a multitude of reasons, we held trials during almost every term of court. Therefore, I quickly became experienced at researching case law, interviewing defendants, and assisting in felony trials from the beginning of my career. Being a small county and small town, I learned a respect for law enforcement, the judicial process and the families of both the victims and the defendant.

Until last year, I maintained a contract with the South Carolina Office of Indigent Defense and was appointed criminal cases through the public defender's office. Typically, these cases involved burglary, armed robbery, murder, and drug offenses. As the defense attorney, I collected and reviewed discovery information, attended preliminary hearings, filed and argued motions before the court, negotiated and attended pleas in criminal court and represented clients in trials. With the COVID protocols, the number of trials held within the past five years has been limited. I did not renew my contract after 2021.

In my career, I have represented defendants in felony and non-felony arrests that involve violent and non-violent crimes. The last criminal cases I handled involved the identification issues for a murder on a store camera recording. The defendant had also stated to multiple people in the legal system that he did not intend to shoot the victim. Had the trial proceeded, the issues of the case would have been malice aforethought and specific

versus general intent. I also represented a gentlemen accused of multiple break ins and thefts while potentially using illicit drugs. The multiple arrests presented a challenge in determining potential pleas and sentencing issues. The alleged drug use also presented challenges to his ability to assist in his defense. As a criminal defense attorney, I have represented persons in cases involving Driving Under the Influence, Armed Robbery, Murder, Possession of drugs, Possession of Firearms, Firing into a Dwelling, Trafficking in drugs, Possession with Intent to Distribute, and/or Assault and Battery (of various degrees and offenses).

As a small town general practitioner, I have also maintained a civil practice. My civil practice has primary been plaintiff's oriented and has involved contract disputes, land disputes, and personal injury. For the past decade, my practice became more family court oriented. Family Court has some unique procedural rules and does not allow for a trial by jury. Otherwise, I have utilized similar trial preparation and trial techniques for civil and family court. As a civil attorney in my career, I have been involved in class action litigation, wrongful death litigation, wreck cases, property disputes, evictions, slip and fall cases and unfair trade practices. The majority of personal injury cases settle, however, I have represented parties through motions practice, discovery, investigations, depositions, and trials in the civil court.

I may appear before a circuit judge once a quarter to once a year depending on the status of cases. The frequency of appearances has reduced since 2020. I have a strong base of knowledge in both civil and criminal law, but intend to continue to strengthen and update that knowledge for service on the bench.

Ms. Rivers Davisson reported the frequency of her court appearances as follows:
(a) federal:
(b) state: 100%

Ms. Rivers Davisson reported the percentage of her practice involving civil, criminal, domestic and other matters as follows:

(a) Civil: 10%

(b) Criminal: 25%
(c) Domestic: 50%
(d) Other: 15%

Ms. Rivers Davisson reported their practice in trial court as follows:

(a) 75 % of practice was in trial court, including cases that settled prior to trial;

(b) I am in the trial court in family court on an almost weekly basis. South Carolina Indigent Defense contracts with attorneys to handle matters on behalf of qualifying defendants for a set fee. This is pursuant to Rule 608. I was a 608 contract attorney for criminal cases in Bamberg County and Barnwell County for approximately ten years. I did not renew that contract in July 2022. Those cases are trial court cases. The vast majority plea. We did attempt to hold a trial in 2022 on a murder charge, but I developed Covid type symptoms during jury selection. I have not held any other trials in criminal court since then. Although I no longer hold a contract for appointments, I still have clients from the prior years and recently accepted additional cases from the Office of Indigent Defense for a client I was appointed to represent in 2021. All other jury trials in criminal court were more than five (5) years ago.

Since 2014, I have been a 608 contract attorney for cases involving the SC Department of Social Services. These cases are regularly called to court and result in many trial phases as parents or other caregivers have one to two years to reunite the family after removal of their children. Trials may be held at the merits stage, the permanency planning stage, or upon various other events in the case. I would estimate that I am involved in some type of trial in a DSS action once a month between the three counties (Aiken, Bamberg and Barnwell). These trials involve the Rules of Civl Procedure as well as the various statutes and rules that are applicable to this unique area of law.

I also handle litigation in my non-appointment or private case load. In the past five (5) years, I have managed at least 2 trials in my civil practice. All other litigation or potential litigation settled prior to trial.

(c) No cases resolved after presentation of the plaintiff's case;

(d) No cases settled after a jury was selected but prior to opening statements.

Ms. Rivers Davisson provided the following about her role as counsel during the past five years:
I am the only attorney in my firm, Rivers Law LLC. I handle all cases directly. In the past five years, my practice has continued to be a general practice offering simple estate planning, family law services, civil personal injury advocacy, and criminal defense. In 2020, I opened an office in Aiken, South Carolina. This has helped me serve clients throughout the Second Judicial Circuit. I was asked to assist another attorney on a limited basis for one case in the past five years. I participated in one hearing with him. I have not been associated by any other attorney and have not associated another attorney for my cases in the past five years. I have taken referrals from an attorney who had a recent illness as a courtesy to her and her clients. She is not currently involved in these cases, and litigation is ongoing.

The following is Ms. Rivers Davisson's account of her five most significant litigated matters:
(a) *Deloach v. Norfolk Southern and Roosevelt v. Norfolk Southern* (2005). My clients and their child were harmed individually and as the heirs of Mr. Tony Deloach who died during the Norfolk Southern train derailment in Graniteville, South Carolina. The mixture of chemicals release in the derailment resulted in mustard gas settling into the historic mill area known "The Valley." Mr. Deloach, his infant daughter, and his father were at home. His father died while he struggled to keep himself and his daughter alive. His wife was able to get through the emergency barricades and remove them from the affected area for medical treatment. Mr. Roosevelt was working at the Graniteville mill the night of the derailment. He and several co-workers were able to crowd into a car to leave the area. I, with co-counsel, handled this case from the day I was hired through the negotiations with Norfolk Southern and ensured that all settlements were properly approved. The derailment was caused when a prior train crew failed to manually reset a track switch.

(b) *Pennicuff v. Pennicuff* (2005). I served as the guardian ad litem for two minor children who were in the physical custody of their mother. The mother moved from Georgia to Ohio without making provisions for father's visitation. The father brought an action for change in custody or to address his visitation. During the investigation, questions arose regarding the stability of the children in mother's custody. With the assistance of an attorney in Ohio, we were able to present a full and accurate report of the status of these children to the South Carolina court which led to a change in custody. As the guardian, I pushed for court time to bring this matter to a hearing and brought out issues that neither attorney addressed for the mental and physical health of the children. The parties were limited financially and the docket was very limited. This case demonstrated the need for a guardian advocate for the minor children to move the case forward for the benefit and protection of the children. The attorneys are representing their individual clients and may have other issues to consider. This year, the father visited my office unexpectedly. He thanked me for my work and showed me pictures of his children who are now adults.

(c) *SC v. Workman*, (2012). My client, Mr. Workman, was accused of robbing a local convenience store with two other young men. One of them pointed a gun at the store clerk's face. I found my client to be calm and intelligent. His case is remarkable to me not because of him personally but because I also came to know his siblings through a family court action. The family had a history of state involvement throughout their childhood. They were very capable young men and women, but their futures appeared limited. It was disturbing to see the course of their young lives, especially as each was involved with governmental systems designed to assist. Upon the jury's verdict, Hon. Clifton Newman sentenced Mr. Workman to thirteen years in the SC Department of Corrections. Mr. Workman's case is a reminder of the interplay and impact of different courts on a family.

(d) *Williams v. Walling, et al*. (2019) I represented Ms. Walling who was a defendant following her purchase of a mobile home. The case involved a tax sale in Bamberg

County. Another man bought the home through the county Forfeited Land Commission. He then sold it to Ms. Walling. This case shows the impact of civil disputes. For the plaintiff, it involved keeping a home where she had lived for several years. It was very clear that the taxes had gone unpaid although the home was very important to her. The property taxes associated with the land were paid, so she may have had a misconception of the legal result for non-payment of the mobile home taxes. For Ms. Walling, the home represented a future for her and her family. As an immigrant, she sought a non-traditional path to home ownership. Her cash purchase from the tax sale owner was a way for her and her family to live more securely. There are many instances where the matter in dispute seems legally straightforward and has great consequences for the lives of the litigants. I have represented clients in such litigation involving boundary disputes, mobile home purchase, land contracts, automobile purchases, and contract disputes throughout my career. This case also highlights the issues of delays in the court system. The case was filed in the fall of 2019. It was affected by the shutdown of court in 2020 and was not heard until February 2023.

(e) *State v. David M. McClure, Jr.*, SC Opinion No. 25193, 537 SE 2d 273 (2000). While I was an associate at Bedingfield & Williams, Walter Bedingfield was appointed lead defense counsel for the first death penalty trial in Barnwell County. As his associate, I assisted in all pre-trial matters, met with expert witnesses, met with the client, conducted research, and assisted in trial preparations. Even though I was not a named attorney on this case, I cannot think of a more significant case in my career. The defendant was a young man convicted of killing his father and his father's girlfriend. As a litigator, this case was significant for me in learning the preparation required for such a case and the voluminous legal issues presented. Mr. McClure had confessed and was convicted by the jury. During the death penalty phase, he was sentenced to death. As an associate, I attended all client meetings, conducted research, prepared motions, attended all hearings, and assisted at trial. I met with experts and reviewed all

> evidence in this case. The penalty verdict was later overturned for improper comment upon the defendant's right to remain silent. Several years later, the appeal was resolved with Mr. McClure sentenced to life without parole. I did not work on the appeal in any manner. After practicing for twenty years, there are a number of Family Court cases or other criminal defense cases I could list as my fifth case, but this experience was unlike anything else I will encounter in my career. Although I am not an attorney of record in Mr. McClure's defense,I cannot list my significant trials or litigation without mentioning this case.

Ms. Rivers Davisson has not reported any accounts of civil appeals that she has personally handled.

Ms. Rivers Davisson reported she has not personally handled any civil or criminal appeals.

Ms. Rivers Davisson further reported the following regarding unsuccessful candidacies:

I was a nominated candidate for SC Family Court At Large #5 in January 2013 following the Fall 2012 judicial screening. I withdrew as a candidate. The seat went to an election between the Hon. Melissa Buckhannon and Hon. Randall E. McGee. Judge McGee still holds that seat.

In 2016, I was a nominated candidate for SC Family Court At Large # 8. I withdrew as a candidate. Hon. Rosalyn Frierson-Smith was elected to that seat in 2017.

In 2019, I was a nominated candidate for SC Family Court At Large #1. I withdrew as a candidate. Hon. Kimaka Nichols Graham was elected.

I ran for the South Carolina House of Representatives District 91 seat in the special election held in April 1999. I lost to the Honorable Lonnie Hosey, who still serves in that seat. In 2014, I ran for Barnwell School District #29 school board and was defeated by Ms. Ferlecia Cuthbertson.

(9) Judicial Temperament:

The Commission believes that Ms. Rivers Davisson's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Ms. Rivers Davisson to be "Qualified" as to the evaluative criteria of constitutional qualifications, ethical fitness, professional and academic ability, character, reputation, physical health, mental stability, experience, and judicial temperament. The Committee noted: "Some concern about her experience."

Ms. Rivers Davisson is married to Douglas R. Davisson. She has three children.

Ms. Rivers Davisson reported that she was a member of the following Bar and professional associations:

(a) SC Bar, Family Law Council (currently hold position)
(b) SC Women's Law Association
(c) Barnwell County Bar
(d) Aiken County Bar.

Ms. Davison provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Aiken Rotary Club
(b) Aiken Symphony Orchestra Board Member
(c) St. John's Methodist Church
(d) SC Guardian ad litem Program Volunteer for Barnwell County

Ms. Rivers Davisson further reported:

For more than twenty years, I have sat beside clients in South Carolina courtrooms. I stood beside young men for sentencing and have given clients upsetting news about their civil cases. I have watched the court system evolve to address the population influx of our state and to tailor the system for efficient processing of cases by creating drug courts, business courts, and adopting alternative resolution practices. In the past few years, I have watched the effects of the opioid crisis in South Carolina

ravage families who have loved ones incarcerated, must care of children of incarcerated parents, and/or are victims of the crimes drug addicts may commit. I have represented one family member in criminal court for possession of drugs while I assist another family member in family court trying to keep her family together in a DSS action.

This litany of experiences shows how my broad legal practice allows me to look at the legal system of South Carolina in a broad sense. Today, I believe it is imperative to preserve the rule of law, uphold the procedural standards of the court, and maintain the public trust in this branch of government. If elected as a trial judge, my goal would be to always maintain those pillars, confidence in the rule of law by striving for fair rulings and maintaining the public trust by working for a high standard of professionalism and integrity.

Serving as a South Carolina judge would be a privilege and an honor.

(11) Commission Members' Comments:

The Commission noted Ms. Rivers Davisson's positive reputation in the criteria of character and temperament.

(12) Conclusion:

The Commission found Ms. Rivers Davisson qualified, and nominated her for election to Circuit Court, Second Judicial Circuit, Seat 2

The Honorable S. Bryan Doby
Circuit Court, Third Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Doby meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Doby was born in 1963. He is 60 years old and a resident of Bishopville, South Carolina. Judge Doby provided in his

application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1989.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Doby.

Judge Doby demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Doby reported that he has made $580.48 in campaign expenditures for handout cards, letters of introduction, Christmas cards, and postage.

Judge Doby testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Doby testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Doby to be intelligent and knowledgeable.

Judge Doby reported that he has taught the following law-related courses:

I served as moderator for Master-in-Equity Bench Bar CLE for one year and served on a panel for a discussion at a CLE for Master-in-Equity Bench Bar concerning partition actions.

Judge Doby reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Doby did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Doby did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Judge Doby was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Doby reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Doby reported that he has not served in the military.

Judge Doby reported that he has not held public office other than judicial office.

(6) Physical Health:

Judge Doby appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Doby appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Doby was admitted to the South Carolina Bar in 1989.

He gave the following account of his legal experience since graduation from law school:

(a) McDonald, McKenzie, Fuller, Rubin & Miller, 1989-1992; General practice with an emphasis on litigation. I was an associate with primary responsibility being litigation and specifically insurance defense. I was not involved with management of the firm in any manner.

(b) Jennings & Jennings, PA, 1992-present; General practice with emphasis on litigation. I have been partner charged with administrative and financial management of Jennings & Jennings, PA for approximately the past twelve years. I hold direct management responsibility for all trust accounts.

Judge Doby further reported regarding his experience with the Circuit Court practice area:

I have extensive experience in both criminal and civil matters and have litigated both types of cases for the majority of time I have practiced law.

As to criminal matters, my experience included being a public defender for Lee County for approximately 16 years and have been retained to represent defendants in criminal matters since 1992. My experience as a public defender includes trying cases involving murder, kidnapping, rioting, burglary and other serious crimes.

As to civil matters, my experience is primarily representing plaintiffs but I have also defended cases as well. My experience includes trials involving personal injury, real property disputes, probate matters, family court trials and other matters which involve issues encountered in general practice.

I have also been Master-in-Equity for Lee County since 2008 and feel this experience has been invaluable in preparing me as a potential Judge of the Circuit Court.

I have, in the last five years, appeared regularly before Circuit Courts with an average of approximately one time per month.

Judge Doby reported the frequency of his court appearances prior to his service on the bench as follows:

(a) Federal: None;
(b) State: Extensive including on average appearances of at least once per month

Judge Doby reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:

(a) Civil: 25%;

(b) Criminal: 25%;
(c) Domestic: 25%;
(d) Other: 25% (real property, probate, Magistrate's Court)

Judge Doby reported his practice in trial court as follows:
(a) 25% settled prior to trial
(b) Approximately 20 cases went to trial and resulted in a verdict
(c) 0 cases went to trial and resolved after the plaintiff's or State's case
(d) 0 cases settled after a jury was selected but prior to opening statements

Judge Doby provided that during the past five years prior to his service on the bench he most often served as sole counsel.

The following is Judge Doby's account of his five most significant litigated matters:
(a) *Josey v. Josey*, Appellant Case No. 2011-197626 Memorandum Opinion No. 2013- MO-024 (S.C. September 11, 2013). The issues in this case were numerous and dealt with issues of interpretation and application of partition statutes.
(b) *State v. Freddie Gardner*, not reported. The defendant, my client, was charged with murder and the case was tried by a jury. The defendant was found guilty.
(c) *State v. Adrian Branham*, not reported. The defendant, my client, was charged with armed robbery and murder and was tried twice with a verdict of not guilty on the retrial.
(d) *State v. Tyrone Singletary*, Unpublished opinion No. 2008-UP-506. I was appointed to represent the defendant, Tyron Singletary at his trial, for charges of rioting, taking a hostage, assaulting a correctional officer, carrying a weapon, and inciting a riot. I did not represent the defendant in the appeal. This case was tried by a jury for approximately one week and resulted in a guilty verdict. The appeal was handled by another attorney.
(e) *Strickland v. Strickland*, 375 S.C. 76, 650 S.E.2d 465 (2007). A novel case involving principals of

enforcement of an order and estoppel. I represented the wife at the trial and at the appellate level.

The following is Judge Doby's account of four civil appeals he has personally handled:

(a) *Josey v. Josey*, Supreme Court of South Carolina, decision dated September 11, 2013, Appellate Case No. 2011-797626, Memorandum Opinion No. 2013-MO-024.

(b) *Snow v. City of Columbia*, Court of Appeals of South Carolina, decision dated September 23, 1991, 305 S.C. 544, 409 S.E.2nd. 797 (Court of Appeals 1991).

(c) *Strickland v. Strickland*, Supreme Court of South Carolina, decision dated August 27, 2007, 375 S.C. 76, 650 S.E.2nd 465 (2007).

(d) *Dinkins-Robinson v. Ratner*, South Carolina Court of Appeals, decision dated March 15, 2022, Unpublished Opinion No. 2023-UP-094.

Judge Doby reported that he has not personally handled any criminal appeals.

Judge Doby reported that he has held the following judicial office:

Lee County Master in Equity
January 2008 - December 2012;
January 2013 – December 2018;
January 2019 – present.

Judge Doby provided the following list of his most significant orders or opinions:

Attached

(a) *Progressive Church of Our Lord, Jesus Christ, Inc. by the Board of Bishops v. Elder Roscoe Black, et al individually & as Trustees of Progressive Church of Bishopville*, which involved ownership of property. Not reported.

(b) *Ernestine N. Palmer, as Trustee of the Article IV Trust created under the will of Mary Denman Newman, deceased et al v. Hatcham Grove, Inc and David H. Lucas*, which involved a complicated mortgage foreclosure. Not reported.

(c) *United State of America, acting through the Farmers Home Administration, et al v. Maxie Lee Thomas, Jr., et al*, which involved mortgage foreclosure. Not reported.

(d) *Wateree Timberland Company v. Wilson, et al*, which involved recovery of real property after a tax sale. Served as Special Referee for Sumter County. Not reported.

(e) *ArborOne v. Drayton*, which involved issues of foreclosure, receiver, and homestead exemption. Not reported.

Judge Doby reported the following regarding his employment while serving as a judge:
Jennings & Jennings, PA, 1992 to present; General practice of law with responsibility of being managing partner for approximately the past twelve years. Practice is best described as a general practice.

(9) Judicial Temperament:

The Commission believes that Judge Doby's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Doby to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee provided no summary statement.

Judge Doby is married to Anna Margaret McDaniel Doby. He has one child.

Judge Doby reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association, no offices

Judge Doby reported that he was not a member of any civic, charitable, educational, social, or fraternal organizations within the past five years.

Judge Doby further reported:

My experience as Master-in-Equity for Lee County since 2008 has been invaluable in teaching the values and demeanor necessary to be a Circuit Court Judge. The value of treating everyone with respect and courtesy would be an important part of my being a Judge in Circuit Court.

(11) Commission Members' Comments:

The Commission commended Judge Doby for his excellent BallotBox survey results. Further, they noted that his judicial temperament while serving as the Lee County Master-in-Equity has been praised as excellent, and that he is well suited for the Circuit Court bench.

(12) Conclusion:

The Commission found Judge Doby qualified, and nominated him for election to Circuit Court, Third Judicial Circuit, Seat 1.

Christopher R. DuRant
Circuit Court, Third Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. DuRant meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. DuRant was born in 1982. He is 41 years old and a resident of Gable, South Carolina. Mr. DuRant provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2008.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. DuRant.

Mr. DuRant demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. DuRant reported that he has not made any campaign expenditures.

Mr. DuRant testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. DuRant testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. DuRant to be intelligent and knowledgeable.

Mr. DuRant reported the following about teaching law-related courses:

On two (2) occasions, I have led free estate planning clinics in the community.

Mr. DuRant reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. DuRant did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. DuRant did not indicate any evidence of a troubled financial status. Mr. DuRant has handled his financial affairs responsibly.

The Commission also noted that Mr. DuRant was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. DuRant reported that he is not rated by any legal rating organization.

Mr. DuRant reported that he has not served in the military.

Mr. DuRant reported that he has never held public office.

(6) Physical Health:

Mr. DuRant appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. DuRant appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. DuRant was admitted to the South Carolina Bar in 2008.

He gave the following account of his legal experience since graduation from law school:
(a) Judicial Law Clerk to the Honorable R. Ferrell Cothran, Jr., Judge of the Circuit Court, Third Judicial Circuit; August 2008 – August 2009;
i. Performed legal research; drafted, edited and reviewed proposed orders.

(b) Assistant Solicitor, Eighth Judicial Circuit Solicitor's Office; August 2009 – July 2011;
i. Served as a special drug crimes prosecutor, handling the prosecution of all General Sessions level drug cases arising in Laurens and Newberry Counties; caseload later expanded to include a broader range of offenses.

(c) Assistant Solicitor; Third Judicial Circuit Solicitor's Office; August 2011 – March 2019;
i. Served as the senior prosecutor and manager of the Clarendon County office, responsible for scheduling, docket management, case assignments, and prosecution of an extensive General Sessions level caseload, including all homicides and most violent / serious offenses.

(d) Associate, Law Office of William H. Johnson, LLC, Manning, SC; October 2011 – March 2019;
i. Concurrent with service as Assistant Solicitor.
ii. Developed a diverse law practice in civil litigation, family law, personal injury, real estate litigation, real estate transactions, estate planning, and probate.

(e) Associate, Johnson DuRant, LLC, Manning, SC and Santee, SC; April 2019 – present.
i. Together with law partner, William H. Johnson, merged practice with Nester & Jackson, P.A. in Santee, SC, thereby adding a second office; Attorney Nester retired December 2021.
ii. Have maintained and expanded practice in civil litigation, family law, personal injury, real estate litigation, real estate transactions, estate planning, and probate, operating in and dividing time between two offices.
iii. Have expanded practice to include criminal defense, which now accounts for approximately 25% of overall practice.
iv. Participate in administrative and personnel / management decisions.
v. Responsible for individual fees and costs billing and utilization of real estate and litigation trust accounts.

Mr. DuRant further reported regarding his experience with the Circuit Court practice area:

During my nearly ten (10) years of service as an assistant solicitor, including eight (8) years as the senior prosecutor for Clarendon County, I gained valuable criminal trial experience, having tried dozens of cases through to jury verdict. I have served as the sole attorney or first chair during jury trials for the following criminal offenses: murder; attempted murder; armed robbery; reckless homicide; felony driving under the influence resulting in death / great bodily injury; hit and run involving death; criminal sexual conduct with a minor, 2nd and 3rd degree; threatening the life of a public official; intimidation of a court official; assault and battery of a high and aggravated nature; assault and battery, 1st and 2nd degree; assault and battery by mob; kidnapping; burglary, 1st, 2nd and 3rd degree; bank robbery; grand larceny; forgery; financial transaction card fraud;

shoplifting; receiving stolen goods; drug trafficking; possession with intent to distribute drugs; drug possession; failure to stop for blue light; and resisting arrest.

As a criminal prosecutor, I routinely encountered and litigated evidentiary and other legal issues arising during trial, including but not limited to, and Duncan / Protection of Persons and Property Act hearings, 4th amendment / search and seizure issues, Jackson v. Denno hearings regarding the admissibility of a defendant's statement, Neil v. Biggers hearings regarding the admissibility of eyewitness identification, Bruton issues, etc.

Having left the Solicitor's Office in March 2019, the bulk of my criminal trial experience predates the five-year modifier of the above inquiry. As a result, I include and ask the Commission to consider the following trial experience beginning in January 2018:

(a) State v. Jeremiah Smith, Jr.; 2015-GS-14-189; January 2018. Mr. Smith was charged with and convicted of attempted murder following trial. This matter involved the application of Rule 613(b), SCRE as to the introduction of extrinsic evidence of a testifying codefendant's prior recorded statement, due to variations in such individual's testimony at trial.
(b) State v. Tammy Dianne Brown, 436 S.C. 505, 873 S.E.2d 445 (Ct. App. 2022); May 2018. Ms. Brown was charged with and convicted of felony driving under the influence resulting in death and a second count resulting in great bodily injury. This matter involved complicated expert witness testimony regarding accident reconstruction, and issues regarding the sufficiency of an indictment, admissibility of a defendant's blood sample, and the video recording requirements of the implied consent statute.
(c) State v. Justin Cameron; 2016-GS-14-161; August 2018. Mr. Cameron was charged with and convicted of criminal sexual conduct with a minor, 1st degree. I assisted another prosecutor during this trial which involved the utilization of a blind expert witness regarding child sex abuse and late disclosures.
(d) State v. Ramell Thompson; 2016-GS-14-48, December 2018. Mr. Thompson was charged with murder. Following

pretrial matters, jury selection, opening statements and testimony from several witnesses, this matter ended in a mistrial.

In addition to the above, since leaving the Solicitor's Office in 2019 in favor of the full-time private practice of law, I have developed a growing criminal defense practice. In furtherance of this practice, I have or am currently representing criminal defendants charged with a wide range of criminal offenses, up to and including murder (three such pending cases).

As indicated above, in addition to my service as a prosecutor, I have been engaged in the private practice of law since 2011, during which time I have developed a diverse civil litigation practice, primarily in representation of plaintiffs. This representation has included varied personal injury matters, including automobile accidents and premises liability matters, actions for defamation, contractual disputes, interference with contract, breach of fiduciary duty, actions to set aside deeds, and other real estate litigation, including foreclosures, heirs' property matters, quiet title and partition actions. In furtherance of this practice, I have gained valuable experience in civil discovery and motions practices.

As an example of a complex legal issue encountered, my law partner and I represented the Plaintiffs in a negligent entrustment action against a sporting goods store that sold a firearm to a mentally defective person, who, the following day, used the firearm to shoot a hospital staff member. At the summary judgment stage, that action involved the application of the federal Protection of Lawful Commerce in Arms Act, which prohibits, subject to certain exceptions, civil liability actions against manufacturers and sellers of firearms.

As to the frequency of my appearances before a Circuit Court judge, while working as an assistant solicitor, I regularly appeared throughout the entirety of each monthly term of court. Since leaving the Solicitor's Office, I have had required appearances at least monthly, most often for guilty pleas and/or bond hearings in the Court of General Sessions, and motion and/or non-jury hearings in the Court of Common Pleas.

Mr. DuRant reported the frequency of his court appearances during the past five years as follows:

(a) Federal: 2-3 total appearances
(b) State: 5-10 appearances per month, including criminal, civil and domestic..

Mr. DuRant reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 20%;
(b) Criminal: 25%;
(c) Domestic: 20%;
(d) Other: 35%.

Mr. DuRant reported the percentage of his practice in trial court during the past five years as follows:

(a) What percentage of your practice was in trial court, including cases that settled prior to trial? Approximately 60%.
(b) What number of cases went to trial and resulted in a verdict? Approximately 75 cases. In the interest of transparency, I offer the following breakdown:

i. General Sessions jury: 3 cases (January 2018 to present).
ii. Common Pleas non-jury (e.g., quiet title/partition actions, foreclosure, breach of contract) and Magistrate's Court non-jury (e.g., eviction actions, criminal, breach of contract) requiring the presentation of testimony and documentary evidence: Approximately 40-50 cases.
iii. Family Court: 5 cases resolved by judgment following final evidentiary hearings, including one in which I served as the guardian ad litem, but excluding temporary hearings, contempt hearings, and final hearings for the approval of a settlement agreement.
iv. Administrative, Social Security and Workers' Compensation: Approximately 5 – 10 cases.
v. Probate: Approximately 10-15 cases.

(c) What number of cases went to trial and resolved after the plaintiff's or State's case? (Resolved may include settlement, plea, by Judge's order during a motion hearing, etc.) Approximately 3-4 cases.

(d) What number of your cases settled after a jury was selected but prior to opening statements? Approximately 3-4 cases.

Mr. DuRant provided that during the past five years he has most often served as sole counsel.

The following is Mr. DuRant's account of his five most significant litigated matters:

(a) State v. Justin Jermaine Johnson, 422 S.C. 439, 812 S.E.2d 739 (Ct. App. 2018). This case arose out of a double murder in Clarendon County in which the Defendant brutally killed his nine-month-old son and the child's great grandmother. Solicitor Ernest A. Finney, III and I represented the State at trial over the course of two weeks in March 2014, following which the Defendant was convicted and sentenced to life in prison. The most significant issue presented involved the admissibility of the Defendant's confession, which was received near the end of approximately 11 hours of videotaped interviews by law enforcement and was complicated by the investigators' misrepresentations of evidence to the Defendant, and by the alleged exertion of improper influence.

(b) State v. Tammy Dianne Brown, 436 S.C. 505, 873 S.E.2d 445 (Ct. App. 2022). As noted above, Ms. Brown was charged with felony driving under the influence resulting in death as well as felony driving under the influence resulting in great bodily injury following a two-car automobile accident which resulted in the death of one victim and significant injuries to another. I served as the lead prosecutor for the State at trial in May 2018. While the most significant appellant issues were that of the sufficiency of the indictment and the video recording requirements of the implied consent statute, significant trial issues included the presentation of complex expert witness testimony regarding accident reconstruction and the sufficiency of a search warrant probable cause affidavit bearing on the admissibility of the Defendant's blood sample.

(c) State v. Chad Morris; 2014-GS-14-329. Mr. Morris was charged with reckless homicide by operation of boat and

failure to render aid resulting in death, following a boating accident on Lake Marion in Clarendon County on July 4, 2014, which resulted in the death of a 21-year-old college student. I served as the lead prosecutor for the State during this approximately 25-witness trial in July 2016.

(d) State v. Jeffrey Eady; 2013-GS-14-164. Mr. Eady was charged with two counts of murder and other charges following the killings of two women in Clarendon County, and a third murder in Charleston County, before he was eventually arrested in Florida. Mr. Eady was noticed for the death penalty but was eventually permitted to plead guilty to life without parole in consideration of mental health mitigating circumstances.

(e) Austin v. Phillips Sporting Goods, LLC; 2021-CP-38-1405. As referenced above, my law partner and I represented the Plaintiffs in this negligent entrustment action against a sporting goods store that sold a firearm to a mentally defective person, who, the following day, used the firearm to shoot a hospital staff member. Of significance, I handled the response to the Defendant's motion for summary judgment, which involved the application of the federal Protection of Lawful Commerce in Arms Act, which prohibits, subject to certain exceptions, civil liability actions against manufacturers and sellers of firearms.

The following is Mr. DuRant's account of two civil appeals he has personally handled:

(a) Estate of Ellen Hillery v. Michael We. Pettigrew, as Personal Representative of the Estate of Webber Pettigrew; 2022-CP-08-2722. While not an appeal *from* the Court of Common Pleas, I represented the Appellant in this appeal from the Probate Court of Berkeley County *to* the Court of Common Pleas. The judgment of the Probate Court was overturned and the matter remanded for a new hearing. I have attached the Final Brief of Appellant as a writing sample pursuant to question 24

(b) Martha M. Coleman v. Jeffrey W. Coleman and Brooks Walters; Appellate Case No. 2022-001209. I currently represent the Respondent, Martha M. Coleman, in this appeal from the Sumter County Family Court which is pending before the Court of Appeals. I have attached the Initial Brief of Respondent as a writing sample pursuant to question 24.

Mr. DuRant reported that he has not personally handled any criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. DuRant's temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Mr. DuRant to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament; and "Qualified" in the criteria of constitutional qualifications, physical health, and mental stability.

Mr. DuRant is married to Ansely Toole DuRant. He has three children.

Mr. DuRant reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar;
(b) Clarendon County Bar;
(c) Orangeburg County Bar
(d) South Carolina Association of Criminal Defense Lawyers.

Mr. DuRant provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Board of Directors; Clarendon County Commission on Alcohol and Drug Abuse d/b/a Clarendon Behavioral Health Services;
(b) Top 20 Professionals under 40 – Sumter, Lee, & Clarendon; Sumter ITEM; 2019-2020

Mr. DuRant further reported:

I am fortunate to have been raised in a multigenerational farming family where hard work and long hours were the norm. Amongst the principles and values instilled through this experience that I appreciate most now is that of a strong work ethic. Any success that I have found in the practice of law has been a function of a related principle, that is, "there is no substitute for preparation." I believe my broad legal experience would prove to have prepared me well to serve as a circuit court judge.

While working as the senior assistant solicitor in Clarendon County, it was not only my responsibility to see that justice was done as to an annual caseload of approximately 500 warrants, but to manage the overall county docket, and to ensure that each term of court was utilized efficiently and effectively. Having had this experience, I appreciate the challenge of balancing these seemingly competing interests, but nevertheless value the effort required in doing so in order to maintain a healthy judicial system.

I believe my experience is unique in, first of all, having worked on both sides of the aisle in criminal matters. As a result, I have not only encountered the full gamut of constitutional and evidentiary legal issues but can appreciate the variety of factors that might impact just resolution. Secondly, I believe my experience is unique in having been engaged in private practice concurrent to my service in the Solicitor's Office. When asked in what area of law I specialize, I often respond that "it's hard to specialize in a small town." The benefit to this type of practice, however, is in becoming well-rounded in one's legal experience.

In my legal career, I have had the great pleasure of appearing before many different Circuit Court judges, often during the tense and adversarial midst of trial. Through this experience, I have grown to appreciate not only the wisdom and knowledge exuded by most in their application of the law, but also the patience, courtesy and dignity with which those who appear before them are treated. If elected, I would consider the latter values to be equally as important as the former

(11) Commission Members' Comments:

The Commission commented that Mr. DuRant has a breadth of experience that would serve him well on the bench. They further noted that Mr. DuRant's work ethic makes him well-suited to the demands of a Circuit Court judge.

(12) Conclusion:

The Commission found Mr. DuRant qualified, and nominated him for election to Circuit Court, Third Judicial Circuit, Seat 1.

Samuel L. Floyd
Circuit Court, Third Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Floyd meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Floyd was born in 1969. He is 54 years old and a resident of Kingstree, South Carolina. Mr. Floyd provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Floyd.

Mr. Floyd demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Floyd reported that he has made $299.81 in campaign expenditures for handout cards, note cards, and envelopes.

Mr. Floyd testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Floyd testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Floyd to be intelligent and knowledgeable.

Mr. Floyd reported that he has taught the following law-related courses:

I taught Business Law from 2005 to 2007 at Williamsburg Technical College, Kingstree, SC.

Mr. Floyd reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Floyd did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Floyd did not indicate any evidence of a troubled financial status. Mr. Floyd has handled his financial affairs responsibly.

The Commission also noted that Mr. Floyd was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Floyd reported that aside from a peer review in Martindale-Hubbell, he is not rated by any legal rating organization.

Mr. Floyd reported that he has not served in the military.

Mr. Floyd reported that he has held the following public office:

(a) I was elected to Williamsburg County Council in November, 2010 and currently serve as Council Member for District Six.
(b) On June 28, 2013, I paid a penalty for the following late filing dates:

October10, 2010
January 10, 2011
April 10, 2011
July 10, 2011
January 10, 2012
January 10, 2013

If I remember correctly, we had filed the reports on time, but they were done incorrectly. The matter came to my attention when I contacted the Ethics Commission on another matter. The reports were then corrected, and I paid the fee for my mistake.

(6) Physical Health:

Mr. Floyd appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Floyd appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Floyd was admitted to the South Carolina Bar in 2001.

He gave the following account of his legal experience since graduation from law school:

(a) I served as Clerk for the Honorable M. Duane Shuler, 1999.
(b) I worked for Williamsburg County from 2001 to 2002 as a Magistrate Judge.
(c) I worked at Jenkinson, Jarrett & Kellahan, P.A. law firm as an Associate, beginning April, 2002 and ending in 2007. I was not responsible for the administrative or financial

management of the firm. I handled civil and criminal cases in the Court of Common Pleas, General Sessions, and Magistrate/Municipal Courts. I handled Family Court cases as well as real estate cases involving partitions, foreclosures, and loan closings.

(d) I have engaged in private practice for my own firm, Samuel L. Floyd, LLC, from January, 2007 to the present. My practice includes civil and criminal cases in the Court of Common Pleas, General Sessions, and Magistrate and Municipal courts, and Family Court litigation (plaintiff and defendant), and real estate cases involving partitions, foreclosures, and loan closings.

(e) I am responsible for the administrative and financial management of my practice, including the management of trust accounts.

Mr. Floyd further reported regarding his experience with the Circuit Court practice area:

(a) Over the past five years, I have handled various criminal matters in

(b) Magistrate, Municipal and General Sessions Court ranging from traffic violations to murder. These cases involved working out a plea defense and active defense at trial.

(c) My civil case experience includes, but is not limited, personal injury cases (plaintiff and defendant), real estate litigation such as partitions, foreclosure and right of way actions, landlord tenant cases, collections cases (plaintiff and defendant) in all SC Courts.

Mr. Floyd reported the frequency of his court appearances during the past five years as follows:

(a) Federal: None;
(b) State: Weekly.

Mr. Floyd reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five yearsas follows:

(a) Civil: 40%;
(b) Criminal: 40%;
(c) Domestic: 0%;
(d) Other: 20%.

Mr. Floyd reported the percentage of his practice in trial court during the past five years as follows:
(a) 50% settled prior to trial
(b) 0 cases went to trial and resulted in a verdict
(c) 0 cases went to trial and resolved after the plaintiff's or State's case
(d) 1 case settled after a jury was selected but prior to opening statements

Mr. Floyd provided that during the past five years he most often served as sole counsel.

The following is Mr. Floyd's account of his five most significant litigated matters:

(a) *State vs. Marty Baggett Case* # 2010-GS-45-269 and 2010-GS-45-270. Case was tried in Williamsburg County General Sessions Court. I was court appointed to defend Mr. Baggett who was charged with Felony DUI and Reckless Homicide. He was convicted in Circuit Court on 7-22-2011. At the conclusion of testimony, I made a motion for a directed verdict which the trial Court denied. A motion to appeal was filed by me but handled by the Office of the Indigent Defense based on denial of the directed verdict motion. The motion was affirmed by a three member panel at the Courts of Appeals. Later the SC Supreme Court on October, 2015 affirmed the trial Court ruling.
(b) *State vs. Lou Ann Robinson*, Case # 2007GS4500152. Case was tried in Williamsburg County General Sessions Court. I served as co-counsel with W. E. Jenkinson, III to represent defendant. Defendant was charged with murder and possession of a weapon during a violent crime. She was convicted on the lesser included charge of involuntary manslaughter thereby significantly reducing her sentence.
(c) *Jason Bynum vs. South Carolina Department of Corrections, Robert H Blease, DDS and Robert H. Blease, DDS*, P.A., Case # 2003CP1400482. Case was tried in Clarendon County Circuit Court. Mr. Bynum was my client. I associated J. Ed Bell for trial purposes. The Plaintiff was an incarcerated inmate who suffered a

personal injury claim as a result of mistreatment for a tooth infection. A verdict of $825,000 was rendered in plaintiff's favor.

(d) *Janie Rabon vs. Derrick Scott Patrick and Clark's Transport Co., LLC*, Case # 2012CP2100840. I associated Ronnie Sabb and Kimberly Barr to assist at trial. We obtained a favorable jury verdict for plaintiff for damages.

(e) *State vs. Robert Stack*. Case number not available as case was expunged. This was a trial in the Williamsburg County Magistrate Court. I represented the Defendant who was charged with Criminal Domestic Violence. The case was tried three times. The defendant was finally found not guilty and he was able to keep his job.

Mr. Floyd reported he has not personally handled any civil or criminal appeals.

Mr. Floyd further reported the following regarding unsuccessful candidacies:

(a) I was an unsuccessful candidate for the SC Senate race, seat #32 Special Election in 2014.

(b) I was an unsuccessful candidate for Circuit Court, Third Judicial Circuit, Seat Two in 2017.

(9) Judicial Temperament:

The Commission believes that Mr. Floyd's temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Mr. Floyd to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee had no related or summary comments.

Mr. Floyd is married to Tammy Davis Floyd. He does not have any children.

Mr. Floyd reported that he was a member of the following Bar and professional associations:

(a) SC Bar Association None
(b) Williamsburg County Bar Association 2005
Secretary/Treasurer

Mr. Floyd provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Rotary Club
(b) Williamsburg Regional Hospital Foundation Board

Mr. Floyd further reported:

I was fortunate to be raised in a good Christian home. From the time I could speak, my parents insisted and demanded that I be courteous, polite and respectful to all people. As a teenager, my father required that I work on our family tobacco farm each summer. From this I learned to appreciate hard work as well as the importance of being able to work daily with people from all walks of life.

My college experience was where I began interacting with people other than ones from my hometown. By joining a fraternity and serving in the student body Senate, I began to appreciate the value of what my parents and community had instilled in me.

Since graduating law school, I have participated in numerous volunteer efforts in my hometown of Kingstree. I have been active in the political area and have always strived to exercise professionalism when facing the most difficult or adverse situations. I believe my parents and community installed a humble and hard-working attitude in me that is commonly found in small towns across this state.

I meet the professional and academic ability criteria for this seat due to my broad exposure to the judiciary and my diverse experience practicing law. After law school I clerked for the Honorable M Duane Shuler. During this time, I learned the importance of proper courtroom demeanor and true professionalism. I served as a full time Williamsburg County Magistrate thereafter, where as I participated in all aspects of the judicial process. I worked as an associate with a well-respected

law firm in Kingstree for five years. I have been the sole proprietor of my own law firm since 2007.

I have handled criminal cases ranging from speeding tickets to murder. I have litigated civil cases, some of which settled amicably, and some of which resulted in trial. I have handled family court cases, DSS cases, real estate matters including loans, partition actions and foreclosure. I was retained in 2016 as in-house counsel for Santee Electric Cooperative. I have been elected and currently serving as Williamsburg County Councilman, District Six. I have run unsuccessfully for the South Carolina State Senate District Thirty-two in 2014. I have always done my best to display professionalism in victory and defeat.

With the understanding that I do not know everything and have much left to learn and to be desired, I would like to use these values to ensure a fair, equitable and meaningful remedy in any situation that may present itself before me.

(11) Commission Members' Comments:

The Commission commented that Mr. Floyd has a great deal of experience in both civil and criminal law. The Commission also noted his excellent temperament and demeanor in dealing professionally and personally with people in his community.

(12) Conclusion:

The Commission found Mr. Floyd qualified, and nominated him for election to Circuit Court, Third Judicial Circuit, Seat 1.

The Honorable Kristi Fisher Curtis
Circuit Court, Third Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Curtis meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Curtis was born in 1969. She is 54 years old and a resident of Sumter, South Carolina. Judge Curtis provided in her application that she has been a resident of South Carolina for at

least the immediate past five years and has been a licensed attorney in South Carolina since 1995.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Curtis.

Judge Curtis demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Curtis reported that she has paid $1.89 in campaign expenditures for postage.

Judge Curtis testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Curtis testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Curtis to be intelligent and knowledgeable.

Judge Curtis reported that she has taught the following law-related courses:

(a) I have spoken on the topic of "Real Estate & Landlord/Tenant Law" & on Appellate Practice at Law School for Non-Lawyers, sponsored by the S.C. Pro Bono Program.
(b) I have spoken on "Landlord/Tenant Law" to the Sumter County Board of Realtors.

(c) I served on a panel of judges speaking on "Best Courtroom Practices" for a CLE in Richland County sponsored by the S.C. Bar.

Judge Curtis reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Curtis did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Curtis did not indicate any evidence of a troubled financial status. Judge Curtis has handled her financial affairs responsibly.

The Commission also noted that Judge Curtis was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Curtis reported that she is not rated by any legal rating organization.

Judge Curtis reported that she has not served in the military.

Judge Curtis reported that she has held the following public office:
I was appointed to serve on the Sumter County Zoning Board of Appeals from 2009 until I resigned to serve as Sumter County Magistrate in 2011.

(6) Physical Health:

Judge Curtis appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Curtis appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Curtis was admitted to the South Carolina Bar in 1995.

She gave the following account of her legal experience since graduation from law school:

(a) Staff Attorney, South Carolina Court of Appeals, August 1995 to August 1996.
Prepared legal memoranda and conducted legal research for the judges of the South Carolina Court of Appeals.

(b) Law Clerk to the Honorable Kaye G. Hearn, South Carolina Court of Appeals, August 1996 to August 1998.
Read briefs and transcripts for each case assigned to Judge Hearn's panel each month. Conducted legal research, prepared memoranda of law, and drafted opinions as directed.

(c) Associate Attorney, Bryan Law Firm, August 1998 to 2004
Partner, Bryan Law Firm, 2003 to 2004
Business litigation, appellate practice before the South Carolina Court of Appeals and South Carolina Supreme Court, represented Sumter County and the Sumter County Treasurer's Office, prosecuted criminal cases for the Sumter County Sheriff's Office in Magistrate's Court.

(d) Trust Officer, Synovus Trust Company, September 2004 to February 2011
I was responsible for the administration of trust accounts and probate estates where Synovus was named as Trustee and/or Personal Representative of the Estate.

(e) Magistrate Judge, Sumter County Summary Court, April 2011 to February 2018.
Appointed Chief Magistrate in July of 2011. Jurisdiction over traffic and criminal cases punishable by up to thirty days in jail and a $500 fine. Civil jurisdiction over restraining order actions, evictions, public sales, and small claims civil cases where the amount in controversy does not exceed $7,500.00. We conducted bond hearings for Sumter County 365 days per year, and held preliminary hearings on a monthly basis. Jury trials were conducted monthly for criminal and traffic cases. Jury trials were conducted quarterly for civil cases. As Chief Magistrate, I was responsible for the administration and financial

management of the Court, and supervised a staff of twelve employees.

(f) Circuit Court Judge for the Third Judicial Circuit, 2018 to present. Jurisdiction over Common Pleas and General Sessions Court.

Judge Curtis reported that she has held the following judicial office(s):

(a) Appointed Magistrate Judge, Sumter County Summary Court, April 2011 to February 2018. Appointed Chief Magistrate for Sumter County July 2011 to February 2018. Jurisdiction over traffic and criminal cases punishable by up to thirty days in jail and a $500 fine. Civil jurisdiction over restraining order actions, evictions, public sales, and small claims civil cases where the amount in controversy does not exceed $7,500.00. Conducted bond hearings and preliminary hearings for General Sessions matters. Summary Court has no jurisdiction to hear cases involving any interest in real property.

(b) Elected Circuit Court Judge for the Third Judicial Circuit, Seat Two, on February 7, 2018. Jurisdiction over all civil matters pending in the Court of Common Pleas and all criminal cases in the General Sessions Court. No jurisdiction over family court matters.

Judge Curtis provided the following list of her most significant orders or opinions:

(a) *Hood v. United Services Automobile Ass'n*, 2023 WL 155073. Plaintiff sued her insurance company for bad faith in connection with payment of her UIM claim. The Court of Appeals affirmed my order granting JNOV in favor of the defendant. In a special interrogatory, the jury found the defendant did not violate its duty of good faith and fair dealing. I granted JNOV as to the Plaintiff's negligence cause of action, holding that there was no separate duty owed by the Defendant Insurer above and beyond the duty of good faith and fair dealing.

(b) *Meswaet Abel, as Personal Representative of the Estate of Zerihun Wolde v. Lack's Beach Service*, 2019-CP-26-07075, Order on Post-Trial Motions filed April 10, 2023, Horry County Court of Common Pleas. In this tragic

wrongful death action, I affirmed the jury's significant verdict following a week-long trial. The case is currently on appeal to the South Carolina Court of Appeals.

(c) *Atkinson v. SSC Sumter East Operating Co., LLC*, 2022 WL 17484345. In this nursing home negligence case, the Court of Appeals affirmed my order denying the Defendant's motion to dismiss and compel arbitration.

(d) T*he Station, Inc. d/b/a Company Two, Inc. v. Hampton County*, 2017-CP-25-00170. Final Order dated October 8, 2021, Hampton County Court of Common Pleas. In this case, The Station, Inc. relocated its business to Hampton County in conjunction with negotiations with the County for use of the airport facilities. This case involved numerous issues of contract construction, as well as equitable principles. It is currently on appeal to the South Carolina Court of Appeals.

(e) *In re: The Murkin Group, LLC*, 429 S.C. 618, 840 S.E.2d 926 (2020). This case was filed in the South Carolina Supreme Court pursuant to its original jurisdiction to hear cases alleging the unauthorized practice of law. The Supreme Court assigned the case to me as Special Referee to conduct a hearing, take testimony, and issue a report and recommendation. The Supreme Court followed my recommendation and adopted my order in large part as the published opinion.

Judge Curtis reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Curtis's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Curtis to be "Qualified" in the evaluative criteria of constitutional qualification, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character,

reputation, experience, and judicial temperament. The Committee had no related or summary comments.

Judge Curtis is married to Warren Stephen Curtis. She has two children.

Judge Curtis reported that she was a member of the following Bar and professional associations:

(a) Member, South Carolina Bar, 1995 to present
(b) Third Circuit Delegate to the S.C. Bar House of Delegates, 2000 to 2001
(c) Member, Sumter County Bar, 1998 to present
(d) Sumter County Bar Executive Committee, 2003 to 2004
(e) Member, South Carolina Summary Court Judges Association, 2011 to 2018
(f) Member, South Carolina Summary Court Judges Advisory Board, 2015 to 2018
(g) Member, South Carolina Commission on Continuing Legal Education, 2022 to present
(h) Member, South Carolina Commission on Judicial Conduct, 2023 to present.

Judge Curtis provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Sumter Rotary Club. Avenue of Service Award Recipient 2014 – 2015. Program Chair 2010 to 2012, 2014 to 2018. Newsletter editor 2006 to 2008. Membership Committee 2005.
(b) Member, Alice Drive Baptist Church, 2001 to present. Building Committee, Personnel Committee, Sunday school teacher for children and youth.
(c) Sumter Assembly, Debutante Club.
(d) The Epicureans, Debutante Club.
(e) Bon Pied, Dance Club.

Judge Curtis further reported:

It has been the greatest honor of my professional life to serve as Circuit Court Judge for the Third Judicial Circuit over the past five years. It is a true pleasure to travel the state and observe the high caliber of attorneys who practice in the civil and criminal courts of South Carolina. It is enormously

humbling to appear before this very gifted bar. It has also been the greatest privilege to serve the civil litigants, the victims and their families, and the criminal defendants of this State, and to give them a forum to tell their stories. My experience as a Circuit Court judge has reinforced my belief that the attorneys and litigants of this state deserve to have their cases heard by a judge who is professional, competent, prepared, courteous, and compassionate. I have tried every day of my tenure to be the judge they deserve.

(11) Commission Members' Comments:

The Commission commented that Judge Curtis has an outstanding reputation as a jurist. They noted that she was exceptionally well-qualified and a credit to the profession.

(12) Conclusion:

The Commission found Judge Curtis qualified, and nominated her for re-election to Circuit Court, Third Judicial Circuit, Seat 2.

The Honorable Michael S. Holt
Circuit Court, Fourth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Holt meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Holt was born in 1970. He is 53 years old and a resident of Hartsville, South Carolina. Judge Holt provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1996.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Holt.

Judge Holt demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to

judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Holt reported that he has not made any campaign expenditures.

Judge Holt testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Holt testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Holt to be intelligent and knowledgeable.

Judge Holt reported the following about teaching law-related courses:
I have been an adjunct professor and have taught, among other things, business law.

Judge Holt reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Holt did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Holt did not indicate any evidence of a troubled financial status. Judge Holt has handled his financial affairs responsibly.

The Commission also noted that Judge Holt was punctual and attentive in his dealings with the Commission, and the

Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Holt reported that he is not rated by any legal rating organization.

Judge Holt reported that he has not served in the military.

Judge Holt reported that he has held the following public office: I was elected as Mayor of the City of Hartsville, South Carolina from 2005 – 2009. I filed all required reports; however, there were late reports which resulted in fines, all of which were promptly paid.

(6) Physical Health:

Judge Holt appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Holt appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Holt was admitted to the South Carolina Bar in 1996.

He gave the following account of his legal experience since graduation from law school:

(a) From 1996 to 2006 my practice experience would best be described as a general practice. My areas of focus were primarily in domestic litigation, criminal defense, Social Security disability and real estate, although I handled other matters, as well.

(b) Beginning in 2006 until 2009 when I was elected to the Family Court bench, I operated my own law firm as a sole practitioner. My areas of primary practice did not change. Obviously, in managing my own firm, I was responsible for handling all financial matters and business functions of my firm.

Judge Holt reported that he has held the following judicial office(s):

I was elected in 2009 to Seat 3, Family Court of the Fourth Judicial Circuit. I served in that position until 2021 when I was elected to Seat 2, Circuit Court of the Fourth Judicial Circuit and have served continuously since that time.

Judge Holt provided the following list of his most significant orders or opinions:

(a) *State of South Carolina v. William A. Stone*: What makes this case unique is this was the first Duncan hearing over which I presided. The facts of the case I also found interesting. The Court found the defendant immune from criminal prosecution or civil liability. The case involved a dispute between a defendant father and his adult son at the defendant father's home. I found the legal analysis interesting, which is why I list it here.

(b) *State of South Carolina v. Joshua D. Manning*: This case involved the murder of a prominent member of the community, which brought significant notoriety to the trial. During the course of the trial, there was a large gathering in the gallery, which included multiple members of the news media. What was memorable was the level of tension in the courtroom due to the raw emotions of the nature of the trial. There was a conviction of murder in the case resulting in a life sentence for the defendant.

(c) *State v. Donald D. Smith*: This case is unique to me because it was my first murder trial. It was held in Florence County while I was sitting with Judge Nettles. It was a week of supervision as required for new judges. Under Judge Nettles' supervision, I handled the trial with the exception of jury qualification and selection. From a factual and legal analysis there was not anything particularly distinguishing, but the experience is something I won't forget. The trial resulted in a guilty verdict requiring the court to issue a prison sentence to the Department Corrections.

(d) *DJJ v. John Henry Bridges*: This case involved a juvenile who was charged with murdering an elderly lady. The matter before the Court was a "waiver" hearing, and it was the first one I had handled on the bench. I ultimately determined the juvenile should be waived up to General Sessions after a contested hearing.

(e) *DSS vs. Tina Roberts, Travis Hayes, Richard Herring, Gene Lashley, Barbara Roberts, Johnny and Cammie Corbett and Catherine Hayes*: This was a DSS Abuse and Neglect case wherein the department had asked the Court to remove the children from the parents due to domestic violence among other things. The parents did not work the treatment plan and the Department chose to move before the Court to have the children placed with the paternal grandmother who had not been involved in the children's lives. The Court gave custody to the parties who had the interim custody of the children. This case was significant due to the number of parties involved; it was a lengthy trial and the children were placed with non-relatives who the Court felt offered the best home to the minor children.

Judge Holt reported the following regarding his employment while serving as a judge:

I have served as an adjunct professor at Coker University in Hartsville, South Carolina, in its evening programs. I began teaching in 2014 and have taught in the areas of business law, political science and business administration.

Judge Holt further reported the following regarding unsuccessful candidacies:

(a) I was unsuccessful in the South Carolina Senate primary race in 1996.
(b) I was unsuccessful in my attempt to be elected to the Court of Appeals, Seat #1, in 2018. I was technically never a candidate, but it was a position I sought.

(9) Judicial Temperament:

The Commission believes that Judge Holt's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Holt to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of

ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary comments.

Judge Holt is married to Sherry Burton Holt. He has two children.

Judge Holt reported that he was a member of the following bar and professional associations:
(a) SC Bar Association
(b) Darlington County Bar Association
(c) Pee Dee Inn of Court

Judge Holt provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Pee Dee Inn of Court
(b) Kappa Alpha Order – Court of Honor
(c) Darlington County Historical Society

Judge Holt further reported:
Serving the judiciary has been the highlight of my professional career. I was raised in a family who stressed the importance of public service.

(11) Commission Members' Comments:

The Commission noted that Judge Holt has a reputation for treating people fairly and kindly. They commended his energy, passion, and his deep concern for the people of this State.

(12) Conclusion:

The Commission found Judge Holt qualified, and nominated him for re-election to Circuit Court, Fourth Judicial Circuit, Seat 2.

James Smith
Circuit Court, Fifth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three

candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Circuit Court, Fifth Judicial Circuit, Seat 1, two candidates applied for this vacancy. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Smith meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Smith was born in 1967. He is 56 years old and a resident of Columbia, South Carolina. Mr. Smith provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995. He was also admitted to the Georgia and North Carolina Bar in 1995 and the New York Bar in 2016.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Smith.

Mr. Smith demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Smith reported that he has not made any campaign expenditures.

Mr. Smith testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Smith testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Smith to be intelligent and knowledgeable.

Mr. Smith reported that he has taught the following law-related courses:

(a) Numerous CLE and Conference appearances to provide a legislative update in various areas of the law.
(b) Co-instructor for Sports and Entertainment Law at the University of South Carolina School of Law.
(c) Veterans Legal Clinic – I provided direction and supervision of law students under the student practice rule handling legal matters for veterans in the areas of family law, landlord / tenant, construction claims, expungement, simple wills, and powers of attorney.

Mr. Smith reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Smith did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Smith did not indicate any evidence of a troubled financial status. Mr. Smith has handled his financial affairs responsibly.

The Commission also noted that Mr. Smith was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Smith reported that his rating by a legal rating organization, Martindale-Hubbell, is AV.

Mr. Smith reported the following military service:
Yes.

Mr. Smith reported that he has held the following public offices:

(a) South Carolina House of Representatives – Nov. 1996 through Nov. 2018
(b) Patriots Point Development Authority – May 2023 to Present.

(6) Physical Health:

Mr. Smith appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Smith appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Smith gave the following account of his legal experience:

(a) 1995 – 1996, Associate Attorney, Nelson Mullins Riley & Scarborough, LLP Served as an associate attorney on the Joel Smith Team assisting in complex auto products and worked on the Steve Morrison Team assisting in software defense cases. Not involved in the administrative or financial management of the firm.
(b) 1996 – 2003 US Army Reserves / SC Army National Guard Judge Advocate (JAG) Served in a variety of roles including, trial defense counsel in criminal matters, drafted wills and powers of attorney, prepared family law separation agreements, advised the Commander on operational law, handled 15-6 investigation reviews, reviews of nonjudicial punishment, summary, and general courts martial, and served as the JAG on a civil affairs team. Not involved in the administrative or financial management as a JAG.

(c) 1997 – 1999, Managing Shareholder, James E. Smith Jr., P.A. Solo General Practice handling as lead counsel in plaintiff's personal injury, corporate formation and transactions, commercial litigation, construction litigation, entertainment and intellectual property law, federal and state criminal defense, family law, probate, and estate planning. Handled all administrative and financial management, including management of the trust account.

(d) 2000 – 2009, Shareholder, Smith Ellis and Stuckey, P.A. Shareholder with three other attorneys handling cases as lead counsel in practice areas including those mentioned above and adding plaintiff and defense securities cases, medical malpractice, complex automotive products defense, product liability, premises liability, criminal defense, administrative environmental and regulatory cases. Participated in the administrative and financial management of the firm, including assisting in the management of the trust account.

(e) 2010 – 2017, Managing Shareholder, James E. Smith Jr., P.A. Continued to serve as lead counsel and co-counsel in all of the above-mentioned practice areas. Handled all administrative and financial management, including management of the trust account.

(f) 2019 – 2022, Of counsel with The Finkel Law Firm During this time, I was not involved in the active practice of law. I had a few legacy cases I was bringing to a conclusion. I was employed with the University of South Carolina. Not involved in the administrative or financial management of the firm.

(g) 08/22 – 04/23, University of South Carolina School of Law – Veterans Legal Clinic Provided guidance to clinic students under the student practice rule to appear in SC Courts on behalf of Veteran clients who need assistance in areas of family law, landlord/tenant, consumer law, disability claims and other areas. Assisted clinic students in the administrative management of cases. There was no trust account to manage.

(h) 09/22 – Present, Nelson Mullins Riley & Scarborough, LLP – Partner My current practice focuses on civil litigation. I am responsible for the administration of my practice, but I am not involved in the larger firm

administration, nor am I involved in the management of a trust account.

Mr. Smith further reported regarding his experience with the Circuit Court practice area:

Much of the past five years I was not involved in the active practice of law as I was employed at the University of South Carolina. Throughout my nearly 28 years as a lawyer, I have handled numerous criminal and civil matters.

Criminal Matter Experience – In the earliest years of my practice, I gained valuable criminal case experience serving on the Federal CJA Panel. I was appointed to represent defendants charged with various federal drug related offenses. Over the years of my practice, I handled many state criminal cases that included charges ranging from traffic offenses, property crimes, disorderly conduct, to assault, domestic violence, and DUI. While as expected most of these cases concluded with a plea agreement, I tried several cases to a verdict. I can recall several successful defense verdicts in a domestic violence case, another in a DUI trial and a multi-count, multi-victim General Courts Martial Trial sexual assault trial case against a young Airman.

Civil Matter Experience – I have extensive civil matter experience on both sides of the bar, plaintiff, and defense, in cases large and small including numerous trials. I have served as lead counsel in election law trials, environmental full evidentiary trial in the administrative law court, construction litigation trials, automotive crashworthiness trial experience, defamation trial experience, motor vehicle accident trial, real property dispute trial experience, procurement, licensing and other administrative tribunal trials and others.

I have had lead counsel civil case experience in plaintiff and defense securities cases, plaintiff and defense employment law matters, plaintiff and defense class actions, plaintiff and defense commercial and business law, plaintiff and defense intellectual property cases, plaintiff medical malpractice cases, defense software cases, plaintiff and defense product liability cases, plaintiff and defense premises liability cases, plaintiff and

defense landlord tenant cases, plaintiff qui tam cases, a variety of LLR licensing and enforcement cases, DOR licensing, and others.

Mr. Smith reported the frequency of his court appearances during the past five years as follows:
From January 2019 through May 2022, I worked full time at the University of South Carolina. These percentages reflect the five years prior.
(a) Federal: 10%
(b) State: 90%

Mr. Smith reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:
From January 2019 through May 2022, I worked full time at the University of South Carolina. These percentages reflect the five years prior.
(a) Civil: 65%;
(b) Criminal: 10%;
(c) Domestic: 15%;
(d) Other: 10%

Mr. Smith reported the percentage of his practice in trial court during the past five years as follows:
From January 2019 through May 2022, I worked full-time at the University of South Carolina.
(a) What percentage of your practice was in trial court, including cases that settled prior to trial? 75%
(b) What number of cases went to trial and resulted in a verdict?
1. After reviewing my answer to this question, I thought it might be worth supplementing my response to answer more fully. The original answer is correct in that I had one trial result in a verdict in the past five years when I was working full-time for the University of South Carolina. That answer does not fully share with the Commission my trial experience. Prior to my service at the University of South Carolina I ran my own practice for 24 years and have extensive trial experience in civil, criminal, family and administrative courts which have resulted in verdicts. If needed, I am happy to share with the commission specific examples.

(c) What number of cases went to trial and resolved after the plaintiff's or State's case? 0
(d) What number of your cases settled after a jury was selected but prior to opening statements? 0

Mr. Smith provided the following regarding his role as counsel during the past five years:
Throughout my nearly 28 years of practice, I served as sole or lead counsel in over 95% of the matters I was engaged in. Nearly four of the past five years I was employed with the University of South Carolina and not in the active practice of law. Since returning to the practice of law last year I have most often served as sole or lead counsel.

The following is Mr. Smith's account of his five most significant litigated matters:

(a) Teresa M. King v. Glenn MacDonald et al.,
Civil Action No. 2012-CP-40-03794
This was an important Defamation case for a variety of reasons. CSM (Ret) Teresa M. King was my client. She was the first female Commandant of the US Army Drill Sergeant School and her situation had gained national attention. This case dealt with some interesting personal jurisdiction issues where an out of state internet blog was subject to personal jurisdiction in South Carolina. The case ended in a verdict in favor of CSM (Ret) King.

(b) Hattie Knuckles et al. v. Toyota Motor Corporation et al.
Civil Action No. 2004-CP-42-00200
Civil Action No. 2004-CP-42-00201
I represented the Defendants along with Joel H. Smith, Esq., of Nelson Mullins in this large complex automotive crashworthiness case. The trial Judge was Judge Mark Hayes who did an incredible job handling this litigation and trial. This was a nearly three-week highly complex trial that because of the size of the demonstrative exhibits was moved to the Spartanburg auditorium for a portion of the trial for expert witness testimony.

(c) *Richland County, SC v. SCDOR et al.*
Civil Action No. 2016-CP-40-3102
I served as outside counsel for the Defendants, Counterclaim and Third-Party Plaintiffs. This was a complex high-profile

case of first impression. I personally handled the matter from trial through appeal to the Supreme Court with assistance from SCDOR counsel and John S. Nichols, Esq., on the appeal.

(d) *Troy Burgess v. Race Automotive*,
Civil Action No. 97-CP-32-1556
I represented the Plaintiff in this commercial automotive servicing case brining causes of action for Breach of Contract, Fraud, SC Unfair Trade Practices Act and others. The case ended in a verdict in favor of the Plaintiff. I included it because every lawyer remembers their first trial but also because of the excellent trial judge, Judge William P. Keesley. I learned so much from him during that two-day trial. I gained an appreciation of what a good judge can do for the administration of justice and the confidence all parties can have in the result.

(e) *United States of America v. Kevin Fetrow, SSGT, USAF*,
I served as criminal defense counsel for Staff Sergeant Kevin Fetrow who was charged with multiple counts of sexual assault among five alleged victims. The case was brought as a General Court Martial and held before a military judge and panel (jury) on Shaw Air Force Base. It is significant not only to share the diversity of the cases I have tried but I learned valuable lessons about trial preparation and confirming evidence. I learned in preparation of the case that four of the five alleged victims would, if forced to testify under oath, recant any statement that my client committed any crime. I advised the prosecutor that they have a problem with their proof. Notwithstanding that information the prosecutor insisted on going forward with the trial. The near week long trial was a series of failed witnesses for the prosecution that ended in a very favorable verdict for my client, allowing him to continue to serve our Nation.

The following is Mr. Smith's account of five civil appeals he has personally handled:

(a) *Darrick Jackson, Mayor of the Town of Timmonsville v. Mark Sanford, Governor*
Opinion No. 26918, January 24, 2011.

(b) *Tynaysha Horton v. City of Columbia*,

Appellate Case No. 2012-211168, February 26,2014
DD

(c) *Richland County, South Carolina et al v. SCDOR et al.*
Appellate Case No. 2017-00010

(d) *Assistive Technology Medical Equipment Sales, LLC v. Phillip DeClemente*,
Appellate Case Nos. 2021-000037; 2021-000038

(e) *IOS, LLC v. Lander University*,
Appellate Case No. 2021-001400

The following is Mr. Smith's account of the criminal appeal he has personally handled:

(a) *United States of America v. Patrick Raymond Peer*, Case No. 6:03-0027-1 United States Court of Appeals for the Fourth Circuit

Mr. Smith further reported the following regarding unsuccessful candidacies:

(a) Governor – 2018

(9) Judicial Temperament:

The Commission believes that Mr. Smith's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Smith to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in summary, "Well Qualified – will be an asset on the trial bench."

Mr. Smith is married to Kirkland Thomas Smith. He has four children.

Mr. Smith reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar Association

(b) John Belton O'Neill Inn of Court

(c) SC Bar Military Law Section Committee Member
(d) New York State Bar Association
(e) Georgia Bar Association
(f) North Carolina Bar Association

Mr. Smith provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations, and was recognized by the following honors and awards:
(a) Liberty Fellowship
(b) Riley Diversity Leaders Fellows
(c) Friends of the Edisto FRED, Board Member
(d) Congaree Riverkeeper, Board Member
(e) The River Alliance, Board Member
(f) WREN, Board Member
(g) Big Red Barn Retreat – Warrior PATHH, Board Member
(h) Patriots Point Development Authority, Board Member
(i) Medal of Honor Center for Leadership, Board Member, Executive Committee
(j) US Global Leadership Coalition State Advisory Board and Veterans Advisory Board
(k) SC Humanities Council, Board Member

Law Related Professional Honors and Awards:
(a) 1997 Most Distinguished USC Young Alumni Award
(b) 1999 South Carolina Bar Young Lawyer of the Year
(c) 2008 Richland County Bar Civic Star of the Year
(d) 2010 Distinguished Service Award USC College of Arts and Sciences
(e) 2012 Riley Institute, Wilkins Award for Legislative Leadership
(f) 2017 The Compleat Lawyer Award – Gold Medallion
(g) 2018 Distinguished Service Award USC Veterans Alumni Council

(11) Commission Members' Comments:

The Commission noted that Mr. Smith has a calm, respectful demeanor. In addition, the Commission commented on his reputation for a great intellect and a strong work ethic.

(12) Conclusion

The Commission found Mr. Smith qualified, and nominated him for election to Circuit Court, Fifth Judicial Circuit, Seat 1

Justin T. Williams
Circuit Court, Fifth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Circuit Court, Fifth Judicial Circuit, Seat 1, two candidates applied for this vacancy. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Williams meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Williams was born in 1984. He is 39 years old and a resident of Columbia, South Carolina. Mr. Williams provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2011.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Williams.

Mr. Williams demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Williams reported that he has not made any campaign expenditures.

Mr. Williams testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Williams testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Williams to be intelligent and knowledgeable.

Mr. Williams reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Mr. Williams reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Williams did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Williams did not indicate any evidence of a troubled financial status. Mr. Williams has handled his financial affairs responsibly.

The Commission also noted that Mr. Williams was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Williams reported that he is not rated by any legal rating organization.

Mr. Williams reported the following military service:
December 9, 2014 – present.
United States Army
Major/O4
United States Army Reserve
Honorable

Mr. Williams reported that he has held the following public office:
Commissioner
Public Service Commission of South Carolina
Elected May 11, 2018

I have timely filed all Statements of Economic Interest except the first Statement of Economic Interest. On January 21, 2022, I received notice from the State Ethics Commission that I should have filed a Statement of Economic Interest in May 2018 instead of October 2018. I informed the State Ethics Commission that I did not object to the $100.00 late penalty, but I wanted to offer some extenuating circumstances for their consideration. Even though my term started on July 1, 2018, I was at Camp Humphreys in South Korea for an overseas U.S. Army training exercise from June 27 – July 30, 2018. Also, I was not sworn in until August 15, 2018. At worst, I filed my Statement of Economic Interest two months late as opposed to five months late.

(6) Physical Health:
Mr. Williams appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Mr. Williams appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Mr. Williams was admitted to the South Carolina Bar in 2011.

He gave the following account of his legal experience since graduation from law school:

(a) Assistant Solicitor, May 2011 – August 2013

• Serving as an Assistant Solicitor was my first legal job after graduating from law school. As an Assistant Solicitor, I only practiced criminal law at the trial court level. Initially, my caseload included over 600 warrants. As an Assistant Solicitor, my duties included managing a criminal docket includes appearing in bond court, appearing at preliminary hearings, appearing at first and second appearances, meeting with law enforcement officers and victims, issuing offers to defendants to enter a guilty plea, arguing motions before in General Sessions Court, negotiating terms of a plea agreement with defense counsel, presenting guilty pleas in General Sessions Court, and calling a case to trial in General Sessions Court if plea negotiations were unsuccessful. I prepared and called four cases to a jury trial during my first stint as an Assistant Solicitor. I did not have any administrative or financial management responsibilities in this role.

(b) Associate, Workers' Compensation Defense, August 2013-June 2015

• Working as an associate for an insurance defense firm was all about practicing law in the most effective and efficient manner possible. I recorded all the time I spent working on a legal matter for a client and billed them accordingly. Many of my clients (I represented the employer and their insurance company) preferred quick, low-cost resolutions to claims instead of long, drawn-out litigation. This made initial case evaluation very important. Much of my time was spent reviewing initial filings, taking depositions, developing legal strategies, and making recommendations that mitigated my clients' liability accident claims and job-related injuries. Most of my cases were settled, but a few went to a hearing before a Workers' Compensation Commissioner. I did not have any administrative management or financial management responsibilities in this role.

(c) United States Army Reserve Judge Advocate, June 2015 – Present

• Serving as the United States Army Reserve Judge Advocate has significantly broadened my legal practice. From June 2015 – June 2016, I served as a legal assistance attorney. As a legal assistance attorney, I helped Soldiers and retirees with wills,

powers of attorney, family care plans, debt issues, letter writing, landlord-tenant issues, and referred them to civil counsel to assist with matters that required counsel to appear on their behalf. From July 2016 – July 2018, I served as an administrative law attorney. As an administrative law attorney, I was responsible for serving as the legal advisor for Investigating Officers, conducting legal reviews on administrative investigations into Soldier misconduct, and serving as the recorder (prosecutor) for separation boards. From August 2018 – present, I served as Brigade Commanders' primary or secondary legal advisor on matters of administrative law, contract and fiscal law, military justice, and national security law. Currently, I serve as the Brigade Judge Advocate for the 2d Brigade, 87th Training Division. Not only am I the primary legal advisor to 2d Brigade's Commander, but I advise Commanders at the Battalion and Company level within 2d Brigade's footprint. I also provide legal support at the 87th Training Division's Commanding General as needed. I do not have administrative management or financial management responsibilities in this role.

(d) Assistant Solicitor, June 2015- December 2016
• During my second stint as an Assistant Solicitor, I prosecuted mid-level and major felonies. My caseload was lower than it was when initially started in 2011 because I was assigned more serious and complex cases. I spent much more time reviewing discovery, preparing plea offers, negotiating plea agreements, and preparing for trial. I prepared and called three cases to jury trial during this period. A murder case, a burglary ring, and a case where the State pursued Life Without the Possibility of Parole (I recused myself from arguing the last case because my wife was the trial judge's law clerk). I had very limited administrative management responsibilities with interns, legal assistants, and paralegals. I had no financial management responsibility.

(e) Associate, Civil Litigation (Plaintiff) and Criminal Defense, January 1, 2017 – June 30, 2018
• As a Plaintiff's Civil Litigation and Criminal Defense Associate, the character and nature of my job was simply to help me. I worked at a high operational tempo law firm with clients

throughout the entire state. While I built my practice, I would assist partners with their appearances. There were some days when I would have an appearance in Chester County at 9:00 a.m. and Bamberg County at 2:00 p.m. During this time I learned how important it was to a lawyer in private practice for the court to start on time and for fellow attorneys to be prepared to present their matters so that the court can keep moving. Because of court appearances and client appointments, I prepared for court early in the morning and late in the evening. My primary practice areas were personal injury, workers compensation, and criminal defense. I also appeared in magistrate court for traffic tickets and simple contract disputes. My administrative management responsibilities were limited to managing my legal assistant. I did not have any financial management responsibilities.

(f) Public Service Commissioner, July 1- Present

• Serving as a Public Service Commissioner is the most unique job I have had. While I do not practice law and I am not a judge, I conduct legal research, make legal analyses to support my decisions, and I must comply with the Code of Judicial Conduct. Serving as a Public Service Commissioner is a cerebral academic endeavor in that I spend much of my time reading reports and pre-filed testimony in preparation for hearings. While the Public Service Commission has jurisdiction to regulate electric, natural gas, water and wastewater, transportation, and telecommunication utilities, my tenure on the commission has focused heavily on electric utilities and the renewable energy transition. During my service as Chair of the Public Service Commission, my responsibilities increased greatly because by statute the Chair is the chief executive and administrative officer of the Public Service Commission. While I was not managing simple day-to-day tasks, I frequently met with executive staff to ensure that all employees were performing to standard and that we were managing our financial resources responsibly and effectively. As Chair (July 1, 2020 – June 30, 2022), I was ultimately responsible for administrative and financial management; however, I delegated many tasks to the Executive Director and managed her performance.

Mr. Williams further reported regarding his experience with the Circuit Court practice area:

Since July 1, 2018, I have served as a Commissioner for the Public Service Commission of South Carolina. As such, I have not appeared as counsel for a party to a criminal or civil matter in Circuit Court or any other court since my election to the Public Service Commission.

Prior to my election to the Public Service Commission, I was an associate for Moore Bradley Myers from January 1, 2017 – July 1, 2018. In that capacity, my criminal experience included regular appearances in General Sessions Court in Richland, Lexington, Orangeburg, and Bamberg Counties as defense counsel for the accused. I served as primary and secondary defense counsel for clients charged with murder, kidnapping, assault and battery, criminal sexual conduct, driving under the influence involving death, and trafficking narcotics, among other charges. My representation included arguing for a bond at bond hearings, arguing against probable cause at preliminary hearings, reviewing discovery, negotiating plea agreements, and presenting plea agreements in General Sessions Court. None of my General Sessions Court cases were resolved with a trial. In addition to a robust criminal practice in General Sessions Court, I also represented clients accused of various misdemeanor charges in magistrate court.

Prior to my employment with Moore Bradley Myers, I served as an Assistant Solicitor for the Fifth Judicial Circuit Solicitor's office From June 2015 – December 2016. In this capacity, I was immersed in criminal practice in General Sessions Court every day. I advised law enforcement on probable cause for arrest, argued for an appropriate bond at bond hearings, argued in support of probable cause for arrest at preliminary hearings, argued for bond revocation when defendants were charged with committing a subsequent crime while on bond for a pending criminal charge, negotiated plea agreements and presented plea agreements in General Sessions Court, prepared serious felony matters for jury trial, and presented several serious felony matters, including a murder case, to juries from opening statement to jury verdict. During my first stint with the Fifth

Circuit Solicitor's Office (February 2011 – August 2013), I worked as a law clerk and performed legal research/writing on criminal matters and observed General Sessions Court while waiting for bar results. Once I was admitted to practice (May 24, 2011), I performed the same tasks that I performed during my second stint, but my docket was primarily misdemeanors and low to mid-level felonies.

My civil experience is limited to my time as an associate with Moore Bradley Myers (January 1, 2017 - June 30, 2018), where I served as primary and secondary counsel for personal injury, employment, contract disputes, and medical malpractice matters. My civil practice included taking depositions, arguing against motions for summary judgment, settlement negotiations, and mediation. Even though none of my civil cases made it to a jury trial, I am adequately prepared to preside over such matters due to my trial experience in General Sessions Court and my experience as Chair of the Public Service Commission of South Carolina. In both roles, I had to demonstrate mastery of the South Carolina Rules of Evidence and understand legal procedures and processes. I will use my past experience and dedicate myself to constant study of the South Carolina Rules of Civil Procedure and other applicable Circuit Court Rules to ensure the fair administration of justice. Also, I will engage the parties who appear before me by giving all parties the full and complete opportunity to offer oral and written arguments to support their positions on issues as they arise. I am most concerned with issuing the correct ruling, and I am willing to take all the time necessary to reach the proper decision.

Mr. Williams reported the frequency of his court appearances during the past five years as follows:
(a) Federal: 0.10%;
(b) State: 99.9%

Mr. Williams reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 5%;
(b) Criminal: 90%;
(c) Domestic: not applicable;

(d) Other: 5%.

Mr. Williams reported the percentage of his practice in trial court during the past five years as follows:

(a) Not applicable because I have served on the Public Service Commission for the past five years.
(b) Not applicable because I have served on the Public Service Commission for the past five years.
(c) Not applicable because I have served on the Public Service Commission for the past five years.
(d) Not applicable because I have served on the Public Service Commission for the past five years.

Mr. Williams provided that during the past five years prior to his election to the PSC Commission, he most often served as counsel.

The following is Mr. Williams's account of his five most significant litigated matters:

(a) State v. Channen F. Ricks was a murder case prosecuted by the Fifth Judicial Circuit Solicitor's Office. I prosecuted the Defendant while I was an assistant solicitor in the Fifth Judicial Circuit Solicitor's Office. April Sampson was the first chair, and I was the second chair. This was the most significant legal matter that I personally handled due to the serious nature of the charge, the length of preparation (two years), the length of the trial (four days), and the number of witnesses (30), and the impact on the community (justice for the victim's family and the local community). This case was called to trial on the week of October 10, 2016. The jury found the Defendant guilty, and the judge sentenced him to 40 years in prison.
(b) State v. Khlil Davis was a multi-count first-degree burglary and grand larceny case prosecuted by the Fifth Judicial Circuit Solicitor's Office. I prosecuted the Defendant while I was an assistant solicitor in the Fifth Judicial Circuit Solicitor's Office. I served as the first chair, and Stephanie Taylor was the second chair. This case was significant due to the number of homes burglarized, the number of co-defendants, the organized nature of the burglary operation, the mandatory minimum fifteen-year

sentence for burglary first degree, successfully turning a co-defendant into a witness for the State, and the fact that the Defendant did not have a criminal record. This case was prepared and called to trial the week of September 19, 2016, but the judge granted a continuance. The case was not resolved before I left the Solicitor's Office for a new employment opportunity.

(c) Tyresha Outing, et al vs Oliver P Simmons et al was a medical malpractice, wrongful death, and survival action filed on behalf of the mother of a toddler who died as the result of an improperly written and filed prescription. Stanley Myers, Jake Moore, and I represented the Plaintiff in this matter. Representative Todd Rutherford also assisted in representing the Plaintiff in this matter. This case was significant because it involved highly sophisticated Defendants, was highly technical, and required an immense amount of study and preparation for depositions, arguing against motions for summary judgment, trial, and mediation. This case was ultimately settled for a sum representative of justice for the decedent and his mother.

(d) Margret B. Villegas v. AYG Aiken, LLC was an employment discrimination case based on gender discrimination, hostile work environment, and constructive discharge. I was the sole counsel for the Plaintiff. This case was significant because it was demonstrative of how a pro se litigant's access to justice can be denied even if they follow every step of an administrative process. After defeating a motion to dismiss, this case settled for an appropriate amount representing justice for the Plaintiff.

(e) State v. James Earl Green was a dog-fighting case prosecuted by the Fifth Judicial Circuit Solicitor's Office. I prosecuted the Defendant while I was an assistant solicitor in the Fifth Judicial Circuit Solicitor's Office. I served as the first chair, and Sandra Moser was the second chair. This case was significant because of the significant investment in resources used to investigate and prosecute the Defendant, the number of co-defendants, and the other alleged criminal activity intertwined with the dog fighting ring. This case was called to trial on the week of January 21, 2013. The Defendant accepted a one-year active prison

sentence after the State presented its case. This was believed to be the first active prison sentence received by a defendant for dogfighting in Richland County.

Mr. Williams reported he has not personally handled any civil or criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. Williams's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Williams to be overall "Qualified." The Committee found him to be "Qualified" in the evaluative criteria of constitutional requirements, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee also commented: "Well Qualified!"

Mr. Williams is married to Stacy Ayers Williams. He has one child.

Mr. Williams reported that he was a member of the following Bar and professional associations:
(a) Richland County Bar Association
(b) South Carolina Black Lawyers
(c) National Association of Regulatory Utility Commissioners

Mr. Williams provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Richland County Bar Association - Member
(b) South Carolina Black Lawyers Association - Member
(c) National Association of Regulatory Utility Commissioners
(d)USC Alumni Association – 2022 Young Alumni of the Year
(e) Kappa Alpha Psi Fraternity, Incorporated – Zeta Epsilon Advisory Team
(f) Sigma Pi Phi Fraternity

(11) Commission Members' Comments:

The Commission commented that Mr. Williams has an outstanding reputation, particularly as it relates to his professionalism. The Commission further discussed his experience as a Commissioner on the Public Service Commission of South Carolina, and how that experience could be useful should he be elected to the Circuit Court bench.

(12) Conclusion:

The Commission found Mr. Williams qualified, and nominated him for election to Circuit Court, Fifth Judicial Circuit, Seat 1.

The Honorable Daniel McLeod Coble
Circuit Court, Fifth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Coble meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Coble was born in 1987. He is 36 years old and a resident of Columbia, South Carolina. Judge Coble provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2012.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Coble.

Judge Coble demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Coble reported that he has spent less than $50 in campaign expenditures for postage.

Judge Coble testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Coble testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Coble to be intelligent and knowledgeable.

Judge Coble reported that he has taught the following law-related courses:

(a) 2023 Mandatory Bond Court Program for Magistrates and Municipal Judges: *Bond Court Essentials* (May 2023);
(b) 2022 SCDTAA Annual Meeting: *Hot Button Evidentiary Issues in SC Courts, A Panel Discussion* (November 2022);
(c) He Said She Said: Hearsay - *Justice Clearinghouse* (October 2022);
(d) 2022 SCSCJA Judge's Seminar: *Rules of Evidence* (September 2022);
(e) 2022 SCSCJA Judge's Seminar: *Landlord Tenant* (September 2022);
(f) Search and Seizure Law and Terry Stops - *Justice Clearinghouse* (July 2022);
(g) S.C. Bar Leadership Academy: *Judicial Panel* (May 2022);
(h) Orientation School for Magistrates and Municipal Judges: *DUI – The Defense Perspective* (March 2022);
(i) 2022 SCSCJA Staff Seminar: *Ethical Responsibilities of Court Staff* (March 2022);
(j) 2022 It's All a Game: Top Trial Lawyers Tackle Evidence: *Course Planner and Moderator (Evidentiary Ethics: Ethical Strategies to Help Your Case) (*February 2022);
(k) The Evidence Primer: A Practical Refresher for Lawyers: *Best Evidence Rule* (January 2022);

(l) Richland County Bar Association, Annual Ethics CLE: *Virtual Courts and Ethical Dilemmas* (presented with former Chief Justice Costa Pleicones) (October 2021);
(m) 2021 SCSCJA Judge's Seminar: *Guilty Pleas* (September 2021);
(n) 2021 SCSCJA Judge's Seminar: *Ethics: Judges and Social Media* (September 2021);
(o) Daubert/Council & Expert Testimony: CLE – S.C. Bar (August 2021);
(p) 2021 Domestic Violence, Sexual Assault, Stalking and Harassment Training by the S.C. Attorney General's Office: *Restraining Orders in Magistrate* Court (May 2021);
(q) Understanding Evidentiary Issues: Court Education (May 2021);
(r) Judicial Canon 3: Ethical Issues in Magistrate Court: Court Education (May 2021);
(s) Midlands Mediation Center, Guest Speaker: MMC Spring Training 2021;
(t) Ethics and Professionalism: Effective Relationships with the Court, Opposing Counsel, & Pro Se Litigants: *CLE - S.C. Bar* (April 2021);
(u) Magistrate Court Series: Richland County Central Court: *CLE - S.C. Bar* (April 2021);
(v) Residential Landlord Tenant Act: *CLE - S.C. Bar* (April 2021);
(w) South Carolina Trial Evidence in Magistrate Court: *CLE - S.C. Bar* (April 2021);
(x) Driving Under the Influence: DUI in Magistrate Court: *CLE - S.C. Bar* (April 2021);
(y) Fourth Amendment: Search and Seizure Law in Magistrate Court: *CLE - S.C. Bar* (April 2021);
(z) Stanford Legal Design Lab, *Justice by Design*, Panelist (April 2021);
(aa) Orientation School for Magistrates and Municipal Judges: Claim & Delivery (March 2021);
(bb) Midlands Mediation Center, Guest Speaker: MMC Winter Training 2020;
(cc) Ever Evolving Evidence: *CLE – S.C. Bar* (August 2020);
(dd) No-Knock Search Warrants: On-Demand CLE – S.C. Bar (June 2020);

(ee) 2020 SCSCJA Staff Seminar: Evidence (*Postponed due to COVID-19*);
(ff) 2020 It's All a Game: Top Trial Lawyers Tackle Evidence: Evidence in Magistrates Court (February 2020);
(gg) South Carolina Impaired Driving Assessment: Adjudication of DUI Cases (October 2019);
(hh) Leadership Columbia: South Carolina Judicial Systems (October 2019);
(ii) Midlands Tech, Guest Speaker: Judicial Systems CRJ 220 (September 2019);
(jj) A Guide to Prelims: On-Demand CLE – S.C. Bar (Fall 2019);
(kk) S.C. Victims' Rights Week: The Bond Hearing Process – A Creative Approach (April 2019);
(ll) South Carolina Bar Leadership Academy: Attorneys in Public Service (Running for Office) (March 2019);
(mm) Orientation School for Magistrates and Municipal Judges: Landlord/Tenant (March 2019);
(nn) Direct Examination Podcast: Episode 3: Judge Daniel Coble (March 2019);
(oo) Midlands Tech, Guest Speaker: Judicial Systems CRJ 220 (October 2018);
(pp) 2018 SCSCJA Judge's Seminar: Discovery (Brady/Rule 5) (September 8, 2018);
(qq) S.C. Victims' Rights Week: A Walk Through the Criminal Justice System (April 2018);
(rr) 2018 SCSCJA Staff Seminar: Criminal/Civil Trial Objections (March 2018);
(ss) Columbia Homeless Court Training, Panelist (December 2014);
(tt) Columbia Rotary Club, Guest Speaker: Columbia Homeless Court (June 2014).

Judge Coble reported that he has published the following:

1. <u>Published Books</u>
   (a) <u>The General: The Life and Times of Daniel R. McLeod</u> (submitted for publication);
   (b) <u>Pocket Prelims: A Guide Book to Preliminary Hearings in South Carolina</u> (S.C. Bar Publications, 2019);
   (c) <u>Florida Rules of Evidence: Annotated for State and Federal Court</u> (Lawyers & Judges Publishing, 2020);

(d) Texas Rules of Evidence: Annotated for State and Federal Court (Lawyers & Judges Publishing, forthcoming 2024).

2. Articles, Essays, Book Reviews

(a) *Rearranging the Apple Cart: Good-Faith Originalism and the Fourteenth Amendment: Review of "The Original Meaning of the Fourteenth Amendment: Its Letter and Spirit"* 15 ConLawNOW 25 (2023);

(b) *Per Se Inequality: A Review of Judge Richard Gergel's "Unexampled Courage"* 46 Seattle U. L. Rev. SUpra 1 (2023);

(c) *Expert Testimony and Crawford* S.C. Lawyer (March 2023);

(d) *What's in a Name, Anyway? Daubert/Council and Expert Testimony* S.C. Lawyer (September 2021);

(e) *Ever Evolving Evidence S.C.* Lawyer (September 2020);

(f) *@Posner_Thoughts - The Verified Account: A Review of Judge Posner's The Federal Judiciary: Strengths and Weaknesses* 41 La Verne L. Rev. 2 (2020);

(g) *Not Your Scalia's Textualism* JOTWELL (July 9, 2019) (reviewing Jeffrey Bellin, *Fourth Amendment Textualism*, Mich. L. Rev. (2019), available at SSRN);

(h) *A Prosecutor's Credo, Robed Oracles, and Gideon's Angels: A Review of Doing Justice* Harv. L. & Pol'y Rev. *Notice and Comment Blog* (May 28, 2019);

(i) *Discretionary Life Sentences for Juveniles: Resolving the Split Between the Virginia Supreme Court and the Fourth Circuit* 75 Wash. & Lee L. Rev. Online 101 (2019);

(j) *The Time in Between: A Response to A Theory of Civil Problem-Solving Courts* 67 Buff. L. Rev. D1 (2019);

(k) *Severing the Severability Doctrine: Why It's Time the Supreme Court Finally Acknowledges, Clarifies, and Severs this Doctrine* 88 UMKC L. Rev. 565 (2020);

(l) *Permissible Inference or Impermissible Burden Shift: How the Supreme Court Could Decide State v. Glover* Washburn L.J. Blog (Mar. 18, 2019);

(m) *Following Friendly or Running to Rehnquist? A Review of Joan Biskupic's "The Chief*" 52 Ind. L. Rev. Blog (April 19, 2019);

(n) *Heart-Wrenching, Yet Hopeful: A Review of Judge William Alsup's 'Won Over'* The Recorder on Law.com (April 5, 2019);
(o) *I Recommend: Theodore Roosevelt for the Defense* Judicature, Bolch Judicial Institute, Duke Law School (May 2020).

3. Self-Published Books
   (a) South Carolina Trial Evidence: A Reference Guide to Common Evidentiary Issues;
   (b) Search & Seizure in South Carolina;
   (c) Deconstructing the DUI: A Brief Guide to DUI law in South Carolina, 2nd Edition;
   (d) Federal Rules of Evidence: Annotated for the Fourth Circuit;
   (e) South Carolina Rules of Evidence: Annotated;
   (f) Everyday Evidence: State Court and Federal Court;
   (g) Traffic Court in South Carolina: Offenses and Definitions.
4. Other
   (a) Federal Rules of Evidence: An Introduction to Trial Evidence (Harvard Law School's Library Innovation Lab H2O, 2020) (Open Casebook);
   (b) Constitutional Law Precedents: Annotated and Abridged Cases from the Supreme Court (Harvard Law School's Library Innovation Lab H2O, 2022) (Open Casebook);
   (c) The Briefcase Lawyer, 2nd Ed. (*Chapter on Land-Lord Tenant Law*) (S.C. Bar Publications, 2022) (Book Chapter);
   (d) *Editor and Updater*, South Carolina Evidence by Danny Collins, 3rd Ed. (*forthcoming* S.C. Bar Publications 2024);
   (e) *Editorial Board Member*, A Guide to Civil Practices and Procedures in Magistrate Court by Judge Kenneth Southerlin (S.C. Bar Publications 2021);
   (f) *Editorial Board Member*, How to Try a Simple Auto Wreck Case by R. Allyce Bailey and S. Venus Poe (S.C. Bar Publications 2022).

(4) Character:

The Commission's investigation of Judge Coble did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Coble did not indicate any evidence of a troubled financial status. Judge Coble has handled his financial affairs responsibly.

The Commission also noted that Judge Coble was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Coble reported that he is not rated by any legal rating organization.

Judge Coble reported that he has not served in the military.

Judge Coble reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Coble appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Coble appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Coble was admitted to the South Carolina Bar in 2012.

He gave the following account of his legal experience since graduation from law school:

(a) From July 2012 to November 2012, I was a law clerk for the Fifth Judicial Circuit.

(b) From November 2012 to July 2017, I was an assistant solicitor for the Fifth Judicial Circuit. I handled a wide range of cases ranging from drug offenses and DUIs to

armed robbery and kidnapping. I co-counseled three murder cases and tried several other felony and misdemeanor cases. From 2014 until 2017, I was the lead prosecutor for the Columbia Homeless Court. I also organized a committee of health care professionals to address the chronically homeless in seeking solutions for their recovery, which was called Homeless Coordination.

(c) From July 2017 to July 2021, I was a full-time Magistrate Judge in Richland County. In that capacity, I handled both civil and criminal cases, which included bond settings, preliminary hearings, mediation, civil and criminal jury trials, transfer court, and more. In June 2018, I was appointed as the Associate Chief Judge for Richland County. As the Associate Chief Judge, I handled the majority of administrative issues at the Central Court. I was appointed as the Municipal Judge for Arcadia Lakes in May 2020.

(d) From August 2021 to January 2023, I was the owner of my own solo law firm, The Coble Law Group, LLC. I represented clients in both civil and criminal matters, and I practiced in Summary Courts and Circuit Courts. As the owner of my own law firm, I was solely responsible for the administration of running the business as well as handling all client matters.

(e) I am currently a Circuit Court Judge for the Fifth Judicial Circuit.

Judge Coble reported that he has held the following judicial office(s):

I was appointed as a full-time Magistrate Judge for Richland County in July 2017. Magistrates generally have jurisdiction in criminal cases that do not carry more than a $500 fine or 30 days in jail. In civil cases, Magistrates are generally limited to cases not exceeding $7,500 in the amount in controversy.

I am now serving as a Circuit Court Judge for the Fifth Judicial Circuit.

Judge Coble provided the following list of his most significant orders or opinions:

Because I have only sat on the Circuit Court bench for about six months, I have not had any orders or opinions that have been heard by an appellate court at this point that I am aware of.

(a) *South Carolina Automobile and Truck Dealers Association v. South Carolina Department of Consumer Affairs*, 2022-CP-40-05552. The Plaintiff (SCADA) filed a lawsuit against the Defendant (S.C. Department of Consumer Affairs) seeking a declaratory judgment regarding closing fee enforcement. The Defendant filed a counterclaim alleging civil conspiracy by the Plaintiff. I granted the Plaintiff's motion to dismiss the counterclaim on two grounds. First, the Defendant's counterclaim exceeded the statutory authority granted to the Department of Consumer Affairs. Second, the Defendant failed to state a claim for civil conspiracy.

(b) *State v. Haggins*, Order 5469-2017-3 (Not Reported). The public defender filed a motion to dismiss for failure to comply with a speedy trial motion, *Langford* violation, and Rule 5 violation. I held a hearing and ultimately denied the motion to dismiss.

(c) *State v. Andrzejewski*, Order 5469-2018-3 (Not Reported). In this case, I held a castle hearing on an assault charge. I wrote an order denying immunity under the Protection of Persons and Property Act.

(d) *Rodriguez v. McDaniel*, Order 5469-2017-5 (Not Reported). After a civil trial, one party moved for sanctions against the other claiming that they violated ADR Rules. I denied the motion.

(e) *Rowe v. Osbourne*, Order 5469-2018-14 (Not Reported). After a restraining order hearing, I granted the restraining order against the defendant. The defendant moved for a new trial based on new evidence. I denied the motion for a new trial after analyzing the required factors. This order was overturned on appeal by the Circuit Court Judge.

Judge Coble reported no other employment while serving as a judge.

Judge Coble further reported the following regarding unsuccessful candidacies:
In 2012, I ran unsuccessfully for Columbia City Council District Three.
In 2020, I ran unsuccessfully for Circuit Court, At-Large.

(9) Judicial Temperament:

The Commission believes that Judge Coble's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee found Judge Coble "Qualified" in the evaluative criteria areas of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria areas of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in summary, "Already doing well on the bench."

Judge Coble is married to Kristen Karr Coble. He has two children.

Judge Coble reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association;
(b) Richland County Bar Association;
(c) S.C. Bar: CLE Publications Committee, (*Chair 2020*).

Judge Coble provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Summary Court Judge Mentoring Program (mentored three new judges);
(b) S.C. Bar: CLE Publications Committee;
(c) 1L Mentoring Program (2016 – Present);
(d) UofSC Mock Trial Judge (2019, 2020);
(e) Tarantella Club.

Judge Coble further reported:
I believe that my experience as a prosecutor, defense attorney, Magistrate Judge, and now Circuit Court Judge, makes me well qualified to continue my service on the bench. It has been an

honor and privilege to serve in the judiciary. Every day I am humbled to make such weighty decisions that have such a profound impact on people's lives, and I do not take that responsibility lightly. My goal is to always render a fair and just decision and to always listen to both sides before making my final decision. It is a humbling experience to work alongside such talented and experienced attorneys, and I hope that I continue to become a better and wiser judge if I have the opportunity to continue to serve.

As a prosecutor, I had the honor of being involved with South Carolina's first Homeless Court. This diversionary court gave second chances to many of our state's veterans who suffer from mental illnesses and drug abuse. As a prosecutor, my job was usually looking to seek justice which often involved sending people to prison. However, as the lead prosecutor for Homeless Court, our office was able to give people a second chance who deserved it and were turning their lives around.

I gained even more experience when I was sworn in as a full-time Magistrate Judge for Richland County. I was able to take off my hat as an advocate and sit as a neutral and independent arbiter of disputes. In a county as large as Richland, I handled hundreds if not thousands of bench trials and jury trials each year. I dealt with *pro se* litigants as well as extremely experienced attorneys. This experience gave me humility and a deeper understanding of our legal profession by seeing day-to-day operations of our court system.

While in private practice, I had the honor of representing clients and advocating for them in court. It was easy for me to say that I saw both sides as a Magistrate Judge, but by actually representing clients, I lived it every day.

I believe I am well qualified to continue to serve as a Circuit Court Judge and represent our judiciary. It has been an honor to serve the people of South Carolina in this capacity, and it would be an honor to continue to serve in this role.

(11) Commission Members' Comments:

The Commission noted that Judge Coble's enthusiasm for the job, the respect that he shows litigants, victims, and others, as well as his commitment to the rule of law, is something that the Bar has taken note of, and of which he should be very proud.

(12) Conclusion:

The Commission found Judge Coble qualified, and nominated him for re-election to Circuit Court, Fifth Judicial Circuit, Seat 2.

J. Derham Cole Jr.
Circuit Court, Seventh Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Circuit Court, Seventh Judicial Circuit, Seat 1, one candidate applied for this vacancy. Accordingly, the name and qualifications of one candidate is hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Cole meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Cole was born in 1977. He is 46 years old and a resident of Spartanburg, South Carolina. Mr. Cole provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2003.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Cole.

Mr. Cole demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Cole reported that he has not made any campaign expenditures.

Mr. Cole testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Cole testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Cole to be intelligent and knowledgeable.

Mr. Cole reported that he has taught the following law-related courses:

(a) During my tenure in the General Assembly, I provided legislative updates from time-to-time at legal association meetings such as the S.C. Bar Convention and the S.C. Defense Trial Attorneys Association Summer and Annual Meetings.
(b) I participated in teaching an in-house law firm CLE with fellow associates in my first couple of years of practice.

Mr. Cole reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Cole did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Cole did not indicate any evidence of a troubled financial status. Mr. Cole has handled his financial affairs responsibly.

The Commission also noted that Mr. Cole was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Cole reported that his rating by a legal rating organization, Martindale-Hubbell, is AV, and that his rating by a legal rating organization, Super Lawyers, is Rising Stars 2016 .

Mr. Cole reported that he has not served in the military.

Mr. Cole reported that he has held the following public office:

(a) S.C. House of Representatives, 2008-2018, Elected. Reports with the State Ethics Commission were timely filed.

(6) Physical Health:

Mr. Cole appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Cole appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Cole was admitted to the South Carolina Bar in 2003.

He gave the following account of his legal experience since graduation from law school:

(a) Wilkes Law Firm, P.A., Spartanburg, SC
Attorney, July 2010 – December 2018
Represented clients in business transactions, business litigation, construction litigation, and torts and insurance defense.

(b) Cole Law Firm, LLC, Spartanburg, SC
Sole Member, July 2009 – July 2010

Represented clients in business transactions and litigation matters.
Managed all administrative and financial functions of the firm.

(c) Parker Poe Adams & Bernstein, LLP, Spartanburg, SC
Associate Attorney, September 2006 – June 2009
Represented clients in corporate and business transactional matters.

(d) Leatherwood Walker Todd & Mann, P.C., Greenville, SC
Associate Attorney, September 2003 – August 2006
Represented clients in corporate and securities matters.

Mr. Cole further reported regarding his experience with the Circuit Court practice area:

During my legal career, I have practiced primarily in civil and corporate law in firms ranging from a solo practice to a large regional law firm. In my solo practice, I handled a variety of matters that are best categorized as business litigation matters, including two matters that I personally tried to verdict. During my time at Wilkes Law Firm, P.A., I had a primarily insurance defense practice on the civil litigation side, with an emphasis on construction claims, premises liability, and contractual claims. The matters in which I was involved at Wilkes Law Firm mostly settled at mediation or otherwise, although they involved a significant amount of motions practice and depositions.

I regularly review the Advance Sheets to keep myself abreast of the state of the law across all areas, including criminal law, which is an area in which I have not practiced in my legal career. I intend to emphasize criminal practice in both my formal CLE seminars as well as my informal self-education. I also plan to observe General Sessions terms of court to bolster my knowledge in this area.

Mr. Cole reported the frequency of his court appearances during the past five years as follows:
(a) Federal: None;
(b) State: 0-1 times per month.

Mr. Cole reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 10%;
(b) Criminal: 0%;
(c) Domestic: 0%;
(d) Other: 90% (Higher Education Administration)

Mr. Cole reported the percentage of his practice in trial court during the past five years as follows:

(a) What percentage of your practice was in trial court, including cases that settled prior to trial? 10%
(b) What number of cases went to trial and resulted in a verdict? 0%

(c) What number of cases went to trial and resolved after the plaintiff's or State's case? 0 % (Resolved may include settlement, plea, by Judge's order during a motion hearing, etc.
(d) What number of your cases settled after a jury was selected but prior to opening statements? 0%

Mr. Cole provided that during the past five years he most often served as co-counsel. It was the practice of his firm to have more than one attorney assigned to cases.

The following is Mr. Cole's account of his five most significant litigated matters:

(a) General Wholesale Distributors, LLC v. McArn Enterprises, LLC et al.; 2009-CP-23-8061. Tried this breach of contract case solo before a jury to a defense verdict in favor of my client.
(b) Vaughn Curbing Company v. Handy; 2010-CP-42-1563. Tried this breach of contract action solo to a verdict in favor of my client in a bench trial.
(c) Pinckney v. Fankhauser et. al., 2010-CP-46-2326. Construction defect case with relatively complicated posture and multiple parties and issues that were appealed to Court of Appeals.
(d) DFO, LLC v. High Country Restaurant Holdings, LLC et al., 2014-CP-42-4590. Franchise-related litigation resolved at mediation after significant discovery and motions practice.

(e) Smith v. Turner, 2018-CP-42-02749. Trespass and negligence case in which I developed legal strategy leading to judgment for damages against a party other than my client.

The following is Mr. Cole's account of the civil appeal he has personally handled:

Pinckney v. Epcon Communities et. al, 2012-213730 (Ct. App.). I was primarily involved in the briefing of this appeal and was preparing to argue it until the matter settled on the eve of oral argument.

Mr. Cole reported that he has not personally handled any criminal appeals.

Mr. Cole further reported no unsuccessful candidacies.

(9) Judicial Temperament:

The Commission believes that Mr. Cole's temperament would be excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Mr. Cole to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health and mental stability.

Mr. Cole is married to the former Suzzanne Curry Boulware. He has two children.

Mr. Cole reported that he was a member of the following Bar and professional associations:

(a) S.C. Bar Association (Seventh Circuit YLD Representative, 2007-2009)
(b) Spartanburg County Bar Association

Mr. Cole provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Chair, Daniel Morgan District Committee, Palmetto Council, Boy Scouts of America, 2022-Present.
(b) Cubmaster, First Presbyterian Church, Pack 2, Palmetto Council, BSA 2023-Present
(c) Trustee, Spartanburg County Libraries, 2018-Present.
(d) Member, Board of Directors, Healthy Smiles of Spartanburg, Inc., 2019-Present; Chair, 2023-Present.
(e) Member, Board of Governors, Piedmont Club, 2023-Present.
(f) Member, Board of Directors, Piedmont Interstate Fair Association, 2019-Present.
(g) Member, Caroliniana Ball, 2017-Present.
(h) Member, County Club of Spartanburg.
(i) Member, Rotary Club of Spartanburg, 2009-2021; Board of Directors, 2020-2021.
(j) Member, Board of Directors, Chapman Cultural Center, 2008-2018.
(k) Member, Board of Directors, South Carolina Defense Trial Attorneys Association, 2012-2018.
(l) Member, South Carolina Bar Association; Representative for the 7th Judicial Circuit, South Carolina Bar Association Young Lawyers Division, 2007-2009.
(m) Dancer, Dancing with the Spartanburg Stars benefiting Cancer Association of Spartanburg and Cherokee Counties, 2015.
(n) Member, Board of Directors, Children's Shelter of the Upstate, 2009-2012.

Mr. Cole further reported:

I have dedicated most of my post-graduate life to the legal profession and public service. Having the ability to merge these two vocations, passions and interests in service to the state as a circuit court judge would be a high honor for which my experience in private practice as well as my service in the General Assembly has well equipped me. As a public servant, I believe my constituents would say I represented them effectively, diligently, and compassionately. As a lawyer, I have represented my clients zealously and ethically, while

maintaining a collegiality with fellow lawyers that I hold as one of the hallmarks of the South Carolina Bar.

In addition, my experience in higher education, including taking over as interim chancellor of a comprehensive university at the onset of a global pandemic, has allowed me to use my legal education and background from the perspective of an executive decisionmaker. My legal background and analytical skills served me well in navigating the myriad legal issues facing a complex organization on a daily basis, all of which were amplified by the challenges posed by operating in a pandemic. From assessing the liability landscape, to negotiating and renegotiating agreements with vendors and community partners on the fly, my ability to see issues and assess risk was invaluable. I also routinely used the skills I developed in pursuit of my Master of International Business Studies degree from the University of South Carolina. These skills will be useful on the bench, particularly in complex business matters.

(11) Commission Members' Comments:

The Commission noted that Mr. Cole enjoys a reputation as both an excellent attorney and an attorney who is well known for his upstanding character. The Commission further complimented Mr. Cole's temperament as being well-suited to the bench and found his desire to continue serving the citizens of South Carolina laudable.

(12) Conclusion:

The Commission found Mr. Cole qualified, and nominated him for election to Circuit Court, Seventh Judicial Circuit, Seat 1.

The Honorable Grace Gilchrist Knie
Circuit Court, Seventh Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Knie meets the qualifications prescribed by law for judicial service as a Circuit Court Judge.

Judge Knie was born in 1964. She is 59 years old and a resident of Campobello, South Carolina. Judge Knie provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1989.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Knie.

Judge Knie demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Knie reported that she has made not made any campaign expenditures.

Judge Knie testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Knie testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Knie to be intelligent and knowledgeable.

Judge Knie reported that she has taught the following law-related courses:

(a) I have lectured at the 2002 SCAJ Annual Convention, to the Family Law Section on the subject Family Court Visitation and Custody Issues (Excluding Patel);

(b) I have lectured at the 2003 SCAJ Annual Convention, to the Family Law Section, on the subject What Family Court Judges Want at Temporary Hearings;

(c) I have lectured at the 2004 SCAJ Annual Convention, to the Family Law Section on the subject Family Law- Case Law Update, September 2003 -July 2004;

(d) I have lectured at the 2005 SCAJ Annual Convention, to the Family Law Section on the subject Family Law- Case Law Update, September 2004 -July 2005;

(e) In 2007 I chaired the Family Law Section of the SCAJ and enlisted speakers for the CLE presentation. I presided over and moderated the Family Law presentation at the 2007 Annual Convention;

(f) I have lectured as a judicial panelist at the SC Bar Association CLE held in Spartanburg on the subject of 7th Circuit Tips from the Bench, May , 2018;

(g) I enlisted speakers for the JCLE presentation and moderated the JCLE presentation for the SC Circuit Judges' Association Annual Conference in May 2019;

(h) I served as co-presenter at the SC Judicial Conference September 2019, for the introduction of speaker Karen Korematsu, Director of the Fred T. Korematsu Institute regarding Korematsu v. United States, 323 U.S. 214 (1944);

(i) I made a presentation at the ABOTA SC Chapter Meeting, March 2020, as judicial panelist to discuss Attorney Conducted Voir Dire in South Carolina;

(j) I have lectured as a judicial panelist at the SC Bar Association CLE held in Spartanburg on the subject of 7th Circuit Tips from the Bench, May 2022;

(k) I have participated as a panelist in several presentations by the NCSI (National Courts and Sciences Institute) in my capacity of SC Judicial Representative 2018-present.

Judge Knie reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Knie did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Knie did not indicate any evidence of a troubled financial status. Judge Knie has handled her financial affairs responsibly.

The Commission also noted that Judge Knie was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Knie reported that she is rated by the following legal rating organizations:
(a) AV Preeminent Rating Martindale -Hubbell in Legal Ability and Ethical Standards;
(b) Best Lawyers in America, Member;
(c) Super Lawyers, Member;
(d) Litigation Counsel of America Trial Lawyer Honorary Society Fellow.

Judge Knie reported that she has not served in the military.
Judge Knie reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Knie appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Knie appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Knie was admitted to the South Carolina Bar in 1989.

She gave the following account of her legal experience since graduation from law school:
(a) Kermit S. King, Attorney, Columbia, South Carolina, Clerkship August 1988-June 1989;
Upon graduating from law school in the Summer of 1989, while studying to take the bar exam in August, I continued to work for Kermit S. King, Attorney at Law, in Columbia.

Mr. King's practice primarily focused on domestic litigation. My job responsibilities were to research aspects of the law as instructed, to assist in organizing files and accompanying him and other lawyers in the firm to court, when necessary. In addition, I performed general clerkship duties. The position ended at the conclusion of the bar exam preparation and upon my taking a position as Law Clerk to The Honorable James B. Stephen, Circuit Court Judge.

(b) The Honorable James B. Stephen, Circuit Court Judge, Spartanburg, South Carolina, Law Clerk, August 1989-August 1990;

I obtained the position of Law Clerk to The Honorable James B. Stephen, Circuit Court Judge for the Seventh Judicial Circuit, Spartanburg, SC, in August 1989. I had the opportunity to shadow Judge Stephen in his court room and in his office for one year. I traveled with him while he rotated throughout the state when he held court in Beaufort, Charleston, Columbia, Aiken, Cherokee, Spartanburg and other counties. I had a unique and distinct career opportunity which was priceless in gaining valuable experience and insight into the practice of law and in being a Circuit Court Judge. During that year, I sat beside Judge Stephen on the bench, in the courtroom, daily and was able to observe first-hand General Sessions Court and Common Pleas Court. He had me research legal issues, assist in writing decisions and had me serve as the conduit of information between him and counsel appearing before him concerning decisions, calendaring, and scheduling.

(c) Bruce Foster, P.A., Spartanburg, South Carolina, Associate, 1990-1992;

In August of 1990 I became an associate of Bruce Foster, P.A. in Spartanburg. The practice was a general litigation practice with a focus on domestic litigation, and plaintiff's personal injury. As an associate attorney, I initially served as co-counsel with Mr. Foster in on-going, pending litigation. I then accumulated my own clients, representing them in both family court and civil litigation, and some criminal defense, as well as, employment discrimination and sexual harassment litigation. At the conclusion of two years, I continued to share office space with Mr. Foster but, formed my own firm as Grace Gilchrist Dunbar, P.A.

(d) Grace Gilchrist Dunbar, PA, Spartanburg, South Carolina, Attorney, 1992-2004;
In 1992 through 2004, I had a general litigation practice handling domestic litigation, plaintiff's personal injury, workers' compensation, employment discrimination and criminal defense work. During this time, Mr. Foster's health began to deteriorate, and he retired. I purchased and renovated an office building in Spartanburg and moved my practice to a location approximately one block from Mr. Foster's office. I was a sole practitioner and solely handled the administrative and financial management of the law firm which required that I was in charge of payroll, payroll tax deposits, quarterly and annual tax returns, and I was in charge of the management of the law firm's trust account/s. A CPA firm calculated payroll, tax deposits, and withholding amounts.

(e) City of Spartanburg, Spartanburg, South Carolina, City Prosecutor, 1995-2010; part-time position;
In 1995, I took the position as the City Prosecutor for the City of Spartanburg. I held that position until 2010. It was part-time. My job responsibilities included the prosecution of all criminal jury trials for the City of Spartanburg. The cases ranged from minor traffic citations to more serious charges of Criminal Domestic Violence, Driving Under the Influence 1st offense and Driving Under Suspension. There were multi-day terms of court on a monthly basis. I dealt with attorneys representing defendants, as well as, pro-se litigants on a regular basis. Additionally, I served as legal counsel at City Council meetings when the City Attorney could not be present. I handled most of the appeals from the Spartanburg County Municipal Court to the Circuit Court.

(f) Grace Gilchrist Knie, PA, Spartanburg, South Carolina, Attorney, 2004 – February 23, 2017.
In 2004, although the nature of my practice remained the same, after my marriage, I changed the name of my law practice and professional association to Grace Gilchrist Knie, P.A. Approximately 6-8 years later I transitioned the nature of my practice from contested domestic litigation to Social Security Disability in addition to personal injury. I was a sole practitioner and solely handled the administrative and financial management of the law firm which required

that I was in charge of payroll, payroll tax deposits, quarterly and annual tax returns, and I was in charge of the management of the law firm's trust account/s. A CPA firm calculated payroll, tax deposits, and withholding amounts.

Judge Knie reported that she has held the following judicial office(s):

I was elected on February 1, 2017, by the SC General Assembly and took the oath on February 24th, 2017, for the position of Circuit Court Judge for the Seventh Judicial Circuit, Seat 2. The Circuit Court is a court of general trial jurisdiction and limited appellate jurisdiction from the Probate Court, Magistrate Court and Municipal Court in South Carolina. I was re-elected to the same position on February 7th, 2018.

Judge Knie provided the following list of her most significant orders or opinions:

(a) *Farr v. Wan, et.al.*, 2013-CP-42-02404
This action was brought as a medical negligence case in which it was alleged that the physician, a pulmonologist due to a failure to diagnose breached the standard of care when she failed to identify an abnormal density in the decedent's right lung. Suit was brought against the physician and her employer medical group. The case was tried by jury trial for one week in the fall of 2020. There were several expert witnesses from various parts of the United States called by both parties. The trial was challenging due to the constraints of the COVID pandemic. There were challenges and complications regarding jury selection, jury management, and travel restrictions for witnesses. Ultimately it was agreed that several expert witnesses would be allowed to testify virtually. The jury trial verdict was for the Defendants.

(b) *State v. Mark Anthony Gilbert*, 2019-GS-42-1035
This criminal jury trial involved allegations by the victim, a daughter against her biological father of criminal sexual conduct. The Defendant was charged with four counts of Criminal Sexual Conduct with a Minor in the Second Decree. The evidence presented by the State included the testimony of the victim, and other family members. The State presented no physical evidence. The case was tried for four days. The jury found the Defendant guilty on all charges. He was sentenced

to 25 years in the SC Department of Corrections and was required to register as a Sex Offender.

(c) *Keith Bookman v. Jason Brian Buffkin,* 2018-CP-40-6147
The parties in this action were involved in a motor vehicle collision on Interstate 77 North in 2018. Plaintiff was working in an interstate construction zone, driving a message board truck, and Defendant, driving under the influence, collided with the attenuator on the back of Plaintiff's truck. Plaintiff suffered personal injuries. Plaintiff brought a claim for negligence and sought actual and punitive damages. Plaintiff resolved his case against the at-fault insurance carrier on a covenant not to execute and proceeded at trial against the UIM carrier. Plaintiff's demand had been for the limits of coverage. In September of 2021, the case was tried for four days. At trial, Defendant admitted negligence but disputed that Plaintiff was injured or suffered any damages as a result of the collision. The parties presented expert testimony via video conference and in person from an orthopedic surgeon, a toxicologist, and a biomechanical expert. The jury returned a verdict in favor of the Plaintiff for $12.5 million dollars, $3.5 million dollars in actual damages and $9 million dollars in punitive damages.

(d) *State v. Christian Thomas McCall*, 2018-GS-46-03262, 2018-GS-46-03265, 2018-GS-46-03267 and 2018-GS-46-03269
This action arose in 2018 from a domestic dispute between husband and wife in which a 911 call was made from the residence of the victim and the Defendant. The Defendant fled the scene on foot and to apprehend him, a chase ensued by law enforcement. When cornered, the Defendant killed one officer and wounded three others. The Defendant pled guilty to Murder and three counts of Attempted Murder. He received a life sentence, three consecutive thirty-year sentences and a consecutive five-year sentence. This case was further complicated due to the significant public and press interest in this case, and the press coverage of the plea and sentencing hearing which lasted for several hours.

(e) *Carnell Davis v. The State of South Carolina,*1991-GS-42-1126 &1991-GS-42-1723
This matter came before the Court for a bench trial on resentencing pursuant to Aiken v. Byars, 410 S.C. 534, 765 S.E.2d 572 (2014). Petitioner filed his petition and the Circuit

Court of Spartanburg County was vested with exclusive jurisdiction to hear the petition by Order of the Chief Justice of the South Carolina Supreme Court. A hearing on the petition was conducted in August 2018. In 1991, the Petitioner committed murder and shot a Spartanburg City Police Officer. Petitioner was indicted and pled guilty to Murder and Assault and Battery with Intent to Kill. The Petitioner received a life sentence with parole on the Murder charge and he received a twenty-year consecutive sentence on the Assault and Battery with Intent to Kill charge. At the time of the commission of the crimes, the Petitioner was seventeen years old. Petitioner sought relief pursuant to Aiken v. Byars, 410 S.C. 534, 765 S.E.2d 572 (2014). However, the law of South Carolina at the time of Petitioner's conviction provided for possibility of parole being granted for persons sentenced to life terms. Based on information obtained from the South Carolina Department of Probation, Parole, and Pardon Services, since first becoming eligible for parole in 2011, Petitioner had at least four prior parole hearings and subsequent to the time of the re-sentencing hearing the Defendant would again be eligible for parole consideration. Because the Petitioner's original life sentence made him eligible for parole pursuant to South Carolina law, he was not entitled to resentencing pursuant to Aiken v. Byars, 410 S.C. 534, 765 S.E.2d 572 (2014).

Judge Knie reported no other employment while serving as a judge.

Judge Knie further reported the following regarding unsuccessful candidacies:
I ran for the position of Judge of the SC Court of Appeals, Seat 2, in 2022-2023. I withdrew from the race before the election.

(9) Judicial Temperament:

The Commission believes that Judge Knie's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Knie to be "Qualified" as to the evaluative criteria of constitutional qualifications, physical health, and mental

stability; and "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Judge Knie is married to Patrick Eugene Knie. She has no children.

Judge Knie reported that she was a member of the following Bar and professional associations:

(a) Spartanburg County Bar Association;
President, 2012; Vice President, 2011; Executive Committee member, 2009 -2013;
Chairperson, Spartanburg County Bar's Cinderella Prom Dress Project 2008-2013;
(b) SC Bar Association 1989 - Present;
Member, Judicial Qualifications Committee 2012 - January 2016;
Member, Solo and Small Firm Section
(c) American Bar Association;
(d) Association of SC Circuit Judges;
(e) NCSI (National Courts and Sciences Institute) SC Judicial Representative.

Judge Knie provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) First Presbyterian Church;
(b) The YMCA;
(c) The Piedmont Club;
(d) The Spartanburg County Library.

Judge Knie further reported:

As a young person, it was always my goal to complete college and law school. Out of necessity in order to pay the tuition and the necessary costs involved, I worked multiple jobs at the same time while attending school and was able to pay my way through undergraduate school and law school. I believe that I have a strong work ethic that has carried over to my professional practice. I was always willing to put in the long hours necessary to be fully prepared in every case which I handled. As a circuit court judge, I brought that work ethic with me every day to ensure that whatever

tasks were assigned to me were fully and timely completed. My work ethic has also made me very independent and I believe that such independence is very important to be a good and ethical jurist.

(11) Commission Members' Comments:

The Commission noted Judge Knie has a reputation of being an outstanding jurist who serves the State of South Carolina well. Judge Knie has an excellent judicial temperament and intellectual ability.

(12) Conclusion:

The Commission found Judge Knie qualified, and nominated her for re-election to Circuit Court, Seventh Judicial Circuit, Seat 2.

The Honorable Eugene Cannon Griffith Jr.
Circuit Court, Eighth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Griffith meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Griffith was born in 1964. He is 59 years old and a resident of Prosperity, South Carolina. Judge Griffith provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1991.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Griffith.

Judge Griffith demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Griffith reported that he has not made any campaign expenditures.

Judge Griffith testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Griffith testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Griffith to be intelligent and knowledgeable.

Judge Griffith reported that he has taught the following law-related courses:
Judge's School: For New Circuit Judges: 2016, 2017, 2018, 2019, 2020, 2021, 2023 – teach the criminal law portion to newly elected judges
Back to Basics SCACDL: February 2023 – Provided tips from judicial perspective to criminal defense attorneys
I spoken as a panel member for many CLE's e.g.: Solicitors Conferences, Public Defenders Conferences, and other CLE's on a variety of topics but mostly: Best courtroom practices/ Best Advice from the Bench, etc.

Judge Griffith reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Griffith did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Griffith did not indicate any evidence of a troubled financial status. Judge Griffith has handled his financial affairs responsibly.
The Commission also noted that Judge Griffith was punctual and attentive in his dealings with the Commission, and the

Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Griffith reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Griffith reported that he has not served in the military.

Judge Griffith reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Griffith appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Griffith appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Griffith was admitted to the South Carolina Bar in 1991.

He gave the following account of his legal experience since graduation from law school:

(a) March 1991 – July 1991: Clerk to the Honorable James E. Moore, Circuit Court for Eighth Judicial Circuit
(b) July 1991 – June 1992: Clerk to the Honorable John P. Gardner, S. C. Court of Appeals
(c) July 1992 – February 1997: solo practice as Griffith Law Firm – general practice of law. The office handled real estate transactions, mortgage closings, magistrate's trial work, criminal trial defense, civil trial work, both plaintiff and defense counsel, domestic relations trial work, and estate and probate matters. As a sole practitioner, I was entirely responsible for administrative and financial management functions.
(d) February 1997 – February 2009: In February of 1997, Rushing and Griffith, P.C., was formed by Eugene C. Griffith, Jr. and Elizabeth R. Griffith. The scope and type of law practice did not change significantly from the initial

five years as a solo practitioner, and was operated as a general practice. Don S. Rushing bought into the corporation, and opened an office in Lancaster, South Carolina. Don S. Rushing has operated a limited practice in the Lancaster office. During the last several years of the practice, the type of work performed in the Newberry office changed slightly. In January of 2005, I agreed to work as a special prosecutor for the Eighth Judicial Circuit for the court terms of General Sessions Court, held in Newberry County. After agreeing to act as special prosecutor, I was unable to accept cases as a criminal defense attorney. I also handled numerous condemnation actions on behalf of the SCDOT, Duke Energy, and City of Newberry. I was also appointed under the Circuit Court rules to numerous civil cases to act as special referee for non-jury matters, such as partitions and foreclosures. I was part-time city attorney or the City of Newberry for 15 years. I was entirely responsible for administrative and financial management functions of the law firm.

(e) February 27th, 2009 – present: Resident Circuit Court Judge for the Eighth Judicial Circuit, Seat 2
(f) May 2010 – December 2011: Chief Administrative Judge Eighth Judicial Circuit for Common Pleas and General Sessions
(g) January 2013 – December 2013: Chief Administrative Judge Eight Judicial Circuit for Common Pleas and General Sessions
(h) January 2014 – December 2014: Chief Administrative Judge Eight Judicial Circuit for General Sessions
(i) January 2016 – July 2016: Chief Administrative Judge Eighth Judicial Circuit for Common Pleas
(j) July 2016 – June 2017: Chief Administrative Judge Eleventh Judicial Circuit for General Sessions
(k) July 2017 – December 2017: Chief Administrative Judge Eighth Judicial Circuit for Common Pleas
(l) January 2018 – December 2018: Chief Administrative Judge Eleventh Judicial Circuit for General Sessions
(m) January 2019 – December 2020: Chief Administrative Judge Eighth Judicial Circuit for Common Pleas
(n) January 2021 – December 2021: Chief Administrative Judge for Sixth Judicial Circuit

(o) January 2022 – June 2022: Chief Administrative Judge Eighth Judicial Circuit for Common Pleas
(p) July 2022 – December 2023: Chief Administrative Judge Sixteenth Judicial Circuit for General Sessions

Judge Griffith reported that he has held the following judicial office(s):
Circuit Court Eighth Judicial Circuit Seat 2: February 27, 2009 to present

Judge Griffith provided the following list of his most significant orders or opinions:
(a) *Wilson v. Willis* 426 S.C. 326, 827 S.E.2d 167 (2019)
(b) *State v. Tim Jones* ___ S.E.2d ___, WL 2671754 (2023)
(c) *City of Charleston* v. City of North Charleston 439 SC 6, 885
SE2d 151 (Ct. App. 2023)
(d) *State v. Chhith-Berry*, 437 S.C. 527, 878 S.E.2d 352 (Ct. App. 2022)
(e) *Crenshaw v. Erskine College*, 432 S.C. 1, 850 S.E.2d 1 (2020)

Judge Griffith reported no other employment while serving as a judge.

Judge Griffith further reported the following regarding unsuccessful candidacies:
Candidate for House District 40 2002: Unsuccessful
Candidate for Circuit Court At-large Seat 13 2008: Unsuccessful

(9) Judicial Temperament:
The Commission believes that Judge Griffith's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Piedmont Citizens Committee on Judicial Qualification found Judge Griffith to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The

Committee commented that: "Judge Griffith has been an able and well-regarded judge for years on the Circuit Court bench. The Committee appreciates his record as a fine public servant and believes he will continue to do his community and his State credit during another term."

Judge Griffith is not married. He has three children.

Judge Griffith reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
(b) Newberry County Bar- President, 1994-1999; Secretary-Treasurer 1992-1994

Judge Griffith provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
I am an active member in Macedonia Lutheran Church and am currently serving as Vice Chair on the Church Council. I do not participate in other organizations.

(11) Commission Members' Comments:

The Commission complimented Judge Griffith's demeanor in the court room and his general reputation among the Bar. They thanked him for his years of service on the bench.

(12) Conclusion:

The Commission found Judge Griffith qualified, and nominated him for re-election to Circuit Court, Eighth Judicial Circuit, Seat 2.

The Honorable Daniel E. Martin Jr.
Circuit Court, Ninth Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Martin meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Martin was born in 1963. He is 60 years old and a resident of Charleston, South Carolina. Judge Martin provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1989.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Martin.

Judge Martin demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Martin reported that he has not made any campaign expenditures.

Judge Martin testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Martin testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Martin to be intelligent and knowledgeable.

Judge Martin reported that he has taught the following law-related courses:

I have been a presenter at the Orientation School for New Family Court Judges for the last six (6) years. In 2018, 2019, and 2019, my presentation covered Court rules. In 2020, my presentation concerned Court hearings. In 2021, 2022, and 2023, my topic focused on domestic hearings.

I have spoken at CLE presentations and also at the South Carolina Judicial Conference.

At the 2020 annual Judicial Conference in Columbia, I spoke on the subject of Court security.

On January 20, 2020, I served on a CLE panel entitled "What Works." The subject I covered was "best practices" for attorneys coming before the family court.

I have spoken numerous times at the Charleston School of Law at the invitation of the Black Law Student Association and several of the professors. The discussions mostly centered on family law and the procedure for seeking judicial office. I recently made a similar presentation to students at Charleston Pro Bono.

On April 28, 2020, I hosted a webinar with the Charleston County Bar Association to discuss new court procedures during the COVID-19 pandemic. More than 100 lawyers tuned in for the event. These are some of the most recent activates in which I lectured or spoke before members of the Bar and judiciary.

Judge Martin reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Martin did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Martin did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Judge Martin was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Martin reported that he is not rated by any legal rating organization.

Judge Martin reported that he has not served in the military.

Judge Martin reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Martin appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Martin appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Martin was admitted to the South Carolina Bar in 1989.

He gave the following account of his legal experience since graduation from law school:

1989 - 2011 Private Practice Law
1989 - 1993 Part-time Magistrate (Charleston County)
2011 - present Family Court Judge (Charleston County)

From 1989-2011, I engaged in a general practice of law. During most of that time, I was a sole practitioner. I employed a secretary and at times a paralegal to assist me. I was responsible for all administrative duties including the payment of payroll, insurance, worker's compensation expenses and other business expenses. I also compiled records for filing state and federal taxes, maintained IOTA and other trust accounts and monitored checking accounts. I dictated letters, prepared HUD-1 settlement statement, drafted deeds, notes, mortgages, contracts, wills, powers-of-attorney, accident settlement statements and other instruments necessary for the practice.

> I drafted and filed summons, complaints, answers, affidavits, motions, briefs, discovery requests and responses, subpoenas and other such documents necessary in my day to day practice. I deposed witnesses and prepared witnesses for their deposition(s) and in-court testimonies. I conducted voir dire in jury selections, directed and cross-examined witnesses, presented evidence at trial, and made both opening and closing statements before juries. I mostly filed actions on behalf of Plaintiffs but occasionally acted as counsel for Defendants. The actions I filed included various tort claims, medical malpractice claims, claims of excessive use of force and claims for wrongful death. I brought quiet title and partition actions, determination of heirs actions, petitions for the appointment of guardians and conservators, breach of contracts actions and non-compete lawsuits. I did hundreds of real estate closings involving the sale of residential and commercial property and the refinancing of mortgages. I was proficient in searching real estate titles and handled many land dispute actions. A significant part of my practice was in the field of domestic law. In addition to representing parties in divorce actions, I handled paternity actions, child custody disputes, abuse and neglect cases, juvenile defense, name changes and correction of birth certificates. I also represented persons charged with crimes, mostly at the magistrate and municipal court level.

Judge Martin further reported regarding his experience with the Circuit Court practice area:

> Before being elected to the Family Court bench in 2011, I represented people charged with various criminal offenses, mostly at the municipal and magistrate court level. I had several jury trials where my clients were charged with offenses like assault and battery and DUIs. I also represented people at guilty plea hearings in the Court of General Sessions but very rarely. Over the last 12 years, as a Family Court judge, I've presided over thousands of trials and hearings involving juveniles charged with criminal offenses. As the sole trier of fact(s) and interpreter of the law, I gained a unique perspective concerning the rights of the accused and deciding when the state had met its burden of proof beyond a reasonable doubt. I

believe that this experience has prepared me for handing matters in criminal court.

The larger part of my private practice was civil in nature. I handled many personal injury, medical malpractice, excessive use of force, dog bite and slander cases over the 22 years in private practice. (see answer to #10 above). Real estate closings and Family Court matters encompassed a significant portion of day to day practice. While I did represent Defendants from time to time, I mostly represented Plaintiffs in tort actions.

Judge Martin reported the frequency of his court appearances prior to his service on the bench as follows:

(a) Federal: One (1) four-day trial in 2008;
(b) State: I had at least two (2) jury trial in the Court of Common Pleas during the five years prior to me being elected to the family court. I also had at least five (5) bench trials and perhaps a dozen or more motions and non-jury hearings in the Court of Common Pleas. I had well more than 500 appearances in Family Court, Master-in-Equity Court, Probate Courts, Municipal Courts and Magistrate Courts in the five years before I went on the bench. I argued a case before the South Carolina Supreme Court in 2009, and appeared before the South Carolina Election Commission in 2009 and the Administrative Court in Columbia for a trial in May, 2010. I successful argued an appeal before the South Carolina Court of Appeals in 2011. I had scores of hearings in Probate Court for formal appointments of personal representatives, conservators and guardians, determination of heirs actions and will contests. My appearances in the tri-county Family Courts normally averaged between 3 to 8 times each week. It was not unusually for me to have three (3) hearings in one day in more than one Family Court.

Judge Martin reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:
(a) Civil: 15%;

(b) Criminal: 5%;
(c) Domestic: 50%;
(d) Other: 30%.

Judge Martin reported his practice in trial court as follows:
(a) 75% of cases settled prior to trial
(b) 10+ cases went to trial and resulted in a verdict
(c) 2 cases went to trial and resolved after the plaintiff's or State's case
(d) 1 case settled after a jury was selected but prior to opening statements

Judge Martin provided that during the past five years prior to his service on the bench he most often served as sole counsel.

The following is Judge Martin's account of his five most significant litigated matters:

(a) *USA vs. Larry Blanding* (Operation Lost Trust)
Case No.: CR-90-434-CHH

In this case, Larry Blanding, a member of the South Carolina General Assembly, was charged with violating the Hobbs Act. Mr. Blanding was accused of accepting a cash bribe from a lobbyist working under cover with the FBI in exchange for support a para-mutual betting bill. The criminal trial was tried in federal court in Columbia. Although Mr. Blanding was found guilty, my law partner and I appealed his conviction to the Fourth Circuit Court of Appeals. The conviction was reversed. This case was significant because it allowed me to experience the federal criminal process at an early stage in my legal career. It also exposed me to the criminal appeals process and allowed me to witness oral argument before the US Court of Appeals. The case itself was significant because it involved the alleged corruption of a state official and is credited with making the lobbying process before the South Carolina General Assembly more transparent.

(b) *Connell Brown and Illya Brown vs. Adolpho Cofino, Joseph Gabe and the City of Charleston*
Case Nos.: 2:92-1745-2 and 2:92-1744-2

These cases involved the shooting of a citizen in his own home by a Charleston city police officer and the unlawful arrest of his brother. Illya Brown, while walking home carrying his family's typewriter, was followed onto his front porch by two city officers. Mr. Brown was immediately grabbed by the officers, one of whom placed a handcuff around his wrist. His brother, Connell Brown, came to the front door of the residence and was immediately shot in the doorway. He survived his injuries but suffered significant injuries and permanent damages. Illya Brown was released without any criminal charges several hours after the shooting. Both brothers filed actions in federal court claiming violations of their civil rights and certain state torts claims. I, along with 2 other attorneys, represented the brothers. The case received significant coverage by the local press. The case was tried before a jury. Verdicts were returned in favor of the Defendants. However, the state court claims were preserved and litigated in the Charleston County Court of Common Pleas. The case involving Illya Brown resulted in a settlement after several days of testimony where I served as lead counsel. This case was significant because it challenged the over aggressive behavior of the Charleston Police Department. Because of the heavy publicity, claims of police brutality were reduced. Subsequently, the city of Charleston placed more emphasis officer training and how better to engage citizens they believe to be suspects.

(c) *Julia T. Gregory vs. Chief John R. Zumult and the City of North Charleston*
Case No.: 2:05-CV-0306-DCV

In this case, Asberry Wilder, a mentally ill adult, was shot to death by a member of the North Charleston Police Department after being accused of stealing a package of meat from a Piggly Wiggly grocery store. It was alleged by the officers that Mr. Wilder had a screw driver and posed a threat to one of the many officers that surrounded him. Mr. Wilder's mother filed an action against NCPD for his wrongful death. The case was tried over the course of several days in the United States District Court. After both parties presented their respective cases and just prior to presentation of closing arguments, the

trial judge reversed his prior ruling and granted a directed verdict in favor of the Defendants. During the trial, testimony revealed that the officer who claimed to suffer an injury at the hands of Mr. Wilder was actually struck by a fellow officer. Also, the Defendants' expert witness confirmed that the victim's fatal wounds were inflicted while he was already on the ground. Despite this significant revelation during trial, the judge ended the case in favor of the Defendants. Although the result was a painful loss for the Wilder family, the North Charleston police equipped their officers with taser guns after the filing of the lawsuit. The use of such a weapon would have most likely prevented the untimely death of Mr. Wilder and has perhaps spared the lives of other mentally challenged people in North Charleston since. I feel that the case was significant for this reason and how it benefitted me in better understanding the complexity between police encounters and the mentally ill community.

(d) *Dana E. Winters and Daniella C. Winters vs. Joyce Fiddie, C.W. Burbage, Barbara Daniels and Prudential Carolina Real Estate*
Case No.: 07-CP-08-0973
S.C. Court of Appeals No.: 2009115366

Vol. 7, Issue 10 of Verdict Search National, October 2008

In this case, Dana and Daniella Winters purchased a house shown to them by a real estate agent who acted as a dual agent for the sellers and the buyers. The sellers and their agent had prior knowledge that the home contained toxic mold, yet they failed to disclose this information to the buyers. After learning about the dangerous conditions in the home, my clients sued sellers, the agent and Prudential Carolina for failure to disclose and violating other provisions of the state code. The jury returned a verdict in favor of the Winters for $125,000 in actual and punitive damages. The case was significant because it was the first verdict in the country against a real estate agent and real estate company for failure to disclose the presence of mold in a residence. The case has been published in several national publications including Verdict Search. Although the

Defendants appealed the verdict, the jury's decision was upheld by the South Carolina Court of Appeals.

(e) *Fred Hamilton, Jr., and Allyne Mitchell vs. Jeff Fulgham, Norman Thomas and the Beaufort County Board of Elections and Voter Registration*
South Carolina Supreme Court Opinion No.: 26747

In November 2008, Fred Hamilton and Allyne Mitchell won the most votes for the two open seats on the Bluffton town council election. The town of Bluffton had no board of elections and commissioned the Beaufort County election board to conduct the election. Jeff Fulgham and Norman Thomas, the other two candidates, failed to win enough votes to win their elections. They filed a protest before the Beaufort County Board of Elections and a new election was ordered. Fred Hamilton and Alleyne Mitchell retained the services of my firm and appealed the decision to the South Carolina State Election Commission. The commission reversed the decision. Fulgham and Thomas then filed an appeal to the South Carolina Supreme Court. On May 13, 2009, I presented oral argument on behalf of Hamilton and Mitchell. Because the Bluffton township had not clarified the procedure for appeals in contest elections, the Supreme Court remanded the case to the Beaufort County Court of Common Pleas. Both Allyne Mitchell and Fred Hamilton, Jr., were sworn in and continued to serve as duly qualified members of the Bluffton town council. Mr. Hamilton still remains as a member of the council. This case is significant because it afforded me the opportunity to make an oral argument before the state's highest court. Also, but for the challenge, the town of Bluffton may have been deprived two very able and deserving members of its town council.

The following is Judge Martin's account of two civil appeals he has personally handled:

(a) Dana E. Winters and Daniella C. Winters vs. Joyce Fiddie, C.W. Burbage, Barbara Daniels and Prudential Carolina Real Estate

Decision issued on August 13, 2008
S.C. Court of Appeals No.: 2009115366

(b) Fred Hamilton, Jr., and Alleyne Mitchell vs. Jeff Fulgham, Norman Thomas and the Beaufort County Board of Elections and Voter Registration

Decision issued on December 7, 2009
South Carolina Supreme Court Opinion No.: 26747

Judge Martin reported that he has not personally handled any criminal appeals.

Judge Martin reported that he has held the following judicial office(s):

From 1989 – 1993, I served as a Magistrate (part-time) for the County of Charleston. I was appointed to this position by the Governor after being recommended by my local state Senator and approved by the local delegation. This was a Court of limited jurisdiction that handled small claims, landlord tenant disputes, claim and deliveries and presided over Bond Court. The jurisdiction of the Court was peninsula Charleston.

Since 2011, I have served as a judge of the Family Court in the Ninth Judicial Circuit. I am a resident judge in Charleston County and occupy seat no. 1. I was elected by the South Carolina General Assembly in February, 2011. The jurisdiction of the Family Court is established by state statute.

Judge Martin provided the following list of his most significant orders or opinions:

(a) *Adoptive Couple vs. Baby Girl, Birth Fathers and the Cherokee Indian Nation*,
Case No. 2009-DR-10-3803
S.C. Appellate Case No.: 2011-205166

This action involved custody of a minor child of Cherokee Indian decent. The mother, a white female, and father, a native of the Cherokee tribe, had a child born out-of-wedlock. (The child has since come to be widely known

as "Baby Veronica") The child was placed for adoption without the knowledge of the father. Unbeknownst to the biological father, the adoptive parents obtained physical custody shortly after the child's birth. After later becoming aware of the pending adoption action, the biological father and the Cherokee Indian Nation objected to the adoption. At the adoption hearing, the trial judge granted the biological father's counter petition for adoption. The child was placed with the father and both left South Carolina and moved to Oklahoma.

The adoptive parents appealed the case. A media storm brewed in South Carolina and Oklahoma. The South Carolina Supreme Court ultimately reversed the lower Court decision and remanded the case to Charleston County. I was assigned the case. At the first hearing, the Court approved the petition for adoption filed by the adoptive parents and issued a Decree of Adoption. The Court ruled that the child was to be returned to South Carolina immediately. Because the father failed to comply with my ruling, it was also necessary to issue orders to enforce the ruling. The unfolding situation drew national attention with governors of both South Carolina and Oklahoma getting involved. The father, after exhausting efforts in the Oklahoma state court system, the Indian tribal court system and the federal court system, ultimately allowed the child to be returned with her legal parents to South Carolina.

(b) Keith Alan May vs. Denise Marie May
Case No. 2015-DR-10-3222
S.C. Appellate Case No.: 2017-000030

The order issued by me in this matter involved a motion to relieve a party from an order which approved the parties' agreement. The agreement contained inconsistent language which impacted whether one party would be obligated to pay the other $60,000 as their share in the marital home. I decided that the parties' agreement should be reformed and made the necessary adjustment to the

agreement and final order. The former wife appealed the decision. The decision was affirmed.

(c) *Harrison Shelby Nelson vs. Melissa Starr Nelson,*
Case No. 2015-DR-10-1870
S.C. Appellate Case No.: 2017-000291

In this divorce case, the parties had resolved the child custody, visitation and support issues. The unresolved issues involved equitable distribution of significant marital assets and liabilities. After hearing all the testimony, the Court reached certain findings that the husband did not agree with. In his appeal, he challenged the Court's determination of his interest in property valued at more than a million dollars. He also asserted that my valuation of the marital home was incorrect. The wife also appealed my decision to grant a Rule 60(b) motion after the trial. The appellate court made a de novo review of the trial and all the evidence presented.

In South Carolina Court of Appeal's decision, it agreed with my decision to grant the Rule 60(b) motion. In doing so, it directly quoted language that I put in my final order. The Court also agreed that my valuation of the husband's investment property and that the Court's valuation of marital home was within the range of the evidence presented at the final hearing. The final order was affirmed.

(d) *SCDSS vs. Nina Ward and Benjamin R. Clayton, Sr.*
Case No. 2016-DR-10-2327
S.C. Appellate Case No. 2016-002327

This case involved the termination of the parental rights of Nina Ward and Benjamin Clayton to their minor children. Actions involving the termination of parental rights are some of the hardest for Family Court judges to make. In most cases, the parents truly love their children. However, their love is sometimes not enough to keep the families together. The judge is always governed by the best interest of the children. In this matter, the parents

failed to complete their drug treatment and other provisions required in their treatment plan. I determined that the best interest of the children demanded that the Defendant's parental rights be terminated. The parents appealed the case but the South Carolina Court of Appeals confirmed my decision.

(e) SCDSS vs. Teoshi Etoya Manigault White and Jawaan Frederick
Case No. 2018-DR-10-1582
S.C. Appellate Case No.: 2018-000888

In this case, the father, Jawaan F. White, appealed my final order terminating his parental rights to his minor daughter. Again, determinations in such cases are always difficult. Based upon the evidence, I determined that the Father had failed to make any material contribution toward the support of his child and that it would be in the child's best interest that his parental rights to her be terminated. The father appealed. The appellate court affirmed my decision.

Judge Martin reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Martin's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge Martin to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and. "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental health. The Committee commented: "Fabulous person, excellent judicial temperament, well balanced, compassionate, thoughtful, EXCELLENT CANDIDATE."

Judge Martin is married to Reba Z. Hough-Martin. He has two children.

Judge Martin reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar Association
(b) Charleston County Bar Association – former executive committee member
(c) SC Black Lawyers Association – former treasurer

Judge Martin provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Alpha Phi Alpha Fraternity, Inc., - life member
(b) Sigma Pi Phi Fraternity – current Sire Archon (president)
(c) Prince Hall Mason – Nehemiah Lodge No. 51
(d) George Washington Consistory No. 162 (33rd degree Mason)
(e) Arabian Temple No. 139 (Shriner)
(f) South Carolina Aquarium – current Board member
(g) Coastal Carolina Boy Scouts – current Board member
(h) Avery Institute – current Board member
(i) James L. Petigru chapter of Inns of Court – current member
(j) Charleston Pro Bono – current Board Member
(k) 2023 recipient of the Buchan, Brown and Jacobs award given by the South Carolina Conference of Family Court Judges

Judge Martin further reported:

I do not believe that judges should live a nomadic and isolated life. I believe that the more life experience that one has to bring to the bench, the better jurist he/she would make. I have always been active in my church and in my community. I have been affiliated with numerous charitable organizations including the Prince Hall Masons. As a 33 ° Mason, I held the position of Grand Legal Advisor for the state of South Carolina before joining the Family Court. I currently serve on many local boards of directors including Charleston Pro Bono, the Coastal Carolina Boy Scouts, the South Carolina Aquarium and Avery Institute. I actively participate in Inns of Court and have spoken individually and also on panels before fellow judges, lawyers, law students and students of all ages. As a sole practitioner with an office located in downtown Charleston for so many years, I consistently engaged with people from all walks of life. My clients came from every social-economic sector of our community. I believe that this well-rounded exposure to life and real-world situations and people of

diverse backgrounds has given me the tools necessary to serve on the Circuit Court bench. I feel that I have the compassion, empathy, knowledge, work ethic and moral compass that would make be able to serve with distinction as a judge on the Circuit Court.

(11) Commission Members' Comments:

The Commission commented that Judge Martin has a reputation of having a calm disposition and a great temperament, as well as a reputation for fairness, as a Family Court judge. The Commission noted that Judge Martin has the perfect demeanor for the Circuit Court bench.

(12) Conclusion:

The Commission found Judge Martin qualified, and nominated him for election to Circuit Court, Ninth Judicial Circuit, Seat 4.

Thomas J. Rode
Circuit Court, Ninth Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Rode meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Rode was born in 1983. He is 40 years old and a resident of Charleston, South Carolina. Mr. Rode provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2008.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Rode.

Mr. Rode demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Rode reported that he has made $310.40 in campaign expenditures for palm card photos and metered postage.

Mr. Rode testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Rode testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Rode to be intelligent and knowledgeable.

Mr. Rode reported that he has taught the following law-related courses:

(a) Yes. I taught legal research and writing to first year law students at the Charleston School of Law from 2013 through 2017. This course involved lectures, two or three times per week on topics related to general legal issues and standards of review, formulating arguments, researching legal issues, and composing various legal documents, motions, and appellate briefs. It also included preparing for and delivering oral argument. Dealing with a crowded class of students, all with varying degrees of experience and legal knowledge, was good preparation for dealing with difficult personalities, explaining concepts simply, delivering prompt feedback, and ensuring continued progress toward keeping to a longer-term schedule. These are skills that will translate well in serving as a Circuit Court judge.

Mr. Rode reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Rode did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Rode did not indicate any evidence of a troubled financial status. Mr. Rode has handled his financial affairs responsibly.

The Commission also noted that Mr. Rode was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Rode reported that his rating by a legal rating organization as follows: for Super Lawyers, Rising Star; for Best Lawyers, Appellate Practice; and for Lawyers of Distinction, Appellate Practice.

Mr. Rode reported that he has not served in the military.

Mr. Rode reported that he has never held public office.

(6) Physical Health:

Mr. Rode appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Rode appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Rode was admitted to the South Carolina Bar in 2008.

He gave the following account of his legal experience since graduation from law school:

(a) 2008-2011: Law Clerk to the Honorable Paula Thomas, South Carolina Court of Appeals.

My primary role as an appellate law clerk was to review and analyze the merits of appeals assigned to Judge Thomas. I made recommendations for disposition, first to Judge Thomas and then later to the other appellate judges reviewing the case. It was my responsibility to research and articulate a comprehensive explanation of the legal basis for those recommendations. This required me to conduct thorough review of the evidence in the record and orders issued by the trial court, prepare for and attend oral arguments, and develop an in-depth understanding of the legal rules implicated. It was also my responsibility to critically analyze the recommendations Judge Thomas received from the other appellate judges on the panel. I also employed a similar analytical process for the many appeals that were initially evaluated by the Staff Attorney's Office of the Court of Appeals. Once the judges finalized their decision(s) on a particular matter, I was responsible for preparing drafts of the opinions or dissents that would be authored by Judge Thomas for publication. I drafted these opinions in collaboration with Judge Thomas and pursuant to her directives on the proper legal reasoning and outcome.

Finally, to the extent the Court received any petition for rehearing or petition for rehearing en banc, it was my duty to conduct the same type of evaluation and analysis described above. As a result, the number of appeals I handled and the variety of legal issues that I tackled during my three-year clerkship for Judge Thomas was in the hundreds.

(b) 2011-2013: Associate Attorney at Savage and Savage P.A.

The general nature of my practice included criminal defense and personal injury in both State and Federal courts, as well as in various municipal, magistrate, and administrative courts throughout the Charleston area. In this role I made regular and frequent appearances in both State and Federal courts. I tried multiple criminal cases with Andy Savage, a well-seasoned and respected criminal defense attorney and I learned a great deal in the process. I was not involved with the administration or financial management of this firm or management of its trust accounts.

(c) 2013: Associate Attorney at Babb Law Firm.

The general nature of my practice included criminal defense and personal injury. I was only in this position for a very brief period, and I was not involved with the administration or financial management of this firm or management of this firm's trust accounts.

(d) 2013 – 2014: Sole Practitioner at The Rode Law Firm.

In this role, I operated as a general practitioner and the majority of my practice consisted of criminal defense and personal injury. As a sole practitioner, I managed all aspects of administration and financial matters of the firm including the trust account.

(e) 2014 – Present: Attorney/Partner at Thurmond Kirchner & Timbes, P.A.

I focus primarily on civil litigation and appellate work. My civil practice is generally described as business litigation, a lot of which is related to the construction and development industries. This includes contract disputes, mechanic's liens and construction defects. However, my practice areas are broad and I have litigated real property disputes, condemnation actions, insurance coverage disputes, homeowner association matters, unfair trade practices, and land use issues. I have also handled a variety of tort matters including bad faith actions, employment claims, and malpractice matters. I routinely represent both plaintiffs and defendants, and my practice has also included insurance defense.

My appellate practice is equally diverse. Since 2015, I have worked on roughly twenty (20) appeals to the Supreme Court of South Carolina, the South Carolina Court of Appeals, and the U.S. Court of Appeals for the Fourth Circuit. The types of appeals I have handled vary widely, and I have represented appellants, respondents, and amici curia parties. In addition to a variety of different civil matters, I have handled appeals from the Court of General Sessions, Family Court, Probate Court, and the Master-in-Equity. I have also handled appeals involving questions related to Worker's Compensation issues. This is in

addition to the innumerable appellate issues I worked on as a law clerk at the South Carolina Court of Appeals.

In my current role, I am not heavily involved with the day-to-day administrative or financial management of the firm. While I am informed of these matters, my active role is typically limited to those things in which my involvement is necessary. Similarly, I monitor, review, and approve trust account transactions related to my specific clients, but I am not actively involved in the day-to-day management of the firm's IOLTA account(s) for clients whose matters I am not handling.

Mr. Rode further reported regarding his experience with the Circuit Court practice area:

Criminal Matters:

In the past five years, I have not handled any criminal matters in Circuit Court. However, I have successfully appealed a criminal matter to the Supreme Court of South Carolina in State v. Cain, 419 S.C. 24, 795 S.E.2d 846 (2017). This case concerned the admissibility of expert scientific testimony on the issues of theoretical or hypothetical quantities in drug related prosecutions. Although my practice does not currently include criminal defense, my experience as an appellate law clerk provided me with extensive experience in addressing and analyzing a huge number of criminal appeals. These included a wide array of issues from evidentiary disputes to substantive questions regarding South Carolina's Criminal Code, to sentencing, and everything in between.

My experience in criminal law is not limited only to my work as an appellate law clerk. During my first several years in private practice, between 2011 and 2014, a large majority of my practice included criminal defense in both state and federal court. During this time, I tried multiple criminal cases. Moreover, while in law school I not only received the CALI Award (highest grade) in Criminal Procedure, but I also worked as an intern for both a state and federal prosecutor. I worked as a summer intern in the District Attorney's Office (the equivalent of a circuit solicitor) in my hometown of Wilmington, North Carolina. During the

school year, I worked as a legal extern in the United States Attorney's Office in Charleston. Combined, my experience has provided me with a substantive understanding of criminal law as well as a keen insight into the practical realities facing the participants in the criminal justice system. Not only do I have a solid understanding of the direct and collateral effects the criminal justice system has on the people charged and their families, I have also acquired a unique awareness of the burdens that the criminal justice system can place on prosecutors, defense attorneys, the court's administrative resources, and (most importantly) the people who are victims of crime.

Civil Matters:

During the past five years I have handled a variety of civil matters in Circuit Court for both plaintiffs and defendants. A fair amount of my litigation practice is business related and specifically pertains to businesses in the construction industry. I have represented both builders and homeowners in contract disputes, mechanic's liens, and construction defect claims. I have represented a variety of clients—from individuals and small business owners all the way up to large corporations. My practice also includes real property litigation, including ownership disputes, heirs property matters, and zoning/land use disputes. I have represented property owners as well as local municipalities/governmental entities.

I have also had the opportunity to handle cases in a variety of other practice areas. These have included maritime cases, electronic eavesdropping and wiretapping issues, insurance coverage and bad faith matters, professional malpractice claims, class action suits, claims for unfair trade practices, Section 1983 civil rights actions, defamation, products liability, and employment matters—among others. I have represented both plaintiffs and defendants, as well as defended clients on behalf of insurance companies. This varied practice, together with my appellate experience, makes me uniquely well qualified to serve as a Circuit Court judge.

Mr. Rode reported the frequency of his court appearances during the past five years as follows:

(a) Federal: During the past five years, I have handled eight (8) matters in U.S. District Court and one (1) appeal before the U.S. Court of Appeals for the Fourth Circuit. Thus, my actual appearances in federal court over the past five years have been relatively infrequent, particularly during and since the pandemic;

(b) State: During the past five years, I have handled roughly fifty-five (55) separate matters in Circuit Court, and roughly twenty (20) matters before the Supreme Court of South Carolina and/or the South Carolina Court of Appeals. I make regular court appearances that average approximately once per month. My court appearances were more frequent prior to the pandemic.

Mr. Rode reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 100%;

(b) Criminal: 0% (I handled one criminal appeal in 2017 and have handled many criminal matters in my career— just not in the past five years.);

(c) Domestic: 0% (I handled one Family Court appeal in 2021.)

(d) Other: n/a

Mr. Rode reported his practice in trial court as follows:

(a) 70% of cases were in trial court. Roughly 5-10% of my practice involved matters that would otherwise have been in trial court but were either resolved pre-suit or were resolved through alternative dispute resolution. The balance of my practice (roughly 20-25%) involved matters on appeal.

(b) 1 case went to trial and resulted in a verdict.

(c) 0 cases went to trial and resolved after the plaintiff's or State's case.

(d) 0 cased settled after a jury was selected but prior to opening statements.

Mr. Rode provided that during the past five years he most often served as chief counsel and/or co-counsel with one or more attorneys in his firm.

The following is Mr. Rode's account of his five most significant litigated matters:

(a) *In re Mt. Hawley Ins. Co.*, 427 S.C. 159, 161, 829 S.E.2d 707, 709 (2019).

This matter came before the Supreme Court of South Carolina on a certified question from the U.S. Court of Appeals for the Fourth Circuit. The question was significant because it involved a matter of first impression in South Carolina concerning attorney-client privilege in the context of an insurance bad faith action—a scenario that places the policy considerations of attorney-client privilege in conflict. Specifically, the case dealt with what is known as the "at issue" exception to attorney-client privilege. This case sought to resolve the extent to which a party could rely on the substance of attorney-client communication, either explicitly or implicitly, before the attorney-client privilege would be considered waived. The arguments, as well as the Supreme Court's analysis, explored the extent to which the laws and public policy of this State embrace the various interpretations of this rule that had been observed around the country. Ultimately the Supreme Court developed its own analytical framework to evaluate this issue that is instructive in bad faith matters.

(b) *State v. Cain*, 419 S.C. 24, 795 S.E.2d 846 (2017).

In this criminal appeal, the Supreme Court of South Carolina confronted the novel question of whether a defendant could be convicted of possession with the intent to distribute drugs where the only evidence offered to satisfy the quantity element of the crime was expert testimony about "theoretical yield." The evidence offered was an expert's opinion as to the theoretical quantity of drugs or contraband the defendant might have been able to manufacture,

possess, or distribute. The Court ultimately rejected the use of "theoretical yield" evidence in the manner it was used in this case. Not only did this case involve a matter of first impression, but it was also legally significant because it demonstrated how evidentiary rules—particularly those concerning expert testimony—overlap with the substantive requirements of the criminal code. The matter was also significant because it implicated unique questions of issue preservation that arose post-trial. These preservation issues—while seemingly mundane—are exceptionally important to appellate procedure and appellate practitioners.

(c) *Cavanaugh v. Cavanaugh*: 2017-CP-10-03376.

This matter dealt with civil claims and private rights of action brought for alleged electronic wiretapping and eavesdropping under both South Carolina and federal law. This case presented several technical and seemingly novel issues that had not previously been litigated in our state courts. As a result, the case presented an exciting and stimulating academic challenge to research and develop the necessary legal arguments on behalf of my client. Over years of contentious litigation, the case was a great opportunity to hone the skills necessary to synthesize and present hyper-technical arguments to the Circuit Court. While the case likely would have presented several novel issues for our appellate courts, the matter settled before trial.

(d) *Brown v. VSHZ; Traxxas, LP & Amazon.com Inc.*, 4:15-4684-BHH

This case dealt with an alleged product defect and failure to warn, stemming from the explosion of a lithium-ion battery. Although this is a well-known risk with these batteries now, it was less widely known at the time. While the subject matter was interesting and presented intriguing legal issues concerning the extent to which liability flows to attenuated sellers in the stream of commerce, this case was significant to me for a different reason. I represented one of many large corporate defendants and it presented one of the first and most notable matters in which I was able to observe how

the relationships and interactions between corporate in-house counsel, litigation counsel, and local counsel can converge to have a significant impact on the volume and type of issues, motions, and arguments that come before the Circuit Court. In learning to marshal these competing interests I developed an ability to efficiently cut through the complicated and voluminous legal theories and proposed strategies to get to the heart of the issues that are relevant under South Carolina law and local practice.

I strongly believe that all parties are entitled to their day in court and the opportunity to have their grievances resolved as efficiently as possible. A Circuit Court judge set to tackle a lengthy motions roster may be presented with one motion on a complicated $10 million dollar dispute, and another case that is a simple and small-value dispute. Both cases are deserving of the Court's time and attention, but a Circuit Court judge must be able to strike a balance that ensures a singular matter does not syphon away all the Court's time. This necessarily requires a Circuit Court judge be able to effectively synthesize complicated matters to the more manageable core issues, but also requires the ability to appreciate how one case could negatively impact another. While no silver bullet exists, having the ability to predict and appreciate how some cases might be made overly complicated is an important tool that could help me strike this balance. That is the reason I include this case among the significant cases I have handled.

(e) *Hollinshead v. Medical University of South Carolina*; 2:19-cv-2517-RMG-BM

This case is significant primarily for personal reasons. Many lawyers have "that one case" that sticks with them as the years go on. This is that case for me. It was the perfect combination of a deserving client who suffered a terrible event and a result that actually set the wrong right and felt like true justice. This was a wrongful termination matter in which the plaintiff, an African American, alleged that shortly after receiving a promotion, her new boss, who was white, initiated an escalating course of sexual and racial harassment. The

plaintiff claimed she reported the conduct to Human Resources—which investigated and confirmed the claims to be true—but instead of taking any steps to address the matter, the plaintiff was summarily terminated. Ultimately, with my help, the parties reached a settlement that not only compensated the plaintiff for her losses, but also afforded her the opportunity to return to employment—a very rare occurrence.

This matter is not significant for any prestige or monetary award. Instead, this matter is significant to me because of the justice that was obtained. The plaintiff, who suffered atrocious mistreatment because of her race, was able to reclaim her dignity in a way that money alone could never have done for her. The ability to help facilitate that result gave me a sense of accomplishment that struck at the very heart of why I became a lawyer. For that reason, this case will remain one of the most significant cases I've handled.

The following is Mr. Rode's account of five civil appeals he has personally handled:

(a) *In re Mt. Hawley Ins. Co.*, 427 S.C. 159, 829 S.E.2d 707 (2019) – Supreme Court of South Carolina.
(b) *Mims v. USAA Cas. Ins. Co.*, No. 21-1654, 2023 U.S. App. LEXIS 6727, (4th Cir. Mar. 21, 2023) – U.S. Court of Appeals for the Fourth Circuit.
(c) *Martin v. Valipour*, No. 2023-UP-080, 2023 S.C. App. Unpub. LEXIS 101, (Ct. App. Mar. 8, 2023) – South Carolina Court of Appeals.
(d) *United Servs. Auto. Ass'n v. Pickens*, 434 S.C. 60, 862 S.E.2d 442 (2021) – Supreme Court of South Carolina.
(e) *Morris v. State Fiscal Accountability Auth.*, No. 2023-UP-201, 2023 S.C. App. Unpub. LEXIS 260 (Ct. App. May 24, 2023) – South Carolina Court of Appeals.

The following is Mr. Rode's account of two criminal appeals he has personally handled:

(a) *State v. Cain*, 419 S.C. 24, 26, 795 S.E.2d 846, 847 (2017) – Supreme Court of South Carolina.

(b) This list does not include the numerous criminal appeals I worked on while a law clerk at the South Carolina Court of Appeals.

(9) Judicial Temperament:

The Commission believes that Mr. Rode's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Mr. Rode to be "Qualified" in the evaluative criteria of constitutional qualification, physical health, mental stability, and experience; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament. The Committee had no related or summary comments.

Mr. Rode is married to Julie L. Moore. He has two children.

Mr. Rode reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association.
(b) Charleston County Bar Association.

Mr. Rode provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Old Windermere Neighborhood Association – Board Member.
(b) South Carolina Bar Association, Young Lawyers Division Committee Chair, Star of the Quarter.
(c) South Carolina Bar Foundation – Ambassador Board Member

Mr. Rode further reported:

In candor, I went to law school without a full understanding of what it truly meant to be a lawyer. However, through some great fortune, I discovered the law is something I am passionate about and my passion made me good at it. I became a dedicated student of the law and was constantly curious to understand it better. Through hard work I graduated near the top of my law school

class. This gave me the opportunity to become an appellate law clerk which super-charged my ability to study the law and provided me with substantive experience on a wide array of legal issues and cases. No other job could have given me this foundation and appreciation for the law of our state. Through this experience, I learned how to identify and evaluate issues, how to recognize potential pitfalls, and how to avoid problems that could result in unnecessary appeals that delay the resolution of cases for litigants.

As important as the academic experience, my appellate clerkship provided me with the opportunity to work closely with many exceptional judges at the Court of Appeals. No better mentors could possibly exist for a future judge. Of the many and most lasting lessons I learned from these judges was how imperative it is for a judge to approach every case with an open mind and without assuming you know everything there is to know about the law. At first, I was surprised, but then inspired by the humility of the jurists I worked with. I came to appreciate how necessary this trait is for a judge, who cannot let preconceived ideas or assumptions about the law guide his analysis or impact his ruling. I learned that to serve the law, a judge must remain open to changing his mind when a studied analysis demonstrates his assumptions about the law were wrong. The humility to acknowledge the limitations of your knowledge, the willingness to discover those limitations, and the academic courage to admit you might be wrong, are all indispensable to serving as a judge. This is something I learned firsthand from the very start of my career.

My time in private practice has also informed my knowledge of a judge's role. Having handled all types of matters—criminal, civil, trials, and appeals—I am familiar with the legal and practical issues facing practitioners. I know, firsthand, the passion, stress, hard work, unpaid hours, and soul that trial lawyers (on both sides) put into their work for their clients. A Circuit Court judge sits precisely at the intersection of where the academics of the law meet the practical and administrative realities of a crowded docket. While it always hurts to lose, a judge cannot take the efforts of litigants for granted. A judge must be willing to rule and to do so in a way the law requires

and do so efficiently. I believe this requires a judge to strike a very difficult balance that ensures the highest fidelity to the law as well as administrative efficiency. My unique set of experiences have allowed me to develop a keen ability to navigate both of those competing duties. If I were elected Circuit Court judge, I believe I could provide a true benefit to the judiciary and the people of my community.

(11) Commission Members' Comments:

The Commission commented that Mr. Rode is well qualified and respected by his peers in the legal community. They noted that his work ethic, analytical ability, and excellent temperament make him well-suited to serve as a circuit court judge.

(12) Conclusion:

The Commission found Mr. Rode qualified, and nominated him for election to Circuit Court, Ninth Judicial Circuit, Seat 4.

The Honorable Dale E. Van Slambrook
Circuit Court, Ninth Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Van Slambrook meets the qualifications prescribed by law for judicial service as a circuit court judge.

Judge Van Slambrook was born in 1958. He is 65 years old and a resident of Goose Creek, South Carolina. Judge Van Slambrook provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1983.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Van Slambrook.

Judge Van Slambrook demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte

communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Van Slambrook reported that he has not made any campaign expenditures.

Judge Van Slambrook reported that he has made $230.73 in campaign expenditures for stationery and envelopes ($152.77), name tag ($27.96) and postage ($50.00).

Judge Van Slambrook testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Van Slambrook testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Van Slambrook to be intelligent and knowledgeable.

Judge Van Slambrook reported that he has taught the following law-related courses:

(a) I have lectured at the April 26, 2018 Berkeley County Bar Day Court CLE
(b) I made presentation on the topic of Partition Actions on December 15, 2017

Judge Van Slambrook reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Van Slambrook did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Van Slambrook did not indicate any evidence of a troubled financial status. Judge Van Slambrook has handled his financial affairs responsibly.

The Commission also noted that Judge Van Slambrook was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Van Slambrook reported that his rating by a legal rating organization was B.V.

Judge Van Slambrook reported that he has not served in the military.

Judge Van Slambrook reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Van Slambrook appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Van Slambrook appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Van Slambrook was admitted to the South Carolina Bar in 1983.

He gave the following account of his legal experience since graduation from law school:

From 1983 to 2000, I engaged in a General law practice. I was involved in domestic cases, divorce, child custody disputes; Workers Compensation cases; Chapter 7 and Chapter 13 Bankruptcy cases; Personal Injury Litigation; Probate; Social Security; Real Estate Closings and Real Estate Litigation. Beginning in 2000, my practice narrowed to where I was primarily involved in personal injury, Social Security, Probate and Miscellaneous Litigation.

I was hired as an Associate with The Steinberg Law Firm, LLP in 1983, became a partner in 1986. I primarily practiced in the Goose Creek Office but also worked in the Ashley Phosphate office and later in the Summerville office located on Main Street then Old Trolley Road as the Managing Partner of the Office until taking the Bench in November 2014. All of these positions included the operating and trust accounts.

Judge Van Slambrook further reported regarding his experience with the Circuit Court practice area:

Criminal Matters : As a part of my private practice, I defended cases in the Magistrate Court, Municipal Court and General Sessions and tried cases in all Courts in Berkeley, Charleston and Dorchester County. Most recently, I presided over Jury Trials as Municipal Court Judge for the City of Goose Creek. I handled all matters relating to these criminal Trials. Primary focus was Driving Under the Influence, Shoplifting and Criminal Domestic Violence cases. Many cases involved Pro Se Defendants and majority of cases were prosecuted by the Arresting Officer. As a Special Circuit Court Judge, I presided over Guilty Pleas and Probation Revocation Hearings.

Also, as Special Circuit Judge, I routinely review and grant search warrants relating to matters involving telecommunications, banking, and the internet.

As Judge of the Berkeley County Adult Drug Court, I have advanced my depth of knowledge of the Criminal Court System immensely.

Civil Matters : As a part of my private practice, I handled numerous Civil matters in Magistrate Court and Common Pleas. I tried approximately one hundred (100) Jury Trial cases to verdict during my private practice. Further, I practiced in Bankruptcy Court as a Debtors Attorney in Chapter 7 and Chapter 13 cases until approximately 2006. I practiced in Federal Court presenting Social Security Disability Claimants primarily from 2008 to 2014.

As Special Circuit Court Judge concerning Civil matters, I review and sign routine matters as Default Orders, Dismissals, Publication and Appointment of Guardians.

I routinely handle minor settlements and wrongful death settlements for Berkeley County. This constant review of procedural matters has also increased my breath of knowledge as to the day to day workings of the Court System from the Judicial and Administrative perspective.

Judge Van Slambrook reported the frequency of his court appearances during the past five years as follows:

(a) Federal: 10 to 15 – including Social Security (per year)
(b) State: 10 – 15 (per year)

Judge Van Slambrook reported the percentage of his practice involving civil, criminal, domestic and other matters during the five years prior to his appointment to the bench as follows:

(a) Civil: 95%;
(b) Criminal: 0%;
(c) Domestic: 0%;
(d) Other: 5% - Probate

Judge Van Slambrook reported the percentage of his practice in trial court during the past five years as follows:

(a) Jury: 50%
(b) Non-jury: 50%

Judge Van Slambrook provided that during the past five years he most often served as sole counsel.

The following is Judge Van Slambrook's account of his five most significant litigated matters:

(a) *Ruth Atkins (Pinckney vs. Atkins* 317 SC 340 (1995)
I was retained after the Trial and filed an Appeal based upon numerous errors at the original Hearing. The published Opinion clarified numerous procedural issues relative to Real Partition Actions.
(b) *Coleman Dangerfield vs. Rainbow Carpets, et al.* (2011)
Personal Injury Trial in Berkeley County tried in May 2011 for four (4) days. Involved significant medical causation and

psychiatric issues, multiple physician depositions and liability issues.

(c) *Tamson Susor vs. Tommy Lee Schmidt* (2012)
Personal Injury Trial in Dorchester Court of Common Pleas. Involved liability and medical causation issues. Significant due to novel issues raised regarding social media and its admissibility.

(d) *Sheryl Elliot vs. Three D Metal, Inc., et al.* (2012
Personal Injury litigation case involving medical causation issues. Most significantly was the various experts regarding accident reconstruction and epidemiology. This matter was settled immediately prior to Trial during a second mediation.

(e) *Estate of Catherine Wall vs. La Hacienda, et al.* (2011)
Wrongful death premises liability claim resulting from a fall from which an eighty (80) year old woman died. Significant issues involved defective construction and proof of conscious pain and suffering. Successfully presented a video commemoration of Mrs. Wall's life to demonstrate damages. Also involved numerous Probate Court filings.

The following is Judge Van Slambrook's account of the civil appeal he has personally handled:

Ruth Atkins (Pinckeny vs. Atkins 317 SC 340 (1995)
I was retained after the Trial and filed an Appeal based upon numerous errors at the original Hearing. The published Opinion clarified numerous procedural issues relative to Real Partition Actions.

Judge Van Slambrook reported that he has not personally handled any criminal appeals.

Judge Van Slambrook reported that he has held the following judicial office(s):

(a) City of Goose Creek, 2009 to 2014, primarily Criminal Jury Trials, occasional Bond Hearings, Bench Trials and Motions
(b) Berkeley County Master-In-Equity, 2014 to present
(c) Berkeley County Adult Drug Court Judge, 2017 to present
(d) Special Circuit Judge, 2016 to present

Judge Van Slambrook provided the following list of his most significant orders or opinions:

(a) *Mills vs. Hudson* 2012-CP-08-3013
Disputed Trial involving issues of Title to Real Estate Property, access prescriptive easement and res judicata. The Order was affirmed on Appeal. (Appellate Case No. 2015-2175)

(b) *Carolina Comfort Specialist vs Weddle* 2012-CP-08-1869
Disputed multi-day Trial involving Mechanic's Lien, Breach of Contract, Remediation, Construction issues, Service of Process and other evidentiary and procedural issues. The Order was confirmed on Appeal. (Appellate Case No. 2016-2323)

(c) *Matash vs. Clark* 2015-CP-08-0053
Disputed Trial involving neighborhood access and easement issues

(d) *Estate of Stephens vs. Anderson* 2011-CP-08-2933
Disputed Adverse Possession Action involving Estoppel, Laches and significant procedural and evidentiary issues.

(e) *Blue Chip vs. Bonifay* 2014-CP-08-1142
Disputed multi day Trial involving Breach of Contract issues and business development concerning development of medical equipment business. The case was dismissed on appeal. (Appellate Case No. 2016-1307)

Judge Van Slambrook reported no other employment while serving as a judge.

Judge Van Slambrook further reported the following regarding unsuccessful candidacies:
Unsuccessful candidate for Circuit Court Ninth Judicial Circuit, Seat 2 in 2018; Circuit Court At Large Seat 12 in 2020.

(9) Judicial Temperament:

The Commission believes that Judge Van Slambrook's temperament has been and would continue to be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge Van Slambrook to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and

mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Extremely well qualified, excellent judicial temperament, [unreadable] and really compassionate, smart—A GREAT CANDIDATE."

Judge Van Slambrook is married to Darlene J. Van Slambrook. He has three children.

Judge Van Slambrook reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar Association 1983 to present
(b) Charleston County Bar Association 1983 to present
(c) Berkeley County Bar Association 1983 to present
Bar President 2011
(d) South Carolina Master-In-Equity 2014 to present
(e) Judges Association, President 2019-2020

Judge Van Slambrook provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Goose Creek International Triathlon Club - member
(b) St. James United Methodist Church - former Lay Leader; former Finance Committee Chairman; former Trustee; Chair of Administrative Council
(c) National Rifle Association – member

Judge Van Slambrook further reported:

I have lived in Berkeley County since 1974 and graduated from Goose Creek High School, Clemson University and University of South Carolina School of Law. I practiced law with The Steinberg Law Firm, LLP for more than thirty (30) years primarily out of the Goose Creek office and later in Summerville offices.

I began my legal career as general practitioner and handled a variety of cases including but not limited to domestic, criminal,

probate, civil cases, high volume of real estate closing and real estate litigation and personal bankruptcy cases.

I have tried cases Jury and Non-Jury in various Courts in Charleston, Berkeley and Dorchester County Common Pleas, Family Court, General Sessions, Master-In-Equity, Magistrate and Municipal Courts. I have handled almost all manner of disputes in these various Courts.
For the last years of my private practice, I focused primarily on personal injury litigation and Social Security Disability.
I presided over Criminal Jury Trials as a Municipal Judge for the City of Goose Creek from 2009 to 2014.

I currently serve as Berkeley County Master-In-Equity primarily Non-Jury matters that frequently involved Pro Se Litigants during the extremely stressful Foreclosure process. I also have been able to serve as a Special Circuit Court Judge and handle non jury civil matters, wrongful death settlement, and minor settlements. As Judge of the Berkeley County Adult Drug Court, I interact on a weekly basis with participants and the Drug Court Team, including assistant solicitors, public defenders and health professionals.

My experience as a Master-In-Equity, Special Circuit Court Judge, Berkeley County Adult Drug Court Judge and as Municipal Court Judge has provided me an insight into the difficulties and enormous responsibilities which face every person serving on the Bench.

I believe that based upon my depth of experience as a practicing attorney, service as a Criminal Court Judge, Master-In-Equity, a Special Circuit Court Judge and as an Adult Drug Court Judge, I have the training, education and experience to effectively perform the duties of a Circuit Court Judge. I believe that I would be able to apply a common sense and practical approach to the many duties of a Circuit Court Judge.

(11) Commission Members' Comments:

The Commission commented that Judge Van Slambrook is an impressive candidate with an outstanding reputation amongst his

peers. They noted he is well-qualified with excellent judicial temperament and strong intellectual ability.

(12) Conclusion:

The Commission found Judge Van Slambrook qualified, and nominated him for election to Circuit Court, Ninth Judicial Circuit, Seat 4.

The Honorable R. Scott Sprouse
Circuit Court, Tenth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Sprouse meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Sprouse was born in 1964. He is 59 years old and a resident of Walhalla, South Carolina. Judge Sprouse provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1990.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Sprouse.

Judge Sprouse demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Sprouse reported that he has not made any campaign expenditures.

Judge Sprouse testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Sprouse testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Sprouse to be intelligent and knowledgeable.

Judge Sprouse reported that he has taught the following law-related courses:

5-5-23 I spoke on tips from the bench in Circuit Court at the Oconee Bar Annual Meeting.

10-28-22 I spoke to two political science classes at Clemson University about a law career and law school.

4-16- 19 I spoke to the TriCounty Judicial Association on Ethics and Tips from the Circuit Court for Magistrates at Anderson Civic Center.

3-23-17 I participated in the SC Bar Upstate Sporting Clays on the Judge Panel.

4-28-16 I spoke to the TriCounty Judicial Association on Ethics at Clemson University.

11-13-15 I spoke at SC Bar Tips from the Bench for the Tenth Circuit.

(4) Character:

The Commission's investigation of Judge Sprouse did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Sprouse did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Judge Sprouse was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Sprouse reported that he is not rated by any legal rating organization.

Judge Sprouse reported that he has not served in the military.

Judge Sprouse reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Sprouse appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Sprouse appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Sprouse was admitted to the South Carolina Bar in 1990.

He gave the following account of his legal experience since graduation from law school:
Barnes & Smith, P.A., Beaufort, SC August 1989-March 1990 Associate for an insurance defense firm. I primarily did research and file management. This involved a large amount of discovery documents and briefs prepared for the partners. I had no involvement in the administrative and financial management of the firm.

Morgan Law Firm 49 April 1990-August 1991 Partner in general practice. I began handling various general practice cases including domestic, criminal, real estate, bankruptcy and general litigation. I was a partner engaged in the administrative and financial management of the firm (including the trust account) although all the physical assets, such as the building, were owned personally by my partner.

R. Scott Sprouse Attorney at Law August 1991-July 1992 I was a sole proprietor. I continued to handle the same types of cases but added social security and personal injury to my caseload. I also began sharing the City Attorney position for the City of Westminster in February of 1992. I had full responsibility for

management of the business, including administrative and financial management (including the trust account).

Ross, Stoudemire, Ballenger & Sprouse, P.A. July 1992-December 1994 I was a member of a general practice firm. My practice primarily involved domestic litigation, criminal cases, personal injury cases and City Attorney work for the City of Westminster. I served as a Hearing Officer for the ABC Commission from the Fall of 1993 until early 1994. I had involvement in the administrative side of the firm and its financial management. I could sign checks and could review financial documents. We had a full time office manager and a part time bookkeeper. The office manager dealt with the day-to-day management of the firm, including paying the monthly bills. She was under the direct supervision of the senior partners/shareholders of the P.A.

Ross, Stoudemire & Sprouse, P.A. January 1995-January 1997 My practice stayed virtually the same. The only change was that (the now Honorable) Karen Ballenger, left the firm. I became the sole City Attorney for the City of Westminster in January, 1995.

Stoudemire & Sprouse, P.A. January 1997 to December 2014 My practice stayed the same, but the name of the firm changed again when Lowell Ross left the firm in January 1997. This job ended when I left the practice of law to become a Circuit Judge.

City of Westminster, City Attorney February 1992-December 2014 I was involved in various legal matters for the City of Westminster. My duties included attendance at council meetings, prosecuting criminal cases in municipal court, drafting of documents and participation in civil litigation involving the City. This job ended when I left the practice of law to become a Circuit Judge.

City of Walhalla, Municipal Judge February 1996-December 2014 I served as Municipal Judge for nearly nineteen years. I usually held court twice a week. I conducted bond hearings and signed warrants for the Walhalla Police Department. This was a court having general summary court criminal jurisdiction inside

in the City of Walhalla. This job ended when I became a Circuit Judge.

Town of Salem, Municipal Judge July 2011-December 2014 I served in the same capacity for the Town of Salem. I held court once a month. This job ended when I became a Circuit Judge.

City of Seneca, Interim Municipal Judge, Fall 1998 I served as Interim Muncipal Judge for the City of Seneca for several months in the Fall of 1998. Seneca was in the process of selecting a full time Municipal Judge. The City Council asked me to serve as Interim Judge while they were going through the hiring process. I performed all of the duties of a Municipal Court Judge during this period. This job ended when the Honorable Danny Singleton was appointed full time Municipal Judge in December of 1998.

City of West Union, Municipal Judge July 2007-March 2008 The City of Walhalla and the City of West Union entered into a contract wherein Walhalla would provide police protection for West Union. Accordingly, I was sworn in and began holding court in West Union. This job ended when Walhalla terminated its contract with West Union, who resumed having the Oconee County Magistrate's Office handle its cases.

Circuit Judge, Tenth Judicial Circuit Seat 2. January 2015 to present. I was elected on May 28, 2014 by the S.C. General Assembly to replace the retiring Alexander S. Macaulay. I was sworn in and took the bench in January of 2015, and have been serving as Resident Judge, Seat 2, Tenth Judicial Circuit since then.

Judge Sprouse reported that he has held the following judicial office(s):
I was elected by the General Assembly to Seat 2 of the Circuit Court, Tenth Judicial Circuit, on May 28, 2014. I took the bench on January 2, 2015. I was re-elected to the same position by the General Assembly on February 10, 2018, with my new term beginning July 1, 2018 and ending June 30, 2024.

Judge Sprouse provided the following list of his most significant orders or opinions:

(a) *Hicks Unlimited Inc. v. UniFirst Corporation*. SC Appellate Case 2021-001042. This case, which was in the June 14, 2023 advance sheet, was a dispute about arbitration. I issued an order denying the Defendant's motion to compel arbitration in a contractual dispute because the arbitration provision was not in compliance with the S.C. Arbitration Act. The SC Court of Appeals reversed my decision, holding that the Federal Arbitration Act pre-empted the SCAA. An appeal to the SC Supreme Court followed, with the Court of Appeals being reversed by the Supreme Court.

(b) *Baslides F. Cruz, et al v. City of Columbia*. SC Appellate Case 2019-000374. This was a non-jury trial over which I presided. The issue were the Plaintiffs' claims against the City of Columbia for damages over cancellation of insurance benefits. The Plaintiffs' brought a promissory estoppel claim. I found that the Plaintiffs' failed to meet their burden of proof. The SC Court of Appeals affirmed, although they found that I placed too strict a burden on the Plaintiffs. However, they reached the same conclusion based on a more lenient standard.

(c) *Joshua Hawkins and Floyd S. Mills, III v. Secretary of State Mark Hammond et al.* SC Appellate Case 2019-000330. This was an action brought by two attorneys seeking to invalidate two tort reform laws in the South Carolina Code. I granted the Defendants' motion to dismiss on the grounds of res judicata and the lack of standing. The SC Court of Appeals affirmed my decision.

(d) *R. Dean Price , et al v. Eugene L. Griffin. 2016-CP-04-02028*. This was a case involving protracted litigation over restrictive covenants in an upscale subdivision in Anderson County. I presided over a two day bench trial and issued an order.

(e) *Annie Myers, et al v. Town of Calhoun Falls. 2018-CP-01-0094 and 2018-CP-01-00250*
This case involved a number of Abbeville County landowners bringing suit over abandoned railroad right of ways. I issued an order granting the Plaintiffs the relief requested. This case is still on appeal.

I have several cases from General Sessions and PCRs that are on appeal.

Judge Sprouse reported no other employment while serving as a judge.

Judge Sprouse further reported the following regarding unsuccessful candidacies:
2000 I ran for the Tenth Circuit Family Court, Seat 2. I withdrew from the race prior to the election. I was deemed qualified by the Judicial Merit Selection Commission.
2009 I announced an intention to run for the Tenth Circuit Family Court, Seat 2, but never submitted the application and withdrew my name prior to screening.
2012 I ran for the Tenth Circuit Family Court, Seat 2. I withdrew from the race prior

(9) Judicial Temperament:

The Commission believes that Judge Sprouse's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Judge Sprouse to be "Well Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee had no related or summary comments.

Judge Sprouse is married to Mary Soudemire Sprouse. He has two children.

Judge Sprouse reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar 1990 to present.
(b) Oconee County Bar 1990 to present. President 1997. Treasurer 1991.
(c) South Carolina Association for Justice f/k/a SC Trial Lawyers Associationn1993-2014.

(d) American Association for Justice f/k/a American Trial Lawyers Association 1993-2014.
(e) South Carolina Summary Court Judges Association 1998-2014.
(f) American Bar Association Judicial Division 2016-present.
(g) American Judges Association 2016-2018
(h) South Carolina Circuit Court Association 2015-present

Judge Sprouse provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) St. John's Evangelical Lutheran Church 1997-present Church Council 1998-2004, 2008-2011 Adult Sunday School Teacher.
(b) IPTAY 1986-present. Representative 1994-2005.
(c) The Oconee Assembly 1994-present Board Member 2012-present.
(d) City of Walhalla Recreation Department, Coach Boys Basketball 1996-2014. Baseball 2007-2014
(e) AAU Basketball 2014, 2015.
(f) Travel Baseball 2012.

Judge Sprouse further reported:

I was in the private practice of law for nearly twenty-five years. Since becoming a judge, I have not forgotten how the challenges of maintaining a law practice. While I do my job and keep the dockets moving, I strive to not add any unnecessary hurdles to the lawyers who already have a difficult job.

I was a certified Family Court Mediator back during my law practice, going through the SC Training and receiving my certification on August 22, 2006.

I am an Eagle Scout. I was a member of Troop 312 Boy Scouts of America in Piedmont, South Carolina.

(11) Commission Members' Comments:

The Commission commented that Judge Sprouse has an outstanding reputation as a jurist. They noted in particular that his temperament and professionalism served as an exemplar for

other jurists and members of the South Carolina Bar Association.

(12) Conclusion:

The Commission found Judge Sprouse qualified, and nominated him for re-election to Circuit Court, Tenth Judicial Circuit, Seat 2.

The Honorable William Paul Keesley
Circuit Court, Eleventh Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Keesley meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Keesley was born in 1953. He is 70 years old and a resident of Edgefield, South Carolina. Judge Keesley provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1978.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Keesley.

Judge Keesley demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Keesley reported that he has not made any campaign expenditures.

Judge Keesley testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Keesley testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Keesley to be intelligent and knowledgeable.

Judge Keesley reported that he has taught the following law-related courses:

(a) I was on a panel for the topic, "What Civil Court Judges Want You to Know" put on by the National Business Institute in Columbia, May 4, 2016.
(b) I spoke at the South Carolina Association of Justice meeting on the topic of "Methamphetamine Addicted Defendants" in Hilton Head, August 6, 2015.
(c) I was on a panel of speakers discussing the work of the Sentencing Reform Commission for the 2010 Spring Conference of the South Carolina Association of Circuit Judges.
(d) I have been on a panel on three occasions over the years speaking on the topic of insight from the bench at seminars held by the Lexington County Bar Association.
(e) I spoke at a South Carolina Bar sponsored CLE, "Tips from the Bench IV" in 2003 and at a seminar on evidence many years ago.
(f) I was on the faculty of the National Drug Court Institute and have conducted training for Drug Court judges across the United States. The sites for those training sessions were in San Diego, California; Columbia, Missouri; Dallas, Texas; Buffalo, New York; and, Pensacola, Florida.
(g) I spoke at the National Association of Drug Court Professional's training conference in Miami, Florida on drug court issues many years ago.

(h) I have been a lecturer for CLE training and have spoken several times at meetings of the South Carolina Association of Drug Court Professionals concerning Drug Court.

(i) I have lectured at the South Carolina Solicitors' Convention on Drug Courts and on a panel dealing with tips from the bench.

(j) I lectured to personnel of the South Carolina Department of Corrections annually for several years on Drug Courts.

(k) I spoke at the South Carolina Judicial Branch's Annual Judicial Conference on Drug Courts and participated in the 2010 Conference on the work of the Sentencing Reform Commission, though I was not listed on the program.

(l) I spoke at the South Carolina Public Defenders' Association Annual Meeting, discussing Drug Courts and observations from the bench. I was also part of the ethics presentation when the new oath for attorneys was implemented (which included the civility oath) and administered the new oath to all the Public Defenders.

(m) I lectured personnel of the South Carolina Department of Probation, Parole and Pardon Services concerning Drug Courts.

(n) I have been a speaker at the training given annually to the Chief Judges for Administrative Purposes, discussing the administrative functions of Circuit Judges.

(o) I lectured at the Pre-Trial Intervention Conference on the topic of drug courts.

(p) I lectured at a CLE program held at the Medical University of South Carolina dealing with Drug Courts.

(q) I spoke at training conferences of the South Carolina Department of Alcohol and Other Drug Abuse Services (DAODAS) concerning Drug Courts.

Judge Keesley reported that he has published the following:
"Drug Courts," (*S.C. Lawyer*, July/August 1998), Author

(4) Character:

The Commission's investigation of Judge Keesley did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Keesley did not indicate any evidence of a troubled financial status. Judge Keesley has handled his financial affairs responsibly.

The Commission also noted that Judge Keesley was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Keesley reported that he is not rated by any legal rating organization.

Judge Keesley reported that he has not served in the military.

Judge Keesley reported that he has held the following public office:
I served in the SC House of Representatives, District 82, from November 1998 to August 12, 1991. It is an elected position. The ethics reports were properly filed.

(6) Physical Health:

Judge Keesley appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Keesley appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Keesley was admitted to the South Carolina Bar in 1978.

He gave the following account of his legal experience since graduation from law school:

(a) 1978-1980: Associate Attorney of John F. Byrd, Jr., Esquire, Edgefield, South Carolina, general practice, primarily real estate, authorized signatory on trust account
(b) 1980-1983: Associate Attorney with J. Roy Berry, Esquire, Johnston, South Carolina, general practice, primarily domestic relations, authorized signatory on trust account

(c) 1983-1991: Sole practitioner, Johnston, South Carolina, general practice including civil, criminal, domestic relations, municipal, and regulatory matters. I handled all financial dealings. While in private practice, I served as a part-time Public Defender 1983-1987, as Town Attorney for Johnston, South Carolina 1983-1989; Attorney for Edgefield County Water and Sewer Authority approximately 1985-1989, and part-time Assistant Solicitor, Eleventh Judicial Circuit 1988-89.

Judge Keesley provided the following list of his most significant orders or opinions:

(a) *Lambries v. Saluda County Council*, 409 S.C. 1, 760 S.E.2d 785 (2014). This case involved strict construction of the South Carolina Freedom of Information Act, resulting in agendas being published before all regularly scheduled meetings of county governmental bodies.

(b) *State v. K.C. Langford, III*, 400 S.C. 421, 735 S.E.2d 471 (2012). Used by the Supreme Court to rule that the statute giving exclusive control of the criminal court docket to the Solicitor's office was unconstitutional.

(c) *State v. Johnny Rufus Belcher*, 385 S.C. 597, 685 S.E.2d 802 (2009). Eliminated the longstanding jury instruction that malice may not be presumed from use of a deadly weapon where there is evidence of any conduct on the part of the shooter that might reduce, mitigate, excuse, or justify the killing.

(d) *Bursey v. SCDHEC*, 369 S.C. 176, 631 S.E.2d 899 (2006). Dealt with reviewing the rulings of the South Carolina Mining Council on the largest mining operation in the history of South Carolina concerning the Lake Murray Dam, including technical issues of construction of the Administrative Procedures Act.

(e) *Johnson v. Catoe*, 345 S.C. 389, 548 S.E.2d 587 (2001). In an unprecedented case, the Supreme Court stayed the scheduled execution of a death row inmate and appointed me to serve as a referee to assess the competency and credibility of a co-defendant's last-minute confession to killing a State Trooper. The co-defendant was living in a facility in Nebraska that treated persons with mental illness.

Judge Keesley further reported the following regarding unsuccessful candidacies:

I was defeated in the primary in a special election to fill an unexpired term for the position of South Carolina House of Representatives, District 82, in February 1987.

I was considered for selection as a United States Magistrate in 2010 and 2011, but not chosen.

(9) Judicial Temperament:

The Commission believes that Judge Keesley's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Keesley to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee made the following related comment: "No question about being well qualified!!"

Judge Keesley is married to Linda Fay Black Keesley. He has one child.

Judge Keesley reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar, no offices held;
(b) South Carolina Association of Drug Court Professionals, former president, former board member;
(c) South Carolina Association of Circuit Judges, former acting president, secretary for over 20 years, chair of the education committee 2017;
(d) Edgefield County Bar Association, president 1985, treasurer for many years.

Judge Keesley provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Concordia Lodge #50, Masonic Lodge, no offices held or recognition received;

(b) Pine Ridge Country Club, no offices held or recognition received;
(c) Phi Beta Kappa, no offices held or recognition received.

Judge Keesley further reported:
I believe that my 31 years of experience as a circuit judge reflects positively on my candidacy.

(11) Commission Members' Comments:

The Commission noted Judge Keelsey's well-respected reputation on the bench as intelligent, timely, and respectful to all parties. They further thanked him for his career of service to South Carolina.

(12) Conclusion:

The Commission found Judge Keesley qualified, and nominated him for re-election to Circuit Court, Eleventh Judicial Circuit, Seat 1.

The Honorable Walton J. McLeod IV
Circuit Court, Eleventh Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge McLeod meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge McLeod was born in 1978. He is 45 years old and a resident of Columbia, South Carolina. Judge McLeod provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2008.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge McLeod.

Judge McLeod demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to

judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McLeod reported that he has not made any campaign expenditures.

Judge McLeod testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge McLeod testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge McLeod to be intelligent and knowledgeable.

Judge McLeod reported that he has taught the following law-related courses:

(a) I served as a judicial panelist in the 2019 S.C. Bar CLE "Taking the Terror out of Trial."

(b) I made a presentation on "S.C. Judicial Branch Operations in Covid-19" for the S.C. Association of Counties – Local Government Institute.

(c) I served as a judicial panelist discussing "Attorney Conducted Voir Dire" for the S.C. Chapter of the American Board of Trial Advocates (SC - ABOTA).

(d) I conducted a live guilty plea in the virtual courtroom for the S.C. Bar Young Lawyers Division "Protect our Youth Day" and spoke with South Carolina high schools in the virtual courtroom after completion of the plea.

(e) I served as a judicial panelist discussing "Tips from the Bench" for the S.C. Defense Trial Attorneys.

(f) I spoke about S.C. Judicial Branch organization to the St. Andrews Optimist Club.

Judge McLeod reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge McLeod did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge McLeod did not indicate any evidence of a troubled financial status. Judge McLeod has handled his financial affairs responsibly.

The Commission also noted that Judge McLeod was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge McLeod reported that he is not rated by any legal rating organization.

Judge McLeod reported the following military service: U.S. Navy 2001 – 2005; Lieutenant (O-3); Honorably Discharged in 2009.

Judge McLeod reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge McLeod appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge McLeod appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge McLeod was admitted to the South Carolina Bar in 2008.

He gave the following account of his legal experience since graduation from law school:

(a) Judicial Law Clerk – Honorable James R. Barber, III; I served as law clerk from August 2008 to August 2009. I provided research and administrative support through numerous jury trials, non-jury hearing, drafting Orders, and coordination between the court and all counsel/parties.
(b) Woods Law Firm, LLC – Associate Attorney from August 2009 through February 2011. My practice areas included insurance defense litigation, defended auto accidents, premises liability, construction defect, governmental tort actions, conducting discovery depositions, arguing dispositive motions, trial prep, and trial. I did not participate management of the trust account.
(c) Mike Kelly Law Group, LLC – Associate attorney from February 2011 until August 2015. My practice included civil litigation; personal injury, defective products, premises liability, trucking accidents, medical malpractice, professional licensure defense, and veterans disability. I did not participate in management of the trust account.
(d) McLeod Law Group, LLC – Associate attorney from August 2015 to June 2018. Practice included civil litigation; personal injury; defective products, civil defense litigation, professional licensure defense, veterans disability and appeals, wrongful death, insurance law; management of the Columbia office. I did not participate in management of the trust account.

Judge McLeod reported that he has held the following judicial office(s):
I have served as a Circuit Court Judge since July 1, 2018. I was elected to the Circuit Court on February 7, 2018.

Judge McLeod provided the following list of his most significant orders or opinions:
(a) *Ballard v. Admiral Insurance Co.* (2018-CP-32-1743) – Order granting Defendant's Rule 12(c) Motion for Judgment on the Pleadings. This Order involved the interpretation of malpractice insurance policies, specifically the hammer clause. This case was appealed and recently affirmed in a reported decision; 2023 WL 4218123 (June 28, 2023)

(b) *Diane Connell v. Lexington County Health Service District* (2018-CP-32-1750) – this matter involved a premises liability dispute with proceeded to a bench trial. This case involved lay witnesses, corporate designee, and expert witness testimony addressing both liability and damages. A substantive Order was entered finding for the Plaintiff which was appealed to the Court of Appeals, but subsequently resolved by the parties.

(c) *S.C. Farm Bureau v. Longphre* (2019-CP-32-1671) – the matter involved an insurance dispute over whether a litigant's intentional acts could be covered under a liability policy. I ruled that the applicable policy did not cover the Plaintiff's injuries in this specific instance. This Order was affirmed in Unpublished Opinion No. 2022-UP-443

(d) *Freda Dorch v. City of Columbia* (2013-CP-40-2159) – this matter involved the review of a Board of Zoning Appeal decision. The contested issues included (1) the proper standard of review, (2) lost grandfather status, (3) denial of a variance request. The Circuit Court Order affirmed the Board's decision and was appealed, and affirmed via Unpublished Opinion No. 2022-UP-307.

(e) *Andrew Torrence v. State* (2015-CP-32-1993) – this post-conviction relief case came before me in November 2018, and involved numerous grounds for relief taking two days of sworn testimony from multiple lay and expert witnesses. This Order denying post-conviction relief was appealed with the Court of Appeals which denied a Petition for Writ of Certiorari on May 19, 2023.

Judge McLeod reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge McLeod's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge McLeod to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of

ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Exceptionally qualified!"

Judge McLeod is married to Catherine Leigh Nelson McLeod. He has three children.

Judge McLeod reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar
(b) Lexington County Bar
(c) Newberry County Bar
(d) Richland County Bar

Judge McLeod provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) American Legion
(b) Veterans of Foreign Wars
(c) St. Andrews Society of Columbia.

Judge McLeod further reported:
It has been an honor to serve our State and the legal profession as a Circuit Court Judge. It has also been a privilege to work alongside the clerks of court, and their staffs, as well as the attorneys of the South Carolina Bar. Working together with these dedicated professionals is a highlight of my job, and it is very rewarding to see us make a difference with people in our justice system – case by case.

(11) Commission Members' Comments:

The Commission found Judge McLeod to be a well-qualified jurist with a wonderful temperament, demeanor, and legal acumen.

(12) Conclusion:

The Commission found Judge McLeod qualified, and nominated him for re-election to Circuit Court, Eleventh Judicial Circuit, Seat 2.

THURSDAY, JANUARY 11, 2024

The Honorable Michael G. Nettles
Circuit Court, Twelfth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Nettles meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Nettles was born in 1959. He is 64 years old and a resident of Florence, South Carolina. Judge Nettles provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1984.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Nettles.

Judge Nettles demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Nettles reported that he has not made any campaign expenditures.

Judge Nettles testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Nettles testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Nettles to be intelligent and knowledgeable.

Judge Nettles reported that he has taught the following law-related courses:

(a) I addressed the Solicitor Convention concerning new developments in Criminal Law in 2017;
(b) Guest lecturer at Business Law course at Francis Marion University 2008 and 2009;
(c) I addressed the Public Defender Convention concerning Differential Case Management in 2009;
(d) I participated in Panel Discussions on Ethics CLE in 2010 and 2018;
(e) Addressed the Third Judicial Circuit Young Lawyers at Court House Keys event in Manning, SC in February 2012;
(f) Addressed the Twelfth Judicial Circuit Young Lawyers at Court House Keys event in Lake City, SC in October 2013;
(g) Addressed Beaufort County Bar as to Differential Case Management in 2017; and
(h) Guest Lecture at Francis Marion University concerning The Role of the Judiciary in Government in 2017;
(i) I am a member of the Advisory Committee for the South Carolina Circuit Court. I teach at the New Judges School on a biannual basis.

Judge Nettles reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Nettles did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Nettles did not indicate any evidence of a troubled financial status. Judge Nettles has handled his financial affairs responsibly.

The Commission also noted that Judge Nettles was punctual and attentive in his dealings with the Commission, and the

Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Nettles reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.
Judge Nettles reported that he has not served in the military.

Judge Nettles reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Nettles appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Nettles appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Nettles was admitted to the South Carolina Bar in 1984.

He gave the following account of his legal experience since graduation from law school:

I was engaged in the general practice of law in Lake City, South Carolina as a partner in the firm of Nettles, Turbeville & Reddick, for twenty years. Over the past five years of my practice, I handed 959 cases (680 criminal, 176 civil, 37 real estate transactions and 26 domestic as my sister has practiced domestic law exclusively. In the early years of my practice, there was a more equal division of caseload. During the past five years of my practice, I only handled domestic matters and real estate transactions for ongoing clients.

Judge Nettles reported that he has held the following judicial office:
Circuit Court for Twelfth Judicial Circuit, Seat 1. I was elected 2/2/05 and began serving 1/3/6. I have served continuously.

Judge Nettles provided the following list of his most significant orders or opinions:

(a) *Coleman v Mariner Health Care, Inc.*, 407 S.C. 346, 755 S.E.2d 450 (S.C. 2013)

There is a movement in favor of arbitration in American Jurisprudence. This case sets forth that although arbitration is preferred, the South Carolina statutory and common law does not authorize a sister to execute a separate voluntary arbitration agreement presented to her by the nursing facility. This was a complex question where reasonable minds could differ. The Supreme Court affirmed my decision.

(b) *Miranda C. v. Nissan Motor Co., 402 S.C. 577, 741 S.E. 2d 34 (Ct. App 2013)*

The law of product liability is constantly evolving and this case provides clarity as to the proper charge in a defective design products liability case. The jury in this case rendered a verdict against Nissan for $2,375,000.00, which was subsequently set aside by my order in the wake of the Supreme Court's ruling in *Branham vs. Ford Motor Company*, 390 S.C. 203, 701 S.E.2d 5 (2010). The *Branham* case was decided after the verdict and before my ruling on post-trial motions. *Branham* establishes that "the risks utility test" is the proper charge in a design defect case which requires the Plaintiff prove a "reasonable alternative design". Because *Branham* changed and/or clarified the proper test in a design defect case, I granted a new trial. My decision to grant a new trial was affirmed.

(c) *State v. Senter, 396 S.C. 547, 722 S.E.2d 233 (Ct. App 2011)*

Defendant was convicted of assault and battery with intent to kill and criminal domestic violence of a high and aggravated nature. His conviction was affirmed and The Court of Appeals opined that my denial of the Motion for Directed Verdict was proper, reaffirming the law and my ruling that Defendant cannot waive a trial by jury unless the State consents to do so.

(d) *Mitchell v. Fortis Insurance, 385 S.C. 570, 686 S.E.2d 176 (2010)*

In this case, a policyholder brought causes of action for Breach of Contract and bad faith rescission against

insurance company. The jury awarded $15,150,000.00. Numerous orders were issued and many evidentiary rulings were affirmed, however, the Supreme Court reduced the verdict to $10,150,000.00.

(e) *Willis v. Wukela, 379 S.C. 126, 665 S.E.2d 171 (2008)* South Carolina Supreme Court affirmed my ruling, clarifying S.C. Code Section 7-13-350 and its application.

Judge Nettles reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Nettles's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Judge Nettles to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no summary comments.

Judge Nettles is not married. He has three children.

Judge Nettles reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
(b) Circuit Court Judges Association
(c) Pee Dee Inns of Court Association
(d) American Bar Association

Judge Nettles provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

My wife was employed with First Citizens Bank and they provided our family with a membership at The Florence County Club. Upon her death on August 26, 2014, my membership terminated.

Judge Nettles further reported:

I had a very active trial practice for nearly twenty years prior to taking the Bench. I handled civil, domestic and criminal matters. During my practice I have argued before the South Carolina Supreme Court, the South Carolina Court of Appeals and the Fourth Circuit Court of Appeals. During my practice, I handled four death penalty cases that were tried to their conclusion, including the death penalty phase. None of my clients were executed. I handled several capitol cases that were resolved short of trial.

My home town of Lake City, South Carolina is a town with a population of about 7,000 people. It's primary industry is agriculture. It was a great place to grow up, live, and practice law. The population is diverse with people from all socio-economic stations in life. Going to school, working and practicing law in Lake City has prepared me well for serving on the Bench.

During my years practicing law, I appeared before numerous judges. Judge Tommy Cooper (Manning) quite often presided in Florence, Clarendon and Williamsburg counties where the vast majority of my cases were handled. The way he conducts himself on the Bench is the standard to which I strive. He has the perfect judicial temperament, which is calm, kind, and courteous to litigants, lawyers and jurors.

(11) Commission Members' Comments:

The Commission complimented the demeanor of Judge Nettles, commenting on his respectful and courteous treatment of litigants and staff in his court room. They also noted his impartiality and even-handed treatment of all parties.

(12) Conclusion:

The Commission found Judge Nettles qualified, and nominated him for re-election to Circuit Court, Twelfth Judicial Circuit, Seat 1.

THURSDAY, JANUARY 11, 2024

The Honorable Jessica Ann Salvini
Circuit Court, Thirteenth Judicial Circuit, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.
For the vacancy for Circuit Court, Thirteenth Judicial Circuit, Seat 2, two candidates applied for this vacancy, one candidate withdrew. Accordingly, the name and qualifications of one candidate is hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Salvini meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Salvini was born in 1975. She is 48 years old and a resident of Greenville, South Carolina. Judge Salvini provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001. She was also admitted to the California Bar in 2000.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Salvini.

Judge Salvini demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Salvini reported that she has made $257.23 in campaign expenditures for postage, thank you notes, and printed announcements.

Judge Salvini testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Salvini testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Salvini to be intelligent and knowledgeable.

Judge Salvini reported that she taught the following law-related courses:

Yes. To the best of my recollection, the following is a description of the continuing legal education programs that I have had the honor of participating in as a speaker.

(a) On October 29, 2009, I was a speaker on a panel at the Federal Criminal Practice Seminar for the Criminal Justice Act Defense Bar. The topic was ethical dilemmas encountered by criminal defense attorneys.
(b) On or about October 28, 2010, I was a speaker on a panel at the Federal Criminal Practice Seminar for the Criminal Justice Act Defense Bar. The topic was ethical issues confronting criminal defense attorneys.
(c) On October 24, 2013, I was a speaker on a panel at the Federal Criminal Practice Seminar for the Criminal Justice Act Defense Bar. The topic was federal practice in US District Courts in South Carolina.
(d) On October 20, 2016, I was a speaker on a panel at the Federal Criminal Practice Seminar for the Criminal Justice Act Defense Bar. The topic was the Criminal Justice Act and its potential revision resulting from Chief Justice John G. Robert, Jr.'s appointment of a Committee to review the Criminal Justice Act Program.
(e) On February 3, 2017, I was a speaker at the Greenville County Bar's "Year-End CLE". The topic was the Fourth Amendment and providing an overview of search and

seizure case law, focusing on the most recent cases decided by the Fourth Circuit Court of Appeals.

(f) On October 4, 2019, I was a speaker at a SCUPA Seminar for paralegals. The topics included real world practice in Family Court for paralegals.

(g) On January 31, 2020, I was a speaker at the Guardian ad litem Seminar. I participated as a speaker on a panel, with the topics being questions from Guardian ad litems for Family Court Judges.

(h) On or about February 7, 2020, I was a speaker on a panel at the Greenville County Bar's "Year-End CLE" for the Family Law Section. The panel, which consisted of Family Court Judges, was given hypotheticals to consider and discuss related to Family Court matters.

(i) On February 21, 2020, I was a speaker on a panel for "UMC's Family Court Judges Q&A CLE." The topics were questions from family court practitioners for Family Court Judges.

(j) On June 12, 2020, I was a speaker at the New Family Court Judge's Orientation. The topic pertained to providing guidance to new Family Court Judges from my perspective and experience as a newly elected Family Court Judge.

(k) On or about January 26, 2023, I was a speaker at the Cass Elias McCarter Guardian ad litem Program. The topic pertained to providing guidance to lay Guardian ad litem's in assisting the Court in Department of Social Services Cases.

(l) On April 28, 2023, I was a speaker at the Family Court Judges Conference. The topic pertained to how to handle a juvenile waiver hearing (an evidentiary hearing where the primary consideration is whether a juvenile should be tried as an adult for an alleged crime) and was designed to assist judges who have not yet presided over such a hearing.

(m) On May 4, 2023, I was a speaker at Law Week in Greenville County. The topic was attorney civility.

Judge Salvini reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Salvini did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Salvini did not indicate any evidence of a troubled financial status. Judge Salvini has handled her financial affairs responsibly.

The Commission also noted that Judge Salvini was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Regarding a rating or membership status by any legal rating organization, Judge Salvini reported:

To my knowledge, I do not have a rating as a Family Court Judge.
Prior to being elected to serve as a full-time Family Court Judge, the following was my last rating(s) to the best of my knowledge:

(a) Greenville Business Magazine Legal Elite in Family Law in 2012 and 2017.
(b) National Academy of Criminal Defense Attorneys top 10 Criminal Attorneys 40 and under in 2014 and 2015.
(c) South Carolina Rising Star in the practice of Criminal Law in 2014 and 2015.
(d) Martindale-Hubbell – 5.0/5.0.
(e) Lawyerratingz.com – 3.6/5.0.
(f) Lawyers.com – 5.0/5.0.

Judge Salvini reported that she has not served in the military.

Judge Salvini reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Salvini appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Salvini appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Salvini was admitted to the South Carolina Bar in 2001.

She gave the following account of her legal experience since graduation from law school:

(a) December 2000-August 2002: Law Offices of Jessica Salvini. After passing the California Bar exam, I opened my own law firm in San Francisco, California. My practice consisted of handling civil (including domestic) and criminal state and federal court cases. I handled pretrial and trial matters for contract disputes, simple divorces, consumer protection actions, bank fraud, various drug crimes and other criminal law matters. I handled these matters in my capacity as an independent contractor for Weinberg & Wilder and as a sole practitioner. As this was my own law firm, I managed the law firm, which included managing its finances. I did not have a trust account at that time as I did not accept retainers from clients that required me to do so.

(b) August 2002-March 2019: Salvini & Bennett, Attorneys at Law, LLC. Upon relocating to the State of South Carolina, I continued my practice of law by opening a law firm with J. Bradley Bennett, Esq. Over the course of almost seventeen years, I acted as the senior partner in our firm, which had a general practice handling a wide variety of legal issues for individuals and businesses. While in private practice, I represented individuals and businesses in civil, criminal and family law matters. My practice areas included: all pretrial and trial matters for contract and real property disputes, all pre-trial and trial matters in domestic law cases; all pre-trial and trial matters in probate court; all pre-trial and trial matters in state and federal criminal court cases; appeals to the Fourth Circuit Court of Appeals and appeals to the South Carolina Court of Appeals. During the course of my practice, I served as one of Greenville County Probate Court's Commitment Proceedings Attorneys. I also served as a Criminal Justice Act Panel Attorney for the

United States District Court for the District of South Carolina and the Unites States Court of Appeals for the Fourth Circuit. I also assisted our Criminal Justice Act Panel Representative in the Upstate. My law firm consisted of myself, my law partner and an associate attorney. My law partner and I managed the law firm, including the law firm's trust account.

(c) August 2007 to March 2019: Municipal Court Judge for the City of Mauldin, South Carolina. In August 2007, I was appointed to serve as an Associate Municipal Court Judge for the City of Mauldin, South Carolina. In 2009, I sought and was appointed to serve as the Chief Trial Judge for the City of Mauldin. As both an Associate Municipal Court Judge and the Chief Municipal Court Trial Judge, I presided over numerous cases involving: violations and or enforcement of city ordinances, misdemeanor criminal matters, traffic violations, bond hearings and preliminary hearings for felony criminal matters. As the Chief Trial Judge, I held court for the City of Mauldin every Wednesday (excluding the fifth Wednesday in any given month), presiding over matters involving violations and or enforcement of city ordinances, traffic violations and misdemeanor criminal law matters. The aforementioned proceedings primarily involved motion hearings, guilty pleas and bench trials. Once a month I also presided over preliminary hearings for felony matters arising out of the City of Mauldin. During my tenure as the Chief Trial Judge for the City of Mauldin, I also presided over Domestic Violence Court for the City of Mauldin, which occurred once a month. Also, approximately once a quarter, I presided over jury trials for misdemeanor criminal law matters and city ordinance violations occurring in the City of Mauldin.

(d) March 2019 to Present date: Family Court Judge, Thirteenth Judicial Circuit, Seat 6. I was elected to serve as a full-time Family Court Judge for the Thirteenth Judicial Circuit, Seat 6, in February 2019 and re-elected to this position in February 2022. I closed my law firm and began serving in this capacity at the end of March 2019 and I continue to serve as a Family Court Judge to date. As a Family Court Judge, I preside over cases in the following

> matters: those within the provisions of the Uniform Interstate Family Support Act; actions for divorce, separate support and maintenance, legal separation, any and all marital litigation between parties; actions related to the termination of parental rights and adoptions of both children and adults; annulments of marriages; the changing of names of adults and children; actions to correct birth certificates; actions to enable minors to engage in military service; actions related to the support of spouses and or children and or to enforce the same; actions to enforce support or compel support to be paid for spouses and or children; actions related to the protection, guardianship and disposition of neglected children; actions related to custody determinations; actions brought by the South Carolina Department of Social Services related to abused and or neglected children and or infirmed/vulnerable adults; and actions related to juveniles charged with various crimes. I preside over these proceedings on a full-time basis and have done so since taking the bench in this capacity.

Judge Salvini further reported regarding her experience with the Circuit Court practice area:

Prior to taking the bench as a Family Court Judge, for approximately eighteen years, I was privileged to have a private practice that included representing individuals in both criminal and civil matters at all stages of litigation. In 2002, I became a Criminal Justice Act ("CJA") Panel attorney and I served in this capacity until my election to the bench in 2019. As a result of my service on the CJA panel, I was routinely appointed by the United States District Court for the District of South Carolina to represent individuals charged with federal crimes. Throughout my practice, I defended individuals charged with crimes in both federal and state courts at all stages of the criminal proceedings.

Focusing on the five years of my legal practice prior to my election to the Family Court Bench, I represented approximately 40-50 individuals in various criminal matters in state and federal court. My criminal practice included representing individuals at all stages of the criminal process – from bond hearings, preliminary hearings, guilty plea hearings and jury trials – for

various crimes. For example, I represented individuals charged with: counterfeiting goods and money, various drug crimes including possession, trafficking, conspiracy to possess and distribute all types of illegal drugs in varying quantities, bank robbery, criminal sexual conduct with a minor, illegal entry into the United States, being a felon in possession of a firearm, possessing a firearm in relation to a drug trafficking crime, human trafficking and trafficking minors. In a majority of the cases, I represented the client from the commencement of the action to the conclusion of the case.

Also, in such criminal matters, I had an extensive motions practice. In many criminal cases, the issues focused on the actions of law enforcement and their compliance with a defendant's constitutional rights; and I addressed those issues in the criminal cases I handled. For example, I filed and argued a motion to suppress based on certain Fourth Amendment violations. I successfully challenged the search of my client and the vehicle he was located in as a passenger based on a violation of my client's constitutional rights. The search revealed a firearm and illegal drugs, resulting in my client being criminally charged in both state and federal court. At the conclusion of an evidentiary hearing, the court granted my motion to suppress and the charges against my client were dismissed.

In the five years prior to my election to the Family Court Bench, I tried three criminal cases in the United States District Court for the District of South Carolina before a jury. In the first case, my client, along with others, was investigated by the Drug Enforcement Administration and charged with participating in a conspiracy to possess and distribute marijuana. The Drug Enforcement Administration identified several "grow houses" in the Upstate of South Carolina and alleged my client participated in maintaining one such house and or in assisting in the "grow operation." Over 100 marijuana plants were located. At the conclusion of the trial, the jury found my client not guilty. The second case involved a conspiracy to possess and distribute a quantity of methamphetamines. My client was charged with participating in that conspiracy, as well as possessing a firearm during a drug trafficking crime. At the conclusion of the jury trial, my client was convicted for his participation in the

conspiracy, but acquitted of possessing a firearm in relation to his drug activity. The last case was an armed bank robbery, and at the conclusion of the trial, my client was convicted. I also handled a general sessions case in which my client was charged with committing a sexual crime and that matter ended with a guilty plea to a lesser charge, with a probationary sentence.

Serving as a Municipal Court Judge for approximately eleven years, I presided over hundreds of criminal matters at all stages of the criminal process – setting bonds, presiding over preliminary hearings, guilty plea hearings, bench trials and jury trials. A majority of those matters were misdemeanors ranging from minor traffic violations to shoplifting, larceny, alcohol related crimes, assaults, and domestic violence. While others involved presiding over preliminary hearings involving various felonies, including murder and attempted murder, breach of trust, criminal sexual conduct, and various drug crimes. My experience is unique in that I have not only argued various motions to suppress before the court during my practice as an attorney, I have been required to rule on them as a judge. In every instance, I have studied the facts and circumstances of each case, in conjunction with the applicable law, and issued a ruling consistent therewith.

Civilly, I practiced primarily in Family Court, with notable experience in Probate Court, Federal Court and Circuit Court. In Family Court, I represented both Plaintiffs and Defendants in all matters of domestic/family law. In Probate Court and Federal Court I primarily represented Plaintiffs in matters of tort and contract; and in Circuit Court I represented both Plaintiffs and Defendants primarily in personal and commercial contract matters, as well as construction and business dissolution disputes. My legal practice in this regard was dispute related (as opposed to transactional). Most of the matters I handled in the Court of Common Pleas resulted in a settlement and not a trial.

As a result of both my criminal and civil practices, I was fortunate to be in a courtroom litigating matters several times a week. It was my daily practice to employ and apply the South Carolina Rules of Evidence, Rules of Civil Procedure and Rules of Criminal Procedure in a manner that offered me what I believe

to be unique qualifications for a candidate for the Circuit Court bench.

Judge Salvini reported the frequency of her court appearances prior to her service on the bench as follows:
(a) Federal: Approximately 3-5 times per month;
(b) State: Approximately 7-10 times per month.

Judge Salvini reported the percentage of her practice involving civil, criminal, domestic and other matters prior to her service on the bench as follows:
(a) Civil: 10%;
(b) Criminal: 30%;
(c) Domestic: 50%;
(d) Other: 10%.

Judge Salvini reported the percentage of her practice in trial court prior to her service on the bench as follows:
(a) 70-75% of her practice was in trial court, including cases that settled prior to trial
(b) 10% went to trial and resulted in a verdict
(c) 0 cases went to trial and resolved after the plaintiff's or State's case
(d) 0 cases settled after a jury was selected but prior to opening statements

Judge Salvini provided that during the past five years prior to her service on the bench she most often served as sole counsel.

The following is Judge Salvini's account of her five most significant litigated matters:
(a) *Justice vs. Justice*. This was a matter litigated in the Thirteenth Judicial Circuit Greenville County Family Court. The primary issue was whether a divorced parent could relocate to another state with the parties' minor children. The matter was tried for two days and the outcome not only affected the parties' three minor children, but the children's step-siblings and half-sister. It was a difficult and heart-wrenching case and the outcome impacted not only the parents, but the lives of their children. It was also a unique case as both parents were

very involved in the lives of their children and neither wanted to change the custody order in the event the parent's request to move was denied. It required an examination of the law applicable to cases in which a parent seeks to relocate to another state with the parties' minor children. I represented the parent opposing the move and I was successful in obtaining an order that restrained and enjoined the relocation of the parties' minor children to another state. After the litigation, I kept in touch with my client and his family. I have personally observed the effect the court's decision had on this family.

(b) *United States vs. Minaya-Mena*. This was a criminal matter litigated in the United States District Court for the District of South Carolina. My client was charged in a conspiracy to possess, with the intent to distribute, marijuana. The case involved the possession of more than 100 marijuana plants found in several "grow houses" in the Upstate. The matter proceeded to a jury trial and my client was found not guilty. The matter is significant to me, not only because of the not guilty verdict, but because I litigated it against an excellent Assistant United States Attorney whose trial skills are exceptional. The matter required extensive preparation and an examination of the law to ensure that any issues to be appealed were properly in the Court's record. I also mentored two of my colleagues during the trial. Being able to secure a not guilty verdict, while imparting knowledge to my colleagues, was phenomenal.

(c) *United States vs. Twitty*. This was a criminal matter litigated in the United States District Court for the District of South Carolina. My client was charged with being a felon in possession of a firearm, as well as possessing with intent to distribute a quantity of crack cocaine and heroin. I was able to successfully apply search and seizure law to the facts of the case. After an evidentiary hearing, my motion to suppress the search of my client and his vehicle was granted resulting in a dismissal of all charges against him.

(d) *Nicholas vs. Pate*. This was a civil matter in the United States District Court for the District of South Carolina. Parties in civil actions in District Court are not usually

entitled to appointed counsel. However, the court asked if I would be willing to be appointed to represent the Plaintiff pro bono and I agreed. The Plaintiff had filed a civil action in the United States District Court for the District of South Carolina alleging violations of his Federal Constitutional Rights under 42 U.S.C. Section 1983, that is, that he had been subjected to cruel and unusual punishment while serving a state imposed sentence. The matter is significant to me as it required me to assess and try a case that was well into litigation by a pro se defendant. After examining the pro se filings to ensure my client was not in any danger of having his action dismissed, the matter proceeded to a jury trial. Although I lost after a jury trial, my client's gratitude was a reward. Handling the matter also reminded me to always examine the statutes and rules of law governing an action in light of the facts and circumstances one is presented before proceeding forward with litigation. This is a rule my mentor, a former Assistant United States Attorney and war crimes prosecutor, ingrained in me and is crucial to abide by in handling every legal matter.

(e) *Collins vs. Murphy*. This was a civil matter litigated in Probate Court and Circuit Court. A colleague and I litigated this matter throughout the court process from its inception in Probate Court, motions in Circuit Court, appeals to the Circuit Court, to the Court of appeals and finally to a final resolution. The matter involved a question of the interpretation and application of a statute in a matter involving the rights of unmarried parents to the receipt of wrongful death proceeds of their deceased infant. The extreme differences in the rulings resulting from the Probate Court and Circuit Court make this case unique in that the South Carolina Court of Appeals addressed the interpretation and application of the relevant statutes in situations in which unwed parents have a child who dies at birth. Thus, making a determination as to who is entitled to the award of wrongful death proceeds.

The following is Judge Salvini's account of five civil appeals she has personally handled:

(a) *Moore vs. Benson*, 390 S.C. 153, 700 S.E.2d 273 (Ct. App. 2010) (South Carolina Court of Appeals, 9/22/2010).

(b) *Nestberg vs. Nestberg*, 394 S.C. 618, 716 S.E.2d 310 (Ct. App. 2011) (South Carolina Court of Appeals, 8/31/2011).
(c) *McKinnon vs. Bray*, 2019 WL 3318077 (Ct. App. 2019) (South Carolina Court of Appeals, 7/24/2019)
(d) *In the Matter of Tynslee Elizabeth Fields, et.al., vs. Collins*, C424 S.C. 627 (Ct. App. 2018) (South Carolina Court of Appeals 12/18/2018). I personally handled this matter, along with co-counsel.
(e) *Clark v. Clark*, 423 S.C. 596, 815 S.E.2d 772 (Ct. App. 2018) (South Carolina Court of Appeals, 5/2/2018)

The following is Judge Salvini's account of five criminal appeals she has personally handled:

(a) *United States vs. Nicholson*, 676 F.3d 376 (4th Cir. 2012). (Fourth Circuit Court of Appeals 4/18/2012).
(b) *United States vs. Shippy*, Unpublished Opinion. (Fourth Circuit Court of Appeals, 5/4/010).
(c) *United States vs. Wilkins*, Unpublished Opinion. (Fourth Circuit Court of Appeals, 12/4/2009).
(d) *State vs. Rivera*, Unpublished Opinion. (South Carolina Court of Appeals, 2/10/2006).
(e) *United States vs. Cruz*, Unpublished Opinion. (Fourth Circuit Court of Appeals, 2/15/2006)

Judge Salvini reported that she has held the following judicial offices:

In August 2007, I was appointed to serve as an Associate Municipal Court Judge for the City of Mauldin in Greenville County, South Carolina. I served in this capacity until 2009 when I was appointed to serve as the Chief Municipal Court Trial Judge for the City of Mauldin in Greenville County, South Carolina.

The Mauldin Municipal Court adjudicates criminal, traffic and city ordinance violations that occur within the city limits of Mauldin, South Carolina. As a limited jurisdiction court, it can only hear cases subject to a fine and sentence not exceeding $500.00 or imprisonment of not more than thirty days. The Mauldin Municipal Court may also hear cases that are remanded back from Greenville County General Sessions if the fine and sentence do not exceed $5,500.00 or one-year imprisonment.

On February 6, 2019, I was elected to serve as a full-time Family Court Judge for the Thirteenth Judicial Circuit, Seat 6. I was re-elected to this position in 2022, and I currently hold this position and serve in this capacity. The Family Court, in general, has jurisdiction to hear the following cases: those within the provisions of the Uniform Interstate Family Support Act; actions for divorce, separate support and maintenance, legal separation, any and all marital litigation between parties; actions related to the termination of parental rights and adoptions of both children and adults; annulments of marriages; the changing of names of adults and children; actions to correct birth certificates; actions to enable minors to engage in military service; actions related to the support of spouses and or children and or to enforce the same; actions to enforce support or compel support to be paid for spouses and or children; actions related to the protection, guardianship and disposition of neglected children; actions related to custody determinations; actions brought by the South Carolina Department of Social Services related to abused and or neglected children and or infirmed/vulnerable adults; and actions related to juveniles charged with various crimes.

Judge Salvini provided the following list of her most significant orders or opinions:

(a) *State vs. Minors Under the Age of 18*. Not reported. No appellate review. This matter involved the State prosecuting several juveniles for allegedly committing the crimes of Murder, Armed Robbery and Conspiracy to Commit Armed Robbery. The State filed a motion seeking to transfer jurisdiction of the juvenile cases to General Sessions, thereby resulting in the juveniles being tried as adults as opposed to minors. I was the judge assigned to hear the State's motion(s), requiring contested evidentiary hearings for each juvenile charged. The juveniles ranged in age from fourteen (14) years old to sixteen (16) years old at the time the offenses were allegedly committed.

(b) *SCDSS vs. Sweatt*. Not Reported. Appellate review: *S.C. Dep't of Soc. Servs. v. Sweatt*, No. 2020-000908, 2021 WL 2104867 (S.C. Ct. App. May 24, 2021). This matter involved the termination of parents' rights to their minor child. The foster parents for the minor child were permitted to intervene in the action. A contested trial was held which

resulted in the parents' rights being terminated. The order I issued terminating the parents' rights was affirmed on appeal.

(c) *SCDSS vs. Mestler*. Not reported. No Appellate review. This matter also involved the termination of parents' rights to their minor child. A contested trial was held, which resulted in the parents' rights being terminated. To my knowledge the parents did not appeal.

(d) *SCDSS vs. Reed*. Not reported. No Appellate review. This matter also involved the termination of parents' rights to their minor child. The foster parents for the minor child were permitted to intervene in the action. A contested trial was held, and I declined to terminate the parents' rights. To my knowledge no parties appealed my decision.

(e) *SCDSS vs. Rogers*. Not Reported. Appellate review: S.C. Dep't of Soc. Servs. v. Rogers, No. 2019-001487, 2021 WL 832040 (S.C. Ct. App. March 3, 2021). This matter also involved the termination of parents' rights to their minor child. The foster parents for the minor child were permitted to intervene in the action. A contested trial was held which resulted in the parents' rights being terminated. The order I issued terminating the parents' rights was affirmed on appeal.

Judge Salvini reported the following regarding her employment while serving as a judge:

(a) 2007-March 2019. Self-employed as the Senior Partner at Salvini & Bennett, Attorneys at Law, LLC. I, along with my former law partner, owned and managed the aforementioned law firm. During that time, I served as a part-time judge for the City of Mauldin as stated herein above. As the Senior Partner at Salvini & Bennett, Attorneys at Law, LLC, I handled a wide variety of legal issues for individuals and businesses. I represented individuals and businesses in civil, criminal and family law matters at all stages of the litigation process. My practice areas included: all pretrial and trial matters for contract and real property disputes, all pre-trial and trial matters in domestic law cases; all pre-trial and trial matters in probate court matters; all pre-trial and trial matters in state and federal criminal court cases; appeals to the Fourth Circuit Court of Appeals and appeals to the South Carolina Court of Appeals. I, along with my

law partner, handled the administrative duties associated with operating a law firm, including the management of our law firm's trust account.

When I was elected to serve as a Family Court Judge for the Thirteenth Judicial Circuit, Seat 6, in February 2019, I closed my law firm in March of 2019. Since that time, I have not had any other employment other than elected judicial office.

Judge Salvini further reported the following regarding unsuccessful candidacies:

(a) On or around 2009, I applied for a U.S. Magistrate position in the United States District Court for the District of South Carolina. The selection process for Federal Magistrate Judges requires screening of candidates by a panel. The panel selects five finalists from the applicants. From there, the U.S. District Court Judges decide who will fill the vacancy.

(b) In 2017, I applied for the Circuit Court Bench, Thirteenth Judicial Circuit, Seat 4. I was found to be qualified and nominated. However, I withdrew from the race prior to the vote on the candidates for this position.

(9) Judicial Temperament:

The Commission believes that Judge Salvini's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Judge Salvini to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary comments.

Judge Salvini is married to James Bethel Orders IV. She has two step-children.

Judge Salvini reported that she was a member of the following Bar and professional associations:

(a) California Bar
(b) South Carolina Bar
(c) Greenville County Bar Association
(d) United Housing Connections, Vice Chairperson 2017-2018, Board Chairperson 2019-2022.

Judge Salvini provided that she was a member of the following civic, charitable, educational, social, or fraternal organization:

United Housing Connections, Vice Chairperson 2017-2018, Board Chairperson 2019-2022.
Judge Salvini further reported:

I have always had a passion for the law and the litigation process we employ to bring about fair and just resolutions to conflict. This passion is fueled by my desire to help others. While attending law school, I believed the best way I could help others was by representing them throughout the court process in all facets of the law. So, I focused my law school studies on trial advocacy. I began practicing law as a trial attorney, representing individuals, businesses, and families in a wide variety of legal matters in the courtroom. For almost twenty years before accepting a full-time position on the bench, I litigated matters throughout all stages of the court proceedings, helping my clients through the most difficult times of their lives. It was a rewarding career and my desire to help others served me well in the practice of law and as a Municipal Court Judge. However, since becoming a full time Family Court Judge, I have truly found that I make the most difference serving in the judiciary. As a full-time Family Court Judge, I have strived to be a judge that fairly resolves disputes in a way that gives the litigants, the public, the Bar and my fellow judges confidence in the integrity of the judiciary and the judicial process. I am now seeking to serve our community on the Circuit Court Bench as I believe it will enable me to use all of my experience and knowledge to help others in the most effective way possible.

(11) Commission Members' Comments:

The Commission commented that Judge Salvini brings great enthusiasm and a strong work ethic to the bench. She maintains a great reputation for how she conducts herself in the courtroom.

(12) Conclusion:

The Commission found Judge Salvini qualified, and nominated her for election to Circuit Court, Thirteenth Judicial Circuit, Seat 2.

Vernon F. Dunbar
Circuit Court, Thirteenth Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Dunbar meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Dunbar was born in 1961. He is 62 years old and a resident of Greenville, South Carolina. Mr. Dunbar provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1986.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Dunbar.

Mr. Dunbar demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Dunbar reported that he has not made any campaign expenditures.

Mr. Dunbar testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Dunbar testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Dunbar to be intelligent and knowledgeable.

Mr. Dunbar reported that he has taught the following law-related courses:

(a) Mediation Practice- Greenville County Bar Year End CLE. Discussed the issues of confidentiality and various ethical issues raised during mediations.
(b) Civil Law Update-Greenville County Bar Year End CLE. Supplementing answer to provide date of CLE which was in February, 2021.
(c) Are COVID Cases Compensable Under SC Workers' Compensation Law. Previous answer amended to include the word "Cases" and to include that such lecture was given in October 2021.
(d) What MMI Really Means Addressed the SC Workers' Compensation Educational Association on November 6, 2023, Myrle Beach, SC

Mr. Dunbar reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Dunbar did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Dunbar did not indicate any evidence of a troubled financial status. Mr. Dunbar has handled his financial affairs responsibly.

The Commission also noted that Mr. Dunbar was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Dunbar reported the following regarding his rating by a legal rating organization:
Martindale-Hubbell , Peer-Review Rating-AV.
Best Lawyer's in America.
Greenville Business Legal Elite in Workers Compensation for Employers
South Carolina Elite Lawyer.

Mr. Dunbar reported that he has not served in the military.
Mr. Dunbar reported that he has held the following public office: I served on the South Carolina State Election Commission upon appointment by Governor David Beasley in 1996/1997.

(6) Physical Health:

Mr. Dunbar appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Dunbar appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Dunbar was admitted to the South Carolina Bar in 1986.

He gave the following account of his legal experience since graduation from law school:

First, I worked as an Assistant Solicitor in Aiken from August 1986 to January 1987. I was assigned defend the Department of Social Services and Department of Youth Services n/k/a the Department of Juvenile Justice in the counties of Aiken, Barnwell and Bamberg. It was during my representation of The Department of Youth Services that I learned the rudimentary aspects of the practice of criminal law.

Second, I served as a law clerk to The Honorable Ernest A. Finney, Jr., then Associate Justice of the South Carolina Supreme Court from January, 1987 to December, 1988. In that capacity, I wrote memoranda of law, proposed majority concurring and dissenting opinions on criminal, family and criminal law cases.

Third, Governor Carroll A. Campbell, Jr., along with the advice and consent of the Senate, appointed me to serve as a Workers' Compensation Commissioner in 1988. I was later appointed to serve as Chairperson of the Commission in 1993. I served as Chairperson until 1995. There are multiple duties of a Commissioner. The primary duty of a Commissioner is to adjudicate disputed workers' compensation claims and to award medical and disability benefits in accordance with the law. The other duty of a Commissioner is to direct and oversee the business and administrative operations of the Commission. The duty includes executing policies established by the Legislature; fulfilling the functions of the Commission's in its capacity as the governing body of the Judicial and Administrative Departments; qualifying employers and companies as self-insured entities; and promulgating rules and regulations governing the administration and execution of the workers' compensation laws of South Carolina.

The Chairperson of the Commission and the six Commission Board members were required to prepare a budget and submit an annual report to the Governor and the General Assembly showing receipts, expenditures and disbursements of the Commission.

Fourth, I entered into the private practice of law with the law firm of Turner, Padget Graham & Laney. In the early years of private practice, I concentrated exclusively on building a workers' compensation practice with the firm. To this end, I litigated hundreds of workers' compensation cases primarily defending employers and insurance carriers. However, I also represented a number of injured workers.

Later, my practice evolved from 1997 to 2014 into one in which I was involved in general and business litigation. A litigation practice began defending automobile accident cases in Richland, Lexington, Aiken, Bamberg and Barnwell Counties. Representing clients in automobile accident cases was extremely high volume practice. I litigated at least 35 cases that resulted in

jury verdicts either before Magistrate Courts or Circuits Courts of the aforesaid counties.

Eventually, my practice evolved in which I was involved in employment/discrimination cases, breach of contract claims, covenants not to execute, breaches of patent license agreements, personal injuries and business torts. These type of cases were litigated in state and federal courts from 1999 to the present. It was also during this time, I accepted criminal case appointment in Richland county.

Fifth, while actively litigating cases, I also served as lead counsel or sole counsel in a number of Appellate cases that were decided by our Court of Appeals and Supreme Court.

Sixth, my present practice with McAngus Goudelock & Courie involves litigating and defending occupational disease claims, ionizing radiation claims and complex bodily injury claims before the South Carolina Workers' Compensation Commission. I also represent a number of entities in subrogation claims which have been filed in Federal and State Circuit Courts.

Seventh, I have experience in representing clients before the Administrative Law Court, the Architectural and Physical Therapy Boards.

Eighth, I am a certified mediator and mediate civil and workers' compensation cases. Most recently as part of my mediation practice, I served as a Special Circuit Court Referee in a property rights case.

During my tenure at Turner Padget Graham & Laney from 1995 to 2014, I served on the firm's management committee from 2004 to 2014. The Management Committee was responsible for the administrative and financial management of the firm. The administrative and financial management functions of the firm included budgeting, maintaining proper general and malpractice insurance for the firm; and managing growth of the firm.

Mr. Dunbar further reported regarding his experience with the Circuit Court practice area:

During my tenure as an assistant solicitor, I was involved in probable cause hearings. I was tasked with deciding the appropriate charges with respect to criminal offenses committed by juveniles. These charges most often involved malicious destruction to property, assault and battery, murder, petty larceny,

grand larceny and trespassing. All of these matters were litigated before a Family Court Judge. Many of the cases resulted in plea agreements, while the remainder either resulted in probation or a referral to the Reception and Evaluation Center in Columbia. A small number of juveniles were placed in the custody of the Department of Youth Services.

I was involved in one Federal criminal case, USA v. Gerald McDuffie, 4:96-CR-00721-CMC2, in which Mr. McDuffie was charged with intent to distribute and traffic drugs. Gerald Malloy, Lead Counsel, and I were able to negotiate with the Assistant United States Attorneys in which a plea agreement was reached and approved by the Honorable Cameron McGowan Currie.

Thereafter, by virtue of a court appointment in Richland County I was appointed counsel in the case of State of South Carolina v. Frank Livingston, Indictment Nos.: 2003-GS-40-00550 & 2003-GS-40-0010 for trafficking Crack Cocaine with Intent to Distribute. A plea agreement which was approved by the Honorable Edward Cunningham.

Most recently, I was able to have a criminal charge dismissed against a friend of my family, who had been arrested for criminal domestic violence in 2019. Tommy L. King was 91 at the time and was suffering with dementia and early stages of Alzheimer's. Because of his mental incapacity, the Assistant Solicitor of the Aiken County Solicitor's Office requested the court dismiss of the charges of Mr. King during a hearing.

With respect to civil matters, I have tried countless cases to jury trial. However, the ability to recognize the strength and weaknesses of my case, as well as that of my opponents, have enabled me to resolve cases that were beneficial to my clients.

With regard to civil cases, I have litigated the following matters:

Herin et al. v. US Band and Orchestra Supplies, Inc et al, 0:11-cv-01164-JFA (breach of patent license agreement).

USF Holland et al. v. ResCare Inc., 3:07-cv-01339-JFA (subrogation case based upon negligence and violation of state and federal guidelines governing healthcare aides).

Equal Employment Opportunity Commission v. BF-Southeast, LLC, 6:10-cv-02538-JDA (sexual harassment and discrimination case involving a professional fitness center).

Durant v. Inner City, et al, 3:03-cv-01333-MJP (employment discrimination case and unlawful discharge).

Cox et al v. South Carolina Republican Party, Fox News et al., 3:07-cv-01339-JFA (Represented Defendant Fox News regarding a temporary restraining order and preliminary injunction with respect to Cox participating in South Carolina Republican televised presidential debate).

Dearybury Oil & Gas Inc. v. Lykins Companies Inc et al., (legal issue involved enforcement of a form selection cause enforceable pursuant to terms of contract).

I have worked to achieve justice for both individuals and corporate entities. My jury trial experience is primarily the result of my representation of Allstate Insurance in motor vehicular accidents during the early part of my career when it was common practice to try two to three wreck cases in a week.

With the past five years, I have appeared before a circuit judge on approximately five occasions and appeared before a federal judge in 2022.

Mr. Dunbar reported the frequency of his court appearances during the past five years as follows:
(a) Federal: 1;
(b) State: 5.

Mr. Dunbar reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 75%;
(b) Criminal: 0%;
(c) Domestic: 0%;
(d) Other: 25% (mediation).

Mr. Dunbar reported that, during the past five years, their practice in trial court as follows:

(a) 100% settled prior to trial
(b) 0 cases went to trial and resulted in a verdict
(c) 0 cases went to trial and resolved after the plaintiff's or State's case
(d) 0 cases settled after a jury was selected but prior to opening statements

Mr. Dunbar provided that during the past five years he most often served as sole counsel.

The following is Mr. Dunbar's account of his five most significant litigated matters:

(a) *Cunningham v. Mixon*, 2006 S.C.App. Unpub. LEXIS 172, 2006 WL 7285963 (2006).

Mixon had operated a successful daycare business for over 15 years without incident. Unfortunately, a minor child in her care and custody suffered scratches and bites over her body which were inflicted by another child during naptime. The child who inflicted the bites and scratches had exhibited some minor behavioral issues, but never had acted in an aggressive manner. Cunningham reported the incident to DSS and she took the case to a local television news station. Consequently, DSS immediately revoked Ms. Mixon's daycare license; and Cunningham filed a lawsuit for injuries sustained by the minor child. Although Ms. Mixon was unable to pay for legal services, I accepted her proposal that she would pay me $100 per months for 18 months if I defended her in Circuit Court and assisted her in regaining her license.

Because Ms. Mixon had more than enough workers covering the small amount of children she cared for, DSS concluded that Mixon had not violated any DSS regulations. Thus, Mixon's license was reinstated.

Because Cunningham failed to meet her burden of proof, the court directed the verdict in Mixon's favor. Thereafter, the Court of Appeals affirmed the grant of a directed verdict.

(b) *Johnson v. Sonoco Products Co.*, 381 S.C. 172, 672 S.E.2d 567 (2009).

Mr. Johnson suffered with pulmonary failure due to exposure to toxic chemicals and other substances during his employment tenure. The case was denied by the Single Commissioner and the Full Commission Appellate Panel, but was reversed by the Circuit Court Judge on appeal. The South Carolina Court of Appeals affirmed the Circuit Court's reversal and remanded the case for benefits. Defendants denied an award of interest and a ten percent penalty pending the appeal was due to Mr. Johnson. The Supreme Court determined that absent a reasonable excuse by defendant to show why it did not pay benefits during the pendency of the appeal, Mr. Johnson was entitled to interest calculated from 30 days after the trial courts awarded benefits. This case verified that South Carolina Appellate Court Rule 225(a) expressly authorizes a trial court to order the payment of benefits during the pendency of a workers' compensation appeal.

(c) *Anderson v. Baptist Medical Center*, 343 SC 487, 541 S.E.2d 526 (2001).

Prior to this decision by the South Carolina Supreme Court, there was a question as to whether fringe benefits such as payment for disability and life insurance should be included in the calculation of an employee's average weekly wage. This issue had never been addressed by our courts. Anderson had argued that whenever allowances of any character are made to an employee in lieu of wages, they should be deemed a part of the employee's earnings. The Supreme Court concluded fringe benefits do not constitute wages or earnings under the plain and ordinary meaning of the terms. The case stands out because of the amount of research conducted with regard to other states in addressing the meaning of average weekly wage. Moreover, the undersigned's course work in tax law during law school came into play in reference to footnote 3 in the Decision.

(d) *Crisp v. SouthCo, Inc.*, 401 627, 738 S.E.2d 835 (2013).

This case determined the legal difference between permanent physical brain injury and permanent

physical brain damage. Permanent physical brain damage has been differentiated by a Court as falling into a catastrophic category in terms of injuries akin to injuries that renders a person or paraplegic and quadriplegic. A catastrophic physical brain damage injury must not only affect one's earning capacity, but also one's daily living activities. The Court further concluded that objective diagnostic tests such as a CT scan or a MRI are not totally reflective of whether an individual has suffered a permanent physical brain damage injury.

(e) *Arrowpoint Capital Corp. v. S.C. Second Injury Fund*, 2017 S.C.App. Unpub. LEXIS 578 (S.C. Ct.App., August 18, 2017).

The Defendant Employer and Insurance Carrier had been improperly denied reimbursement from the South Carolina Second Injury Fund. The Single Commissioner, the Full Commission and the Circuit Court found that Arrowpoint Capital Corporation was not entitled to reimbursement from the South Carolina Second Injury Fund, despite overwhelming medical evidence and strict compliance with the statute in terms of the basis for reimbursement. The opinion reflect the South Carolina Workers' Compensation Commission abused its discretion in barring Arrowpoint Capital's request for reimbursement based upon a technological error and ignored the only evidence in the case.

The following is Mr. Dunbar's account of five civil appeals he has personally handled:

(a) *Jones v. Wilbert Burial Vault, Inc.*, 2016 U.S. Dist. LEXIS 105487 (August 16, 2016).
(b) *Anderson Baptist Medical Center*, 343 SC 487, 541 S.E.2d 526 (2001).
(c) *Crisp v. SouthCo. Inc.*, 401 627, 738 S.E.2d 835 (2013).
(d) *Transp. Ins. Co. v. S.C. Second Injury Fund*, 389 S.C. 422, 699 S.E.2d 687 (2010).
(e) *Smith v. NCCI, Inc.*, 369 S.C. 236, 631 S.E.2d 268 (Ct.App. 2006).
(f) *Brunson v. American Koyo Bearings*, 395 S.C. 450, 718 S.E.2d 755 (Ct.App. 2011).

Mr. Dunbar reported that he has not personally handled any criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. Dunbar's temperament would be excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Mr. Dunbar to be Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" as to the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee had no related comments.

Mr. Dunbar is married to Tarita A. Dunbar. He has three children.

Mr. Dunbar reported that he was a member of the following Bar and professional associations:

(a) Haynesworth-Perry Inn of Court
(b) SC Chapter of the National Academy of Distinguished Neutrals (Mediators)
(c) SC Black Lawyers Association-Circuit Representative (2018-2023)
(d) Greenville County Bar-Member of the Executive Committee (April 2023-present)

Mr. Dunbar provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Poinsett Club-Board Member, Vice President and President.
(b) Artisphere-Board Member and General Counsel
(c) Greenville Local Development Corporation (GLDC) Board Member for City of Greenville.
(d) SC Legal Elite in Insurance Law and Workers' Compensation.

Mr. Dunbar further reported:

Having appeared before judges in South Carolina and U.S. Appellate Courts and trial courts and having served as a Workers' Compensation Commissioner and State Election

Commissioner, I truly value the importance of judicial temperament, fairness, impartiality and attentiveness. For the past 28.5 years, I have worked as an advocate for the working man, insurance companies and various business entities. As such, due process of law, justice and an understanding of the law are critical not only to doing what is right but also to promote and maintain the public's faith and unwavering confidence in the judiciary and the judicial system. Honesty, integrity, fairness and a willingness to work as a public servant for the citizens of South Carolina are the attributes that I shall carry. These attributes and characteristics serve to enhance the status and respect of this most vital and important institution in this great democracy.

My experience as a law clerk reviewing the finished product of a trial or an adjudicatory hearing; having my decisions appealed to the Court of Appeals and Supreme Court during my tenure as a Workers' Compensation Commissioner; and litigating cases and defending and challenging those decisions has provided me with a keen insight on the importance of legal knowledge, adequate preparation and the effectiveness of oral and written communication and skills in our judicial system.

Accordingly, while many may view the judicial role as simply moving cases through the system, the quick movement of cases cannot be accomplished at the expense of justice, fairness and equality under the law. The service judges are asked to perform clearly constitutes the highest and most difficult service in the mind of the public: exercising wisdom; knowing right from wrong; and judging mercifully and with justice.

(11) Commission Members' Comments:

The Commission Members commended Mr. Dunbar's diverse experience and excellent reputation in the legal community.

(12) Conclusion:

The Commission found Mr. Dunbar qualified, and nominated him for election to Circuit Court, Thirteenth Judicial Circuit, Seat 4.

THURSDAY, JANUARY 11, 2024

Ken Gibson
Circuit Court, Thirteenth Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Gibson meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Gibson was born in 1967. He is 56 years old and a resident of Greenville, South Carolina. Mr. Gibson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001. He was also admitted to the Georgia Bar in 1995.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Gibson.

Mr. Gibson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Gibson reported that he has not made any campaign expenditures.

Mr. Gibson testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Gibson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Gibson to be intelligent and knowledgeable.

Mr. Gibson reported that he has taught the following law-related courses:

(a) I have lectured at various continuing education seminars for bondsmen throughout the state presenting on the topic of the legal issues involved in motions to be relieved on bond and estreatment hearings; and
(b) I participated in a panel discussion regarding civility in the criminal defense profession at the 2021 Greenville County End of Year CLE.

Mr. Gibson reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Gibson did not reveal evidence of any founded grievances or criminal allegations made against him.
The Commission's investigation of Mr. Gibson did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Mr. Gibson was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Gibson reported that his rating by a legal rating organization, Martindale Hubbell, is AV.

Mr. Gibson reported the following military service:
May 24, 1989, to December 31, 1991
United States Army
First Lieutenant
Currently Separated
Honorable Discharge

Mr. Gibson reported that he has held the following public office:

Greenville City Council
Elected member representing Greenville, City District 3
December 1999 to Present

I have in the past missed filing reports with the State Ethics Commission, and it resulted in a penalty of $300.00. The date that the penalty was assessed was April 10, 2023.

The missed filings occurred as a result of problems accessing my online account and misunderstandings on my part as to what reports needed to be filed and my mistaken belief that I had in fact filed the ones that did so need. The situation has been rectified, and now all of my filings are up to date.

(6) Physical Health:

Mr. Gibson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Gibson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Gibson was admitted to the South Carolina Bar in 2001.

He gave the following account of his legal experience since graduation from law school:

(a) Jones, Day, Reavis & Pogue (Now Jones Day)
Atlanta, GA
1995 to 1999
Associate, Business Litigation
Worked as attorney representing major corporations in a wide range of business-related civil disputes. These included major tort litigation, product liability, contract disputes, medical malpractice, complex litigation to include class actions, defamation, false advertising, and other matters before the Federal Trade Commission.

(b) Greenberg Traurig
Miami, FL
1999 to 2000
Associate, Business Litigation
Worked as attorney representing major corporations in a wide range of business-related civil disputes. These included major tort litigation, product liability, contract disputes, bad faith insurance claims, complex litigation to include class actions, etc.

(c) Womble, Carlyle, Sandridge & Rice (Now Womble Bond Dickinson)
Greenville, SC
2000 to 2002
Associate, Business Litigation
Worked as attorney representing various businesses in civil disputes. These included major tort litigation, product liability, contract disputes, employment matters including non-compete agreements, disputes with local governmental agencies, complex litigation to include class actions, etc.

(d) The Law Office of Kenneth Gibson/Gibson Law
Greenville, SC
2002 to Present.
Owner
Worked as attorney and law practice owner as a sole practitioner representing businesses and individuals in both criminal and civil matters in State and Federal Courts throughout South Carolina. Responsible for all aspects of business including administrative, financial and any trust accounts.

Mr. Gibson further reported regarding his experience with the Circuit Court practice area:

Criminal Experience

Over the past 5 years I have handled hundreds of criminal matters in the State and Federal Courts of South Carolina. While I on occasion handle matters in Magistrate and Municipal Courts, the overwhelming majority of my experience has been in the State

Circuit Courts and Federal Courts. While I maintain a private practice, a substantial portion of my workload involves helping indigent defendants in both the State and Federal systems. During the last 5 years I have appeared before the Court in hundreds of plea hearings, sentencing hearings, bond hearings, pretrial conferences, other motion hearings and trials. These cases have included charges covering pretty much the entire gamut of criminal matters including murders and other homicides, drug related crimes including trafficking, distribution and possession, rape and other sex crimes, forgery, counterfeiting, breach of trust, various forms of fraud, property crimes including robbery, larceny, and malicious injury to property, firearm charges, criminal domestic violence, assault and battery, stalking and harassment, etc. Over the last 5 years I have tried to jury verdict 5 cases in the State and Federal Courts. These trials include two murders. On Monday, July 17, 2023, I will be adding to this list another murder trial, which is special set for that date.

In addition to my experience representing defendants in criminal matters, I also have extensive experience representing surety companies in bond related matters including off-bond hearings and estreatments.

What I have done in this regard over the past 5 years is essentially what I have been doing as well for the last 20 years. Over that time, I have handled probably thousands of warrants and charges in criminal matters. I also have the experience of trying a capital/death penalty case.

Civil Experience

My first 7 years as a lawyer were spent doing nothing other than major business-related litigation. After leaving law school I went to work for Jones, Day, Reavis & Pogue (now known simply as Jones Day). At the time I worked there, Jones Day employed roughly 1200 hundred lawyers in offices located throughout the United States and the world. It was known for its litigation department and its ability to handle bet your company type litigation. For four years I worked in Jones Day Business Litigation department handling all types of litigation. The most high-profile and arguably significant of the work I did was on behalf of at the

time Jones Day's largest client, RJ Reynolds Tobacco company in the so-called tobacco wars. In addition to that work, I also represented a major financial company in complex class-action lawsuits throughout the Southeast, the Sealy mattress company in matters before the Federal Trade Commission involving allegations of false advertising, cases involving catastrophic personal injury, and other matters involving contract disputes and medical malpractice.

After Jones Day, I worked at Greenberg Traurig in its Miami office. At the time that I was at Greenberg Traurig, it employed nearly 700 lawyers with offices throughout the United States. There I continued handling civil related matters involving product liability and major tort litigation, breach of contract and bad faith insurance claims among other things.

In 2000, I moved back to Greenville and worked for Womble, Carlyle, Sandridge and Rice (now known as Womble Bond Dickinson) another major and national law firm. Over the two years I was there I handled nearly a hundred matters involving contract disputes, trademark litigation, litigation of non-compete agreements and theft of trade secrets, municipal government litigation, construction litigation, major tort litigation, product liability, complex cases, and class actions, etc.

In 2002, I opened my own law firm, and while the overwhelming majority of my practice has involved criminal matters, I have continued over the years to maintain a steady caseload of civil cases. These have involved breach of contract matters, employment discrimination, unlawful use of police force, conversion, fraud, forgery, civil conspiracy, collections matters, consumer protection, etc.

In the past 5 years, I have handled multiple civil litigation matters to include cases involving breach of contract, consumer protection, fraud, forgery, conversion, police excessive force, civil rights violations, civil forfeiture, and debt collection.

I have tried multiple civil matters to verdict and handled numerous motions hearings involving discovery issues, summary judgment, temporary and permanent restraining orders, and injunctions, etc.

Appearances Before a Circuit Court Judge
In the past 5 years, I have represented clients before Circuit Judges hundreds of times. In the past 20 years, that number is easily in the thousands.

Mr. Gibson reported the frequency of his court appearances during the past five years as follows:
(a) Federal: Semi-Monthly;
(b) State: Weekly, and often multiple days within a week.

Mr. Gibson reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 5%;
(b) Criminal: 90%;
(c) Domestic: 0%;
(d) Other: 5% (Representation of Surety Companies on Off-Bonds and Estreatments – hybrid of criminal and civil).

Mr. Gibson reported his practice in trial court as follows:
(a) 100% of his practice was in trial court, including cases that settled prior to trial
(b) Over the last 5 years I have tried 6 cases to verdict. During that time frame I have also had numerous contested hearings involving witness testimony
(c) 0 cases went to trial and resolved after the plaintiff's or State's case
(d) 0 cases settled after a jury was selected but prior to opening statements

Mr. Gibson provided that during the past five years he most often served as sole counsel.

The following is Mr. Gibson's account of his five most significant litigated matters:
(a) The Tobacco Wars. Representation of RJ Reynolds in cases involving claims that the cigarettes that it produced were unreasonably unsafe and violated product liability laws. These matters were significant as it was extremely high-profile work that was regularly reported in the national news. The litigation was extremely complex involving

efforts on our part to defend and defeat class action litigation in multiple actions throughout the nation. It is most significant to me in that it was through this litigation that I learned how to prepare and try cases, particularly complex and intensive ones.

(b) The Bowling Ball Commercial. Representation of Sealy, the mattress company, in an effort to prevent the Federal Trade Commission from forcing it to pull one of its most successful advertisements on the basis that it constituted false advertising. In the 1990s Sealy produced and aired in great rotation a commercial showing the dropping of a bowling ball onto its mattress while not disturbing a glass of red wine. Sealy's competitors cried foul and filed a complaint with the Federal Trade Commission alleging that the commercial constituted false advertising. In defense, our team at Jones Day employed experts to recreate the conditions in the commercial and prove that you could in fact drop a bowling ball on a Sealy mattress. We then prepared and submitted written briefs in the matter that convinced the Federal Trade Commission to allow Sealy to continue running the commercial. This case is significant because it involved a high-profile matter and complex arguments before a federal agency.

(c) Buzz Trademark Litigation. Representation of Georgia Tech University to protect the trademark of its mascot, Buzz.

The Georgia Tech Yellow Jackets have a mascot named Buzz. It's a large yellow jacket that Georgia Tech employs to represent the school and its athletic teams in many various forums. In the mid 1990s, a minor league baseball team named itself the Salt Lake Buzz and employed as it's mascot a bumble bee. Ga Tech believed, rightly so, that the Salt Lake Buzz was diluting its trademark and requested the team to cease and desist.

When the team refused, Ga Tech initiated litigation in federal court to make them stop and hired our law firm to assist. I was assigned to the team. A major part of my

effort was to travel throughout the Northeast and depose entities that could provide evidence as to the strength of Ga Tech's trademark and to the celebrity of its mascot Buzz.

One of the entities we subpoenaed was ESPN. But ESPN refused to comply. When they so refused, we immediately filed in federal court in their backyard of Connecticut to force them to comply. I represented Ga Tech at the hearing and despite being in their hometown, the Judge forced them to provide us all of the information that we requested.

After we obtained this information, we filed and argued a number of motions with the federal court in GA which placed us in a very favorable position. The matter was ultimately settled with the Salt Lake Buzz paying damages to Ga. Tech and ceasing to use the Buzz name or trademark.

This matter is significant because it involved complex trademark issues with litigation across multiple jurisdictions and courts.

(d) SC v. LaChrisha Miller. LaChrisha was charged with multiple counts of obtaining prescription under false pretenses as a result of another woman who found LaChrisha's lost driver's license and then used it to obtain the drugs at issue. Despite LaChrisha's innocence, LaChrisha was tried and convicted at trial while being represented by another attorney. LaChrisha subsequently retained me to represent her in a Post-Conviction Relief (PCR) proceeding where we sought to overturn her conviction on the grounds of ineffective assistance of counsel. We were able to show at the hearing on our petition that there was credible evidence of third-party guilt that was not presented at trial. Accordingly, the PCR Court granted the application for post-conviction relief and vacated the conviction. The State appealed and petitioned for Certiorari, which was denied. This case is significant because LaChrisha was at the time the single

mother of two small children. She had a pending jail sentence hanging over her head that had been suspended pending appeals but which she would have had to serve if her conviction had been affirmed. Having to leave her kids at this time in their life would have been devastating to both her and her children. The ruling in this case allowed her to fully put this matter behind her, avoid serving an unjust prison sentence and to proceed in her life without this wrongful conviction on her record.

(e) SC v. Tatianna Kilgore. Tatianna Kilgore was a young girl raised by her mother in a broken household. When she reached 18, she became involved with a man who would manipulate and exploit her. This man slowly separated her from and poisoned Tatianna's relationship with her mother. As a result, she became more and more dependent upon him and as that occurred, he solidified his control over her by beating and otherwise abusing her. Once he was able to totally control her, he coerced Tatianna to assist him in a bank robbery.

The two were soon after caught. Tatianna was charged with Armed Robbery and Criminal Conspiracy. He was placed in jail and held there and that finally allowed Tatianna's mother to repair the damage that he had done and to help Tatianna to return to her old self.

I was appointed to represent Tatianna and despite my best efforts the Solicitor refused to dismiss the charges. In light of my arguments, she did agree however to reduce the armed robbery charge to an attempted armed robbery. This was significant because it removed the mandatory minimum sentence of an armed robbery and at least allowed the Court to not incarcerate Tatianna on the charges.

Tatianna ultimately pled to the attempted armed robbery and a criminal conspiracy. At the plea hearing we were able to present a compelling case through witnesses who knew Tatianna before, during and after her relationship with the abusive boyfriend of the effect that he had on her

and how she was back to her old self. At the end of our presentation, the Judge agreed to spare Tatianna from incarceration and sentenced her to probation. At the end of the hearing, which was held in a crowded courtroom, the spectators stood and applauded the Judge's mercy.

Years after that plea I happened to see Tatianna at a restaurant. She came up and hugged me and thanked me for everything I had done for her. It had been over 8 years since I represented her, and she was doing great. Other than some traffic tickets she hadn't been in any trouble whatsoever. She was in fact married and had a child that she was raising on her own.

This case is significant, because it drove home to me why I represented the people I did in the manner in which I have for these past two decades. The Solicitor assigned to Tatianna's case initially demanded that she serve a sentence of 10 years in jail. Such a sentence would have destroyed her. There was no way she could have done that sentence and come out of the same sweet person that I saw at the restaurant that day. There are certainly matters that demand incarceration and even substantial incarceration. But wise judges are able, when presented with the right evidence, to know when mercy and a short leash is the better alternative. Luckily for us, Tatianna had such a Judge.

Mr. Gibson reported that has not personally handled any civil appeals.

The following is Mr. Gibson's account of the criminal appeal he has personally handled:
(a) United States v. Javier Alex Martinez-Turcio, United States Court of Appeals for the 4th Circuit, September 19, 2012.

(9) Judicial Temperament:

The Commission believes that Mr. Gibson's temperament would be excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Mr. Gibson to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary comments.

Mr. Gibson is married to Kimberly Michelle Gibson. He has three children.

Mr. Gibson reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
(b) Greenville Bar Association
(c) Greenville Association of Criminal Defense Lawyers
Mr. Gibson provided that he was not a member of any civic, charitable, educational, social, or fraternal organizations.

Mr. Gibson further reported:
Both of my parents dedicated their lives to public service. My father, Dr. W.F. Gibson, worked in civil rights fighting to ensure equal and fair treatment for all people. He worked his way up the ranks of the National Association for the Advancement of Colored People (NAACP) from President of the Greenville Branch to President of the South Carolina Chapter to being the Chairman of the National Board of Directors. My mother, Lottie Gibson, also worked in civil rights but later transitioned to elected office serving as a member of Greenville County Council for over 20 years. In addition to her service on County Council, she tirelessly worked through various boards, commissions, and non-profit agencies to help those who needed it most. She did this work without regard to race or any other factor. If you needed help, no matter who you were, she would be there for you.

I'm extremely proud to say that my parents instilled their dedication to help others, particularly the least among us, in me.

Over the years, I have served my community in multiple and varied capacities. As a graduate of West Point, I joined the Army as an

officer and fought during Desert Shield/Storm in Saudi Arabia, Kuwait, and Iraq. Later, I served on various boards and commissions, and most recently I have served as a member of the Greenville City Council.

Through all of this I have learned that there is far more that binds us than divides us and that every person's perspective no matter how disparate from mine is legitimate and has value. I've also learned that everyone, no matter what your station in life or what you may have done deserves to be treated with respect.

I believe that we are better when we can come together and thus, I try to seek consensus and common ground whenever I can. But I also know what is right, and when such consensus can't be achieved, I have the courage to stay focused and determined to ensure that right is done.

I believe that that the mix of the lessons learned from my parents, my education, my military service, and my extensive work in both the civil and criminal sides of the law make me uniquely qualified to serve as a Judge.

(11) Commission Members' Comments:

The Commission noted that Mr. Gibson has a great deal of experience in both civil and criminal law. Mr. Gibson was also found to have a great temperament and enthusiasm.

(12) Conclusion:

The Commission found Mr. Gibson qualified, and nominated him for election to Circuit Court, Thirteenth Judicial Circuit, Seat 4.

Will Grove
Circuit Court, Thirteenth Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Grove meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Grove was born in 1983. He is 40 years old and a resident of Greenville, South Carolina. Mr. Grove provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2009.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Grove.

Mr. Grove demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Grove reported that he has made $179.92 in campaign expenditures for stationary, postage, business cards, and name tags.

Mr. Grove testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Grove testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Grove to be intelligent and knowledgeable.

Mr. Grove reported that he has taught the following law-related courses:

(a) I worked on the faculty for PD 103, a multi-day CLE for assistant public defenders aimed at improving trial advocacy, in 2019 and again in 2021.

(b) I organized the criminal law afternoon session of the Greenville County Bar's Year End CLE in February 2023 and served as a moderator for a panel discussion on the new criminal docketing system.

Mr. Grove reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Grove did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Grove did not indicate any evidence of a troubled financial status. Mr. Grove has handled his financial affairs responsibly.

The Commission also noted that Mr. Grove was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Grove reported that he is not rated by any legal rating organization.

Mr. Grove reported that he has not served in the military.

Mr. Grove reported that he has never held public office.

(6) Physical Health:

Mr. Grove appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Grove appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Grove was admitted to the South Carolina Bar in 2009.

He gave the following account of his legal experience since graduation from law school:

(a) November 2009 – August 2010. Litigation Attorney, Anastopoulo & Clore, LLC. I worked on civil cases which were in active litigation. I participated fully in the discovery process by requesting and responding to interrogatories, requests for production, requests to admit, conducting depositions, etc. I filed and argued motions and argued a civil case to verdict.
(b) August 2010 – April 2012. Assistant Public Defender, Fourth Judicial Circuit. I represented clients in each county of the Fourth Judicial Circuit (Darlington, Dillon, Chesterfield, and Marlboro Counties), but my office and the majority of my clients were in Marlboro County. I handled all manner of General Sessions' offenses and represented clients at a variety of proceedings: bond hearings, preliminary hearings, motions hearings, arraignments, pleas, trials, etc.
(c) April 2012 – July 2015. Assistant Public Defender, Twelfth Judicial Circuit. I represented clients in both counties of the Twelfth Judicial Circuit (Florence and Marion Counties), but my office and the majority of my clients were in Florence County. I handled all manner of General Sessions' offenses and represented clients at a variety of proceedings: bond hearings, preliminary hearings, motions hearings, arraignments, pleas, trials, etc.
(d) July 2015 – February 2019. Assistant Public Defender, Thirteenth Judicial Circuit. Representing clients in Greenville County in both General Sessions' and Magistrate Court. Represented clients at a variety of proceedings: bond hearings, preliminary hearings, motions hearings, arraignments, pleas, trials, etc. Mentored incoming Assistant Public Defenders to the practice of law and, specifically, the intricacies of public defense.
(e) February 2019 – May 2020. Senior Level Lawyer, Thirteenth Judicial Circuit. In addition to the duties described in section (d), I worked toward improving the efficiency with which our office handled court activities to include coordinating with the Thirteenth Judicial Circuit Solicitor's Office and the members of the judiciary for the

Thirteenth Judicial Circuit. Served as a team leader on a team with up to 5 lawyers and a legal assistant. Teams were created to improve intra-office efficiency with collaboration through regular meetings and better organizational structure.

(f) May 2020 – May 2021. Deputy Public Defender, Thirteenth Judicial Circuit. In addition to the duties described in sections (d) and (e), during this time I worked in a managerial capacity and handled some administrative tasks. Through regular meetings with the Circuit Defender, an administrative assistant, our office manager, and the Deputy Public Defender for Pickens County, we discussed, managed, and planned for the future of the office circuit-wide and tried to anticipate needs while maintaining a client-centered approach. I provided input on administrative and budgetary decisions.

(g) May 2021 – present. Co-Founder/Member, Grove Ozment, LLC. Together with my law partner, Matt Ozment, we run a general litigation practice. My practice areas cover personal injury, criminal defense, and some complex civil litigation. Matt's practice area is primarily employment law, both employee- and employer-based. He also handles general civil litigation as well as some complex civil litigation. We practice in both state and federal court. We employ an administrative assistant, Penny Singer, fulltime. As co-owners, Matt and I work jointly to manage the health of the firm, discuss budgetary decisions, and control the firm's finances. We each handle matters which sometimes involve IOLTA funds, so we share in the responsibility of overseeing that the funds are received and disbursed in accordance with the Rules. We also share the responsibility for the regular reconciliation of our trust account.

Mr. Grove further reported regarding his experience with the Circuit Court practice area:

In my nearly 11 years as a public defender, I defended hundreds of clients and tried a multitude of different cases in the Court of General Sessions. The range of those charges tried to verdict as sole or lead counsel include: murder; armed robbery; burglary

first degree; burglary second degree; criminal sexual conduct with a minor in the second degree; criminal domestic violence of a high and aggravated nature; felony DUI resulting in great bodily injury; reckless homicide; pointing and presenting a firearm; trafficking in cocaine base; and distribution of cocaine base, among others.

I have had the opportunity to present a number of different issues to the Circuit Court, including but not limited to: challenging the admissibility of clients' statements under Jackson v. Denno; arguing for suppression based on violations of the Fourth Amendment; challenging an out of court identification pursuant to Neil v. Biggers; challenging the collection of DNA under Schmerber v. California; arguing for (and having granted) a mistrial based on comments made by a solicitor during closing arguments; challenging expert witnesses, and; preparing expert witnesses to testify.

While the middle of my career was dedicated exclusively to the practice of criminal law, my first year of practice and my past two years have included practicing in the area of civil litigation. I have had the opportunity to practice in the Court of Common Pleas arguing motions and trying a case to verdict. In my civil litigation practice, I also spend a significant amount of time managing files and either engaging in or preparing for litigation. I respond to discovery and conduct depositions. I interact with opposing counsel and discuss strategic legal decisions with my clients, my law partner and/or our co-counsels. In my civil practice, I have handled motor vehicle accidents, slip and falls, civil rights violations, civil forfeitures, and complex litigation including nuisance suits. In addition to handling primarily plaintiff's side civil litigation, my law partner and I have also represented defendants in civil litigation.

My practice in both civil and criminal law has created a multitude of different scenarios through which I have had to navigate. My experience has provided opportunities for me to establish an expansive base of knowledge from which I can draw if chosen to serve on the Circuit Court. In many instances, I have had to learn new areas of the law quickly to provide the best advice and representation to my clients. If selected to serve as a

Circuit Court judge, I am sure I would draw upon this skill often to ensure I thoroughly assess the facts and apply the law appropriately in matters before me.

My practice over the past five years has required an appearance before the Circuit Court regularly. In addition to retained criminal defense work, I also work part time as an assistant public defender in the Pickens County branch of the Thirteenth Judicial Circuit Public Defender Office. Between my civil practice, my retained criminal practice, and my work as a part-time public defender, I appear in front of a Circuit Court judge several times a month. Prior to May 2021, when I was working as a full time public defender, I would appear in the Court of General Sessions as many as ten days a month.

Mr. Grove reported the frequency of his court appearances during the past five years as follows:

(a) federal: I have appeared in federal court a few times in the past two years, mostly as pro bono co-counsel to other lawyers in criminal matters.
(b) state: As a full-time public defender, I appeared several times a week, almost every week. In Greenville County, General Sessions Court operates two weeks per month, on average. During weeks when General Sessions Court was not open, other appearances might include Magistrate Court, preliminary hearings, Transfer Court, and General Sessions non-jury matters. The same is true since entering private practice in 2021. I have some Magistrate Court appearances, some General Sessions appearances, and some non-jury appearances, so I find myself in court frequently.

Mr. Grove reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 15%;
(b) Criminal: 80%;
(c) Domestic: 0%;
(d) Other: 5%.

Mr. Grove reported his trial court experience as follows:
(a) 85% was in trial court, including cases that settled prior to trial;
(b) One Circuit Court case, a trial in General Sessions, resulted in a verdict in the past five years.
(c) 0 cases went to trial and resolved after the plaintiff's or State's case
(d) 0 cases settled after a jury was selected but prior to opening statements

Mr. Grove provided the following about his role as counsel during the past five years:
Sole counsel, though on more significant cases it was common practice in the Thirteenth Judicial Circuit Public Defender Office for lead counsel to select a second chair, so I have also frequently acted as either lead counsel on my own cases or co-counsel on matters where I was assisting a coworker.

The following is Mr. Grove's account of his five most significant litigated matters:
(a) *State v. Wayne Albeon Scott, Jr.*, 2013-GS-21-0391. Mr. Scott was charged, indicted, tried, and convicted of murder. As sole counsel on this case, I raised a claim of immunity under the Protection of Persons and Property Act (the Act). At the time of the pre-trial hearing, there was very little case law available regarding the Act, which proved challenging. Ultimately, our motion for immunity under the Act was denied and we proceeded to trial. At a trial which lasted several days, we were able to present a self-defense claim and were able to block the State's request to charge for Voluntary Manslaughter, effectively creating an "all or nothing" scenario for the jury in its deliberation. This case was significant as it gave me experience in researching and presenting to a judge a defense in a then-new area of the law. It also provided an opportunity for creativity and critical thinking, to anticipate how the State would respond to our actions in presenting their case and simultaneously making sure Mr. Scott's defense was as clearly presented to the jury as possible.
(b) *State v. Brian Lewis*, 2016-GS-23-01737. I served as lead counsel in this case where Mr. Lewis was charged,

indicted, tried, and convicted of Conspiracy, Armed Robbery, and Possession of a Weapon during a Violent Crime. Immediately prior to trial, the State notified me Mr. Lewis had, just a few days prior, been charged with Conspiracy and Solicitation of a Felony. Specifically, the State alleged Mr. Lewis was conspiring from the detention center to arrange a hit on a State's witness expected to testify against him in the trial (these new charges would later be transferred to federal court for prosecution where Mr. Lewis was tried and convicted). The solicitor, the judge, and I had a chambers meeting prior to trial. My main focus was making sure this new information did not compromise Mr. Lewis's 6th Amendment rights. I was also fortunate to witness firsthand the careful balancing given by the trial judge between allowing the State to maintain a heightened level of security in the courtroom due to the new allegations while also ensuring Mr. Lewis's rights to a fair trial were protected. An unpublished state court appeal affirmed Mr. Lewis's convictions.

(c) *State v. Jason Lamont Andrews*, 2013-GS-21-0726. A case which began as a charge of Felony DUI Resulting in Death went to trial as a Reckless Homicide where I acted as sole counsel. I inherited this case from an assistant public defender who left to enter private practice. A great amount of effort had already been put into this case prior to my assignment, and Mr. Andrews and I built upon that work. We were ultimately successful in convincing the solicitor he would be unable, due to evidentiary issues, to successfully present the case as a Felony DUI and it was directly presented for indictment as a Reckless Homicide. Mr. Andrews elected to proceed to trial and, after a trial which lasted several days, he was acquitted. This case allowed me my first opportunity into the complex realm of DUI case law and the procedures required to acquire, preserve, and present evidence in a DUI case. This case also required me to call a witness and qualify him as an expert for the purposes of entering the deceased's toxicology report into evidence, which proved critical to our defense. My client in this case expressed continued confidence in my abilities, even after the trial as we waited

for the verdict to be delivered. This, in turn, gave me confidence in myself as a young trial lawyer.

(d) *State v. Estella Ruiz Gomez*, 2019-GS-01771A. This case involved an undocumented immigrant from a rural part of Mexico who was charged in the homicide of her newborn child. She was directly indicted for Voluntary Manslaughter and eventually entered a guilty plea and received an eleven year sentence. This case was significant as it was incredibly complex from many different angles: her native language was an indigenous Central American dialect which originally presented many challenges in our ability to effectively communicate; the nature of her original charge (Homicide by Child Abuse) is an incredibly sensitive charge with high emotions on every side, and; her undocumented status in this country created another challenge in advocating a suitable resolution for her and another layer of complexity to consider in terms of mitigation presented to the Court. As a parent of young children, I could have allowed the facts or circumstances of this case to interfere with my ability to advocate for my client or to pursue the best possible outcome on her behalf. Instead, this case proved I have the ability to focus my efforts on the facts and the law of a particular scenario, a trait I will gladly bring with me to the bench, if elected.

(e) *State v. Dontavius H. Jackson*, 2010-GS-16-01974, -01975. Mr. Jackson was tried twice on these charges: I believe the first trial was in October 2010, which resulted in a hung jury, and again in December 2010, which resulted in a conviction for Burglary First Degree and Grand Larceny. I was a new assistant public defender in the Fourth Judicial Circuit and was allowed to serve as co-counsel in both trials. Having been a practicing attorney for about a year, and having worked as a public defender for only a couple months, I was initially intimidated at the thought of a trial of that magnitude. This trial gave me an opportunity to cross examine a State's expert, to vigorously defend my client, and to hold the State to its burden…twice. This case is also significant as it showed I have the ability to prepare for complex matters very quickly. This ability has only improved in the thirteen years since.

Mr. Grove reported he has not personally handled any civil or criminal appeals.

Mr. Grove further reported the following regarding unsuccessful candidacies:
Yes. I applied for election to the Circuit Court, Thirteenth Judicial Circuit, Seat #3 in 2020. Following the screening process, I was found qualified but not nominated.

(9) Judicial Temperament:

The Commission believes that Mr. Grove's temperament would be excellent.

(10) Miscellaneous:

The Upstate Citizens Committee reported Mr. Grove to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee had no related comments or summary statements.

Mr. Grove is married to Katheen Lyall Grove. He has three children.

Mr. Grove reported that he was a member of the following Bar and professional associations:

(a) Greenville County Bar Association, member 2015-present; Legislative Liaison, 2018-present;
(b) South Carolina Bar Association, House of Delegates, Member, 2020-present;
(c) South Carolina Association of Criminal Defense Lawyers, Member 2010-present; Board Member, 2021-present;
(d) Public Defender Association, Board Member, 2019-2021;
(e) Haynesworth Perry American Inns of Court, Member, 2019-present;
(f) Federal Bar Association, Member, 2023-present

Mr. Grove provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) The Poinsett Club
(b) The Greenville Country Club

Mr. Grove further reported:

As a young public defender in the Fourth Judicial Circuit, I had a brief and altogether unremarkable experience which has positively impacted the way I practice law for well over a decade. In either 2010 or 2011, I was in the courtroom one morning making some last minute preparations before my trial resumed. The judge entered and, prior to calling for the jury, invited the assistant solicitor and me to approach the bench. "I just want to give you both an opportunity to straighten your ties before I bring in the jury," the judge said, hand covering the microphone. I looked down and realized my top button was undone and my tie was loosened. The judge could have called out across the courtroom and dressed us down for being so casual with our appearance, but instead took the opportunity to remind us privately and discretely (and in one short sentence) that we should hold ourselves to a high standard and project the importance of our responsibilities with how we carry ourselves – to include not appearing disheveled in court. To this day, I cannot enter a courtroom without checking my tie, just to make certain I am presenting myself to everyone (clients, courtroom staff, other lawyers, judges, opposing parties, or even members of the gallery), as a person who appreciates the significance of their duties.

The lesson I learned that day, twelve or thirteen years ago, could have been delivered any number of ways. It could have been delivered with anger, with sarcasm, it could have been delivered flippantly, or in an overbearing way. The gracious way the judge handled it has permanently impacted the way I conduct myself in court for the better and has created a conscientiousness in me that I believe will remain with me my entire practice and will take with me to the bench. I hope to be able to be as thoughtful, practical, and effective a jurist as that judge was for me and many others.

(11) Commission Members' Comments:

The Commission commended Mr. Grove for his growth as an attorney and in expanding his practice areas to include civil matters as they recommended during a prior candidacy. Further, members of the Commission commended his peers' endorsements of his temperament.

(12) Conclusion:

The Commission found Mr. Grove qualified, and nominated him for election to Circuit Court, Thirteenth Judicial Circuit, Seat 4.

The Honorable Robert Bonds
Circuit Court, Fourteenth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Bonds meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Bonds was born in 1963. He is 60 years old and a resident of Walterboro, South Carolina. Judge Bonds provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1990.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Bonds.

Judge Bonds demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Bonds reported that he has not made any campaign expenditures.

Judge Bonds testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Bonds testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Bonds to be intelligent and knowledgeable.

Judge Bonds reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Judge Bonds reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Bonds did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Bonds did not indicate any evidence of a troubled financial status. Judge Bonds has handled his financial affairs responsibly.

The Commission also noted that Judge Bonds was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Bonds reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV; and that he was included in The National Trial Lawyers Top 100: Criminal.

Judge Bonds reported that he has not served in the military.

Judge Bonds reported that he has held the following public office:

(a) Walterboro City Council from 2011-2019

(b) I was notified by the Ethics Commission in July 2011 that I had not timely filed my pre-election campaign disclosure. I was notified again in 2015 that I had not timely filed my pre-election campaign disclosure. Both times, upon reviewing my online account, the information had been entered and saved but not submitted. I immediately submitted the information and both times paid the One Hundred Dollar fine.

(6) Physical Health:

Judge Bonds appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Bonds appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Bonds was admitted to the South Carolina Bar in 1990.

He gave the following account of his legal experience since graduation from law school:

(a) 1990-1995 Bogoslow and Jones, Attorneys at Law: Associate attorney at an insurance defense firm located in Walterboro, SC. Handled all aspects of cases from intake through trial. Cases included among others, auto accident defense, defense of governmental entities sued pursuant to the State Tort Claims Act and alleged 42 USC §1983 violations. Tried cases in both State and Federal Courts. Served as Town Attorney for the Town of Cottageville, SC.

(b) 1995-1996 Bonds and Wilkerson, LLC: Partner in the firm that focused on personal injury and criminal defense. I oversaw all operations of the firm to include management of the staff and monitoring both operating and trust accounts.

(c) 1996-1998 Robert J. Bonds, Attorney at Law: Handled personal injury and criminal defense cases. I oversaw all operations of the firm to include administrative and financial management.

(d) 1998-2000 John R. Hetrick, Attorney at Law: Associate attorney at the firm. I handled primarily personal injury and criminal defense cases. I assisted in all aspects of the administrative and financial management of the firm, including the trust account.

(e) 2000-2021 Hetrick, Harvin and Bonds. LLC: Partner in the firm which handled personal injury matters including auto accident cases, nursing home negligence, and defective product cases. I also represented criminal clients in cases ranging from minor traffic violations to major felonies. I oversaw all operations of the firm to include administrative management and monitoring all firm accounts.

(f) 2021-Present Resident Circuit Court Judge, Fourteenth Judicial Circuit.

Judge Bonds reported that he has held the following judicial office(s):
2021-Present
Circuit Court Judge, Fourteenth Judicial Circuit
General Sessions and Common Pleas

Judge Bonds provided the following list of his most significant orders or opinions:

(a) State of SC vs. Malik Jamal Bostick; Order denying Defendant's Motion for Immunity under the Protection of Persons and Property Act. Case# 2021-GS-27-00234-00236 and 2021-GS-27-00261

(b) Shayla J. Bryan vs. State of SC; Order granting Applicant's application for post-conviction relief. Case # 2017-CP-07-01405

(c) State of SC vs. Tiffany Rebecca Owens; Order denying Defendant's Motion for Immunity under the Protection of Persons and Property Act. Case # 2011-GS-25-00181 and 2021-GS-25-00346

(d) MFM Properties, LLC and MFM Residential Properties LLC vs. Rotunda Land & Development Group, LLC and

Calloway Title & Escrow, LLC; Order Granting Plaintiff's Motion for Summary Judgment. Case # 2021-CP-07-00482

(e) State of SC vs. Faizon Syheen Speed; Order denying Defendant's Motion for Immunity under the Protection of Persons and Property Act. Case # 2020-GS-25-00164 and 2020-GS-25-00165

All of the above Orders were prepared for my signature by prevailing counsel.

Judge Bonds reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Bonds's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge Bonds to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee noted: "Good temperament, studied, great demeanor, conscientious—Great judge."

Judge Bonds is married to Harriet Anne Ashby. He has three children.

Judge Bonds reported that he was a member of the following Bar and professional associations:

(a) Colleton County Bar Association, 1990-Present
(b) South Carolina Bar House of Delegates, served two terms approximately twelve years ago
(c) South Carolina Defense Lawyers Association, past member 1990-1995
(d) South Carolina Association for Justice, 2010-2020
(e) American Association for Justice, 2012-2015

Judge Bonds provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Walterboro Rotary Club – President 2020
(b) Walterboro Elks Lodge
(c) University of North Carolina Educational Foundation
(d) Edisto Island Yacht Club
(e) Best Elected Public Official 2012-2013, Press and Standard Readers Choice Award
(f) Best Attorney 2012-2013, Press and Standard Readers Choice Award
(g) Lowcountry Council of Governments 2011-2019, chairman 2018-2019

Judge Bonds further reported:
I have lived and worked in Walterboro, South Carolina for over thirty-one years. I have raised my family, attended church, coached ball teams and held public office in those years. I have practiced law in Walterboro as a civil defense attorney and as a civil plaintiff's attorney, I have managed law offices, as well as a large volume of diverse cases for many different clients. I have tried civil jury cases to verdict in four of the five counties of the Fourteenth Judicial Circuit and have represented criminal defendants in both simple and complex cases. I know and understand the people of this circuit, and I understand the issues and problems litigants and attorneys face in this circuit.

I have enjoyed serving the citizens of the Fourteenth Judicial Circuit as a resident judge and believe that my experience in private practice over the years has helped me tremendously as a judge. I look forward to using both my professional and life experience as a husband, and father, to continue to guide me as a resident judge if I am fortunate enough to be re-elected to the position.

(11) Commission Members' Comments:

The Commission commented that Judge Bonds is proving to be an excellent and well-respected jurist since his election to the bench. The Commission noted that he is conscientious about

giving his time and attention to the parties and commended him for his willingness to listen.

(12) Conclusion:

The Commission found Judge Bonds qualified and nominated him for re-election to Circuit Court, Fourteenth Judicial Circuit, Seat 1.

The Honorable Marvin Dukes III
Circuit Court, Fourteenth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Circuit Court, Fourteenth Judicial Circuit, Seat 3, one candidate applied for this vacancy. Accordingly, the name and qualifications of one candidate is hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Dukes meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Dukes was born in 1961. He is 62 years old and a resident of Beaufort, South Carolina. Judge Dukes provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1987.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Dukes.

Judge Dukes demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to

judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Dukes reported that he has made $243.00 in campaign expenditures for printing and postage.

Judge Dukes testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Dukes testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Dukes to be intelligent and knowledgeable.

Judge Dukes reported that he has taught the following law-related courses:
(a) 10/12 Masters Bench/Bar
(b) 06/13 Foreclosure Law CLE. HOA issues in foreclosure.
(c) 10/15 Tips from the Bench CLE. Equity tips.
(d) 02/17 Beaufort County Bar CLE. Better Order writing.
(e) 11/19 Probate Bench Bar. The intersection of Probate and Equity
(f) 10/22 Masters Bench/Bar. Online foreclosure sales (panel)

Judge Dukes reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Dukes did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Dukes did not indicate any evidence of a troubled financial status. Judge Dukes has handled his financial affairs responsibly.

The Commission also noted that Judge Dukes was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Dukes reported that his last available rating by a legal rating organization, Martindale, was BV.

Judge Dukes reported that he has not served in the military.

Judge Dukes reported that he has held the following public offices:
(a) I was an appointed member of the Beaufort County Planning Commission from 1995 until 1999.
(b) I was an elected member of Beaufort County Council from 1999 until 2002. During my tenure on council I served as Vice-Chairman of the Council (1999-2002) and was Chairman of the Planning and School District Liaison committees. I also served as a member of many other committees including the finance committee.
(c) In 2005, I served as the appointed Chairman of the City of Beaufort Waterway Commission.

I believe that I timely filed all reports.

(6) Physical Health:

Judge Dukes appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Dukes appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Dukes was admitted to the South Carolina Bar in 1987.

He gave the following account of his legal experience since graduation from law school:

Upon graduation and admission to the bar in 1987, I was employed by the firm of Dowling, Sanders, Dukes, Williams and Svalina in Beaufort, SC. This firm changed in name and character a number of times over the years, finally dissolving in about the year 2000 (the name at that time was Dukes, Williams and Infinger), after which the remaining partners (including myself) opened individual P.A's and LLCs.

In my twenty years of practice prior to becoming Master, I worked in a primarily civil and domestic general practice with some criminal and contract work. In my early years of practice, I handled all the criminal appointments for all the attorneys in our small firm. Later, I transitioned into a primarily civil and domestic practice. During my career, I have handled a wide variety of cases, many with complex issues. My career experience includes virtually all aspects of litigation from mediation through the appellate level. During approximately 8-10 years of my practice, I operated as a sole practitioner and personally handled all aspects of administration, employment, financial management and trust accounts.

In 2007, I was appointed Master-in Equity and Special Circuit Judge for Beaufort County. The job of Master-in-Equity involves judicial, financial and administrative duties. In my 16 years as Master, I have handled thousands of cases, including criminal appeals from Magistrate's Court, partition actions, partnership matters and extremely complex business disputes. In my capacity as special circuit judge, I have presided over General Sessions guilty pleas.

Judge Dukes further reported regarding his experience with the Circuit Court practice area:

I have served as Full-time Master-in-Equity for Beaufort County since June of 2007. During my time as Master, I have also served, pursuant to Supreme Court Order, as a Special Circuit Court Judge. In addition to the broad experience that I have gained through my service as Master, my appointment as

Special Circuit Judge has allowed me to hear countless jury-trial motions, non-jury cases, Magistrate's criminal appeals, General Sessions pleas and Equity matters. I regularly issue Circuit Court warrants. Historically, the Beaufort County Master-in-Equity has functioned as a full-time in-house non-jury circuit judge for those matters permitted. In my sixteen years of service, I have continued that tradition.

In a typical month, I will hear dozens of contested motions from both the jury and non-jury docket, contested non-jury cases, magistrate's appeals, and traditional equity cases. As the commission is aware, the primary difference in a jury and non-jury trial is that the non-jury judge has an additional duty as finder of fact.

I have extensive experience in all aspects of the work of a Circuit Court Judge, with the sole exception of criminal jury trials. I have, as Special Circuit Judge, set bonds, taken felony pleas and tried at least one non-jury General Sessions case. In my law practice, prior to my appointment as Master-in-Equity, I handled many jury trials and do not believe that the transition to Circuit Judge would be difficult.

Judge Dukes reported the frequency of his court appearances prior to his service on the bench as follows:
(a) Federal: None;
(b) State: Two to three days per week.

Judge Dukes reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:
(a) Civil: 20%;
(b) Criminal: 5%;
(c) Domestic: 70%;
(d) Other: 5%.

Judge Dukes reported his practice in trial court prior to his appointment as Master in Equity was as follows:
(a) 75% of cases were in trial court.

The following is Judge Dukes's account of his five most significant litigated matters:

(a) *Taylor, Cotton & Ridley, Inc. v. Okatie Hotel Group, LLC*, 372 S.C. 89, 641 S.E.2d 459 (S.C.App. 2007)

This was a very complex case involving a substantial mechanics lien, with several novel issues of set-off and cross-claim involving liquidated damages claims, materials shortages, interest disputes and a mold issue. The case originated in the year 2000, but due to the extensive testimony, the number of motions and finally the appeal, did not finally conclude until after the Appellate Court's ruling cited above. I was sole trial counsel. I assisted in the appeal.

(b) *KJL v. LER, et al.* (99-DR-07-750) This was a very unusual Family Court case in which I was hired by the State of Ohio department of Insurance to preserve a multi-million dollar claim of the department in the disputed marital holdings of the Family Court litigants. The case involved a mix of Family Court and civil issues including Statute of Elizabeth claims.

(c) *TMR v PMR* (04-DR-07- 659) This was a divorce case in which the parties had been employed in the entertainment industry. It had a number of interesting valuation issues.

(d) *JO v WBO* (2005-DR-07-699) This was a physician divorce case involving health issues which allegedly rendered the supporting spouse unable to assist in ongoing support.

(e) *PAH v. LEH* (94-DR-07-0211) This was a complex equitable division case involving co-mingling of non-marital assets and property in the US Virgin Islands. Ultimately it was successfully appealed (327 S.C. 360, 489 S.E.2d 212).

The following is Judge Dukes's account of four civil appeals he has personally handled:

(a) *Miller v. Miller* 92-DR-07-2005

(b) *Warner Advertising v. The Cabral Company* 92-CP-07-1520

(c) *Upchurch Timber v. SouthEast Timberlands* 92-CP-07-272

(d) *SC Federal Savings Bank v. Atlantic Land Title, et al* 91-CP-07-853, 442 S.E.2d 630, 314 S.C. 292 (S.C. App., 1994

Judge Dukes reported that he has not personally handled any criminal appeals.

Judge Dukes reported that he has held the following judicial office(s):
I have served as Beaufort County Master-in-Equity and Special Circuit Judge for Beaufort County from June 2007 to present (16 years).

Judge Dukes provided the following list of his most significant orders or opinions:

(a) *Town of Hilton Head Island v. Kigre, Inc.* 408 S.C. 647, 760 S.E.2d 103 (S.C., 2014)
This case involved a Constitutional challenge to the application of Hilton Head's business license fee to sales of Kigre's military laser products sold outside Hilton Head. The South Carolina Supreme Court affirmed my ruling. Kigre petitioned for a writ of certiorari to the United States Supreme Court but was denied (Kigre Inc. v. Town of Hilton Head Island, 135 S.Ct. 959(Mem), 190 L.Ed.2d 832(Mem), 574 U.S. 1076 (2015)).

(b) *Estate of Tenney v. South Carolina Dept. of Health and Environmental Control*, 393 S.C. 100, 712 S.E.2d 395 (2011)
This was a "title to marshlands" case in which the Supreme Court, in affirming my Order, overturned the Coburg precedent on title to marshlands.

(c) *Wachovia Bank, N.A. v. Coffey, Wachovia Bank, N.A. v. Coffey*, 404 S.C. 421, 746 S.E.2d 35 (2013) This was a heavily-cited case involving the equitable defense of clean hands in a mortgage foreclosure where no attorney was used for the closing.

(d) *Grays Hill Baptist Church v Beaufort County and the United States of America*, 431 S.C. 630, 850 S.E. 2d 29 (2020) This was a vested rights appeal from a zoning board. The United States intervened on behalf of the Respondent. My Order supporting the Appellant's vested rights was reversed by the South Carolina Court of Appeals (427 S.C. 57, 828 S.E.2d 234 (S.C. App.

2019)), but was then was ultimately upheld on appeal to the South Carolina Supreme Court.

(e) *H. Marshall Hoyler v The State of South Carolina, et al*, 428 S.C. 279, 833 S.E. 2d 845 (S.C.App 2020) My Order invalidating the conveyance of marshland by the State was upheld on appeal.

Judge Dukes reported no other employment while serving as a judge.

Judge Dukes further reported the following regarding unsuccessful candidacies:

(a) In 1997, I was an unsuccessful candidate for the 14th Circuit Family Court bench.
(b) In 2002, I was defeated in a primary race for SC House seat 124.
(c) In 2013, I was an unsuccessful candidate for an At-Large Circuit Judge seat.
(d) In 2017, I was an unsuccessful candidate for an At-Large Circuit Judge seat.
(e) In 2020, I was an unsuccessful candidate for an At-Large Circuit Judge seat.

(9) Judicial Temperament:

The Commission believes that Judge Dukes's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge Dukes to be "Qualified" in the evaluative criteria of constitutional qualifications, physical, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee committed that Judge Dukes has "tremendous civil experience with some criminal experience, excellent judicial disposition, personable, very well suited to be a circuit judge."

Judge Dukes is married to Laura Campbell Dukes. He has one child.

Judge Dukes reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar Association, November 1987 to present.
(b) Master's Association 2007 to present. President 2012.

Judge Dukes provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Beaufort Yacht and Sailing Club
(b) Jean Ribaut Society (debutante society)

Judge Dukes further reported:

I am the oldest of four brothers. Our parents emphasized the value of hard work, fairness, honesty and the golden rule. I have worked for 36 years on the bar and bench with the philosophy that following the core values our parents taught to us can never be wrong.

In my legal career, I did my best to solve problems and seek fair and just outcomes of disputes.

I have run a successful small law firm and I know the burden and the satisfaction of small business ownership, including making payroll and regulatory compliance. I have developed and redeveloped properties and understand and appreciate the difficulties and rewards of such endeavors.

I have run for and served in public office as a County Council vice-chairman, a position that included serving on a number of committees on almost every government related subject.

I have sued and been sued and understand personally the value of a fair and just judicial system.

As Master-in-Equity I have done my best to live by the core values that have served me well in the past. I believe that due process is a combination of those values.

Because I believe that a settlement between litigants is always better than a ruling from a third party, I have always encouraged mediation wherever possible. In Court hearings, I insist on an atmosphere of "Disagree without being disagreeable".

During my sixteen year service as Master, I have seen the fallout from the foreclosure crisis and the pandemic. Many of the decisions that I have made have been difficult, but they

have not been made without careful consideration, due process and the exhaustion of all efforts to avoid forfeiture. In every case, I do my best to ensure that litigants and lawyers alike are treated with respect and fairness.

I believe that our entire judicial system rests on the people's understanding and confidence that win or lose, they were given a fair chance. As a Master-in-Equity it has been my goal to always guarantee that fair chance. I strive to have all parties leave the Courtroom knowing that they were heard and that their concerns, claims and defenses were fairly considered.

Further, as Master, I have served in the role of president of the Master's association and have assisted in the modification of Court rules regarding foreclosures. As Master I have handled tens of millions of dollars in foreclosure proceeds, and through collection of fees and commissions, my office been a profit center for the County.

Finally, my greatest achievement and enjoyment has been that of a proud husband and father. My wife and I work every day to pass on to our daughter the core values that have guided us.

Thank you for your consideration,

Marvin H. Dukes III

(11) Commission Members' Comments:

The Commission commented that Judge Dukes has an excellent reputation as patient, courteous, and well-tempered. They noted his great intellect, which will serve him in discharging his responsibilities as a jurist on the Circuit Court bench.

(12) Conclusion:

The Commission found Judge Dukes qualified and nominated him for election to Circuit Court, Fourteenth Judicial Circuit, Seat 3.

THURSDAY, JANUARY 11, 2024

David Pierce Caraker Jr.
Circuit Court, Fifteenth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Caraker meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Caraker was born in 1968. He is 55 years old and a resident of Myrtle Beach, South Carolina. Mr. Caraker provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2011.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Caraker.

Mr. Caraker demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Caraker reported that he has made $1.59 in campaign expenditures for postage.

Mr. Caraker testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Caraker testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Caraker to be intelligent and knowledgeable.

Mr. Caraker reported that he has taught the following law-related courses:

(a) I have been an instructor at Prosecution Boot Camp, which is a program sponsored by the South Carolina Commission on Prosecution Coordination. This week-long seminar has many instructors, and is for newer prosecutors. The instructors cover many areas, to include trial advocacy, direct and cross examination, ethics, plea negotiations, sentencing, discovery obligations, and restitution.

Prior to arrival at Boot Camp, each student participant will be assigned a case, with a narrative, witnesses, photos, statements, and certain evidence. They are told to prepare openings, closings, direct and cross examination, and to admit evidence as if at trial. The students then attend lectures about certain subjects, and then break out into different, assigned groups, to put what they have learned into practice. The instructors listen and observe the presentations, and critique students on their performances, providing feedback in the form of constructive criticism and real world advice.

(b) In addition to Boot Camp, I have lectured at countless Inservice trainings for several law enforcement agencies in our jurisdiction, including the Horry County Police Department, the Myrtle Beach Police Department, and the Conway Police Department. I have taught classes on courtroom presentation and etiquette, presentation of evidence, search and seizure, report writing, and Miranda issues. Moreover, I have given classes specifically on the legal issues surrounding drug interdiction.

(c) I have also given talks regarding drug court, drug treatment, mental health court, and issues surround the incarceration of drug addicts to community and church groups in our area.

Mr. Caraker reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Caraker did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Caraker did not indicate any evidence of a troubled financial status. Mr. Caraker has handled his financial affairs responsibly.

The Commission also noted that Mr. Caraker was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Caraker reported that he is not rated by any legal rating organization.

Mr. Caraker reported that he has not served in the military.
Mr. Caraker reported that he has never held any public office.

(6) Physical Health:

Mr. Caraker appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Caraker appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Caraker was admitted to the South Carolina Bar in 2011.

He gave the following account of his legal experience since graduation from law school:

(a) August 2011 – December 2013: The Hyman Law Firm, Florence, South Carolina. I was an associate attorney in this firm. My areas of practice focused on civil plaintiff's work, and representing injured workers in worker's

compensation claims. I also represented people who were seeking Social Security Disability benefits. I was not involved in the administrative or financial management of this firm, nor did I handle the trust account.

(b) January 2014 – present: Senior Assistant Solicitor, Horry County Solicitor's Office, Conway, South Carolina. I was hired at the Solicitor's Office to run the newly formed drug prosecution team. Although I have handled everything from misdemeanor drug possession to murder, my primary focus is on prosecuting drug cases of every description. With regard to administrative duties, in addition to my own caseload of approximately seven-hundred cases, I also supervise and train a team of prosecutors and paralegals, with a combined caseload of approximately another two thousand-eight hundred cases, who are also responsible for prosecuting all manner of drug cases. I am also brought in on some hiring and firing decisions, as well as disciplinary and personnel matters. Additionally, I train many newly hired prosecutors. I am not involved in the financial management of this office.

(c) February 2016 – present: Special Assistant United States Attorney, United States Attorney's Office, Florence, South Carolina. As a Special Assistant U.S. Attorney, I am assigned to the Violent Crimes Division. In general, my practice in this capacity is to prosecute firearms cases against convicted felons who meet a particular declination threshold, in federal court. This necessarily also includes some measure of federal drug prosecution, as firearms and drugs are often found together. I am not involved in the administrative or financial management of this office.

(d) February 2023 – present: Senior Assistant Solicitor, Georgetown County Solicitor's Office. My duties at the Georgetown office mirror my duties and responsibilities in the Horry County office. Solicitor Richardson has recently tasked me with overseeing this caseload as well as the Horry County, and my federal caseload.

Mr. Caraker further reported regarding his experience with the Circuit Court practice area:

(a) With regard to criminal matters, in the past five years, I have handled a range of cases from drug possession,

distribution, and trafficking, to burglaries, to assaults, to murder. In addition, I have handled gun and drug cases and their associated issues in federal court. The vast majority of cases that I have handled, however, have been drug cases of all description, with the number of warrants disposed of being in the thousands. Because of the sheer number of cases that I have worked, it is impossible to discuss the issues in each case. Generally speaking, however, I have had occasion to deal with issues involving search and seizure (search warrants, reasonable suspicion, warrantless searches, *Terry* stops), traffic stops and their attendant concerns, *Miranda* and identification issues, and questions involving knowledge and possession of an object or substance. I have also had, on occasion, to deal with delineating between murder and manslaughter, issues of self-defense, and differing degrees of assault and battery. Although possibly not contemplated, one of the main issues in any drug case is that of sentencing or disposition. Working drug cases has allowed me to see and interact with the entire gambit of social, economic, and ethnic backgrounds. It gives me the opportunity to truly help those who are ready receive it. Although incarceration is appropriate in some cases, I often get to craft resolutions in cases that can result in people going into drug rehab or drug court of one description or another.

(b) In the civil realm, I must go back further than five years. In my time at the Hyman Law Firm, I had an opportunity to represent plaintiffs on cases ranging from car and truck accidents, to premises liability, products liability, nursing home negligence, worker's compensation, and Social Security disability. I also was assigned two Post Conviction Relief matters, and handled one matter at the Court of Appeals. Issues that I commonly dealt with were that of determining liability or compensability, existence and extent of injury, the nature and extent of disability, and proving damages. Because of mandatory Alternative Dispute Resolution, the vast majority of cases were settled at mediation, or shortly thereafter. I tried cases in civil court, before the Worker's Compensation Commission, and before a Social Security Disability judge.

Mr. Caraker reported the frequency of his court appearances during the past five years as follows:

(a) Federal: Several times per month. It is very difficult to state a number, as my appearances depend greatly upon the number of cases that I have indicted at any given time. I appear before a magistrate judge, as well as a District Court judge;

(b) State: When court is in session in our County, I am in court several times a week on one matter or another. In many weeks, I will often appear in both state and federal courts in the same week.

Mr. Caraker reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: No civil practice in the past 5 years;

(b) Criminal: I have devoted 100% of my practice the past 5 years to criminal practice;

(c) Domestic: No domestic practice the past 5 years;

(d) Other: N/A.

Mr. Caraker reported his practice in trial court as follows:

(a) As to the percentage of his cases that were in trial court, including cases that settled prior to trial: This is difficult to ascertain, but likely around ninety-five percent. So as not to mislead anyone, we have dedicated non-jury terms of court, where we plead the vast majority of our cases, while at the same time preparing other cases for trial. Most of those cases also plead prior to trial. We also actively use diversion programs to try to help people get help with drug addiction, and to try to keep their records clean.

(b) Approximately 5 cases went to trial and resulted in a verdict

(c) 0 cases went to trial and resolved after the plaintiff's or State's case

(d) Approximately 3 to 5 cases settled after a jury was selected but prior to opening statements

Mr. Caraker provided the following about his role as counsel during the past five years:

Although my role is difficult to categorize in these terms, I would say that I served most often as chief counsel - that being sole counsel on my own caseload, and co-counsel should any of my subordinates have a case go to trial. I would also have a younger attorney with me for training purposes should any of my cases go to trial, or go to a suppression hearing.

The following is Mr. Caraker's account of his five most significant litigated matters:

(a) *State v. David Harold Campbell.* This case was on Trafficking Cocaine third or subsequent offense. It involved a defendant running from police in a high speed chase through Myrtle Beach. Once he stopped, he got out of his car and ran away, throwing a bag containing drugs up onto a balcony in an apartment building. A family member who may or may not have even been in the area took the stand and claimed that he was the one who had the drugs, and dropped the bag when he heard police chasing the defendant. At trial, we had to overcome, not only the fact that the defendant had no drugs on him when apprehended, but the family member's testimony.

(b) *Jill Susan Wolfsie v. Social Security Administration.* Ms. Wolfsie suffered from a number of infirmities due to colon cancer, and was unable to work. This case was significant because it was imperative that it be decided "on the record," which means without a hearing. I did not believe that she could physically make it through a hearing. We engaged in very intense study of her medical issues, with several doctors. I also devised a questionnaire that mirrored the requirements set forth by the Administration, such that, if answered truthfully by the doctors, we thought we would obtain a favorable decision. In the end, we were granted a decision on the record, in favor of Ms. Wolfsie.

(c) *State v. Abel Gause*. This was a case of a third or subsequent Possession With Intent to Distribute Heroin. The main issue was the "intent" to distribute. During the course of the trial, I found out that another police agency had been investigating the defendant, and had numerous trafficking level buys on him. After the jury convicted the defendant, and he was sentenced, we dismissed the other pending charges.

(d) *United States v. Byran Bromell*. This case involved a defendant who was a prohibited felon. He got caught with 2 guns and a significant amount of marijuana, after fleeing a traffic stop two days after being put on probation in state court for Attempted Armed Robbery, Failure to Stop, and PWID Marijuana. He pleaded guilty in District Court, and was sentenced to eighty months. Bromell filed a pro se motion, seeking relief pursuant to 28 U.S.C. §2255. Bromell argues that under *United States v. Taylor*, 142 S. Ct. 2015 (2022), his prior conviction for Attempted Armed Robbery is no longer a predicate crime of violence that can enhance his Guidelines range. This appeal was decided on the briefs that had been submitted by the parties. The Judge ruled in favor of the Government, and Bromell's sentence remained at eighty months.

(e) *Christiana Juaire v. United States of America*. I was co-counsel on this case where a United States Post Office truck struck our client while she was working on a road crew on the side of the roadway. She sustained injury to her spine to the point where she had to have a spinal cord stimulator implanted. The case was significant because we had to overcome a Harvard expert hired by the Government who said that her injuries could not have happened the way she described. The case was tried as a bench trial, and a verdict rendered for the plaintiff in the case.

The following is Mr. Caraker's account of the civil appeal he has personally handled:

Hembree v. One Thousand Eight Hundred Forty-Seven dollars ($1,847.00), 404 S.C. 241, 743 S.E.2d 864, 2013 S.C. App. LEXIS 162, 2013 WL 2601574 (Ct. App. 2013)

This case was heard at the Court of Appeals, and decision rendered on June 12, 2013

The following is Mr. Caraker's account of three criminal appeals he has personally handled:

(a) *United States v. Sean Patrick Murphy*, United States District Court, District of South Carolina. The case is still pending
(b) *United States v. Byran Bromell*, United States District Court, District of South Carolina, decided on May 19, 2023
(c) *United States v. Lenada Hunt*, United States District Court, District of South Carolina. The case is still pending.

(9) Judicial Temperament:

The Commission believes that Mr. Caraker's temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Mr. Caraker to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee found Mr. Caraker "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no summary comments.

Mr. Caraker is married to Kari Jackson-Caraker. He has one child.

Mr. Caraker reported that he was a member of the following Bar association:
South Carolina Bar

Mr. Caraker provided that he is not a member of any civic, charitable, educational, social, or fraternal organizations:

Mr. Caraker further reported:

My parents, both of whom worked the school system, instilled in me hard work, respect for others, and personal responsibility. I believe that my diverse background would be of great benefit to the people of South Carolina, should I be elected to serve as a Circuit Court Judge. Not only have I been in law enforcement, but I have practiced civil and criminal law at the state and federal level, and have been in business in the private sector. I understand the practice of law in the courtroom, and at the business level.

My father taught me that we are at our best when serving others. My entire adult professional life has been dedicated to public service. It is through that public service that I have come to realize that the court system impacts ordinary people in ways that no other branch of government can. Because of that, I will work hard every day to prepare myself for the task at hand. If I am elected, I believe that I will be the type of judge who embodies hard work, demonstrates respect for the law and the people before me, and who ensures that our judicial system remains worthy of esteem.

(11) Commission Members' Comments:

The Commission commented on Mr. Caraker's diverse experience including his extensive experience regarding civil matters at highly respected firms. The Commission further commended Mr. Caraker for his career and outstanding reputation at the Horry County and Georgetown County Solicitor's Offices, as well as his commitment to the administration of justice.

(12) Conclusion:

The Commission found Mr. Caraker qualified, and nominated him for election to Circuit Court, Fifteenth Judicial Circuit, Seat 3.

Joshua D. Holford
Circuit Court, Fifteenth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Holford meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Holford was born in 1984. He is 39 years old and a resident of Myrtle Beach, South Carolina. Mr. Holford provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2010. He was also admitted to the Virginia Bar in 2012.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Holford.

Mr. Holford demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Holford reported that he has not made any campaign expenditures.

Mr. Holford testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Holford testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Holford to be intelligent and knowledgeable.

Mr. Holford reported the following about teaching law-related courses:
I coached a middle school mock trial team in law school. I also coached a high school mock trial team for four years in Horry County.

Mr. Holford reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Holford did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Holford did not indicate any evidence of a troubled financial status. Mr. Holford has handled his financial affairs responsibly.

The Commission also noted that Mr. Holford was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Holford reported that he is not rated by any legal rating organization.

Mr. Holford reported that he has not served in the military.

Mr. Holford reported that he has never held public office**.**

(6) Physical Health:

Mr. Holford appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Holford appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Holford was admitted to the South Carolina Bar in 2010.

He gave the following account of his legal experience since graduation from law school:

(a) South Carolina Attorney General's Office, Senior Law Clerk (2010)

(i) Assisted attorneys in researching and drafting motions and memos for securities enforcement, civil, and administrative actions

(ii) I was not involved with the administrative or financial management of this entity, and I did not manage a trust account.

(b) Office of Disciplinary Counsel (2010)

(i) After being hired as Judge Cottingham's law clerk and leaving the Attorney General's Office, Judge Cottingham

had surgery that prevented him from traveling and taking the bench. During those three months, between October and December, I was placed by the Judicial Department at the Office of Disciplinary Counsel.

(ii) I assisted other attorneys with disciplinary complaints on lawyers. I read complaints, researched the applicable rules of conduct, and drafted responses. I also assisted in interviews of lawyers responding to the complaints.

(iii) I was not involved with the administrative or financial management of this entity, and I did not manage a trust account.

(c) Law clerk to the Honorable Edward B. Cottingham, Circuit Court Judge (2010 – 2012)

(i) I preformed the typical duties of a law clerk: researching, drafting jury charges and orders, and communicating with attorneys. In addition, I drove Judge Cottingham to and from whatever county he was holding court in each week, and to and from the courthouse each day. From September to May, he was typically assigned to Horry County. In the summer months, he held court in Lexington, Marlboro, and a few other counties. Those two years prepared me the most to be a trial lawyer, and the wisdom he shared during the numerous hours we spent in the car is invaluable. It wasn't until my clerkship with him that I decided to pursue criminal law.

(ii) I was not involved with the administrative or financial management of this entity, and I did not manage a trust account.

(d) Fifteenth Circuit Solicitor's Office, Assistant Solicitor (2012 – 2013)

(i) As an assistant solicitor in General Sessions, I tried nine cases to a jury verdict: (1) burglary, 1st degree, (2) armed robbery, (3) shoplifting, enhanced, (4) murder, (5) attempted murder and burglary, 1st degree, (6) burglary, 1st degree and larceny, enhanced, (7) criminal domestic violence of a high and aggravated nature, (8) burglary, 2nd degree, and (9) attempted murder, unlawful possession of a firearm, and burglary, 1st degree.

(ii) I disposed of over eight hundred other warrants by plea, diversion, or dismissal.

(iii) I was not involved with the administrative or financial management of this entity, and I did not manage a trust account.

(e) Goldfinch & Winslow, Associate Attorney (2013 – 2014)

(i) I mainly started and handled the criminal defense section. I tried one DUI case in Magistrate Court to a jury verdict.

(ii) I assisted with business formations, civil cases, and administrative hearings.

(iii) I volunteered as the defense attorney for Horry County Drug Court. I assisted participants in small personal matters (e.g. license reinstatement requirements), advocated for them at staff meetings, and represented their interests at termination hearings.

(iv) I was not involved with the administrative or financial management of this entity, and I did not manage a trust account.

(f) Johnny Gardner Law Group (2014)

(i) I mainly handled criminal defense, both retained and appointed cases. I was appointed to defend a person charged with murder, but that case did not come to a resolution until after I left private practice. I tried one case in General Sessions court to a jury verdict: burglary, 2nd degree (violent) and possession of a weapon during a violent crime.

(ii) I also assisted clients with civil matters, demand letters, and hearings.

(iii) I continued to volunteer as the defense attorney for Horry County Drug Court.

(iv) I was not involved with the administrative or financial management of this entity, and I did not manage a trust account.

(g) Fifteenth Circuit Solicitor's Office (2015 – Present)

(i) Assistant Solicitor (2015 – 2016)

(aa) I tried two cases to a jury verdict: (1) pointing and presenting a firearm, and (2) burglary, 1st degree, armed robbery, and kidnapping. I also did a stand your ground hearing; after which, the defendant pleaded guilty. I disposed of hundreds of other warrants by plea, diversion

(ii) CSC/Violent Crimes Solicitor (2016 – 2017)

(aa) I tried three cases to a jury verdict: (1) murder, (2) criminal sexual conduct in the first degree, kidnapping, armed robbery, and possession of a weapon during a crime, and (3) criminal sexual conduct with a minor in the first degree.

(iii) Senior Assistant Solicitor (2017 – Present)

(aa) I have tried eighteen cases to a jury verdict, including multiple murders, carjackings, attempted murders, homicide by child abuse, felony DUI, assault on an officer, obstruction of justice, armed robberies, joint trials with co-defendants, and others. Two other cases I took to trial resulted in guilty pleas after testimony by witnesses. I have also defended multiple stand your ground motions. I have disposed of over two thousand five hundred other warrants by plea, diversion, or dismissal.

(bb) I supervise and train assistant solicitors on my team. I sit with them in trials and teach them how to try cases. I also run court for my team's plea days.

(cc) I handled the trial docket and the priority docket for the office for three years.

(dd) I have been the solicitor in charge of the Horry County Drug Court since 2015. Until this year, I met with the drug court team and attended court every Wednesday afternoon. Earlier this year, I brought another team member in to help, so now I attend court every other Wednesday.

(iv) I am not involved with the administrative or financial management of this entity, and I do not manage a trust account.

Mr. Holford further reported regarding his experience with the Circuit Court practice area:

(a) I have practiced in criminal law, both as an assistant solicitor and as a defense attorney for the past eleven years. I have handled pleas, motions, trials, diversion programs, and bond hearings for thousands of cases. I have argued suppression motions, Jackson v. Denno motions, Neil v. Biggers motions,

directed verdict motions, motions for new trials, and others. I have been solo counsel, lead-counsel, and co-counsel in trials. I have handled trial dockets, priority dockets, and managed the office's benchmark numbers. I have dealt with all types of crimes from DUI and unlawful carrying of a pistol to murder and criminal sexual conduct.

(b) Criminal trials for the past five years (February 2018 – Present)

(1) State v. Deterris Bellamy; murder and attempted armed robbery.
(2) State v. Oswaldo Castaneda; failure to stop for a blue light
(3) State v. Brandon Davis; assaulting an officer while resisting arrest.
(4) State v. Edward Washington; felony DUI with death and hit and run resulting in death.
(5) State v. Shaquille Dozier; carjacking and failure to stop for a blue light.
(6) State v. Calvin Ford and Aliga Campbell; murder (x2), possession of a weapon during a violent crime, and possession of a firearm by a convicted felon.
(7) State v. Cleavon Dantzler; attempted murder and unlawful possession of a firearm. Dantzler pleaded guilty to ABHAN after witness testimony.
(8) State v. Jerome Thompson; attempted murder and possession of a firearm by a convicted felon. Thompson pleaded guilty after testimony.
(9) State v. Alyssa Dayvault; homicide by child abuse (x2).
(10) State v. Zachary Stell; murder (x2).
(11) State v. Earl Gaddis; murder, possession of a weapon during a violent crime, unlawful possession of a firearm, pwid marijuana, and possession of schedule I-V drugs (x2).
(12) State v. Jamar Williams; murder, possession of a weapon during a violent crime, and possession of a firearm by a convicted felon.
(13) State v. Quatase Jenrette; murder.
(14) State v. Adriatik Hodaj; unlawful carrying of a pistol.
(15) State v. Jeremy Jeffers; attempted murder and possession of a weapon during a violent crime.
(16) State v. Dlanor Tilton and Mazar Sturdivant; armed robbery (x2).

(17) State v. Tyshawn Brown; murder and attempted murder.
(18) State v. Shaquille Blakeley; kidnapping, armed robbery, and possession of a weapon during a violent crime.

(c) I have appeared in front of a Circuit Court judge nearly every week we have had a term of court, which is generally two or three weeks a month, for the past five years. Each week of a court term, I am typically in front of a Circuit Court judge at least one or two days for that week.

(d) I have limited experience in civil matters. I realize this may be my biggest weakness. As a law clerk for two years, I observed, researched, and assisted Judge Cottingham with every term of civil court we had. It seems like a majority of the time those cases settled and the Chief Justice would convert the remainder of his week to a criminal term. He did preside over a few civil trials though, and he was the Chief Administrative Judge for the condemnation docket in Horry County. I also assisted in civil matters at both Goldfinch & Winslow Law and Johnny Gardner Law. I do know the rules of evidence, as well as courtroom and trial procedure, which would carry over for civil court. I am an avid reader of the advance sheets and e-blasts; I believe I have kept up on civil law and would continue to do so. I am adept at researching and reading caselaw and would be able to follow the law when adjudicating civil cases. I would also compensate for my lack of experience in civil court by making an extra effort to study civil opinions, the rules of civil procedure, and by checking the judicial listserv relating to civil matters. I believe my law clerk could also be a great help to me in this area. Finally, I know mock trial is not real court, but the law related education committee does an excellent job in trying to make it as realistic as possible. Typically every other year is a civil matter. I have been on mock trial teams, been coached by civil lawyers, coached a high school team for four years in the past, and judged—both as a juror and presiding judge—local and state competitions. I believe the foundation I already have from my prior experiences will allow me to hone in on and fine-tune the areas in which I am least experienced.

Mr. Holford reported the frequency of his court appearances during the past five years as follows:

(a) Federal: None

(b) State: 100%; I have appeared in court at least one or two days a week during almost every term of court in Horry County the past five years. Typically we get two to three terms of General Sessions court a month.

Mr. Holford reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 0%;
(b) Criminal: 100%;
(c) Domestic: 0%;
(d) Other: 0%.

Mr. Holford reported the percentage of his practice in trial court during the past five years as follows:
(a) 95% of his practice was in trial court, including cases that settled prior to trial
(b) 16 cases went to trial and resulted in a verdict
(c) 2 cases resulted in a guilty plea after jury selection, opening statements, some witness testimony, but before the State rested.
(d) 0 cases settled after a jury was selected but prior to opening statements

Mr. Holford provided that during the past five years he most often served as chief counsel.

The following is Mr. Holford's account of his five most significant litigated matters:
(a) *State v. Kareem Harry*, 420 S.C. 290, 803 S.E.2d 272 (2017)

(i) This was my first murder trial in 2013; I acted as co-counsel. The shooter in the case had already pleaded guilty to voluntary manslaughter. Harry rejected all offers and proceeded to trial as charged. He was convicted of murder under the hand of one is the hand of all theory. He went out of his way to get his friends and a known shooter in order to reclaim a television. When he showed up at the victim's house, an argument ensued, and Harry's co-defendant, the known shooter who had a gun with him, shot the victim in his own driveway. The Court discussed circumstantial evidence and the theory of the hand of one

in South Carolina. This case was later overturned on PCR grounds. I handled the plea *N.C. v. Alford* entered by Harry earlier this year.

(b) *State v. Sidney Moorer,* Op. No. 2020-UP-198 (S.C. Ct. App. Filed July 1, 2020)

(i) Moorer and his wife were charged in the kidnapping and murder of Heather Elvis. She is missing to this day. This case garnered national attention. I tried Moorer as co-counsel, along with Nancy Livesay, for his obstruction of justice charge prior to him being found guilty of kidnapping. The obstruction of justice charge was the first step in getting justice for the victim's family.

(c) *State v. Calvin D. Ford,* 439 S.C. 261, 886 S.E.2d 710 (Ct. App. 2023)

(i) Ford was convicted of murder. This case involved a lengthy stand your ground hearing and an argument at trial in regards to self-defense. Ford and the victim had prior bad blood. Ford armed himself illegally and went to the victim's house during his birthday party. An argument ensued and Ford shot the victim and another individual. Ford was convicted for one death and acquitted of the other, as the jury felt the latter killing was unintentional.

(d) *State v. Tyshawn Brown*

(i) Brown was convicted of murder and attempted murder. He followed the victim and the victim's girlfriend in a vehicle from a gas station. He was upset because the victim did not want to be a part of his gang. Brown ordered his co-defendant in the back seat to shoot the victim with an AR; the co-defendant refused. The co-defendant testified at trial. After refusing, Brown boxed in the victim's vehicle, exited his own vehicle and shot the victim and his girlfriend. The girlfriend suffered gun shot wounds, but she survived to call the police, tell what happened, and testify in trial.

(e) *State v. Edward Washington*

(i) Washington was convicted of felony DUI resulting in death. Washington was on his way home from a drug deal, intoxicated, and speeding. He struck a pedestrian, who was running across the street near Coastal Carolina University. The dispute in the case was over the speed at the time of the collision and the potential fault the victim

had in crossing without a crosswalk. The defendant's ankle monitor and MAIT report showed and estimated different speeds than the car computer. Washington was also charged with hit and run resulting in death because he left the scene for a short time; he did return, angry and accusing people of throwing a bottle at his car; he was acquitted of hit and run resulting in death.

Mr. Holford reported he has not personally handled any civil or criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. Holford's temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Mr. Holford to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary comments.

Mr. Holford is married to Jenna Ann Holford. He has one child.

Mr. Holford reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar
(b) Horry County Bar Association

Mr. Holford provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) The Dunes Golf & Beach Club, member, 2021 - Present
(b) The Leadership Challenge class/workshop for assistant solicitors, 2023
(c) Leadership Grand Strand
(i) In class thirty-seven, 2016 – 2017
(ii) Board of Regents, 2017 – 2022; Treasurer of BOR, 2018 – 2019; Vice Chair of BOR, 2019 – 2020; Chair of BOR, 2020 – 2021.

Mr. Holford further reported:

At a young age, my dad instilled in me the drive to work hard to achieve my goals. He sacrificed for our family by working two and three jobs so my mom could finish college. He always showed me how to be respectful, kind, and a man of integrity. He showed me how to love your family and that spending time, not buying things, was what mattered. We were poor when I was growing up, but I did not know that until I was much older. After my mom graduated college, she stayed home with me and my siblings. She showed me patience, kindness, and self-control; she never complained and found the good in all situations. I do not remember one time growing up when my parents had an argument, and I know there must have been many. They showed me how to respect others. My mom also read to me a lot as a child and encouraged me to read. I am an avid reader still, and I read to my son most nights. I am a better person for having the love and support from my parents. I am blessed that they raised me to do the right thing.

I am the oldest of four. My parents named me Joshua David, a leader and beloved. I have always been a leader, to my siblings, in school, and in work. The earliest I remember telling my family I wanted to be a lawyer was in second grade. I am a typical Type A, so driven and dedicated that I never strayed from that path. I have vice president, president, chair, teacher, coach, supervisor in most organizations that I have been involved with since high school. My calling was and is to serve for the benefit of others and the public good. Although there have been bumps in the road, I have always tried to stay true to my calling.

I am not perfect. I have made many mistakes. I have been humbled. I believe those mistakes and hardships allow me to be more compassionate, fair, reasonable, and empathetic. My weaknesses and negatives have already been presented to you in previous questions. I know I am a better and stronger person having faced adversity, even hardships of my own causing, and come through to the other side intact. There is a book, The Obstacle is the Way, which has the basic premise that it is not our faults, mistakes, or hardships that define us, but the way in which we trudge through them and bounce back. I find that to be true. You can likely tell from my son's middle name that I have an affinity for Roman emperors. Marcus Aurelius is a favorite of mine. The book of his

meditations show that even an emperor has stress, pressures, and doubts in life, but he always comes back to core principles of serving the public, doing what is right, not letting external circumstances dictate his reactions, and controlling his emotions. I have also found those principles to be a guide to success.

I believe the kind of judge I plan to be has been shaped by what I have been taught my whole life. I want to be wise like Solomon. I plan to be a leader and a public servant. I plan to work hard. I plan to follow the law. I plan to know the statutes and caselaw, and to apply the same to adjudicate disputes. I plan to not get in the way when parties are in agreement. I plan to show respect to all of those who appear in front of me. I plan to uphold the integrity and the honor of the office of Circuit Court judge. I plan to work diligently and cooperatively with other judges. And finally, I plan to strive to live by what the first Solicitor that hired me in 2012 would always say: do the right thing, at the right time, and for the right reason.

(11) Commission Members' Comments:

The Commission found Mr. Holford to have an excellent temperament and to be a mentor within his community.

(12) Conclusion:

The Commission found Mr. Holford qualified, and nominated him for election to Circuit Court, Fifteenth Judicial Circuit, Seat 3.

Douglas M. Zayicek
Circuit Court, Fifteenth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Zayicek meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Zayicek was born in 1965. He is 58 years old and a resident of Conway, South Carolina. Mr. Zayicek provided in his application that he has been a resident of South Carolina for at

least the immediate past five years and has been a licensed attorney in South Carolina since 1996.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Zayicek.

Mr. Zayicek demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Zayicek reported that he has made $850.94 in campaign expenditures for stationery and printing, postage, postcards, and magnetic name tags.

Mr. Zayicek testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Zayicek testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Zayicek to be intelligent and knowledgeable.

Mr. Zayicek reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Mr. Zayicek reported that he has published the following:

(a) "Pursuing Payment under the Medicare as Secondary Payor Statute," Healthcare Financial Management Newsletter, December 1995

(b) "The Use of Arbitration in Managed Care," Healthcare Financial Management Newsletter, May 1996
(c) "Building a Better Guilty Plea," South Carolina Lawyer, January/February 1997
(d) "False Light Invasion of Privacy-A New Tort in Town?," South Carolina Lawyer, July/August 1997

(4) Character:

The Commission's investigation of Mr. Zayicek did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Zayicek did not indicate any evidence of a troubled financial status. Mr. Zayicek has handled his financial affairs responsibly.

The Commission also noted that Mr. Zayicek was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Zayicek reported that he is not rated by any legal rating organization.

Mr. Zayicek reported that he has not served in the military.

Mr. Zayicek reported that he has never held any public office.

(6) Physical Health:

Mr. Zayicek appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Zayicek appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Zayicek was admitted to the South Carolina Bar in 1996.

He gave the following account of his legal experience since graduation from law school:

Law Clerk, Hon. John L. Breeden, Jr. (Ret.), Circuit Court Judge, 1996-1997

General Law Clerk duties included drafting of orders, review of orders submitted by attorneys, scheduling matters, researching various legal issues for the judge. I also co-authored two magazine articles with Judge Breeden while working for him.

Bellamy, Rutenberg, Copeland, Epps, Gravely & Bowers, P.A. (The Bellamy Law Firm) 1997-current, Shareholder

My practice since joining The Bellamy Law Firm has largely been devoted to four main areas: foreclosures, real estate litigation, collection matters, and landlord/tenant matters. However, I also have also done insurance defense work, personal injury work, defense of a municipality, and other types of litigation through the years. I have been a member of the Board of Governors, which runs the day-to-day operations of The Bellamy Law Firm, since 2014. I am also the Personnel Shareholder, and have responsibility for approximately 50 employees.

Mr. Zayicek further reported regarding his experience with the Circuit Court practice area:

Over the past five years, I have not handled any criminal matters. During my legal career, however, I have handled several guilty pleas. As a law clerk to a Circuit Court Judge, I witnessed multiple criminal trials and countless guilty pleas. I also authored an article for SC Lawyer magazine regarding guilty pleas. Sitting next to a Judge for one year, spending countless hours driving around the state with a Judge, and seeing how courts operate in various counties has provided me with invaluable experience. If I am elected to be a Circuit Court Judge, I intend to spend many days in General Sessions Court prior to being sworn in, as a spectator, to refresh the lessons learned while being a Law Clerk to a Circuit Court Judge.

Although I have not practiced any criminal law in the past five years, I was leaning toward working in the Solicitor's office and practicing criminal law after law school. My last paper in law school involved the death penalty under the Military Code of Justice. And as noted above, while a Law Clerk, I authored a magazine article discussing guilty pleas. Many of my most vivid memories of being a Law Clerk involve matters in criminal cases. So I have always had an interest for the practice of criminal law—but I got a job offer I couldn't refuse while clerking, and life chose a different path for me.

With regard to civil matters, my experience is extremely varied, and I have not been shoe-horned into any specific area of practice. I have represented individuals (including several attorneys), corporations, municipalities, and banks, in a wide spectrum of matters, from mortgage foreclosures and collection actions for banks, to individuals in personal injury matters, to attorneys in fee dispute matters, to defending the City of Myrtle Beach in several lawsuits. I have handled equitable matters such as foreclosures and quiet title actions, boundary disputes, mortgage reformations, supplemental proceedings, and accountings, to real property disputes, contract disputes, collection actions, insurance defense, and landlord/tenant matters, from start through the appeal process. Additional matters litigated include tax sale quiet title actions, earnest money disputes, business/accounting disputes, lease disputes, specific performance cases, real estate commission disputes, magistrate appeals, and even an appeal from the SC Board of Realtors (currently on appeal before the South Carolina Supreme Court).

Many of these matters have been in Circuit Court, but many have also been in Magistrate Court, and before the Master-in-Equity. In my first 10 years of practice, I worked directly with Howell V. "Skeets" Bellamy and Henrietta Golding on a number of complicated civil litigation matters.

Also, I have been a guardian ad litem in approximately 50 cases.

Further, I have handled countless landlord/tenant matters in magistrate court. I have been fortunate enough to represent many

of the large landlords in the area, including Burroughs & Chapin, Barefoot Landing, Coastal Grand Mall, Magnolia Mall (Florence), Northwoods Mall (Charleston), and dozens of other strip malls, shopping centers, and commercial landlords.

Overall, I have been lucky enough to have a solid legal background on many areas of litigation, and appellate practice, all of which I feel, make me well suited to be a Circuit Court Judge.

Mr. Zayicek reported the frequency of his court appearances during the past five years as follows:
(a) Federal: 15%;
(b) State: 85%.

Mr. Zayicek reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 100%;
(b) Criminal: 0%;
(c) Domestic: 0%;
(d) Other: 0%.

Mr. Zayicek reported his practice in trial court as follows:
(a) 95% of his cases were in trial court, including cases that settled prior to trial;
(b) 10 cases went to trial and resulted in a verdict;
(c) 1 case went to trial and resolved after the plaintiff's or State's case;
(d) 1 case settled after a jury was selected but prior to opening statements.

Mr. Zayicek provided that during the past five years he most often served as sole/chief counsel. Mr. Zayicek reported "[A]ll of my work in the past five years has been as sole/chief counsel. But I share an associate with another attorney, and have worked with her on many cases."

The following is Mr. Zayicek's account of his five most significant litigated matters:

(a) *Catawba Indian Tribe of South Carolina v. City of North Myrtle Beach*, 2000 WL 770141 (4th Cir. 2000), No. 99-2177, CA-97-3000-4-22. This matter involved the interpretation and application of the Catawba Indian Claims Settlement Act, and the Tribe's ability to operate bingo facilities. Although we were not successful, the matter was significant in terms of the Tribe being able to maintain itself economically.

(b) *Wooten v. S.C. Coastal Council*, 510 S.E.2d 716 (S.C. 1999). This was the first case I argued before the South Carolina Supreme Court. The fundamental issue involved whether the State obtains the right to land eroded via a natural disaster, or whether the property owner may reclaim property eroded via natural disaster, and the issues related thereto.

(c) *City of Myrtle Beach v. Juel P. Corp. and Gay Dolphin, Inc.*, 543 S.E.2d 538 (S.C. 2001). This case involved a valuable rooftop billboard and the issues of abandonment, intent, nonconforming uses, and matters of statutory interpretation.

(d) *Brewer v. Myrtle Beach Farms Company, Inc. d/b/a Myrtle Beach Pavilion Amusement Park*, 2005-UP-508 (S.C. Ct. App.) This case involved an injury at the Pavilion Amusement Park, and the issues of proximate cause and assuming the risk of riding amusement park rides.

(e) *Wachovia Bank of S.C. v. Thomasko*, 529 S.E.2d 554 (S.C. Ct. App. 2000). This case involved an honest mistake made during a currency exchange from pesos to U.S. Dollars, and whether the customer is entitled to an unjust enrichment based on that mistake.

The following is Mr. Zayicek's account of five civil appeals he has personally handled:

(a) *Brenco v. S.C. Dept. of Transp.*, 609 S.E.2d 531 (S.C. Ct. App. 2005), aff'd 377 S.C. 124, 659 S.E.2d 167 (2008)

(b) *Clear Channel Outdoor v. City of Myrtle Beach*, 602 S.E.2d 76 (S.C. Ct. App. 2004)

(c) *Patricia Grand Hotel, LLC v. MacGuire Enterprises, Inc*., 372 S.C. 634, 643 S.E.2d 692 (S.C. App. 2007)

(d) *Taxi Cabvertising, Inc. v. City of Myrtle Beach*, 2002 WL 23165 (4th Cir. 2002)

(e) *Pee Dee Stores, Inc. v. Doyle, 381* S.C. 234, 672 S.E.2d 799 (S.C. Ct. App. 2009)

Mr. Zayicek reported that he has not personally handled any criminal appeals.

Mr. Zayicek further reported the following regarding unsuccessful candidacy:

I ran for Horry County Mater-in-Equity in 2021, upon the retirement of Judge Cynthia Graham Howe.

(9) Judicial Temperament:

The Commission believes that Mr. Zayicek's temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Mr. Zayicek to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and judicial temperament; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and experience. The Committee had no summary or related comments.

Mr. Zayicek is not married. He does not have any children.

Mr. Zayicek reported that he was a member of the following Bar and professional associations:
(a) SC Bar
(b) Horry County Bar

Mr. Zayicek provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Grand Strand Humane Society, Board of Directors (may have been more than 5 years ago, but I will include just to be safe)
(b) Commission on Lawyer Conduct
(c) Horry County Disabilities and Special Needs Waccamaw Regional Foundation Board of Directors
(d) Fee Dispute Resolutions Board

(e) Yerger/Seawell Best Article Award, HFMA
(f) American Jurisprudence Award, Contracts
(g) Attorney to Assist Disciplinary Counsel

Mr. Zayicek further reported:

I believe life experiences are important to making a person well-rounded. I was a double major in college (computer science & mathematics), and worked for a defense contractor just outside of Boston for 2 years. While there, I was involved in classified projects for the US military. After two years, I decided to move to Columbia, SC, where both of my brothers were living. I then worked for two different companies as a computer progammer, before deciding to go to law school.

After law school, I had the honor and privilege of being the first Law Clerk for the Hon. John L. Breeden, Jr. (Ret.). Anyone who knows Judge Breeden will attest to how kind, generous, funny, and compassionate he is. Watching and learning from him was invaluable. If I am lucky enough to ever be elected to the bench, I will strive every day to approach the position as he did.

After clerking for Judge Breeden, I was hired by The Bellamy Law Firm in 1997, and have been there since. I had the honor of working under and learning from Howell V. Bellamy, Jr, and Henrietta U. Golding, two of the finest trial attorneys anywhere. They taught me how to be a litigator. While that mentality is far different from being a judge, the skills and work ethic they taught me are invaluable.

I also have the honor or being a member of the South Carolina Supreme Court Commission on Lawyer Conduct. That Commission, subject to the South Carolina Supreme Court's review, is the final decision maker on attorney disclipline matters in South Carolina. It is an elite honor to be selected by the South Carolina Supreme Court to be a member of that Commission, and having a say in how the practice of law should be conducted in South Carolina. I replaced the Hon. Cynthia Graham Howe on the Commission, when she was elected to be the Horry County Master-in-Equity.

I have also provided a substantial amount of pro bono legal services to Horry County Habitat for Humanity. That wonderful organization provides families the opportunity and dream of home ownership. It has been a privilege to help them provide that opportunity to eligible families.

(11) Commission Members' Comments:

The Commission noted Mr. Zayicek's vast experience as a litigator, his advocacy skills, and diligent work ethic.

(12) Conclusion:

The Commission found Mr. Zayicek qualified, and nominated him for election to Circuit Court, Fifteenth Judicial Circuit, Seat 3.

Daniel J. Ballou
Circuit Court, At-Large, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Circuit Court, At-Large, Seat 4, two candidates applied for this vacancy. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Ballou meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Ballou was born in 1965. He is 58 years old and a resident of Rock Hill, South Carolina. Mr. Ballou provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1994. He was also admitted to the Texas Bar in 1991.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Ballou.

Mr. Ballou demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Ballou reported that he made $386.40 in campaign expenditures on printing and stationery, stamps, and envelopes.

Mr. Ballou testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Ballou testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Ballou to be intelligent and knowledgeable.

Mr. Ballou reported that he has taught the following law-related course:

SC Bar: Better Motion Practice—Tips, Suggestions and Ideas from the Court, Plaintiff and Defense Perspective Thursday, February 13, 2020 (Discovery Motions—Compel and Protection)

Mr. Ballou reported that he has published the following:

Courts Hack Away Claims Under the CFAA, South Carolina Lawyer, November 2012, p. 16.

(4) Character:

The Commission's investigation of Mr. Ballou did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Ballou did not indicate any evidence of a troubled financial status. Mr. Ballou has handled his financial affairs responsibly.

The Commission also noted that Mr. Ballou was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Ballou reported the following about his rating by legal rating organizations:
by Martindale-Hubbell, AV® Preeminent™ Peer Review Rated;
by South Carolina Lawyer Weekly, Go-To Lawyer in Business Law;
by ALM in 2013, Top Rated Lawyer in commercial Litigation and Land Use and Zoning.

Mr. Ballou reported that he has not served in the military.

Mr. Ballou reported that he has held the following public office: Member, South Carolina Real Estate Commission, 1999 – 2004. Appointed by Governor. All Ethics Reports timely filed.

(6) Physical Health:

Mr. Ballou appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Ballou appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Ballou was admitted to the South Carolina Bar in 1994.

He gave the following account of his legal experience since graduation from law school:

(a) 1991-1993: Litigation associate. Following graduation from law school, I was hired as an associate with Leonard, March Hurt, Terry & Blinn, P.C., a litigation and banking law firm based in Dallas, Texas. I handled

depositions and motions hearings, as well as assisting partners in jury and non-jury trials throughout Central Texas.

(b) 1993-2004: I was hired as a litigation associate with Kennedy Covington Lobdell & Hickman, LLC, a Charlotte law firm that had recently opened a South Carolina office in Rock Hill. I worked on a variety of matters including insurance defense, workers' compensation defense, business litigation, probate litigation and land use matters. I tried numerous workers' compensation matters before single commissioners and handled appeals before appellate panels and the Court of Appeals. I also represented numerous business and commercial litigation clients, both plaintiffs and defendants, in circuit court cases, primarily in York, Chester and Lancaster counties. As an associate, I tried at least 3 jury trials in Circuit Court, either solo or as second chair, and handled numerous jury and non-jury civil matters in US District Court, including motions practice and second chair trial counsel. I became a partner with the firm in 2000 and continued to practice primarily civil litigation in state and federal court.

(c) 2005-2015: In 2004, I co-founded Hamilton Martens & Ballou, LLC (later Hamilton Martens Ballou & Carroll, LLC) in Rock Hill, and became managing partner in 2008. I handled numerous business and real estate litigation matters, land use controversies, and general civil trials (jury and non-jury) primarily in York, Chester and Lancaster counties as well as in U.S. District Court and represented numerous parties in mediation. As managing partner, I did have involvement with the administrative and financial management of the firm, including management of trust accounts.

(d) 2015- Present: In 2015, I joined the Morton & Gettys law firm in Rock Hill and led the creation of its Civil Litigation department, practicing primarily in real estate disputes, land use controversies, and civil litigation, as well as general business and probate

matters. I have no specific administrative or financial responsibilities with the firm.

Mr. Ballou further reported regarding his experience with the Circuit Court practice area:

I have not represented any criminal defendants in the past 5 years. As an associate with Kennedy Covington in Rock Hill, I was tasked with handling many of the criminal indigent defense appointments in the South Carolina office and handled 20 to 30 such appointments between 1994 and 2000. Although only a few of those went to trial, representation generally involved extensive plea negotiations with solicitors and presentation of pleas in court. Most of the cases that I handled in General Sessions court involved drug offenses and property crimes. I was appointed in the middle of an armed robbery trial to represent a codefendant accused of aiding and abetting her husband in the robbery of a pharmacy. I also handled several Magistrate Court level criminal matters including several bench trials, and handled several post-conviction relief matters alleging the ineffective assistance of counsel.

I have had an extensive and varied civil litigation practice throughout my legal career and have tried numerous jury and non-jury matters during that time, representing both plaintiffs and defendants. In the last five years, I have handled dozens of matters in state and federal court, including business controversies, probate disputes, construction claims, real estate litigation and condemnation cases. I also handle appeals of land use matters to the Circuit Court involving zoning appeals and appeals of administrative decisions. Many of my cases resolve at or following mediation, but I have argued, responded to and briefed numerous summary judgment motions, motions for temporary injunction, and motions to dismiss.

The Rules of Evidence apply in civil court and criminal court alike, and my experience has involved direct and cross examination of witnesses, presentation and cross examination of experts, use of physical and demonstrative exhibits and oral argument, all of which are essential components of trial in either venue.

Mr. Ballou reported the frequency of his court appearances during the past five years as follows:
(a) Federal: 3-5 hearings per year
(b) State: 10-12 hearings per year

Mr. Ballou reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 65%;
(b) Criminal: 0%;
(c) Domestic: 0%;
(d) Other: Administrative, 35%.

Mr. Ballou reported the percentage of his practice in trial court during the past five years as follows:
(a) Percentage of practice at trial court: 75% equally divided between jury and non-jury
(b) Cases that went to trial and resulted in a verdict: Almost all of my cases have been resolved at or following mediation or judgment entered based upon dispositive motions. I have had no jury verdicts the past five years.
(c) Cases that went to trial and resolved after plaintiff or State's case: 0
(d) Cases settled after a jury was selected but prior to opening statements: 0

Mr. Ballou provided that during the past five years he most often served as sole or chief counsel.

The following is Mr. Ballou's account of his five most significant litigated matters:
(a) *Bronson v. Cray, Inc*., 2021-CP-46-03234: I represented the owner of real property in York County that had been sold at a tax sale. My client prevailed against the high bidder at the tax sale based upon a timely statutory redemption that was more than 12 months after the tax sale. Although the General Assembly had extended the redemption period by 12 months because of concerns surrounding COVID, that extension was subsequently found to be unconstitutional by the Supreme Court. However, since the owner was entitled to strict

compliance with the Tax Sale Act, we successfully argued that the redemption period had not lapsed, saving the property for the owner's children.

(b) *Morningstar Fellowship Church v. York County*, 2013-CP-46-00246: I was retained by York County to defend a claim by a local church-based developer alleging that the County had breached a development agreement for the renovation of the former PTL hotel tower. Following extended litigation, the court granted summary judgment on behalf of York County, which order was sustained on appeal.

(c) *Dereede v. Feeley-Karp*, 427 S.C. 336, 831 S.E.2d 435 (Ct. App. 2019): I successfully handled the appeal of the trial court decision finding that the trustee of a trust had failed to comply with the trust terms. The case was noteworthy as it clarified that the trustee of a trust in South Carolina is required to specifically follow the directives of the trust.

(d) *Sloan Financial Group, LLC v. Coe, et al.*, USDC 0:09-cv-02659-CMC: I represented an individual insurance agent who had been sued by his former employer under the federal Computer Fraud and Abuse Act, 18 U.S.C. §1030, et seq. We successfully argued that the employee was not liable under CFAA and obtained summary judgment in his favor.

(e) *Shortt v. Standard Pacific of the Carolinas, et al.*: 2009-CO-46-1944: I was co-counsel for the plaintiffs in this personal injury action alleging catastrophic injury resulting from the negligent construction and maintenance of a bicycle path located within a residential subdivision. The case involved complex issues of causation and contested testimony from multiple construction and design experts. The case was resolved at mediation for a substantial recovery for the plaintiff and his wife.

The following is Mr. Ballou's account of five civil appeals he has personally handled:

(a) *Orr v. Elastomeric Prods*., 323 S.C. 342, 474 S.E.2d 448 (Ct. App. 1996)

(b) *Nash v. Tara Plantation Homeowners Assoc., Inc.*, 2010 UP 355 (Ct. App July 12, 2010)
(c) *Settlemeyer v. McCluney*, 359 S.C. 317, 596 S.E.2d 514 (Ct. App. 2004)
(d) *Sonnenberg, et al. v. D&T Imports South Carolina, Inc*. South Carolina Court of Appeals, May 12, 2014.
(e) *Bowles v. Bradley*, 319 S.C. 377, 461 S.E.2d 811 (1995)

Mr. Ballou reported that has not personally handled any criminal appeals.

Mr. Ballou further reported the following regarding unsuccessful candidacies:
(a) SC House of Representatives, 2002
(b) Rock Hill School District Board of Trustees, 2014

(9) Judicial Temperament:

The Commission believes that Mr. Ballou's temperament would be excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualifications found Mr. Ballou to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted "The Committee was impressed by Mr. Ballou's academic record, depth and breadth of professional experience, and substantial service to the Bar and the community. Though Mr. Ballou does not have significant experience practicing criminal law, he is already working to deepen his experience in that area and has a detailed plan to continue those efforts."

Mr. Ballou is married to Joanne Vargas Ballou. He has two children.

Mr. Ballou reported that he was a member of the following Bar and professional associations:
(a) Member, South Carolina Bar Association

House of Delegates, 2007 – 2017
Judicial Qualifications Committee
Pro Bono Committee
Nominations Committee

(b) Member, York County Bar Association (President, 2000 – 2001)
(c) Member, South Carolina Law Initiative
(d) Member, Fee Dispute Resolution Board
(e) Member, South Carolina Board of Law Examiners (2011-2016)
(f) South Carolina Supreme Court, Attorney to Assist Office of Disciplinary Counsel
(g) Volunteer, S.C. Bar Law Related Education Division, Middle and High School Mock Trial (2015-2020)
(h) Member, State Bar of Texas

Mr. Ballou provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Rock Hill Economic Development Corporation, Board of Directors
(b) St. Mary's Catholic Church, Social Concerns Committee
(c) NAMI Piedmont Tri-County, Board of Directors
(d) Rock Hill Housing Authority, Board Member
(e) York County Regional Chamber of Commerce Government Relations Task Force
(f) Princeton University Alumni Schools Committee
(g) Liberty Fellowship

Mr. Ballou further reported:

I have always considered being a lawyer a call to service and have tried to build my practice and reputation with a servant's heart. I would take this attitude with me to the bench if elected to the Circuit Court. I have been fortunate to practice before a number of judges who exemplify qualities of wisdom, compassion, wit and fortitude that I would hope to emulate. Judge John Hayes in particular embodied these qualities and made those of us who practiced before him better lawyers. His examples of civility, humility and a tireless work ethic are traits I take to heart.

I grew up in a large military family, where each of us was valued both as individuals and as parts of a greater whole. My parents were fiercely patriotic and devoted to God and their community and passed on to me fundamental respect for human dignity and a commitment to service. Whether sitting in General Sessions or Common Pleas, these values are universal and ones I would embrace as a trial judge.

(11) Commission Members' Comments:

The Commission commented that Mr. Ballou has demonstrated a superior intellect, work ethic, and temperament. His varied experience during his lengthy career, reputation amongst his colleagues, and his extensive charitable work demonstrate that he would make an excellent member of the bench.

(12) Conclusion:

The Commission found Mr. Ballou qualified and nominated him for election to Circuit Court, At-Large, Seat 4.

William C. McMaster III
Circuit Court, At-Large, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Circuit Court, At-Large, Seat 4, two candidates applied for this vacancy. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. McMaster meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. McMaster was born in 1969. He is 54 years old and a resident of Greenville, South Carolina. Mr. McMaster provided

in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1996.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. McMaster.

Mr. McMaster demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.
Mr. McMaster reported that he made $539.63 in campaign expenditures for name badges, business cards, rack cards, stationery, and postage.

Mr. McMaster testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. McMaster testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. McMaster to be intelligent and knowledgeable.

Mr. McMaster reported that he has taught the following law-related courses:
(a) Presenter at our annual office in-house CLE program in 2023. The area of law I presented on was Foundation in the Criminal Case.
(b) Served on a panel at the 2023 Greenville Bar CLE for a discussion concerning criminal docket issues in Greenville and possible solutions to those issues.

Mr. McMaster reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. McMaster did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. McMaster did not indicate any evidence of a troubled financial status. Mr. McMaster has handled his financial affairs responsibly.
The Commission also noted that Mr. McMaster was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. McMaster reported that he is not rated by any legal rating organization.

Mr. McMaster reported that he has not served in the military.

Mr. McMaster reported that he has never held public office.

(6) Physical Health:

Mr. McMaster appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. McMaster appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. McMaster was admitted to the South Carolina Bar in 1996.

He gave the following account of his legal experience since graduation from law school:

(a) Graduated in 1996 and accepted a job with the Office of the Thirteenth Judicial Circuit Solicitor. Employment dates November 25, 1996 - June 29, 2001. I served as an Assistant

Solicitor for Solicitors Joseph Watson and Robert Ariail. During this time period, I was a member of the Traffic, General Crimes, and Drug Units, where I managed a criminal docket with over six hundred warrants. Additional duties included managing office plea court operations, along with serving on the Office Interview Committee for hiring new attorneys.

(b) From June 30, 2001 - June 3, 2013, I was in private practice with my wife, Gina R. McMaster, at The McMaster Law Firm, L.L.C. in Greenville, South Carolina. My initial area of practice focused on criminal defense from 2001-2004. During this time period, I completed a one year criminal defense contract with the Office of Indigent Defense in Greenville, South Carolina. After completing my contract in 2002, I accepted a part-time public defender contract with the Greenville Public Defender's Office where I was employed until 2003. While actively engaged in my criminal defense practice, I was a charter member of the Greenville Association of Criminal Defense Lawyers and served in all executive positions including President.

In 2004, my area of practice began to shift to a bankruptcy law based practice, which focused on representing debtors in personal and small business bankruptcy cases. I continued my criminal defense practice with a smaller caseload.

In 2004, I was awarded the William S. Robinson Public Service Award by the South Carolina Bankruptcy Law Association for my contributions to the advancement of bankruptcy law.

While at my law firm, I was responsible for managing staff, payroll obligations, and paying monthly expenses. I also secured insurance, lines of credit, and vehicle loans. I was responsible for managing all operating and trust accounts, including all deposits and withdrawals/transfers.

(c) June 3, 2013, I was hired by Solicitor Walt Wilkins and returned to the Office of the Thirteenth Judicial Circuit Solicitor as an Assistant Solicitor. I initially served in the White Collar and Drug Units. In 2016, I was named Office Liaison and direct point of contact for all vice and narcotics units in Greenville County. In 2018, I was promoted by Solicitor Wilkins to Deputy Solicitor. In my current role as Deputy Solicitor, my responsibilities focus on managing a large

staff of attorneys and administrative support personnel in our Greenville and Pickens offices. These duties include the evaluation of office staff members and attorneys concerning their work ethic and job performance. Based on these evaluations, staff members and attorneys could receive an increase in salary and/or an increase or decrease in their duties and responsibilities within our office. Additionally, as Deputy Solicitor I am responsible for the organization and management of all Circuit Court trial and plea court operations for the Thirteenth Judicial Circuit. To effectively perform my duties as manager of trial and plea court operations, I am in regular contact with members of the judiciary, the Clerk of Court's personnel, and the defense bar. My office financial duties include serving on the Office Budget Committee. Since 2018, I have participated as a member of the Office Interview Committee for hiring new attorneys.
In 2020, I was nominated for, attended, and graduated from the County of Greenville Leadership Development Series, a twelve month program focused on the development, training, and management of the workforce in Greenville County offices.
In April of 2023, I was named 2022 Greenville County Sheriff's Office Thirteenth Circuit Assistant Solicitor of the Year. I received this award from the Sheriff's Office in recognition of my ability to effectively organize and manage the criminal docket of Greenville County.

Mr. McMaster further reported regarding his experience with the Circuit Court practice area:

Criminal Experience

Since 1996, I have personally prosecuted numerous criminal matters in the Court of General Sessions and Magistrate's Court. From November 25, 1996 until June 26, 2001, I was employed as a full-time Assistant Solicitor in the Office of the Thirteenth Judicial Circuit Solicitor. During this time period, I was personally responsible for the prosecution and disposition of thousands of criminal warrants. The dispositions of these criminal warrants included numerous jury trials and guilty pleas.

Upon leaving the Solicitor's Office in 2001 and entering into private practice, my practice was primarily focused on criminal defense where I represented appointed and retained clients. My representation of clients charged with criminal offenses involved every aspect of the criminal process. Dispositions of these cases took many forms, including dismissal, diversion, guilty pleas, and verdicts of guilty and not guilty after trial.

I returned to the Solicitor's Office in 2013 as an Assistant Solicitor, and was assigned to the White Collar and Drug Units, where my duties again involved the prosecution of hundreds of criminal warrants. As part of my regular duties, I have evaluated cases, prepared discovery, attended and participated in bond hearings and preliminary hearings, presented pleas, prepared and argued motions, and participated in jury trials.

Since 2018, I have served as Deputy Solicitor for the Thirteenth Circuit. I continue to be responsible for the prosecution of criminal cases in our office and I regularly appear in court. Upon receipt of a criminal case, I evaluate each case for the potential of a successful prosecution. Discovery is prepared and provided, and in many instances a bond hearing and/or preliminary hearing is held. An offer is then extended to defense counsel or a pro se defendant and a guilty plea may be conducted and a sentence issued, or the case could be set for a jury trial.

As Deputy Solicitor and a senior member of the office staff, I have frequently consulted with and advised Assistant Solicitors in our office on how to handle issues in their own cases. My advice has addressed all areas of their cases, including but not limited to, how to conduct witness and victim meetings, evidentiary issues, trial strategy, general evaluation of cases, reasonable offers, and proposed dispositions.

During the past five years, I have tried two complex jury trials and received guilty verdicts in both trials. One trial involved a defendant charged with Murder. The defendant in the second jury trial was charged with Burglary First Degree. These trials were multiple days in length and involved numerous witnesses, pieces of evidence, and evidentiary issues. During these trials, I served as Chief Counsel.

One of the more complex cases I have prosecuted in past five years resulted in a guilty plea. This case involved a defendant charged with Leaving the Scene of an Accident Resulting in Death, and an unrelated Burglary First Degree charge. This tragic case involved a young mother of two from the Greenville community who was struck and killed while walking her dog along the sidewalk of one of the more popular streets in the city of Greenville. I was involved in this case from the beginning stages of the investigation, the arrest of the defendant, and all areas of the preparation of the case, and the prosecution of the defendant. My duties included preparing the case for trial, meeting with the victim's family, law enforcement, and defense counsel and analyzing the evidence and issues in the case. I represented our office during the defendant's guilty plea. The defendant pled guilty and received a twenty-five year active sentence.

Civil Experience

In 2004, I began to change the focus of my private practice to a debtor-based bankruptcy practice. This was the area of practice my wife/law partner concentrated her practice on since 1996. My bankruptcy practice primarily involved the representation of consumer debtors in personal and/or small business bankruptcy cases. Over the years, I represented hundreds of bankruptcy clients from all walks of life. The bankruptcy practice is civil in nature, and to be a successful practitioner you must understand and analyze issues involving civil, family, and probate law. Many potential clients have been served with or are facing various civil actions. To effectively represent bankruptcy clients, I was required to analyze the various legal issues my clients presented and provide counsel on how to manage their particular situation.

Since my 2013 return to the Solicitor's Office, my involvement in civil matters has been limited. However, from 2017-2018, I was responsible for filing civil asset forfeiture actions for Pickens County. During this time period, I drafted and filed summons and complaints focusing on the forfeiture of various items and amounts of currency related to criminal activity. In all of these cases, I represented the plaintiff. Due to being assigned

new duties and responsibilities in the office, my forfeiture duties were reassigned.

For the past five months of 2023, I have again become more involved in the civil forfeiture division of our office. During this time, I have worked directly with our office's general counsel. I have attended roster meetings and tried one Common Pleas Jury Trial and four Common Pleas Non-Jury Bench Trials. All trials were civil forfeiture actions, and I represented the plaintiff in all actions. During these trials, I served as Chief Counsel.

Recently, I drafted a summons and complaint and lis pendens in a complex forfeiture matter. This particular case involves the forfeiture of real property. Due to the fact that the property owner was not the target of the criminal investigation and was deceased at the time of the seizure of the property, this case presents a number of complex legal issues.

I plan to continue to work with our general counsel on forfeiture matters and attend, participate in, and observe as many civil trials and motion hearings as my duties allow. In the fall of 2023, I will attend CLEs that focus on civil practice and procedure.

Mr. McMaster reported the frequency of his court appearances during the past five years as follows:

(a) Federal: None;

(b) State: a minimum of three weeks per month: Two terms of General Sessions in Greenville County per month and one term of General Sessions in Pickens County per month. Recently, I have also appeared for several terms of Common Pleas in Greenville County..

Mr. McMaster reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 5%;

(b) Criminal: 95%;

(c) Domestic: 0%;

(d) Other: 0%.

Mr. McMaster reported the percentage of his practice in trial court during the past five years as follows:

(a) What percentage of your practice was in trial court, including cases that settled prior to trial?
100% (This percentage includes defendants that pled guilty.)

(b) What number of cases went to trial and resulted in a verdict?
7 Total = (2 General Sessions Jury Trials), (1 Common Pleas Jury Trial) and (4 Common Pleas Non-Jury Bench Trials)

(c) What number of cases went to trial and resolved after the plaintiff's or State's case?
0 (Resolved may include settlement, plea, by Judge's order during a motion hearing, etc.

(d) What number of your cases settled after a jury was selected but prior to opening statements?
0

Mr. McMaster provided that during the past five years he served as lead counsel and chief counsel for all 7 cases.

The following is Mr. McMaster's account of his six most significant litigated matters:

(a) State of South Carolina v. Tristian Cummings (2019). Charges: Murder, Attempted Armed Robbery, Possession of Weapon during the commission of a violent crime, Conspiracy, and Burglary First Degree. This trial involved a home invasion and the murder of a homeowner in Greenville County. This trial is important to me based on the serious nature of the charges, the numerous witnesses, and the complex issues presented during the prosecution of the case. The defendant was found guilty of all charges.

(b) State of South Carolina v. Aundra Hunter (2018). The defendant was convicted of Burglary First Degree, Kidnapping x 2, Discharging a firearm into a dwelling, and Possession of a Weapon during the commission of a violent crime. This trial involved a homeowner that was killed and a law enforcement officer that was shot while responding to the scene. This trial is significant due the

nature of the charges and the complex issues presented during the preparation and prosecution of the case.

(c) Young v Elite Financial Svcs., Inc. (In re Young) (2005). My wife and I represented the debtor against a creditor for the wrongful repossession of a motor vehicle after the debtor had filed for bankruptcy protection. United States Bankruptcy Judge John Waites presided over the trial and issued a verdict in favor of our client and damages, including punitive damages, were awarded to Mr. Young. This was my law firm's first trial in the United States Bankruptcy Court. During the trial, I served as Chief Counsel.

(d) State of South Carolina v. Edward James (2002). Charge: Assault and Battery of a High and Aggravated Nature. The defendant was found not guilty at trial. I was appointed to represent Mr. James and if convicted, he could have received a significant amount of active incarceration. This trial resulted in my first not guilty verdict as a criminal defense attorney in the Court of General Sessions.

(e) State of South Carolina v. Anthony Johnson (1999). Charge: Trafficking in Cocaine 200-400 grams. This trial was my first jury trial involving a defendant who possessed a significant amount of narcotics. The defendant was found guilty and received a twenty-five year active sentence.

(f) State of South Carolina v. Teresa Pirkle (1997). Charge: Driving under the Influence Third Offense. This was my first jury trial as sole counsel in the Court of General Sessions. The defendant was found not guilty. The defendant was represented by a very capable and seasoned member of the defense bar and this was a very challenging case to prosecute. Although the defendant was found not guilty, this case serves as a starting point in my career as a trial lawyer.

Mr. McMaster reported he has not personally handled any civil or criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. McMaster’s temperament would be excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Mr. McMaster to be "Well Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, experience, and judicial temperament; and "Qualified" in the criteria of constitutional qualifications, physical health and mental stability.

Mr. McMaster is married to Gina Rossi McMaster. He has two children.

Mr. McMaster reported that he was a member of the following Bar and professional association:
(a) Greenville Bar Member

Mr. McMaster provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Bavarian Hunt Club (Past President) resigned for membership in C&M Hunt Club
(b) C&M Hunt Club resigned for membership in Level Land Hunt Club
(c) Level Land Hunt Club (Current)
(d) Greenville Gun Club (Current)
(e) Christ Church Episcopal School Booster Club (Current)
(f) Highway 25 Hunt Club (Dissolved) property sold by the property owner

Mr. McMaster further reported:

Before entering into the legal profession, my family background was in the retail business. My grandfather, father, and uncle owned and operated two hardware and auto parts stores in Georgia. My earliest memories involved Saturdays and summers working in the family business. My father (age 78) and uncle (age 74) continue to own and operate one hardware and auto parts store. Even today, they work twelve hour days, six days per week. This work ethic, while extreme to some, was common in my household. I have attempted to apply their work ethic to my legal career. I have always taken great pride in my commitment to the legal profession, whether it is working for the citizens of

Greenville and Pickens Counties at the Solicitor's Office or in my years in private practice.

In addition to a strong work ethic, another component of our retail business was the exposure to different types of customers. Our customers were an eclectic group of individuals. They were a true cross-section of our community and came from all walks of life. Our customers were from varying financial statuses, educational levels, genders, and races. Our job was to serve and treat our patrons equally regardless of their race, gender, or position in the community. This exposure and service to the people of our community gave me a unique insight into the different types of individuals that I would encounter throughout my twenty-six year legal career. These distinct personalities from varying backgrounds serve as an accurate representation of the many clients, witnesses, and victims I have had the pleasure to represent and interact with during my legal career.

If elected, I will continue to apply these life lessons, my strong work ethic, and my commitment to the legal profession in service to the citizens of South Carolina.

(11) Commission Members' Comments:

The Commission noted that Mr. McMaster has a reputation as a highly ethical attorney. The Commission further discussed Mr. McMaster's temperament and noted that, while known for being a zealous advocate, Mr. McMaster is also known to be fair and always collected.

(12) Conclusion:

The Commission found Mr. McMaster qualified, and nominated him for election to Circuit Court, At-Large, Seat 4.

Kimberly V. Barr
Circuit Court, At-Large, Seat 8

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Barr meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. Barr was born in 1970. She is 54 years old and a resident of Florence, South Carolina. Ms. Barr provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Barr.

Ms. Barr demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Barr reported that she has made $240.00 in campaign expenditures for printing and mailing.

Ms. Barr testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Barr testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Barr to be intelligent and knowledgeable.

Ms. Barr reported that she has taught the following law-related courses:

(a) Speaker, "Civility/Professionalism" - Panel Discussion for the South Carolina Bar Leadership Academy in Florence, SC (03/10/2023)
(b) Scoring Judge, High School Mock Trial Competitions in Conway, SC (02/2021)
(c) Scoring Judge, Middle School Mock Trial Competition in Conway, SC (11/2019)
(d) Speaker, "Social Security and Family Court" at the 2020 SC Bar CLE – Hot Tips from the Coolest Domestic Law Practitioners in Columbia, SC on 09/25/2020
(e) Scoring Judge, High School Mock Trial Competitions in Conway, SC (02/2018)
(f) Speaker, "Women in Law Enforcement" for Women's History Month at the Dept. of Justice/Bureau of Prisons - FCI Williamsburg in Salters, SC (03/23/2016)
(g) Speaker, "Juvenile Matters in the Family Court" for SC Bar Family Court CLE in Columbia, SC
(h) Speaker, "Think Twice: A Lesson on Criminal Law and Collateral Consequences" - Panel Discussion at Hemingway High School for SC Bar YLD's Public Service Project for Community Law Week (05/2014)

Ms. Barr reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Ms. Barr did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Barr did not indicate any evidence of a troubled financial status. Ms. Barr has handled her financial affairs responsibly.

The Commission also noted that Ms. Barr was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Barr reported that she is not rated by any legal rating organization.

Ms. Barr reported that she has not served in the military.

Ms. Barr reported that she has never held public office.

(6) Physical Health:

Ms. Barr appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Barr appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Barr was admitted to the South Carolina Bar in 1995.

She gave the following account of her legal experience since graduation from law school:

Following my admission to the bar in 1995, I began working as an associate attorney with the law firm of Newman & Sabb, P.A. in its Columbia office. During the previous year, I worked there as a law clerk. This partnership was formed by Clifton Newman and Ronnie Sabb, and it was a general practice law firm. I handled cases involving personal injury, domestic relations, real estate transactions and bankruptcy. In 1999, I left private practice and began working as a prosecuting attorney for the City of Florence, South Carolina following my move there. I prosecuted traffic offenses, including driving under the influence cases, domestic violence crimes and other municipal violations. In September 2004, I returned to private practice with Ronnie Sabb. His law firm's name was the Law Offices of Ronnie A. Sabb, L.L.C. I continued my work of handling personal injury cases (including automobile accidents and workers compensation matters), family court (including divorces, child custody disputes, adoptions, and name changes), social security disability claims, real estate transactions, contested and uncontested probate matters, and miscellaneous

legal issues. I have sat as lead counsel to verdict/judgment in countless cases involving every area previously cited in magistrate's court, probate court, the workers compensation commission, family court, and circuit court. In addition to the general practice, I also worked as contract, part-time assistant solicitor in Williamsburg County. In that role, I handled prosecutions in general sessions court and in family court in juvenile delinquency proceedings. In January 2011, I assumed the role of the assistant solicitor-in-charge for Williamsburg County. I served as lead counsel on numerous felony trials, including prosecutions for drug offenses, property crimes, child and adult sexual assaults, burglaries, armed robberies, and murders. In addition, I was responsible for supervising and training new assistant solicitors and managing the criminal dockets. In 2016, I resigned from the solicitor's office after twelve years of service. In 2017, I became a partner with Ronnie Sabb and we formed the Sabb Law Group, L.L.C.

Ms. Barr further reported regarding her experience with the Circuit Court practice area:

I worked as contract, part-time assistant solicitor in Williamsburg County from September 2004 through December 2016. In that role, I was responsible for the prosecutions of cases in general sessions court. I served as lead counsel on numerous felony trials, including prosecutions for drug offenses, property crimes, child and adult sexual assaults, burglaries, armed robberies, and aggravated assaults, domestic violence, and murders. I routinely drafted indictments for consideration by the grand jury, drafted discovery responses and requests, handled motion hearings, bond hearings, arraignments, plea negotiations, and guilty pleas. As the assistant solicitor-in-charge during the last five years of my service in Williamsburg County, I was also responsible for supervising and training new assistant solicitors and managing the trial dockets. I have also testified in post-conviction relief hearings in cases I prosecuted. I have represented a few individuals charged with general sessions-level crimes since my resignation from the solicitor's office but due primarily to the Covid-19 pandemic, I have not had an occasion to try a criminal case as a defense attorney. The

criminal cases that I have handled since 2016 involved guilty pleas and bond hearings.

In our law practice, I represented primarily plaintiffs in personal injury cases. Since 2004, I often second-chaired many civil trials in Common Pleas Court where Mr. Sabb served as lead counsel. The nature of these cases varied and included personal injury actions resulting from motor vehicle accidents, breach of contract claims, equitable claims, and real estate matters (i.e., actions to quiet title, to partition land, and to set aside a deed based on the incapacity of the grantor). As sole or lead counsel, I have also tried to verdict civil cases in the Court of Common Pleas that resulted from motor vehicle accidents. Those cases involved every aspect of trial, from jury selection to post-trial motions. I was co-counsel on an election dispute in Circuit Court involving a race for Clarendon County Coroner. The last case that I was involved in as lead counsel in Common Pleas Court occurred in 2022 in Florence County, but it was resolved subsequent to jury selection. I have not tried a case to verdict in the Common Pleas Court during the last five calendar years.

Ms. Barr reported the frequency of her court appearances during the past five years as follows:

(a) Federal: I have not made any appearances in Federal Court during the last five years. However, in 2014 I tried to verdict as co-counsel a personal injury action in the Federal Court in Charleston, South Carolina. In addition, I tried as co-counsel a breach of contract claim in Federal Court in Florence, South Carolina. This case resulted from the refusal of an insurance company to proceeds to its insured following a loss of the insured's business due to fire;

(b) State: If I include my appearances in Magistrate's Court, Probate Court, Family Court, before the Workers Compensation Commission, Common Pleas Court, General Sessions Court, and the Court of Appeals during the last five calendar

years, I would conservatively estimate them to be fifty (50) on average per year.

Ms. Barr reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 55%;
(b) Criminal: 5%;
(c) Domestic: 25%;
(d) Other: 15%.

Ms. Barr reported the percentage of her practice in trial court during the past five years as follows:

(a) 35% of cases were in trial court.
(b) Approximately 50 cases went to trial and resulted in a verdict.
(c) Approximately 10 to 15 cases went to trial and resolved after the plaintiff's or State's case.
(d) 1 case in which she was lead counsel that settled after a jury was selected but prior to opening statements.

Ms. Barr provided that during the past five years she most often served as chief counsel or co-counsel.

The following is Ms. Barr's account of her five most significant litigated matters:

(a) Gerone Epps was a disputed death case before the SC Workers Compensation Commission. We represented dependents of Mr. Epps, who worked in the maintenance department for the City of Lake City for eleven years. He was morbidly obese and had a pre-existing heart condition. He was involved in a motor vehicle accident during the early morning hours of April 21, 2006 while driving the city's dump truck and as a result, the vehicle overturned completely on its driver's side. Mr. Epps was trapped inside the vehicle for nearly two hours before being extricated. He lost consciousness during transport to the hospital and died later that day. The pathologist performing his autopsy opined that he died accidentally as a result of "morbid

obesity, positional asphyxia that was complicated by the motor vehicle accident with probable hypoxic stress, and atherosclerotic coronary artery disease." The employer and carrier denied death benefits and maintained that his death was caused by his pre-existing conditions. The case was tried before a single commissioner, who denied death benefits and found that the decedent's death was due to natural causes unrelated to the accident. On appeal to the full commission, the judgment of the single commissioner was reversed, and full death benefits were awarded. Gerone Epps was the primary caretaker for his sister and her minor children, who suffered tremendously both emotionally and financially following his death. I believe that the ruling of the single commissioner was clearly erroneous given the undisputed findings of the physician who performed Mr. Epps' autopsy.

(b) Another case that holds significance to me is a family court matter where I represented a childless couple who sought to adopt an infant child several years ago. While I've handled many adoption cases before and since, this case stands out to me because I met this child when she was only a day old. The birth mother used narcotic and illegal substances and as a result, the baby was born addicted to those drugs. Because of the nature of this adoption, policies of the hospital where she was born required that I be photographed with the child and further, that I would be the only person authorized to leave the facility with the child. As I first held that precious child, my heart broke as I saw her limbs shake uncontrollably from physical withdrawal symptoms she was experiencing as a result of her exposure to drugs in utero. My clients' adoption request was granted approximately six months later and that little girl has absolutely thrived in their care. My client periodically sends me photographs of the child via text messages. She shares photos with me of her birthday and holiday celebrations as well as her first day of school. I felt so honored to have been a part of taking her from the life she could have lived to the life she deserved to live.

(c) Our firm represented Dr. Benjamin Cooper in an action in Common Pleas Court in Williamsburg County to set aside a deed based on undue influence, lack of consideration, and incapacity of the grantor. Dr. Cooper was an elderly man who had been diagnosed with depression and dementia. He and his family owned a sizeable tract of land, and he often allowed hunters to use the property to shoot game. However, instead of presenting Dr. Cooper with a hunting lease as in previous years, this individual had him to execute a deed transferring his ownership interest in the land for a nominal amount of money. Shortly thereafter, this individual filed a partition to purchase the remaining interest to the tract. Mr. Sabb and I tried this case together and we ultimately prevailed on our counterclaim to have that deed vacated.

(d) *The State vs. Jason Edwards, et al* was the first murder trial in which I took an active and significant role as a prosecutor. The trial took place in February 2006, roughly a year and a half after I began working part-time in the solicitor's office. This case stands out to me because of the variables and dynamics at play. Jason Edwards was accused of shooting two victims to death, execution-style. Prior to his death, one of the victims stabbed Jason in his abdomen and ran from the home. Jason chased the victim outside and a young, female relative of the victim observed the fatal shooting in the front yard of the victim's home. She recognized and identified Jason as the shooter. Due to his stab wound, Jason's brothers took him to York County for treatment to avoid detection. By the time the case was to be tried, the eyewitness to the murder had moved away and was afraid to come to court to testify. One of the key police officers in York County who assisted the Williamsburg County Sheriff's Office in the murder investigation had been fired from law enforcement and was, by then, a convicted felon. We had to contact and coordinate witnesses from the hospital who treated Jason, the law enforcement officials in York County, the pathologist at MUSC in Charleston who performed the autopsies on the victims, SLED agents in Columbia, local law

enforcement officers, local family members of the victims, and our eyewitness. It was a stressful and grueling process but every member of the prosecution team stayed late at the office and came in early every day to prepare for court. Because of the commitment, we were able to obtain convictions for all of the defendants charged in connection with the case. After the verdict was announced and the sentence imposed, I wanted to celebrate our victory with our team. Mr. Sabb shared words with me that I will never forget in his very calm and deliberate manner. He kindly told me that he did not want to celebrate because two people were violently murdered, and all of the defendants were headed to prison for a very long time. This was the first time that I appreciated the weight and sometimes solemn nature of a criminal prosecutor. I am grateful that I learned that lesson early in my career.

(e) Justin McBride was a young man I prosecuted for the criminal sexual assault in the first degree of a 9 year-old female victim. McBride was 16 years-old at the time of this crime. The parents of the victim and of the defendant knew each other. Given the 25-year mandatory minimum sentence that had to be imposed if the defendant was convicted as charged, the victim's parents authorized me to extend a plea offer to him via his attorney to the crime of lewd act on a minor child. This lesser offense carried a possible sentence range from probation to 15 years in prison, and would have required the defendant to register as a sex offender for life. The sexual registry requirement was apparently a bridge too far for him, and he declined the plea offer. I asked his attorney if I could meet with him and McBride so that I could explain to him the consequences of his decision to decline the plea. His attorney agreed, and the three of us met at the courthouse while McBride's mother was in attendance. Despite the advice of his attorney, the defendant insisted that he wanted a jury trial. Importantly, the police department that investigated the sexual assault lost the victim's clothing and consequently, those items of evidence were unavailable for testing. Perhaps, the defendant foolishly

believed that because of that missing evidence, I would dismiss the case. However, I had the opportunity to speak with the victim and her mother on multiple occasions during the years that this case was pending, and I found them both to be credible and compelling. I believed that a jury would likewise find them credible and would be as troubled as I was by the young age of the victim when this crime occurred. At the same time, there was a small part of me that understood that the defendant (who was himself a child when he committed this crime) was gambling with his entire future in declining the plea offer so graciously extended with the blessing of the victim's parents. We tried the case in October 2013 and McBride was convicted and sentenced to 25 years in prison. I saw Mr. McBride years later at his PCR hearing, and I was surprised to see how much he has deteriorated in what appeared to be his physical and mental faculties. His conviction was upheld.

The following is Ms. Barr's account of three civil appeals she has personally handled:

(a) *Gaddy Oil, Inc. vs. George Rishmawi, et al* (SC Court of Appeals Unpublished Opinion Number 2018-UP-308; July 5, 2018).

(b) Gerone Epps – WCC File No. 0608969 (Appeal to the full panel of the SC Workers Compensation; May 2010).

(c) *Bucky Mock vs. Clarendon County Board of Voter Registration & Elections, Lanette Samuels, et al.* (SC Supreme Court Appellate Case No.: 2018-001520 dated October 17, 2018).

The following is Ms. Barr's account of the criminal appeal she has personally handled:

(a) *City of Florence vs. Jordan*, SC Court of Appeals Opinion No. 3909, Filed December 20, 2004. I, as a municipal prosecutor, appealed the trial court's dismissal of the breath test result in a DUI trial. The circuit court affirmed the decision, but it was reversed by the South Carolina Court of Appeals.

(9) Judicial Temperament:

The Commission believes that Ms. Barr's temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Ms. Barr to be "Qualified" in the evaluative criteria of constitutional qualification, physical health, and mental stability; and "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary comments.

Ms. Barr is not married. She does not have any children.

Ms. Barr reported that she was a member of the following Bar and professional associations:

(a) South Carolina Bar member since 1995
(b) Williamsburg Bar Association member since 2010
(c) Pee Dee Inn of Court; President since July 1, 2022; Vice President from July 1, 2020 through June 30, 2022; and Secretary from July 1, 2018 through June 30, 2020.
(d) South Carolina Association of Justice member since 2004
(e) American Association of Justice member since 2004
(f) Investigator – South Carolina Lawyers Fund for Client Protection from 2010-2012
(g) Member, National Bar Association (2007-2013).

Ms. Barr provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) McLeod Health Foundation Fellows
(b) Dancing With the Williamsburg County Stars (benefitting the Williamsburg Regional Hospital Foundation) – 06/03/2017
(c) Board Member, Williamsburg Technical College Foundation (2019-present)

Ms. Barr further reported:

I was placed in the foster care system as a young child and was subsequently blessed to have been raised by a strong mother who instilled in me that I could be anything that I aspired to be, if I

were willing to work hard. My very first experience inside a courtroom was at my adoption hearing in Richland County in or around 1979. I was simply fascinated by the presiding judge, who, in his robe, appeared to be sitting on a throne from the vantage point of my 9-year-old self at the time. The deference and respect shown to him by all those in the courtroom was equally matched by the courtesies he extended in return. I remember watching Perry Mason and Matlock episodes on television with my mother, and I became instantly intrigued with the legal profession. It is a love that has stood the test of time. Despite losing my mother during my high school years, I never forgot the lessons she taught. I committed myself to studying hard and focusing on my college classes, to the exclusion of other memorable college experiences. During my last year at law school, I met two men who have unquestionably and immeasurably impacted my legal career, Clifton Newman and Ronnie Sabb. I was, and remain, incredibly inspired by them and they have set by example what it means to reach the pinnacle of success in their respective roles. Having tried many criminal cases before Judge Newman, I have observed a measured, thoughtful, intelligent, and dignified jurist. Because of my association with Ronnie, I have gained immeasurable experience in the Courts of Common Pleas and General Sessions that I may not have otherwise received. I have tried to verdict nearly every criminal offense from traffic violations to murder cases. Ronnie taught me very early in my career the importance of hard work, zealous advocacy, and humility. I have spent twenty-three (23) of the nearly twenty-eight (28) years of my career in private practice, and I've represented thousands of clients from various financial, social, and educational backgrounds. That experience affords me an understanding and appreciation of the pressures and conflicts that trial lawyers face. I believe that cumulative effect of all my legal experiences would make me an asset to the judiciary as well as the citizens of our great state.

(11) Commission Members' Comments:

The Commission commented that Ms. Barr's exceptional reputation makes her uniquely qualified. They noted that Ms. Barr possesses all of the characteristics of an exemplary judge: keen intellect, great temperament, highly experienced, and

knowledgeable. In sum, the Commission stated that Ms. Barr has a very bright future.

(12) Conclusion:

The Commission found Ms. Barr qualified, and nominated her for election to Circuit Court, At-Large, Seat 8.

T. William "Billy" McGee III
Circuit Court, At-Large, Seat 8

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. McGee meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. McGee was born in 1970. He is 53 years old and a resident of Columbia, South Carolina. Mr. McGee provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1996. He was also admitted to the North Carolina Bar in 2013, and he was admitted to practice in the District of Columbia in 2014 without having to take a separate bar exam.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. McGee.

Mr. McGee demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. McGee reported that he has made $441.44 in campaign expenditures for business cards, stationery, and postage.

Mr. McGee testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. McGee testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. McGee to be intelligent and knowledgeable.

Mr. McGee reported the following about his teaching or lecturing at any Bar association conferences, educational institutions, or continuing legal or judicial education programs:

Over the twenty-four years at my firm, I have helped with training and educating partners, associates, and law clerks regarding legal matters dozens of times at internal meetings and events. I have also served as a judge for mock trial competitions. However, I have not presented any CLEs or other formal bar events.

Mr. McGee reported that he has published the following:
(a) *DRI – The Voice of the Defense Bar's 50-State Compendium on Covenants Not-To-Compete* (2007), Co-Author of South Carolina Section;
(b) *DRI – The Voice of the Defense Bar's 50-State Compendium on Unfair Trade Practices Acts* (2005), Author of South Carolina Section.

(4) Character:

The Commission's investigation of Mr. McGee did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. McGee did not indicate any evidence of a troubled financial status. Mr. McGee has handled his financial affairs responsibly.

The Commission also noted that Mr. McGee was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. McGee reported the following about his rating by a legal rating organization: for Martindale-Hubbell, AV rating; for Best Lawyers, Commercial Litigation, Litigation – Banking and Finance, Qui Tam Law (2023); and for Best Lawyers, Lawyer of the Year, Litigation - Banking and Finance, Columbia, SC (2023).

Mr. McGee reported that he has not served in the military.

Mr. McGee reported that he has never held public office.

(6) Physical Health:

Mr. McGee appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. McGee appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. McGee was admitted to the South Carolina Bar in 1996.

He gave the following account of his legal experience since graduation from law school:

(a) Law Clerk for Hon. M. Duane Shuler, South Carolina Judicial Department, 1996 –1997: As Judge Shuler's law clerk, I was heavily involved in the scheduling of criminal and civil matters (hearings and trials), legal research for the judge, drafting of proposed orders, and working with attorneys and court staff to coordinate proceedings with Judge Shuler;

(b) Holmes & Thomson LLP, Associate 1997 – 1999: During my early associate career, I did a substantial amount of legal research, brief writing, and learning the practical skills of a litigator: taking depositions, arguing motions, sitting second chair at larger trials, acting as lead counsel in

smaller trials, and developing skills needed to work with clients, other counsel, witnesses and retained experts. I did not have any responsibility for the administrative or financial management of Holmes & Thomson;

(c) Nelson Mullins Riley & Scarborough LLP, Associate 1999 – 2004, Partner 2005 – Present: After Holmes & Thomson ceased operations in May 1999, I immediately received an offer to work at Nelson Mullins' Columbia office. At Nelson Mullins I continued to develop as a litigator in state and federal court, with more of a focus on complex commercial litigation and cases involving banking and finance issues and class actions. With the expansion of my banking litigation practice, I took the North Carolina Bar Exam in 2013 and was licensed in the District of Columbia the following year. I made partner in 2005 and served on many firm committees and subcommittees. I later became certified as an arbitrator and mediator in South Carolina Circuit Courts and approved as a mediator by the United States District Court for the District of South Carolina. I am also an approved arbitrator with the American Arbitration Association, American Health Law Association, and FORUM. I do not have any responsibility for the administrative or financial management of Nelson Mullins.

Mr. McGee further reported regarding his experience with the Circuit Court practice area:

Experience in Criminal Matters

Even though the majority of my legal career has focused on civil matters, I have gained experience in prosecuting and defending a number of criminal matters as well. For more than a decade, I defended a substantial number of criminal clients in cases appointed to me and my partners by Circuit Courts in Charleston, Richland, and Chesterfield Counties. This pro bono work involved meeting with clients, conducting discovery, negotiations with solicitors, motions practice, and other court appearances. I also performed legal research, motions and brief writing, and advised and represented my clients in guilty pleas.

In addition to my work in defending criminal cases, I gained experience on the prosecution side of criminal cases as

well. More specifically, in 2007 I was appointed a Special Assistant Attorney General by then Attorney General Henry McMaster. This was part of a pro bono program prosecuting first offense criminal domestic violence ("CDV") cases in counties where those Magistrate Court offenses were handled by non-lawyers. After receiving specialized training in criminal procedure and evidence, I coordinated the interviewing of witnesses, conducted investigations, and prosecuted CDV defendants at trial. This was an especially important program and a rewarding experience.

Lastly, in my civil litigation practice, I have also worked with state and federal criminal courts and prosecutors, lawyers and investigators from state and federal law enforcement, and government agencies investigating potential criminal actions of my clients and others (i.e., FBI, FDIC, Federal Reserve, State Attorney General, South Carolina Office of the Inspector General, Special Investigator General for TARP, etc.). All of these experiences have given me a strong appreciation and understanding of the important aspects of criminal law matters. Moreover, I am currently enrolled in two criminal law CLE classes this summer: 2023 Criminal Law Practice Essentials (8.0 hours) and 32nd Annual Criminal Practice in South Carolina (6.5 hours). These detailed courses will provide me with additional knowledge and information about the most current developments in state criminal law practice and trends.

Experience in Civil Matters

In my 26 years in private practice, the majority of my experience has been in civil litigation. During this time, I have represented clients and tried jury and nonjury cases from simple matters in Magistrate's Court to complex disputes in Circuit Court and Federal Court, to arguing appeals in the South Carolina appellate courts and the Fourth Circuit Court of Appeals. In the past and in my current caseload, I represented clients as both plaintiffs and defendants. As my practice developed over time, I focused more on complex civil litigation between businesses, defense of class actions, and binding arbitrations (both as an attorney and as the presiding arbitrator). While I am licensed in South Carolina, North Carolina, and the District of Columbia, I have also appeared in many other jurisdictions, both in state and federal courts. I also frequently

serve as local counsel for parties and lawyers who need advice on South Carolina law, court appearances before South Carolina courts, and developing case strategies.

While trials have decreased in frequency since COVID, I have appeared regularly before state and federal judges in-person or via remote video. While I prefer appearing in court to attending by video, the flexibility and efficiency of remote hearings, status conferences, and other proceedings has its benefits and I feel confident in my ability to work with this technology to maximize effectiveness.

Lastly, my work as a certified mediator and arbitrator has given me an excellent perspective on many of the skills needed by Circuit Court judges. In addition to being asked by other attorneys to serve in these capacities, I am also approved as an arbitrator by the American Arbitration Association, the American Health Law Association, and FORUM. In these cases, I have to consider and rule on discovery matters, dispositive motions, and ultimately serve as the trier of fact in rendering a decision on the merits after a trial.

I Completed the following two criminal law CLE classes:

- 2023 Criminal Law Practice Essentials (6.5 hours on August 11, 2023); and
- 32nd Annual Criminal Practice in South Carolina (6.5 hours on August 1, 2023).

Also, since my initial submission, I have had detailed discussions about many substantive and procedural issues with three sitting circuit court judges, one former circuit court judge, and three current deputy solicitors. I have also reviewed all of the 2023 South Carolina Advance Sheets for criminal appellate opinions and read Judge Daniel M. Cobles' *South Carolina Trial Evidence* (2021) in regard to evidentiary issues raised in criminal trials. In addition, I have had detailed meetings and discussions with a former solicitor and current criminal defense attorney regarding criminal procedure, evidentiary matters, motions practice, common pretrial hearings, and other important issues that are common in a criminal practice. Lastly, I have contacted both the solicitor and chief public defender for the Fifth Circuit in an effort to discuss and learn about their experiences, observations, and challenges.

Mr. McGee reported the frequency of his court appearances during the past five years as follows:

(a) Federal: Much more regular before COVID, but generally a dozen or more times a year;
(b) State: Much more regular before COVID, but generally 30 or more times a year.

Mr. McGee reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 90% (including service as a mediator and arbitrator);
(b) Criminal: about 3% (pro bono, appointed cases, work with matters involving Attorney General, state and federal law enforcement and similar agencies, etc.);
(c) Domestic: about 2% (pro bono or appointed cases);
(d) Other: 5% (litigation in Probate Court, before governmental agencies, internal investigations, consulting/general advice, etc.).

Mr. McGee reported his practice in trial court during the past five years as follows:

(a) Approximately 90% of my practice was in trial court, including settled cases;
(b) 2 cases with trials that went to conclusion – this excludes arbitrations that went to full hearing on the merits;
(c) 1 case went to trial and resolved after the plaintiff's or State's case;
(d) 0 cases that settled after a jury was selected but prior to opening statements.

Mr. McGee provided that during the past five years he primarily served as chief counsel but occasionally as associate counsel when mentoring younger attorneys.

The following is Mr. McGee's account of his five most significant litigated matters:

(a) *Fernando Contreras Alcala v. Claudia Garcia Hernandez*, 4:14-cv-04176-RBH (D.S.C. 2014)
This was my first case involving a claim in federal court under the Hague Convention, which allows a parent to

seek redress when his or her child is removed from their home country by the other parent. In this matter I represented a father in Mexico who sought the return of his son, who was abducted by the mother and taken to the United States. The father had no resources to bring the case, so my firm and I took the matter on a pro bono basis. I tried the case – which involved several interpreters and remote testimony from Mexico – but we did not prevail. We then filed an expedited appeal to the Fourth Circuit, and I argued the matter before that court in Richmond, Virginia. The decision was affirmed and, because there is a split among the federal circuits on some of the legal issues involved, we filed an appeal with the United States Supreme Court. However, after full briefing to the Court, our petition for cert was denied and the trial court's ruling became final. While we were not the prevailing party in this matter, it served as an excellent learning experience on a complex case with the United States Department of State (I am one of a small number of lawyers on its referral list for Hague Convention cases in South Carolina). As a result of this case, a partner and I were asked by our State Department contact to come to Washington, D.C., to hear oral arguments in the Supreme Court for another Hague case involving some of the same issues we raised in our appeal.

(b) *Jose Luis Vite-Cruiz v. Yadira Del Carmen Sanchez*, 3:18-cv-01943-DCC (D.S.C. 2018)

This was another Hague Convention case in which I represented a father from Brazil whose son was brought the United States without his knowledge or consent. I again tried the case in federal court and this time we prevailed on all counts. As a result, the child was immediately reunited with his father after the verdict in Columbia. A partner and I had the privilege of taking them to a minor league baseball game before they flew home together. I am not sure I have felt better after the conclusion of any case than that day.

(c) *Gibson v. Bank of Am., N.A.*, 383 S.C. 399, 410, 680 S.E.2d 778, 784 (Ct. App. 2009)

I tried this case over a week in Florence County against an excellent attorney before one of the best Circuit Court judges in the state. Late Friday afternoon the jury returned a substantial verdict in favor of the Plaintiffs. However, during the trial we raised a statute of limitations argument that had been accepted in other states but not in South Carolina. We filed a timely appeal, and I argued the case before the South Carolina Court of Appeals, which reversed the verdict and judgment against my client based on our statute of limitations argument. Losing at trial and prevailing on appeal is difficult but rewarding because it requires close attention to error preservation during the trial and strong brief writing and oral argument on appeal.

(d) *Synovus Bank v. Tracy, et al.*, 1:10-cv-00172-MR-DLH (W.D.N.C. 2010)

After the stock market and real estate collapse in 2008, my banking litigation practice spiked for about five or six years. I represented many banks in dealing with the sudden, numerous, and sustained loan and mortgage defaults. These matters included claims in North Carolina, South Carolina, and Georgia. (In fact, I had so many cases in North Carolina that I had to take the bar exam there in 2013). These cases involved residential, commercial, and development loans and brought by single, multiple, and class representative borrowers. Many of these claims involved complex theories of recovery and defenses based on multiple states' tort and contract law. This case was brought by a number of plaintiff borrowers in North Carolina federal court and raised several common law and state and federal statutory claims, as well as defenses common to a host of other then-pending cases arising from a failed real estate development outside of Asheville, North Carolina. After extensive discovery and briefing, the District Court granted our motion for summary judgment on all grounds. Not only did this ruling resolve the claims against my client by the named plaintiffs, it established precedent as to the enforceability of certain common contractual provisions and limitations, as well as the validity of defenses that were common across

dozens of other pending claims against the same client and other lenders in similar cases. Because of the far-reaching effect of the ruling, it was appealed to the Fourth Circuit Court of Appeals, which affirmed the order in a unanimous decision. *See Synovus Bank v. Tracy, et al.*, 14-1163, United States Court of Appeals for the Fourth Circuit, March 2, 2015. After the decision was affirmed, we were able to resolve almost all of the pending claims on terms very favorable to my client in a much more efficient manner.

(e) *Grice v. Independent Bank*, 7:20-cv-01948-TMC (D.S.C. 2020)

This matter is currently pending in South Carolina federal court, and we are expecting an appeal to the Fourth Circuit shortly. It involves a proposed class action against a bank based in Michigan with no presence in South Carolina. The named Plaintiff is a South Carolina resident who has asked the court to certify a nationwide class against the bank. After extensive discovery and multiple motions involving disputes over jurisdiction and class certification, the federal magistrate recommended the denial of Plaintiff's proposed nationwide class based on, among other grounds, the South Carolina Door Closing Statute. Plaintiff's counsel are all from outside South Carolina and they are seeking to have this state statute declared void and contrary to federal law. If the denial of class certification is upheld, this case will reaffirm the South Carolina Legislature's right to limit the potential misuse of its courts by those with no connection to this state.

The following is Mr. McGee's account of five civil appeals he has personally handled:

(a) *Fernando Contreras Alcala v. Claudia Garcia Hernandez*, 15-2471, United States Court of Appeals for the Fourth Circuit, June 15, 2016.

(b) *Gibson v. Bank of Am., N.A.*, 383 S.C. 399, 410, 680 S.E.2d 778, 784 (Ct. App. 2009).

(c) *TD Bank, N.A. v. Lalla*, Appellate Case No. 2015-000295 (S.C. Ct. App. August 26, 2016).

(d) *Carew v. RBC Centura Bank, et al.*, 2014 WL 2579698 (S.C. Ct. App. February 19, 2014).
(e) *Doherty v. PNC Mortgage*, 17-1350, United States Court of Appeals for the Fourth Circuit, August 21, 2017.

Mr. McGee reported that has not personally handled any criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. McGee's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. McGee "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in summary, "Well qualified!"

Mr. McGee is married to Shannon Elizabeth Leonard. He has two children.

Mr. McGee reported that he was a member of the following Bar and professional associations:
(a) Richland County Bar Association (1999-present);
(b) South Carolina Bar Association (1996-present);
(c) Mecklenburg County Bar Association (2003-present);
(d) North Carolina Bar Association (2003-present);
(e) District Of Columbia Bar Association (1999-present);
(f) American Bar Association (1999-present);
(g) International Association of Defense Counsel (IADC) (2007-present);
(h) Defense Research Institute (DRI) (2000-present) (also have been member of Steering Committee, Lawyers Professionalism and Ethics Committee).

Mr. McGee provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

While I have handled dozens of pro bono matters and been an active supporter of several local and other charitable causes in the past five years, I have not held any formal memberships during this time period. In 2016, I received the Claude M. Scarborough, Jr. Award from Nelson Mullins, the highest award for the provision of pro bono services at the firm. Also, I have appeared on the South Carolina Supreme Court's Pro Bono Honor Roll in 2019, 2020, 2021, and 2022.

Mr. McGee further reported:

I was born and raised in South Carolina and have worked here all my life. From bagging groceries and busing tables as a 15-year-old to becoming a partner at a large law firm today, I have always had a very strong work ethic and drive to do my best. During my 26-year legal career in private practice, I have represented large corporations in multi-million dollar class actions and homeless families seeking assistance with housing and employment issues. Since I joined Nelson Mullins in 1999, I have provided more than 3,500 hours in pro bono legal services to programs, individuals, and charitable causes here in South Carolina. I strongly believe that my experience in working with a broad spectrum of clients on a wide variety of legal matters gives me a unique perspective on the civil and criminal matters I would face on a daily basis as a Circuit Court judge. Lastly, at work and at home I have learned the importance of being patient, learning quickly, and working hard. If given the opportunity to serve South Carolina as a Circuit Court judge, I will apply these traits to my job every day and do my best to be a worthy representative of our judicial system.

(11) Commission Members' Comments:

The Commission commented that Mr. McGee enjoys an excellent reputation—both as a lawyer and as a person. They noted that he is the kind of person, with the kind of intellect, that they want to see on the bench.

(12) Conclusion:

The Commission found Mr. McGee qualified, and nominated him for election to Circuit Court, At-Large, Seat 8.

THURSDAY, JANUARY 11, 2024

William Vickery Meetze
Circuit Court, At-Large, Seat 8

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Meetze meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Meetze was born in 1968. He is 55 years old and a resident of Marion, South Carolina. Mr. Meetze provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1999.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Meetze.

Mr. Meetze demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Meetze reported that he has made $340.99 in campaign expenditures for postage and stationery.

Mr. Meetze testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Meetze testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Meetze to be intelligent and knowledgeable.

Mr. Meetze reported that he has taught the following law-related courses:
I have taught the Law School at Palmetto Boys State for the past twenty-one years.

Mr. Meetze reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Meetze did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Meetze did not indicate any evidence of a troubled financial status. Mr. Meetze has handled his financial affairs responsibly.

The Commission also noted that Mr. Meetze was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Meetze reported that he is not rated by any legal rating organization.

Mr. Meetze reported that he has not served in the military.

Mr. Meetze reported that he has never held public office.

(6) Physical Health:

Mr. Meetze appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Meetze appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Meetze was admitted to the South Carolina Bar in 1999.

He gave the following account of his legal experience since graduation from law school:

(a) Judicial Law Clerk for the Honorable James E. Brogdon, Jr.

During the year that I clerked for Judge Brogdon, he was Chief Administrative Judge in both the Twelfth Judicial Circuit and the Third Judicial Circuit. I was able to research many issues involving both General Sessions and Common Pleas. I was able to see many trials from each branch. Also, Judge Brogdon was assigned two complex litigation civil cases while I clerked for him and that provided valuable experience in dealing with pre-trial matters such as discovery issues and summary judgment motions.

(b) Assistant Solicitor Sixteenth Judicial Circuit, York County

I prosecuted a variety of criminal cases for just under three years. I handled both felony and misdemeanor cases. Began trying cases early on and served as lead attorney from the start.

(c) Assistant Public Defender Sixteenth Judicial Circuit, York County

I began my career as a criminal defense lawyer in June of 2002. I worked in that office for a little more than four years. In that job, I represented criminal defendants charged with all manner of offenses from misdemeanors to murder cases. I served as lead counsel in many cases and I also helped other lawyers with their cases when necessary. During my time in the Sixteenth Judicial Circuit Public Defender Office, we were fortunate to have many experienced attorneys to work with and gain experience from.

(d) Assistant Public Defender Twelfth Judicial Circuit, Florence County

My job responsibilities were the same in the Twelfth Judicial Circuit as they had been in the Sixteenth Judicial Circuit.

(e) Assistant Public Defender Twelfth Judicial Circuit, Florence & Marion County

In the fall of 2011, my responsibilities expanded to where I worked as a public defender in both counties of the Twelfth Judicial Circuit. That meant more cases, more trials and more time in court in general. It was at that time that was appointed lead counsel on a death penalty case.

(f) Deputy Public Defender for the Twelfth Judicial Circuit

In August of 2014, I was promoted to Deputy Public Defender for the Twelfth Judicial Circuit. I still have the same kind of case load but have also taken on some administrative duties and working with and advising younger attorneys in our office.

Mr. Meetze further reported regarding his experience with the Circuit Court practice area:

I have been practicing criminal law in General Sessions Court since August of 1999. I was a prosecutor in the Sixteenth Judicial Circuit for a little under three years and during that time I prosecuted individuals charged with non-drug related criminal offenses that carried a penalty of up to fifteen years in prison. In June of 2002 I began work as an Assistant Public Defender in York County. As an Assistant Public Defender I represent indigent defendants charged with anything from lower level misdemeanors all the way up to armed robbery, burglary first degree and murder. In 2006, I was given an opportunity to come back home and work in the Twelfth Judicial Circuit. I accepted a position in the Florence County Public Defender's. In 2011 I expanded my responsibilities by also serving as a public defender for Marion County and I have served both Florence and Marion Counties in that capacity since that time. In 2014 I was promoted to the position of Deputy Public Defender for the Twelfth Judicial Circuit and I have served continuously in that capacity for the past six years. I have continued defending indigent defendants charged with all types of offenses; however; I have a much larger concentration of A, B, and C felonies at this

point. I have defended people in cases involving all levels of criminal activity including major drug trafficking, criminal sexual conduct and murder.

My civil experience from a practical standpoint has been through my involvement in post-conviction relief matters. As a criminal defense lawyer in a public defender's office I have been involved in a number of those hearings in the past five years. As a Judicial Law Clerk, I helped my judge with a number of civil cases including complex litigation cases and observed a number of jury trials. I Also, as a trial attorney I am very familiar with the rules of evidence which are applicable to both branches of Circuit Court. Other than that I have taken two viewed two CLE's, one on E-Discovery and the other being the 2016 Tort Law Update. I have also viewed a civil trial from start to finish and have worked hard studying the Rules of Civil Procedure. I have also served as Co-Dean of the law school at Palmetto Boys State for the past eighteen years where the instruction includes civil court matters.

Mr. Meetze reported the frequency of his court appearances during the past five years as follows:

(a) Federal: I have not appeared in Federal Court any during the past five years;
(b) State: I have appeared in General Sessions Court at least twenty-six weeks a year for the past five years.

Mr. Meetze reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: Zero Percent;
(b) Criminal: Greater than ninety-nine percent;
(c) Domestic: Less than one percent;
(d) Other: Zero Percent.

Mr. Meetze reported his practice in trial court during the past five year as follows:

(a) 100% of cases in trail court.
(b) 10 cases went to trail and resulted in a verdict.
(c) 0 cases went to trial and resolved after the plaintiff's or State's case resolved.

(d) Two cases settled after a jury was selected but prior to opening statements.

Mr. Meetze provided that during the past five years he most often served as sole counsel.

The following is Mr. Meetze's account of his five most significant litigated matters:

(a) *State v. Syllester D. Taylor* (736 S.E. 2d 663, 2013): I handled this case at the trial level. It was trial in absence where I preserved all motions and eventually the conviction was reversed by the Court of Appeals. (694 S.E. 2d 60, 2010) The Supreme Court subsequently reversed the Court of Appeals in the above referenced site. However, even though Mr. Taylor eventually lost his appeal in the Supreme Court by a 3-2 decision, this case is an example of our legal system at work and even though Mr. Taylor was absent from his trial he was represented effectively and was not denied any opportunity or due process of law in spite of his absence.

(b) *State v. Tavario Brunson*: This was a very high profile case in Florence County that I tried along with another attorney. The evidence against Mr. Brunson was quite overwhelming to include a recorded confession and a positive DNA match. Mr. Brunson was convicted of murder and that result was never really in question. I believe this is an important case because it is an example of our Constitution at work. Mr. Brunson exercised his right to a Jury trial and even though the evidence was overwhelming he was provided an excellent defense and to this day I believe it is one of the most well tried cases that I have had the opportunity to be involved.

(c) *State v. Montez Barker* : This is a death penalty case in which I was appointed lead counsel. It is important by the nature of the offense and the fact that a man's life was literally on the line. Death Penalty cases take an extreme amount of work and dedication. You are working as a team with another attorney that has been appointed as second chair as well as fact and mitigation investigators not to mention my client's family was heavily involved as well. We were able to work hard and in the end were

able to spare Mr. Barker's life by negotiating a plea for him where he would not face the death penalty. It takes a lot of work and relationship building to get a capital client to trust you enough to eventually agree that pleading guilty where you will be receiving a life sentence is in his best interest. That is what happened in this case and it is one of the most satisfying results I have ever had in a case.

(d) *State v. Tyquan Jamar Johnson*: This was a case in Florence County that was tried in December of 2018. Mr. Johnson was charged with murder. This was a case where my client maintained his innocence throughout this process. The State had made what I considered a very favorable offer to Mr. Johnson and I advised him that it would be in his best interest to take the offer. He stood his ground and said he didn't do it and he wouldn't plead guilty to something he didn't do. At trial another attorney in my office made our opening statement and I examined all of the witnesses, did the closing argument and made all motions. Mr. Johnson was found not guilty in the face of an eye witness who identified Mr. Johnson as the shooter. Mr. Johnson's cell phone was recovered within a few feet of the deceased. I new that I had worked hard on the case and that I was prepared and could try a great case; however, in our humbling business that doesn't guarantee a favorable result. There were no lessor included offenses charged to the jury so it was all or nothing once the jury got the case. The jury returned a verdict of not guilty. I believe this case is significant because it is an example why it is the client's decision as to whether or not to plead or go to trial. Had Mr. Johnson taken my advice, he would be in prison for a considerable length of time. Even when I was advising him that he should take his deal, I also made sure I reiterated that it is his decision and not mine. Many times clients don't stand their ground. Mr. Johnson did and it worked in his favor.

(e) *State v. Calvin Jermaine Pompey* Unpublished Opinion Number 2015-UP-280:

This was a case where Mr. Pompey was charged with murder in a shooting outside of a night club in Marion,

SC. There had been an altercation inside he club and Mr. Pompey and the people he came with left and went to their car. An individual from the club who was involved in the altercation ran towards Mr. Pompey's vehicle and appeared to be reaching under his shirt giving the appearance of reaching for a weapon. Mr. Pompey was sitting in the passenger seat but had not had the opportunity to close the door. The deceased began entering the car to attack Mr. Pompey. Mr. Pompey got a hand gun out of the glove compartment of the car and fired one shot, killing the individual. I made a motion to dismiss based under the Protection of Persons and Property Act. A hearing was held before The Honorable D. Craig Brown and Judge Brown found that Mr. Pompey was justified in his actions and that the state was barred from prosecuting him pursuant to the act. The state appealed and the Court of Appeals upheld Judge Brown's ruling in the above referenced unpublished opinion.

Mr. Meetze reported he has not personally handled any civil or criminal appeals.

Mr. Meetze further reported the following regarding unsuccessful candidacies:

(a) Candidate for Twelfth Judicial Circuit Public Defender, January 2008. I was not nominated for the position.
(b) Candidate for Twelfth Judicial Circuit Public Defender, December 2011. I was not nominated for the position.
(c) Candidate for Judge, Circuit Court At-Large, Seat 16, fall of 2012. Qualified but not nominated.
(d) Candidate for Judge, Circuit Court At-Large, Seat 9, fall of 2014. Qualified but not nominated.
(e) Candidate for Judge, Circuit Court, At-Large, Seat 10, fall of 2015. Withdrew.
(f) Candidate for Judge, Circuit Court At-Large, Seat 1, fall of 2016. Qualified but not nominated.
(g) Candidate for Judge, Circuit Court At-Large, Seat 13, fall of 2019. Qualified but not nominated.
(h) Candidate for Judge, Circuit Court At-Large, Seat 12, fall of 2020. Qualified but not nominated.

(i) Candidate for Judge, Family Court Twelfth Judicial Circuit, Seat 3, fall of 2021. Withdrew.
(j) Candidate for Judge, Family Court Twelfth Judicial Circuit, Seat 1, fall of 2022. Withdrew.

(9) Judicial Temperament:

The Commission believes that Mr. Meetze's temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Mr. Meetze to be "Qualified" as to the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary comments.
Mr. Meetze is married to Anna Braddock. He does not have any children.

Mr. Meetze reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
(b) South Carolina Association of Criminal Defense Lawyers
(c) Public Defenders Association Board

Mr. Meetze provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) President: United Methodist Men, First United Methodist Church, Marion, SC.
(b) Member: Finance Committee, First United Methodist Church, Marion, SC.
(c) Member of the Trustees, First United Methodist Church, Marion, SC.
(d) Member of the Church Counsel, First United Methodist Church, Marion, SC.

Mr. Meetze further reported:
I grew up in a very supportive family and was fortunate to associate myself with friends that served as very positive influences. These influences from my friends and family played

a significant role in shaping me as a person. They have taught me patience, respect and have instilled in me a tremendous work ethic. Most important, these influences and role models from my parents and family as well as friends both inside and out of the legal profession, taught me how to treat people and have instilled in me a tremendous sense of fairness. I have always believed that the best judges are the ones that treat people with respect and display the proper temperament for the job. I truly believe that these are the qualities that best lend themselves to effective judicial service. If I were to be elected, I would be the kind of judge that worked hard, made decisions on a timely basis and treat everyone that either appeared before me or worked in the court system with the respect they all deserve.

(11) Commission Members' Comments:

The Commission commented that Mr. Meetze is well qualified with a great deal of criminal experience. He was noted to have a very good demeanor and judicial temperament.

(12) Conclusion:

The Commission found Mr. Meetze qualified, and nominated him for election to Circuit Court, At-Large, Seat 8.

Joseph Bias
Circuit Court, At-Large, Seat 11

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Bias has met the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Bias was born in 1984. He is 39 years old and a resident of Lexington, South Carolina. Mr. Bias provided in his application he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2011.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Bias.

Mr. Bias demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to a judge, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Bias reported that he has spent $53.98 in campaign expenditures for name tags, envelopes, and labels.

Mr. Bias testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Bias testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Bias to be intelligent and knowledgeable.

Mr. Bias reported that he has spoken or lectured for the following class, programs, or seminars:

(a) USC School of Law – Civil Litigation Capstone Course (Lead Adjunct Professor)

(b) SC Bar CLE – Mental Health Problems in the Legal Profession & Connection to Lack of Diversity

(c) FERPA and You – High Point University

(d) Ethical Issues in Higher Education - Midlands Tech

(e) COVID & the College – Midlands Tech

(f) The Parking Lot is Full (of Risk) – Presentation at Claims Litigation Management Conference in Dallas, Texas

(g) Volunteer Trial Advocacy Competition Attorney Coach at School of Law for past five years

(h) Volunteer High School Mock Trial Attorney Coach since 2008

Mr. Bias reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Bias did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Bias did not indicate any evidence of a troubled financial status. Mr. Bias has handled his financial affairs responsibly.

The Commission also noted that Mr. Bias was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Bias reported the following about rating by legal rating organizations:

Not aware of any rating or membership status. I have been selected as "Legal Elite" by my peers in Insurance Defense and Education law. The past two years I was the leading vote getter in Education law.

Mr. Bias reported that he has not served in the military.

Mr. Bias reported that he has never held public office.

(6) Physical Health:

Mr. Bias appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Bias appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Bias was admitted to the South Carolina Bar in 2011.

He gave the following account of his legal experience since graduation from law school:

Judicial Law Clerk- Judge Alison R. Lee (August 2011- August 2012)

Served as a lawyer working for Judge Lee; drafted and reviewed judicial orders and legal memoranda for civil and criminal matters; assisted the Judge with trials, hearings, and motions

Richland County Public Defender (August 2012 – September 2013)

Represented clients in bond hearings, motions, preliminary hearings, pleas, and trials; appeared daily in front of circuit and magistrate court judges; regular caseload of over 250 clients

Duff, White and Turner (September 2013 - February 2016)

Civil defense litigation attorney representing school districts, governmental entities, and colleges; areas of practice include labor and employment, government, education, and litigation

McAngus, Goudelock and Courie (February 2016 – October 2017)

Insurance defense attorney, areas of practice included construction law, premises liability, product liability, personal injury

Vernis and Bowling of Columbia (October 2017 – September 2019)

Partner-level managing attorney practicing insurance defense; chaired Firm's Diversity and Inclusion Committee

University of South Carolina School of Law (December 2018 to present)

Adjunct professor in Spring Semesters of Civil Litigation Capstone Course

Midlands Technical College (September 2019 to January 2023)

General Counsel/Special Advisor to the President. Served as sole legal counsel for College, advising administration on a broad array of legal topics relating to College operations. Full time employment ended in January 2023. Contract employee as needed since then.

Womble Bond Dickinson (January 2023 to present)

Serves as outside general counsel to colleges and universities.

Mr. Bias further reported regarding his experience in the Circuit Court practice area:

My first experience in criminal matters was as a clerk for Judge Lee, sitting beside her on the bench as she held General Sessions court in Richland County. In this role, I was responsible for working with solicitors to run court, reviewing paperwork on plea deals, and assisting the judge with judicial orders. The following year, I worked as a Richland County Public Defender, representing my clients in pleas, hearings, motions, and trials. In my time as a PD, I regularly kept a caseload of over 250 clients, appeared in court nearly every day, and gained much needed courtroom experience. I have not practiced criminal law since 2013.

Prior to going in-house, I was a civil litigator for six years, and I currently teach a well-attended and popular course at USC School of Law on Civil Litigation. My course goes through the lifeline of a case, from the initial client meeting to discovery to depositions and ending at mediation. Our course provides the prospective of both Plaintiff and Defense counsel to prepare our students for the real world of litigation.

In my position immediately before joining Midlands Technical College, I was the Litigation Managing Attorney for the Columbia office of Vernis and Bowling. In that role, I had a large caseload of insurance defense cases, regularly appearing in state and federal courts on behalf of my clients. I regularly handled personal injury cases, premises liability matters, products liability, and construction law issues across the state. Like many litigators these days, few of those cases went to trial, with most settling at or before mediation. Because I have been a General Counsel or Counsel attorney for most of the past five years, I have only a few court appearances in that time period (mostly roster meetings or trial observations).

I believe my intense practice as a public defender and my length of experience in Common Pleas court will give me the requisite procedural knowledge for this position.

Mr. Bias reported the frequency of his court appearances prior to his election to the bench as follows:
(a) federal: "Probably once or twice in 2018 or 2019 before taking MTC position."
(b) state: "Monthly in 2018, if not more."

Mr. Bias reported the percentage of his practice involving civil, criminal, domestic and other matters as follows:
(a) Civil: 90%
(b) Criminal: 0%
(c) Domestic: 0%
(d) Other: 10%

Mr. Bias reported the percentage of his practice in trial court as follows:
(a) I do not recall going to trial in 2018, I may have done a magistrate case. All of my cases were in trial court.
(b) Upon information and belief, zero. A majority of that time I was in-house.
(c) Upon information and belief, zero. A majority of that time I was in-house.
(d) None

Mr. Bias provided that during the past five years he most often served as a sole counsel.

The following is Mr. Bias's account of his five most significant litigated matters:
(a) Pelzer v. GMRI Inc. This is an example of a case where I did a significant amount of preparation to get ready for a trial or mediation. It was a slip and fall case where the story didn't add up. Through deposition, I was able to extract significant facts that resulted in a minimal loss for my client.
(b) Shields v. North American Title Loans (2016-CP-27-00463). This was a matter where I was able to use

discovery to assist my client to result in an ultimate dismissal.

(c) Anderson v. Midlands Technical College. I inherited this matter from a previous General Counsel while working for MTC. As in-house counsel, it was significant because it required me to work closely and actively with outside counsel to achieve a favorable result for the College.

(d) Dickerson v. John Doe (2015-CP-40-5692). Significant and memorable because it was an empty chair case. I was able to move for summary judgment (which I lost), but the information presented during that process resulted in dismissal with prejudice by the Plaintiff.

(e) Porter v. Laba (2018-CP-39-00204). Significant for me because the facts were horrible for my client and the case was a loser from the get-go. I use this case as an example to my students as one where we still owe the client a duty to represent them to our fullest extent and that sometimes we're going to lose (and that's ok).

Mr. Bias reported that he has not personally handled any civil or criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. Bias's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Bias to be "Qualified" as to the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Will do well on the Trial Bench."

Mr. Bias is married to Yasmine Bias (Gabr). He has one child.

Mr. Bias reported that he was a member of the following Bar and professional associations:

(a) SC Bar Association – House of Delegates since 2019

(b) SC Young Lawyers Division

(c) Richland County Bar
(d) Lexington County Bar
(e) SC Black Lawyers Association

Mr. Bias provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) South Carolina Bar Young Lawyers Division "Young Lawyer of the Year" for 2019
(b) Richland School District Two Black History Month Honoree for Community Contributions to Education in 2022
(c) South Carolina Bar Leadership Academy Graduate, 2022
(d) Jonathan Jasper Wright Award for service from USC School of Law Black Law Students Association, 2021
(e) "Best and Brightest 35 and Under" from Columbia Business Monthly, 2020
(f) Elected to SC Bar's House of Delegates, 2019
(g) South Carolina Supreme Court's "Pro Bono Honor Roll" 2019-2023
(h) The State Newspaper's (Columbia, SC) "20 Under 40" in 2018
(i) South Carolina Black Pages "20 Under 40" in 2019
(j) Selected by peers as one of Columbia's "Legal Elite" by Columbia Business Monthly Magazine from 2018- 2022
    -Insurance Defense: 2018, 2019; Education: 2020, 2021, 2022
    -Leading vote getter among Midlands attorneys in Education Law for 2022 and 2023
(k) South Carolina Lawyer Weekly's "Leadership in Law" Selection for 2018
(l) 2017 Law Related Education Lawyer of the Year from the South Carolina Bar
(m) Wofford College Young Alumni Leadership Council Member

Mr. Bias further reported:

I take very seriously our obligation as attorneys to be representatives of the Court at all times and have tried to live my life in preparation for this position one day. I have taught students, from middle school to law school, for years and have done my best to expose students to the legal system, the judicial

process, litigation, and strategies relating to trial advocacy. In this position, I believe someone with my background would transition well to explaining to members of the general public, as well as attorneys, complex legal issues and to keep a steady demeanor (with the requisite amount of patience and humor) while doing so. I would be thrilled to continue to serve as a mentor for students and an example that if this son of a Polish immigrant and black school nurse can become a judge, anyone can.

(11) Commission Members' Comments:

The Commission respected and found admirable Mr. Bias's humility, and noted that his upbeat optimism for problem solving and public service should prove inspirational to those he mentors as well as to litigants in the courtroom.

(12) Conclusion:

The Commission found Mr. Bias qualified, and nominated him for election to Circuit Court, At-Large, Seat 11.

The Honorable Russell D. Hilton
Circuit Court, At-Large, Seat 11

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Hilton meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Hilton was born in 1978. He is 45 years old and a resident of Ridgeville, South Carolina. Judge Hilton provided in his application he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2005.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Hilton.

Judge Hilton demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to a judge, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Hilton reported that he has made $207.73 in campaign expenditures for priority mailing, paper/stationery, postage, and nametags.

Judge Hilton testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Hilton testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Hilton to be intelligent and knowledgeable.

Judge Hilton reported that he has taught the following law-related courses:

(a) CLE presentation at the Dorchester County Bar Association. Representing and Communicating with Incarcerated Clients. CLE # 166303. August 14, 2016. Along with speaking about how best to represent and communicate with clients that are in jail, we also toured the newly built Dorchester County Detention Center.
(b) Lectured at the Summerville Police Department on several occasions for the Officer Block Training Program. The classes focused on officers' testimony at preliminary hearings.
(c) Taught basic criminal and legal principles to the Dorchester County Sheriff's Office cadet training program. This was an academy program created within the Sheriff's Department

where students went through a multi-week training on law-enforcement fundamentals.

(d) Lectured at the Charleston School of Law for the "Criminal Sentencing" class discussing real-world sentencing and reviewing recent sentencing examples and cases in South Carolina.

Judge Hilton reported that he has published the following: Hilton, R 2014, "Stop Losing Clients Over Your Fear of Payment Plans", Lawyerist.com: https://lawyerist.com/news/stop-losing-clients-fear-payment-plans/

(4) Character:

The Commission's investigation of Judge Hilton did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Hilton did not indicate any evidence of a troubled financial status. Judge Hilton has handled his financial affairs responsibly.

The Commission also noted that Judge Hilton was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Hilton reported that his last available rating by legal rating organizations were as follows:

(a) I have an Avvo rating of 10 out of 10.
(b) I have a Martindale Hubbell Peer Review rating of 4.5 out of 5.
(c) I have a Justia rating of 10 out of 10.

Judge Hilton reported that he has not served in the military.

Judge Hilton reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Hilton appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Hilton appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Hilton was admitted to the South Carolina Bar in 2005.

He gave the following account of his legal experience since graduation from law school:

(a) Assistant Solicitor for the First Judicial Circuit Solicitor's Office (Dorchester), 2005-2011: I prosecuted General Sessions and many magistrate/municipal level cases. My prosecution duties included case review, communication with victims, handling preliminary hearings, indictments, and any guilty plea or trial for cases to which I was assigned. During much of this time, my office was in the Dorchester County Courthouse, where I managed and facilitated the scheduling of, and witness testimony before the Grand Jury. Additionally, I handled most of the bond estreatments, civil asset forfeitures, and represented the state on magistrate level appeals to the Circuit Court.

(b) Senior Assistant Solicitor for the First Judicial Circuit Solicitor's Office (Dorchester), 2011-2013: In addition to a full General Sessions case load as described above, I assigned cases to other prosecutors, advised and directed other prosecutors with their cases, made most of the financial decisions on purchases or approval of spending funds, approved cases for Pre-Trial Intervention and other diversion programs, approved employee leave, resolved employee issues, and had signatory authority on all of the accounts held by the Dorchester Office of the First Circuit Solicitor's Office. As the Senior Assistant Solicitor, my caseload became more focused on most serious/serious and violent crimes. I handled countless murder cases, armed robberies, burglaries, sexual assault cases, and tried dozens of cases to jury verdict. During my time at the Solicitor's

Office as a prosecutor, I handled thousands of felony criminal cases.

(c) Member/Owner of Russell D. Hilton, Attorney at Law, LLC, 2013-Present: As a solo practitioner, I meet and contract with new clients and interact with them throughout their case. I manage all the firm accounts including the IOLTA, ensure all financial obligations such as taxes and professional fees are met, resolve any necessary employee issues, and manage all other business matters for my office. Additionally, I am the only attorney on the client's case and appear at any necessary court dates. I represent the client by providing legal advice and all other obligations resulting from the lawyer-client relationship. As a solo practitioner, my practice has intentionally consisted mainly of representing clients in criminal matters, but I have also handled civil cases involving property, construction, personal injury, contracts, statutory public road closure litigation, administrative appeals, and a myriad of civil, probate and other legal issues including trials and contested hearings. I have also been appointed as the guardian ad litem in probate guardian and conservator matters, as well as litigated other probate issues, in addition to drafting wills, powers of attorney, and other health care documents.

(d) Contract Attorney for South Carolina Commission on Indigent Defense (SCCID), 2015-2016: As an indigent defense contract attorney, I received cases in which the public defender's office had a conflict of interest such that external representation was required. These cases were handled just as any private client, with the distinction of payment coming from SCCID instead of the client. I tried many of these cases to jury verdict or picked a jury before ultimately resolving the case in an agreeable plea offer for my client.

(e) Dorchester County Bar Association, Bar President, 2017-2018: As president, I led the efforts in organizing and planning our meetings, events, and CLEs.

(f) Special Referee, appointed by The Honorable Diane S. Goodstein, October 18, 2018: Section 14-11-60, of the SC Code of Laws, allows a Circuit Court judge to appoint a "special referee" when the Master-in-Equity is conflicted or unavailable. I was appointed by court order to serve as

the special referee for a civil case in Common Pleas in Dorchester County. I was tasked with reviewing, in camera, documentation related to telephone records to determine which information would be discoverable to the adverse party.

(g) Part-Time Municipal Court Judge for the Town of Moncks Corner, South Carolina, 2023-Present: In my role as the associate municipal judge, I sign search and arrest warrants as necessary, and preside over municipal court, including jury trials, bench trials, and any sentencing.

Judge Hilton further reported regarding his experience with the Circuit Court practice area:

Criminal: During my career as a prosecutor and now solo practitioner, I have handled thousands of varying criminal cases and continue to do criminal work on a daily basis. In the past five years, I have handled criminal matters including General Sessions and Magistrate/Municipal level offenses. These cases have included issues of the Protection of Persons and Property Act (16-11-410 et seq.), as well as multiple murder, burglary, and other complicated criminal offenses. Over my career, I have represented the State as a prosecutor, and as a private practitioner, I have represented defendants, and victims and their families in criminal court. On occasion, other attorneys have associated me to assist them in their criminal cases. Largely due to the COVID pandemic, I have not had any General Sessions trials in the past 5 years. However, over my career I have tried 27 felony cases to verdict as either a prosecutor or defense attorney. I have gone through numerous jury selections before coming to a resolution prior to a trial, and I have handled thousands of guilty pleas. One of my last General Sessions trials was State v. Edward Bonilla. I was appointed to represent the defendant on the charge of murder. The Public Defender's office was conflicted because his public defender revealed the location of the victim's body to law enforcement. This became one of the major issues in the case that was novel for South Carolina courts and is explained in more detail in question 15 below. I have also handled many bond hearings, preliminary hearings, and other matters that are commonly heard in General Sessions Court.

Juvenile: I have represented countless juveniles in criminal cases. While not directly in Circuit Court, I have handled waiver cases that originated in Family Court and one that incorrectly originated in the Circuit Court and was remanded to Family Court.

Civil: Though I have narrowed my practice to predominantly criminal matters, I have considerable experience in civil cases, as well. In the past 5 years, I have represented plaintiffs in quite a few personal injury cases involving automobile accidents, a case involving foreign matter in food, medical malpractice, false imprisonment, dog bite, negligent supervision, and many other torts. Some have involved wrongful death and minor settlement approvals by the court, as well as varying legal issues related to liability, insurance coverage, and other matters. While most have settled without the necessity of filing suit, I was co-counsel in a complex product liability case in Federal Court involving a defective climbing tree stand. The case had massive amounts of discovery, in-depth issues on choice-of-law and jurisdiction, as well as overcoming issues surrounding the proper use of a safety harness. In representing the plaintiff, we were seeking compensatory and punitive damages due to allegations of similar product failures and our belief the company was aware of the failures. The case lasted approximately 2 years and ended in 2019 with a settlement agreement being reached during jury selection. Presently, I am serving as local counsel for an Indiana attorney who has been admitted pro hac vice. The case involves some parallel criminal issues as well as civil causes of action for breach of contract, breach of trust, Unfair Trade Practice Act violations, and other causes of action. Beyond the past 5 years, I was the sole attorney on a prescriptive easement case that proceeded through discovery, mediation, and ultimately trial. I represented the defendants in that case, who obstructed a road by building a berm and were attempting a permanent closure of the road. The case involved property rights, along with damages claimed by the plaintiffs. It was resolved with a verdict by the Master-In-Equity after a multi-day trial. I also defended a client in the Court of Common Pleas where my client was being sued over an owner-financed home. The case ended with a trial resulting in a verdict for my client.

Over the past 5 years, except during the pandemic closures, I have appeared in Circuit Court multiple times per month. I would estimate I appear in Circuit Court between 4 to 8 times on an average month.

Judge Hilton reported the frequency of his court appearances as follows:
(a) federal: Rarely
(b) state: I often appear daily in state court (Circuit, Magistrate, or Municipal), sometimes multiple courts and appearances per day. There are usually 1 to 2 days per week where I do not have court appearances scheduled.

Judge Hilton reported the percentage of his practice involving civil, criminal, domestic and other matters as follows:
(a) Civil: 10%
(b) Criminal: 85%
(c) Domestic: 0%
(d) Other: 5%

Judge Hilton reported the following about his practice in trial court:
(a) 98% was in trial court, including cases that settled prior to trial;
(b) 3 cases went to trial and resulted in a verdict;
(c) 0 cases went to trial and resolved after the plaintiff's or State's case;
(d) 3 settled after a jury was selected but prior to opening statements.

Judge Hilton reported that during the past five years, he most often served as sole counsel.

The following is Judge Hilton's account of his five most significant litigated matters:
(a) State v. Donsurvi Chisolm (2015–UP–501, Unpublished Opinion). This was a Dorchester County case that I prosecuted. The defendant was charged with murder and the case proceeded to trial. The allegations were that he and two acquaintances were riding around when he produced a pistol and shot the front seat passenger,

killing him. The defendant then threw the gun into a swamp and cut the seatbelt out of the SUV to attempt to eliminate any trace evidence among other things. After multiple hearings, the defendant chose to exercise his right to self-representation, and proceeded pro se. The case presented some unusual security issues in the courtroom in that the defendant was actually the one examining witnesses and speaking directly to the jury. Most interestingly, the defendant was former military, clearly educated, intelligent, and had studied the applicable law and facts in his case. The case presented an interesting problem for the prosecution, in that I, nor law enforcement, ever determined exactly why he shot the victim. While the back seat passenger participated in the prosecution, he also did not know why the victim had been shot. I was able to overcome the motive issue and catch the defendant attempting to present false testimony through his sister when she testified that she previously owned the car and had cut the seatbelt to avoid being trapped in the car with an abusive boyfriend. We had an expert testify that to remove the seatbelt in the manner in which it had been removed, the casing would have to be removed and then the seatbelt cut close to the reel with a razor. The case was won predominantly when the sister (sequestered during the expert's testimony) testified that she cut the strap with some scissors, allowing the remaining strap to coil up in the reel. The defendant was found guilty of murder and sentenced to life.

(b) State v. Edward Primo Bonilla (reported as State v. Bonilla, 838 S.E.2d 1 (S.C. App. 2019)). This case was appointed to me on an indigent defense contract. I served as defense counsel for the defendant who had been charged with murder. The defendant was accused of meeting the victim on a dating app, killing her, and burying her body in a shallow grave in upper Dorchester County. Originally the case was handled by the public defender's office and there was a disclosure of the location of the victim's body by the defendant's attorney. This disclosure created a conflict with the public defender in that there then became an issue as to whether the disclosure was based on informed consent and if the

consent was voluntary. This case presented a complex novel issue for South Carolina jurisprudence regarding the "Rule 1.6 Hearing." The case also involved many issues of expert testimony, search warrant issues, magistrate jurisdiction and other Fourth Amendment issues, as well as balancing media rights against the rights of the defendant. The case was heavily covered in the media as the "Kik" app murder and lasted a full week. Ultimately, the defendant was found guilty of murder at trial.

(c) State v. DR (expunged, not reported). I served as defense counsel for the defendant. The case involved an individual who had pointed a firearm at someone who threatened to fight him. DR was in his 70s, of small stature, and was the homeowner's association president for his neighborhood. The HOA had issues with people coming to do "Pokémon raids" whereby they would appear in large groups at the HOA gazebo and search for digital caricatures placed via coordinates. DR was on his property, near the end of his driveway, when he told the individuals they needed to leave immediately. One of them took an intimidating stance, poured out his drink, and made threatening remarks towards DR. As the guy got in his car and drove approximately 100 feet to DR's driveway, DR reached in his car, grabbed a pistol, and held it by his side. When the individual pulled up and went to get out of his car, DR pointed the gun at him and told him to get out of there. Bystanders called police and law enforcement responded but did not arrest DR. Instead, law enforcement created an incident report and returned DR's gun. Unknown to DR, law enforcement issued a warrant and six months after the event, DR was served and arrested for Pointing or Presenting a Firearm. I filed a motion to bar prosecution under the Protection of Persons and Property Act ("Stand Your Ground" law). The State argued that the act did not apply because he only "presented" deadly force and did not actually "use" deadly force. I argued that this was clearly contrary to public policy and against the intent of the legislature. The Court granted protection and the case was barred further prosecution. The charge was dismissed and expunged.

(d) Carter v. Kemmerlin (not reported). I served as counsel for the defendants in a civil case involving the plaintiff's suit to establish a prescriptive easement over one parcel of property to an adjoining parcel. The case was significant because it involved in-depth property law and issues regarding adverse possession, prescription, property interests, chain of title, and other issues. The case began in Circuit Court and was referred to the Master-in-Equity by agreement. The matter progressed from discovery to mediation to trial. The case ended after a multi-day trial before the Master-in-Equity. The Court ruled in favor of the plaintiffs on the issue of the prescriptive easement, but significantly lessened the damages sought.

(e) *State v. McCombs,* 762 S.E.2d 744 (S.C. App. 2014), vacated after Defendant's death by 772 S.E.2d 510 (S.C. 2015). McCombs was a case that I prosecuted while in the Solicitor's Office. The case involved a lewd act on a minor where the defendant had been charged and convicted previously on eerily similar conduct. Pretrial, I sought to introduce evidence of the prior bad act through testimony of the previous victim that we had located and brought in from out of state. Over a two-day period, I offered evidence and argued for the admissibly of the prior bad acts to show a common scheme or plan under Rule 404(b), SCRE. The trial judge held that the evidence of the prior lewd act was inadmissible despite the striking similarities in the details. I believed the decision was in error and contrary to the rule of evidence and case law. On behalf of the State, I appealed the Court's decision. The appeal was handled by the Attorney General's office, but the trial judge's decision was reversed by the Court of Appeals and a published opinion issued. However, the decision was later vacated by the Supreme Court after the defendant died during the pendency of the appeal.

Judge Hilton reported the following with regards to civil appeals that he has personally handled:

While I have never handled a civil appellate case in the Court of Appeals or the Supreme Court, I did handle a civil appeal to the

Circuit Court involving a landlord/tenant dispute where I represented the landlord.

Judge Hilton reported the following with regards to criminal appeals that he has personally handled:
(a) I have filed appellate paperwork on behalf of the State and defendants but have never had to argue a criminal appeal in the South Carolina Court of Appeals. However, I have argued many criminal appeals to the Circuit Court for Magistrate or Municipal Court cases.

Judge Hilton reported that he has held the following judicial office(s):
(a) Circuit Court Special Referee, appointed by The Honorable Diane S. Goodstein, First Judicial Circuit, October 18, 2018: As special referee, I had the statutory authority equivalent to the Master-in-Equity. I was appointed to review discovery in a civil matter regarding an automobile accident and determine which information would be discoverable to the adverse party.
(b) Municipal Court Judge for the Town of Moncks Corner, part-time, appointed by Town Council, 2023 – Present: The municipal court's jurisdiction is typically limited by statute to criminal matters carrying a fine of up to $500 and/or incarceration of up to 30 days in jail. There are some exceptions to this jurisdictional rule which allow the court to handle matters of greater penalty.

Judge Hilton provided the following information about his most significant orders and opinions:
As a municipal judge, I have not issued any orders that would be considered "significant".

Judge Hilton reported the following regarding his employment while serving as a judge:
While serving as the part-time Associate Municipal Judge for the Town of Moncks Corner (2023 – present), I am also the Owner/Member of Russell D. Hilton, Attorney at Law, LLC (2013 – present).

(9) Judicial Temperament:

The Commission believes that Judge Hilton's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications reported Judge Hilton to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Extremely well qualified, very deep trial experience, smart, personable, diverse experience, impressive in every way, would make a great circuit judge."

Judge Hilton is married to Elizabeth Brewer Hilton. He has no children.

Judge Hilton reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar – 2005 to Present.
(a) Dorchester County Bar Association – 2005 to Present, President 2016-2017.
(b) Berkeley County Bar Association – 2013 to Present.
(c) South Carolina Association of Criminal Defense Lawyers (SCACDL) – 2014 to Present.
(d) National Association of Criminal Defense Lawyers (NACDL) – 2020 to Present.
(e) DUI Defense Lawyers Association (DUIDLA) – 2018 to Present.

Judge Hilton provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Lowcountry Flying Club, Member since 2020. President, 2023-Present. Maintenance Liaison, 2021-2023.
(b) Friends of the USVI National Park.
(c) EAA (Experimental Aviation Association).
(d) Cypress Church, Administrative Council and Chairperson of Trustees, approximately 1995 to present.
(e) Mimms Lake Fishing Club (SC Audubon Society), Member since 2020.

(f) DUI Defense Lawyers Association (DUIDLA).
(g) South Carolina Association of Criminal Defense Lawyers (SCACDL).
(h) National Association of Criminal Defense Lawyers (NACDL).
(i) Berkeley County Bar Association.
(j) Dorchester Bar Association.

Judge Hilton further reported:
Over the past 45 years of my life, I have spent over half of that time practicing law or working in the legal field. Fortunately, I have not limited myself to law and have done many other things along the way which I believe contribute to a skillset and personality that would be beneficial to a Judge. Over the years, I have done a tremendous amount of woodworking, became an avid fly-fisherman, a private pilot, a beekeeper, a musician, husband, homebuilder, uncle, and many other things to many people. I believe too much of one thing limits a person's ability to truly thrive. I have been fortunate enough to have family, friends, and a spouse support me in many endeavors, and this has all contributed to the attorney and person that I have become. I am more than grateful to be in the position to apply for this seat and would be truly humbled to have it.

(11) Commission Members' Comments:
The Commission noted the glowing recommendation from the Lowcountry Citizens Committee regarding Judge Hilton. The Commission also recognized that while much of Judge Hilton's current practice is in the criminal area, he does have considerable past civil experience.

(12) Conclusion:
The Commission found Judge Hilton qualified and nominated him for election to Circuit Court, At-Large, Seat 11.

The Honorable Milton G. Kimpson
Circuit Court, At-Large, Seat 11

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Kimpson meets the qualifications prescribed by law for judicial service as a Circuit Court Judge.

Judge Kimpson was born in 1961. He is 63 years old and a resident of Columbia, South Carolina. Judge Kimpson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1986.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Kimpson.

Judge Kimpson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to Judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Kimpson reported that he has made $141.41 in campaign expenditures for postage and copying.

Judge Kimpson testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Kimpson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Kimpson to be intelligent and knowledgeable.

Judge Kimpson reported that he has taught the following law-related courses:

(a) Presentation on *Travelscape v. SC Department of Revenue*, 391 S.C. 89, 705 S.E.2d (2011) to Multi-State Tax Commission Litigation Committee meeting in Nashville, TN, March 8, 2022
(b) Presenter at SC Attorney General CLE; Department of Revenue Practice, June 17, 2021
(c) State Tax Law Update, Columbia, Tax Study Group, October 16, 2012
(d) SCDOR Case Law Update at State and Local Tax Seminar March 21, 2013
(e) Presentation on SCDOR Data Breach at Cyber Security Seminar hosted by state of Wisconsin, Milwaukee, WI, October 2013
(f) SCDOR Case Law Update Presentation to SC Bar Tax Section during SC Bar Convention, Jan 24, 2015
(g) SCDOR Case Law Update presentation to Columbia Tax Study Group, February 14, 2015
(h) Presentation on DHEC Certificate of Need Program and SCDOR Regulatory Practice at SC Black Lawyers retreat, September 17, 2015
(i) Panelist, "Good Decisions for Yor Legal Education and Career,' USC School of Law, November 16, 2017
(j) Panelist, "Appearing at the ALC – Dos and Don'ts", SCARLA CLE, February 21, 2020
(k) Panelist, Young Lawyers Division Mentoring Lunch on Administrative Law, January 21, 2020
(l) Panelist, Judges Perspective on Advocacy or Oral Argument, Appellate Advocacy Workshop, SC Bar CLE Division, November 18, 2022**,**
(m) Presenter, Administrative Law, On- Demand Video, SC Bar Administrative and Regulatory Law Committee, December 8, 2022**.**

Judge Kimpson reported that he has published the following: *South Carolina Practice Manual, Criminal Law*, Volume Three (SC Bar CLE 2003), contributing author, Chapter on Military Law

(4) Character:

The Commission's investigation of Judge Kimpson did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Kimpson did not indicate any evidence of a troubled financial status. Judge Kimpson has handled his financial affairs responsibly.

The Commission also noted that Judge Kimpson was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Kimpson reported that his last available rating by a legal rating organization, Martindale Hubbell, was Distinguished.

Judge Kimpson reported the following military service:
I served on active duty in the U.S. Army as an officer in the Judge Advocate General's Corps (JAGC) from January 1987 to December 1991 and continued service in the US Army Reserves from 1992 – 1995. My highest rank was Captain and I received an Honorable Discharge. I have no current duty status.

Judge Kimpson reported that he has held the following public office:
Prior to election to ALC, from July 2010 to June 2017, I served as Deputy Director and General Counsel for Litigation at the SC Department of Revenue and filed annual reports with the State Ethics Commission. I have continued to file timely reports since becoming an ALJ in 2017.

(6) Physical Health:

Judge Kimpson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Kimpson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Kimpson was admitted to the South Carolina Bar in 1986.

He gave the following account of his legal experience since graduation from law school:

(a) SC Department of Health and Environmental Control, law clerk and brief stint as a Staff Attorney practicing administrative law until entry into U.S. Army JAGC. No management responsibilities; no trust accounts.

(b) JAGC, Fort Sill, Oklahoma; Legal Assistance Officer: General civil practice assisting military members, families and retirees with wills, powers of attorney and family law; March 1987 -June 1988; Trial Counsel (military prosecutor) prosecuting soldiers for crimes under Uniform Code of Military Justice; June 1988 – March 1990. No management or trust account responsibilities.

(c) JAGC, Fort Jackson, SC; Chief Legal Assistance Officer: General civil practice assisting military members, families and retirees with wills, powers of attorney and family law; Miliary Magistrate – whether to impose pretrial confinement for military personnel accused of crimes under USCMJ; March 1990 – December 1991; administrative management (personnel) responsibilities but no trust accounting.

(d) Johnson, Toal & Battiste, P.A. Jan 1992- Dec 1993; Associate at general civil practice firm doing civil litigation, real estate, family law, personal injury and criminal law. No management or trust account responsibilities.

(e) Glen Walers, P,A.: Jan. 1994 – March 1994; temporary position in a general practice firm in Orangeburg, SC; family law and personal injury; no management or trust account responsibilities. .

(f) Gerald & Kimpson, LLP; March 1994-December 1998; partner in general practice firm; civil litigation, criminal litigation, family law, personal injury and real estate. Shared administrative and financial management responsibilities, to include management of real estate trust account (IOTA).

(g) Richland County Department of Social Services; July 1995- December 1988. Contract attorney prosecuting abuse and neglect cases in Family Court. Performed contract work while in private practice as Gerald & Kimpson, LLP. No administrative, financial or trust account responsibilities.

(h) Milton G. Kimpson, P.A.; January 1999-Dec 2002. Solo practitioner in general practice, including civil litigation, family law, personal injury, real estate and criminal law. Performed administrative and financial management responsibilities to include trust accounting – general and IOTLA real estate accounts.

(i) SC Department of Labor, Licensing and Regulation. Contract attorney serving as counsel to contractors' board. One or two hearings in December 2001-2002. Performed as contract attorney while in private practice as Milton G. Kimpson, PA. No administrative, financial or trust account responsibilities.

(j) South Carolina Department of Revenue; Jan. 2003 – 2010; staff attorney performing state tax and regulatory litigation before ALC, state and federal courts. In 2006, became Managing Attorney for Honors Litigation Program with administrative management responsibilities. No financial management or trust accounting responsibilities.

(k) South Carolina Department of Revenue; July 2010-June 2017. General Counsel for Litigation handling state tax and regulatory cases before ALC, state and federal courts. Performed administrative responsibilities with limited budget responsibilities for section. No trust accounting.

(l) SC Administrative Law Court; July 2017 to present; serve as Administrative Law Judge presiding over administrative cases – de novo trials and appeals – arising out of state agency decision under the Administrative Procedures Act. No administrative, financial or trust accounting responsibilities.

Judge Kimpson further reported regarding his experience with the Circuit Court practice area:

Since July 2017, I have served as an Administrative Law Judge so that I have not engaged in the practice of law since that time. However, prior to going to the ALC, I had a variety of experiences in the courts of this State and the Federal government. In terms of criminal law, I served in the U.S. Army as a Military Prosecutor handling criminal cases under the Uniform Code of Military Justice. While the majority of these cases were drug offenses and crimes such as assaults, I was able to obtain a conviction against a soldier in a rape case. After

leaving the military and entering private practice, I handled magistrate court level criminal cases – assault and battery, traffic tickets - as well a few criminal cases in General Sessions (trespassing and murder) and Federal Court (co-counsel in a case in which my client was charged with arson and unlawful possession of gun) – all representing defendants. I ended my private practice in December 2002 and joined the SC Department of Revenue where I did not normally practice criminal law but did serve as co-counsel in one criminal trial in General Sessions involving tax evasion (which ended in a negotiated plea). As an ALJ, I am routinely confronted with sentencing issues in reviewing cases on appeal from the Department of Probation, Parole and Pardon Services. While my most recent criminal law experience has been limited, I believe that thorough research on the developments in criminal law at the State and Federal levels will help me to prepare for this position. I have learned as a ALJ that it is not only important to be well versed in the practice of law but also to understand the theory and precedents supporting it.

My background in civil court has included time in private practice where I tried cases before the Circuit Courts of this State and Federal District Courts involving a number of issues ranging from general civil matters, personal injury and employment discrimination. In this role, I developed years of experience in filing complaints, engaging in discovery and actual trial and appellate work. At the Department of Revenue, I litigated tax and regulatory (beer and wine permits, liquor licenses) cases at the ALC and argued appeals before the SC Appellate courts, as well as State and Federal trial and Appellate courts. I represented the Department in class action lawsuits in Circuit Court involving state sales tax issues and data breach issues. I believe that all of these experiences have prepared me to be an effective Circuit Court judge.

Judge Kimpson reported the frequency of his court appearances prior to his service on the bench as follows:

(a) Federal: Two to three times a year;

(b) State: Frequent appearances in Circuit Court and Appellate Courts – approx.. two to three times a month; before the ALC, approximately seven times a month.

Judge Kimpson reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:

(a) Civil: Thirty (30%) in State courts while in private practice; 15% in State courts while at Department of Revenue;

(b) Criminal: One criminal trial while at the Department of Revenue; infrequent criminal appearances in five years prior to joining the Department;

(c) Domestic: While in private practice, approx.. 30% of time spent in Family Court;

(d) Other: Prior to becoming an ALJ, approx. 70% of practice involved appearances before the ALC.

Judge Kimpson reported the percentage of his practice in trial court prior to his service on the bench as follows:

While in private practice, approx. 50% of my practice included work in State trial courts, to include Family Court; at Department of Revenue, approximately 30% of my work consisted of representing the agency in State trial courts on motions and trial work. Approx. 70% of time at the Department of Revenue was involved with representing the agency at the ALC.

The following is Judge Kimpson's account of his five most significant litigated matters:

(a) *Travelscape v. SC Department of Revenue*, 391 S.C. 89, 705 S.E.2d 28 (2011). One of the first appellate court decisions in the United States subjecting on-line travel companies (Expedia) to state sales taxes for renting hotel rooms in the State. I was lead counsel at ALC; the taxpayer appealed from a decision in favor of the Department and I argued the appeal at the SC Supreme Court

(b) *Home Medical v. SC Department of Revenue*, 382 S.C. 556, 677 S.E.2d 582 (2009). Home medical supply company sought sales tax exemption in contravention of Department of Revenue's longstanding interpretation of regulations. I handled case at the ALC and lost on summary judgement. I argued appeal at the SC Supreme Court; the Court reversed the ALJ's decision upholding principle that ALJs' lack the authority to disregard duly promulgated regulations. Also stands for proposition that

motions for reconsideration are valid procedural tools at the ALC.

(c) *SC Department of Revenue v. Anonymous Company A*, 401 S.C. 513, 678 S.E.2d 255 (2008). Nationwide sales tax issue whereby automobile finance companies were seeking sales tax refunds on installment sales contracts that had become uncollectable. The Department denied the refund request and the taxpayer appealed to the ALC. I was the lead counsel at trial at the ALC. The ALC ruled for the finance company on a novel question of statutory interpretation. I argued the Department's appeal at the SC Supreme Court. The Court reversed the ALC, bringing SC in line with other state courts that had addressed the sales tax issue.

(d) *CSX Transportation v. SC Department of Revenue*, 2016 WL 3162178 (SC D.S.C. June 7, 2016), *vacated and remanded*, 851 F3rd 320(4th Cir. 2017). Railroad filed suit against Department alleging unlawful discrimination in the application of South Carolina's property tax exemption statute. I served as lead counsel at trial. Federal District judge ruled in Department's favor. Case was significant because midway during discovery, the U.S. Supreme Court released a decision affecting the body of law; we amended our answer to assert new defenses. Furthermore, we were facing a law firm that had a great deal of experience litigating these issues nationwide so we were definite underdogs.

(e) *Drummond v. SC Department of Revenue*, 378 S.C. 362, 662 S.E,2d 587 (2008). Class action civil lawsuit seeking sales tax exemption for certain diabetic supplies. The Department did not interpret the statute and regulation to allow the exemption. I acted as co-counsel in Circuit Court. The Circuit Court granted summary judgment in the Department's favor; thereafter, the plaintiff appealed. I argued the appeal to the SC Supreme Court; the Court affirmed on the regulatory issues and the principle that tax cases should be initiated under the Revenue Procedures Act. The Supreme Court remanded on a statutory issue - I served as lead counsel at subsequent trial. After several days, the Plaintiffs dismissed the case.

The following is Judge Kimpson's account of five civil appeals he has personally handled:

(a) *Drummond v. SC Department of Revenue*, 378 S.C. 362, 662 S.E,2d 587 (2008).
(b) *CSX Transportation v. SC Department of Revenue*, 851 F.3d 320 (4th Circuit Court of Appeals, 2017).
(c) *SC Department of Revenue v. Anonymous Company A*, 401 S.C. 513, 678 S.E.2d 255 (2008).
(d) *Lexington County Health Services District v. SC Department of Revenue*, **CITE**
(e) *Travelscape v. SC Department of Revenue*, 391 S.C. 89, 705 S.E.2d 28 (2011).

Judge Kimpson reported that has not personally handled any criminal appeals.

Judge Kimpson reported that he has held the following judicial office(s):

SC Administrative Law Court, Seat #2; July 2017 to present. Elected by SC General Assembly in July 2017 and reelected in 2022. The ALC is an administrative agency and court of record created by the General Assembly, SC Code Ann. 1-23-500, with jurisdiction limited by statute, to certain "contested cases…involving the departments of the executive branch of government … " and other matters, to include appeals from decisions in contested cases heard at the agency level.

Judge Kimpson provided the following list of his most significant orders or opinions:

(a) *Begum v. Florence County Assessor*, 18=ALJ-0198-CC; 2019 WL 5208156 (SC Admin Law Court), *affirmed*, 2022 U.P. 069
(b) *ADSI Holdings LLC, et al v. Florence County Assessor*, 21-ALJ-17-0243-CC; 2023 WL 2777265 (SC Admin Law Court)
(c) *Minor Child Evinich v, SC Department of Health and Human Services*, 19=ALJ-08-0137-AP; 2021 WL 1054256 (SC Admin Law Court)

(d) *T. Tree Farm R.V. Park v. South Carolina Department of Environmental Control, et al.*, 22-ALJ-07-0011; 2022 WL 17742418 (SC Admin Law Court), currently on appeal.
(e) *Lorenzo Elmore dba Gullah W v SC Department of Health and Environmental Control*, 19=ALJ-07-0425-IJ, 2020 WL 1274293(SC Admin. Law Court)

Judge Kimpson reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Kimpson's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Kimpson to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee noted: "Exceptionally well qualified."

Judge Kimpson is married to Audra Sabb Kimpson. He has two children.

Judge Kimpson reported that he was a member of the following Bar and professional associations:

(a) SC Bar Association
(b) SC Black Lawyers Association
(c) SC Administrative and Regulatory Law Association, Board of Directors 2012- present
(d) Military and Veterans Law Section of SC Bar Association
(e) Richland County Bar Association

Judge Kimpson provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Eau Claire Development Corporation, Secretary
(b) Greater Columbia Community Relations Council. Chairmen, June 2016-June 2017; Board of Directors, 2016 – 2022; currently serve on Board of Advisors
(c) Citizens for Public Life, Board of Directors

(d) Cooperative Ministry, Board of Directors
(e) Omicron Phi Chapter of Omega Psi Phi Fraternity, Inc., Parliamentarian
(f) Promise Foundation, Treasurer
(g) Alpha Iota, Sigma Pi Phi Fraternity, Secretary May 2002 to present
(h) Saint John Baptist Church, Board of Deacons, May 2002 to present; Assistant Church Clerk
(i) Wofford College Black Alumni Association
(j) Omega Men of Columbia, SC, Inc., Secretary
(k) Israel Brooks Foundation, Board of Directors
(l) Life Member, NAACP

Judge Kimpson further reported:
My service on the Administrative Law Court has been an invaluable experience and among the highlights of my legal career. As a judge, I have tried to emulate the good characteristics of the many excellent judges before whom I have appeared. I strive to be prepared, knowledgeable about the law and importantly, to be attentive, respectful and courteous to litigants. I have always appreciated those judges who actively listened to the evidence and evaluated my legal arguments. Whether acting as a trial judge or acting in an appellate capacity, I do my best to fairly evaluate the evidence and fully address legal arguments when rendering decisions. I believe that as a Circuit Judge, I will bring these same attributes to a court with greater responsibility and a wider range of litigants as well as exposure to citizen juries.

(11) Commission Members' Comments:

The Commission commented that Judge Kimpson has an outstanding reputation as a jurist on the Administrative Law Court. The Commission is impressed with both his temperament and his intellect which would ably serve him should he be elected to the Circuit Court.

(12) Conclusion:

The Commission found Judge Kimpson qualified, and nominated him for election to Circuit Court, At-Large, Seat 11.

THURSDAY, JANUARY 11, 2024

Riley Maxwell
Circuit Court, At-Large, Seat 16

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Maxwell has the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Maxwell was born in 1979. He is 44 years old and a resident of Columbia, South Carolina. Mr. Maxwell provided in his application he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2006.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Maxwell.

Mr. Maxwell demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to a judge, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Maxwell that he has not made any campaign expenditures.

Mr. Maxwell testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Maxwell testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Maxwell to be intelligent and knowledgeable.

Mr. Maxwell reported that he has spoken or lectured for the following matters:

(i) October 2020 - I spoke at a CLE course (Prosecution and Victim Compensation) regarding restitution for crime victims.

(j) May 2022 - I served as a faculty member at the 2022 Prosecution Bootcamp. This program, conducted by the South Carolina Commission on Prosecution Coordination, is a week-long program for new prosecutors. It focuses on trial advocacy with time dedicated to opening and closing statements and direct and cross examinations of witnesses.

(k) February 2002 - I spoke at the South Carolina Coroner's Association annual conference. I discussed and answered questions about issues coroners may need to be prepared for when testifying at trial. I also led a mock witness examination.

Mr. Maxwell reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Maxwell did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Maxwell does not indicate any evidence of a troubled financial status. Mr. Maxwell has handled his financial affairs responsibly.

The Commission also noted that Mr. Maxwell was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Maxwell reported that he has no ratings by any legal rating organization.

Mr. Maxwell reported that he has not served in the military.

Mr. Maxwell reported that he has never held public office.

(6) Physical Health:

Mr. Maxwell appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Maxwell appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Maxwell was admitted to the South Carolina Bar in 2006.

He gave the following account of his legal experience since graduation from law school:

(a) August 2006 - August 2007
Law clerk for the Honorable Edward Welmaker, Circuit Judge, Thirteenth Judicial Circuit

(b) October 2007 - January 2015
Assistant Solicitor, Sixth Judicial Circuit
I prosecuted crimes of all nature in General Sessions Court and juvenile matters in Family Court.

(c) January 2015 - present
Deputy Solicitor, Sixth Judicial Circuit
I currently handle the prosecution of crimes in General Sessions Court and Family Court. I supervise a staff of assistant solicitors and administrators and oversee the prosecution of all cases in Fairfield County. I assist and advise the Circuit Solicitor on personnel and other administrative matters. I have not managed any financial matters.

Mr. Maxwell further reported regarding his experience with the Circuit Court practice area:

I have served as a prosecutor for almost 16 years. In that time, I have been involved with the prosecution of thousands of cases, including murder, criminal sexual conduct, robbery, drugs, property crimes, and complex financial crimes. I have also served as lead or co-counsel for dozens of trials. I regularly conduct research of various legal issues, consult and advise law enforcement, meet with victims and witnesses, and prepare motions and briefs. I generally spend several days each month appearing before the Circuit Court for pleas, bond hearings, and motions. I am involved in trials before the Court four to seven times each year.

Since I have spent the majority of my career as a prosecutor, I have had limited involvement in civil court. I have filed civil lawsuits on behalf of the State under the drug forfeiture statute. In those cases, I drafted the complaints, oversaw the services of process, and litigated the cases before the Court of Common Pleas. I have also represented the State in Common Pleas Court in appeals from the summary courts.

While I served as a law clerk, Judge Edward Welmaker served as Chief Administrative Judge for Common Pleas in Greenville County. I regularly assisted Judge Welmaker in the preparation of civil matters including researching various issues. I prepared orders and reviewed proposed orders prior to the Judge's signing. I observed several trials during my clerkship including personal injury cases where liability was contested and other cases where only damages were at issue. I also sat as clerk during medical malpractice trials and a complex trial involving non-compete claims and trade secrets involving a major corporation headquartered in South Carolina.

I continuously stay current with judicial opinions since I have been an attorney. I have also observed several civil trials in recent years and attended numerous sessions of Common Pleas Non-Jury terms.

With my extensive trial experience, I have adept knowledge of the South Carolina Rules of Evidence that I believe would be applicable in civil cases. If I encountered a matter I was

unfamiliar with, I would extensively research the issue and/or consult other authorities.

Mr. Maxwell reported the frequency of his court appearances as follows:
(a) federal: 0
(b) state: I appear in state court 5-10 days each month.

Mr. Maxwell reported the percentage of his practice involving civil, criminal, domestic and other matters as follows:
(a) Civil: 1%
(b) Criminal: 99%
(c) Domestic: 0%
(d) Other: 0%

Mr. Maxwell reported their practice in trial court as follows:
(a) 98% was in trial court, including cases that settled prior to trial;
(b) 13 cases went to trial and resulted in a verdict;
(c) 0 went to trial and resolved after the plaintiff's or State's case;
(d) 1 settled after a jury was selected but prior to opening statements.

Mr. Maxwell reported the following about his role as counsel during the past five years:

As Deputy Solicitor, I oversee all General Sessions prosecutions in Fairfield County. I assign cases to assistant solicitors and personally handle my caseload as sole counsel. In most trials, I served as chief counsel. In a small number of trials, I assisted an assistant solicitor.

The following is Mr. Maxwell's account of his five most significant litigated matters:
(a) *State v. Charles Coleman.* This was a cold case prosecution of a woman who was raped and killed in 1976. The South Carolina Law Enforcement continued to investigate the case over the years. In 2020, Coleman's DNA was matched with a DNA profile developed from pieces of evidence. I researched the existing law in 1976 to ensure he was

properly charged. Ultimately, Coleman pled guilty after the jury was seated but before opening arguments. He was sentenced to life. A challenge in the case was locating witnesses and developing a proper chain of evidence. I was the lead prosecutor.

(b) *State v. Latroy Sampson.* This was a case that involved the strangulation murder of a woman by an acquaintance. The defendant fled the state and was apprehended a few weeks later in Rochester, New York. while in possession of a gun. The defendant was convicted and sentenced to prison in New York for the gun charge. I spent considerable time and effort working to have the defendant brought back to South Carolina. He was convicted of murder and received a life sentence. Because he had not completed his five year sentence on the gun charge, New York wanted Sampson transported back. After much discussion between authorities in both states, New York dropped their request and the defendant remained in the South Carolina Department of Corrections. I was the lead prosecutor.

(c) *State v. Ricky Deel.* This was a Felony Driving Under the Influence case involving the death of one teenager and the paralysis of another on I-77. Others involved were also severely injured in the wreck. The victims were traveling with other family members from Michigan heading to Florida when the defendant lost control of his vehicle and struck the victims' vehicle. A blood draw collected from the defendant indicated a blood alcohol level above the legal limit. *Missouri v. McNeely*, 569 U.S. 141 (2013), a U.S. Supreme Court opinion decided after the incident, ruled that law enforcement generally must acquire a search warrant to collect a suspect's blood. During a hearing to suppress the blood draw evidence, the State argued exigent circumstances existed creating an exception to the search warrant requirement. The Circuit Court denied the suppression motion and the defendant subsequently entered a guilty plea and received a twenty year sentence. I served as sole counsel throughout the case.

(d) *State v. Christopher Williams, et al.* This was a murder case where the victim was shot during a home invasion. Eight defendants were initially charged with murder under the theory of accomplice liability. Through the

investigation, we were able to clarify the roles each defendant played in the incident. The defendant who fired the fatal shot pleaded guilty to murder, attempted armed robbery, and burglary and was sentenced to 30 years. Another armed defendant received a 30 year sentence for voluntary manslaughter. Another four of the defendants entered guilty pleas to various reduced charges and received sentences ranging from probation to 11 years. I made the decision to dismiss the charges against the remaining two defendants. I initially assisted the Circuit Solicitor before his retirement and handled the majority of the case thereafter.

(e) *State v. Timothy Thompson.* This case initially began as an investigation into a hit and run of a pedestrian before further investigation showed it to be an intentional act. The South Carolina Highway Patrol began the investigation and uncovered evidence of an earlier altercation between the defendant and victim and witnesses provided statements detailing the defendant's intent to harm the victim. I was advising law enforcement early on in the investigation. The Highway Patrol wanted to turn the case over to the Fairfield County Sheriff's Office because they did not handle murder cases. I determined, as the lead prosecutor, there was enough evidence to proceed with the prosecution without the need to involve another agency. The defendant was found guilty of murder following a four day trial and was sentenced to life.

Mr. Maxwell reported that he has not handled any civil or criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. Maxwell's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Maxwell to be "Qualified" as to the evaluative criteria of constitutional qualifications, professional and academic ability, physical health, mental stability, and experience; and "Well-Qualified" as to the evaluative criteria of ethical fitness,

character, reputation, and judicial temperament. The Committee noted: "Lack of experience on civil but otherwise qualified."

Mr. Maxwell is not married and has no children.

Mr. Maxwell reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar, 2006
(b) Fairfield County Bar, 2007

Mr. Maxwell provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) F3 Columbia-F3 is an organization designed to plant, grow and serve small workout groups for men for the invigoration of community leadership. I have been involved for nearly 10 years and served in a leadership role. F3 regularly helps local charities with donations and volunteering.
(b) South Carolina Bar House of Delegates-I served as representative for the Sixth Circuit beginning in 2015 and ending in 2017/2018.

Mr. Maxwell further reported:

Over my almost 16 year career as a prosecutor, I have always viewed part of my role as to act as a gatekeeper for the criminal justice system. I always strive to ensure that defendants are treated fairly and that their constitutional rights are protected. I speak with law enforcement officers on a daily basis to advise and make determinations of whether probable cause exists to make an arrest or get a search warrant. I assess cases on their merits to determine proper charges, whether a case should be dismissed, whether to divert the case to a diversion program, whether to reduce charges for plea purposes, and to devise a trial strategy.

I work to maintain a good working relationship with opposing attorneys. I try to respect their opinions and viewpoints and the role they play in defending their clients. I feel most defense attorneys respect the way I handle my role in return. I try to be

helpful when the situation allows and find common ground in resolving cases.

Since I began as a solicitor, it has been my job to plan and organize court for nearly every General Sessions term in Fairfield County. This includes communicating with the presiding judge, the clerk of court, and court staff regarding logistical matters. I have always been open to new ideas and feedback on the operations of court from my staff, court personnel, and opposing counsel.

I have enjoyed and take pride in acting as a public servant, and would be honored to continue to do so as a circuit judge. I believe I possess the good temperament that is required from the bench. I believe it is important to treat all parties fairly no matter the situation.

(11) Commission Members' Comments:

The Commission noted that Mr. Maxwell's recommendations, coming from both sides of the criminal bar, spoke highly of him and his impartiality. In addition, his BallotBox surveys emphasized his fair dealing and efforts to respect attorneys' work schedules.

(12) Conclusion:

The Commission found Mr. Maxwell qualified, and nominated him for election to Circuit Court, At-Large, Seat 16.

Charles J. McCutchen
Circuit Court, At-Large, Seat 16

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. McCutchen meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. McCutchen was born in 1977. He is 46 years old and a resident of Orangeburg, South Carolina. Mr. McCutchen provided in his application that he has been a resident of South

Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2002.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. McCutchen.

Mr. McCutchen demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. McCutchen reported that he has made $480.87 in campaign expenditures for postage, printing, and parking.

Mr. McCutchen testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. McCutchen testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. McCutchen to be intelligent and knowledgeable.

Mr. McCutchen reported that he has not taught or lectured at any Bar association conferences, educational institutions, or continuing legal or judicial education programs.

Mr. McCutchen reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. McCutchen did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. McCutchen did not indicate any evidence of a troubled financial status. Mr. McCutchen has handled his financial affairs responsibly.

The Commission also noted that Mr. McCutchen was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. McCutchen reported that he is not rated by any legal rating organization.

Mr. McCutchen reported that he has not served in the military.

Mr. McCutchen reported that he has never held public office.

(6) Physical Health:

Mr. McCutchen appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. McCutchen appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. McCutchen was admitted to the South Carolina Bar in 2002.

He gave the following account of his legal experience since graduation from law school:

(a) Hood Law Firm, LLC, Charleston, SC. Associate. September 2002 – January 2004. My primary area of practice was general civil litigation defense, beginning with initial pleadings and conducting discovery, all the way through mediation, as well as trial preparation/trial. I was

not involved in any management position in this role, including management of trust accounts.

(b) Lanier & Burroughs, LLC, Orangeburg, SC. Non-equity member. February 2004 – Present. My areas of practice have always included personal injury litigation practice, including pretrial, trial preparation and trial, domestic litigation, criminal defense, workers compensation, as well as Social Security disability appeals and magistrate's Court civil and criminal litigation practice. Although I never managed the firm nor the trust accounts, I do oversee the trust account disbursements in cases that I personally handle.

Mr. McCutchen further reported regarding his experience with the Circuit Court practice area:

Over the past 5 years, and even prior, I have handled DUI/DUS cases, cases involving burglary and stolen goods, assault and battery, criminal domestic violence, various drug and firearm related charges, and also numerous traffic offenses. The usual issues presented in these cases pertained to probable cause or lack thereof, Miranda violations, failure of law enforcement to comply with South Carolina law, as well as mitigating facts and circumstances to be considered beyond just the charge(s) alone. The vast majority of my criminal cases concluded in negotiated plea agreements after completing the rule 5 discovery process.

As far as civil matters, I frequently and routinely handle an array of cases including automobile accidents and premises liability cases, primarily. These typically involve issues of proximate causation, damages and especially on the premises liability side, foreseeability issues and issues of actual and constructive notice, in addition to the proximate cause and damages issues. Again, the vast majority of my civil cases ended in an agreed upon settlement, whether it be at mediation or before; however, a few cases that included issues of causation/liability coupled with issues of causally connected damages, ended up proceeding to trial. Most of my practice is spent representing Plaintiffs, but from time to time I do represent individual defendants who have been sued.

I certainly am aware that my practice has been primarily on the civil side; however, I believe that the Rules of Evidence apply across the board, in any type of case, and the practice of one type of law familiarizes you with those same rules to be applied in other areas. I believe there would be a swift learning curve on the criminal side if I were elected, as there are usually more General Sessions terms of court compared to Common Pleas terms. As criminal matters involve the potential loss of rights most sacred to our State and U.S. Constitutions, I would most certainly ensure that I was well versed, by preliminary research, on any unfamiliar issue that may arise in a case before me. That would also hold true with civil matters, as I am a firm believer in proper preparation in both my professional life, as well as my personal life.

Mr. McCutchen reported the frequency of his court appearances during the past five years as follows:
(a) Federal: 5, or on average about 1 per year.;
(b) State: 142 total, or on average about 28 times per year.

Mr. McCutchen reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 59%;
(b) Criminal: 4%;
(c) Domestic: 24%;
(d) Other: 13%.

Mr. McCutchen reported his practice in trial court during the past five years as follows:
(a) 87% of his practice was in trial court, including cases that settled prior to trial;
(b) 4 cases went to trial and resulted in a verdict;
(c) 0 cases went to trial and resolved after the plaintiff's or State's case;
(d) 2 cases settled after a jury was selected but prior to opening statements.

Mr. McCutchen provided that during the past five years he most often served as sole counsel.

The following is Mr. McCutchen's account of his five most significant litigated matters:

(a) Sandra Canty, indv. and as guardian of Andrea Gulley, an Incapacitated Adult v. Orangeburg County EMS, Case # 2018-CP-38-01354

This matter involved alleged breaches of the standard of care by EMS personnel in responding to a 911 call from the Plaintiff's daughter, which resulted in an anoxic brain injury. The case involved multiple experts in the areas of causation and damages, as well as issues surrounding protections under the SC Tort Claims Act. After discovery and expert preparation, the case was successfully mediated, wherein a substantial, yet limited recovery was obtained to assist in Ms. Gulley's lifelong care.

(b) Shawn Hale v. Locals Pub of Orangeburg, SC, etal., Case # 2017-CP-38-00005

This premises liability case involved injuries sustained by the owner of a security company who was shot while checking on staff at a night club providing security services. The Plaintiff had extensive medical treatment requiring a month long hospitalization, multiple skin grafts and was permanently limited in function as a result of his injuries. The issues litigated were the duties owed by the landowner, and imputed notice from tenant to the landlord, assumption of the risk doctrines, and criminal acts of third parties. After extensive investigation, numerous depositions and surviving a defense motion for summary judgment, the case was successfully mediated.

(c) William Rutland v. Hazel H. Fogle, Case # 2016-CP-38-01449

This automobile accident case was one where liability was admitted, partly because the Defendant later became incapacitated due to age. Also, the case contained issues of pre-existing medical problems, exacerbation of a prior condition, causally connected medical expenses, and UIM offset due to failure to exhaust liability limits. After lengthy discovery, treating physician deposition(s), and subsequent consulting independent medical examiner testimony, the case was

mediated twice (liability and UIM) and ultimately resolved prior to trial.

(d) Shayeata Taylor v. Wal-Mart Stores East, LP, etal., Case # 2013-CP-38-0650

Suit was commenced in this matter due to the wrongful arrest and subsequent prosecution of the Plaintiff for shoplifting. Plaintiff was a single mother who lost her job because of her detention and arrest. Significantly, the case involved issues of computer forensics and data stored on a gaming console which assisted in proving the allegations of wrongful arrest and malicious prosecution. Further, past economic loss was a substantial portion of the damages in the case. After multiple pretrial motions hearings, requiring amendment of the complaint itself, the matter settled prior to trial, after it was previously mediated unsuccessfully.

(e) Walter Proctor v. Admon Louis Moran d/b/a Moran Stumping Company, etal., Case # 2010-CP-14-124

This case, along with the companion loss of consortium case, arose out of an accident between a private vehicle and a tractor trailer hauling pine tree stumps. From the beginning, this matter contained issues and violations of the Federal Motor Carrier Safety Administration regulations, conspicuity analysis, accident reconstruction, comparative negligence, as well as substantial physical injuries sustained by the Plaintiff and his wife. The case was unsuccessfully mediated, yet settled prior to trial.

Mr. McCutchen reported he has not personally handled any civil or criminal appeals.

Mr. McCutchen further reported the following regarding unsuccessful candidacies:

In 2021, I was a candidate for the Circuit Court, First Judicial Circuit, Seat One position. I was found Qualified and Nominated by the Judicial Merit Selection Commission in the Media Release dated November 23, 2021. I ultimately withdrew my candidacy on January 20, 2022.

In 2022, I was a candidate for the Circuit Court, At-Large, Seat Three position. I was found Qualified but Not Nominated by the Judicial Merit Selection Commission in the Media Release dated November 22, 2022 and the Final Report of Candidate Qualifications 2022, dated January 17, 2023.

(9) Judicial Temperament:

The Commission believes that Mr. McCutchen's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Mr. McCutchen to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. Additionally, the Committee noted: "Good experience (not as much on criminal side), highly relational and likeable, compassionate, great disposition ¬– would make a great circuit judge."

Mr. McCutchen is married to Tara Lovelace McCutchen. He has two children.

Mr. McCutchen reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar Association
(b) Orangeburg County Bar Association, Treasurer 2008-Present.
(c) First Judicial Circuit Fee Dispute Resolutions Board
(d) South Carolina Association of Justice, member.

Mr. McCutchen provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Orangeburg County Community of Character, Board of Directors, 2014 - Present.
(b) 2018 Lawyer of the Year, as voted on by readers of the Times & Democrat Newspaper.
(c) City of Orangeburg Dixie Youth Baseball Coach, 2012-2020

Mr. McCutchen further reported:

I was born and raised in a small community a few miles north of Kingstree, South Carolina. Growing up, my parents and grandparents taught me the importance of diligence and hard work. More importantly, they taught me how to be a person of good character, which includes how to treat people. I never once witnessed my parents mistreat another human being, not so much as to raise their voice at them. The opposite was more true: my parents would inconvenience themselves and go out of their way to help their peers and their community, indiscriminately. At age twelve, my father passed away, and I watched my mother work tirelessly to ensure our needs were met. Growing up, I held every job a teenager in rural Williamsburg County could possibly have: from country store clerk to farming or working the tobacco and gladiola fields, I did it all. I consider myself fortunate to have met so many people from various walks of life at such a young age. It keeps me grounded to this day. I have walked many miles in many different persons' shoes, and I believe this is extremely important when one day I may be asked to adjudicate matters involving those same people.

My humble beginnings in life have stayed with me throughout my career, and I believe that is partially what has prepared me to be a Judge. I pray that if I am ever fortunate enough to wear a black robe, I will be no different of a man then as I am today. No person is bigger than the system in which they operate, including the law. I have realized over my twenty years of practice that any case I have handled, although all important regardless of size and type, is the most important case to 1 person: the client that hired you. When an individual places that much trust in another individual, it is a very humbling experience. It is even more humbling to fathom that one day I may have to preside over matters where there are two sides having their most important, and sometimes only experience, within the judicial system. That is a responsibility that I do not, and will not take lightly. Having to preside and render judgment over an individual's life or livelihood is a sobering, serious responsibility, and that is a responsibility that I will gladly and humbly assume.

(11) Commission Members' Comments:

The Commission was impressed with Mr. McCutchen's reputation for professionalism and fairness. In addition, the Commission commented on Mr. McCutchen's excellent demeanor that would serve him well should he ascend to the Circuit Court bench.

(12) Conclusion:

The Commission found Mr. McCutchen qualified and nominated him for election to Circuit Court, At-Large, Seat 16.

Jane H. Merrill
Circuit Court, At-Large, Seat 16

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Merrill meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. Merrill was born in 1980. She is 43 years old and a resident of Greenwood, South Carolina. Ms. Merrill provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2007.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Merrill.

Ms. Merrill demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Merrill reported that she has made $36.20 in campaign expenditures for name badges.

Ms. Merrill testified she has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Merrill testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Merrill to be intelligent and knowledgeable.

Ms. Merrill reported that she has taught the following law-related courses:

(a) On March 3, 2011, the Anderson County Sherriff's Department offered a training class for law enforcement officers about Large Animal Cruelty Investigations. I taught the section about criminal investigations and statutes.
(b) On January 10, 2014, I taught a section of a probate CLE presented by the Greenwood County Bar.
(c) On November 10, 2014, I taught the Criminal Law and Torts section for the South Carolina Bar's program, Legal Lessons: A Series for the Public.
(d) On March 10, 2020, I spoke to the Clemson University Prelaw Society about balancing life, work, and other obligations.
(e) On February 10, 2023, D. Nichole Davis and I presented "An Ounce of Prevention is Worth a Pound of Cure: Utilizing Mentoring to Elevate Professionalism" for the ethics hour of the Greenville County End of Year CLE.

I taught the following 300-level courses at Lander University.

(f) From August to December 2018, I taught Judicial Process at Lander University. The class met for one hour and fifteen minutes two times per week. During this course, three different judges served as guest lecturers for the class. The students enjoyed learning about the South Carolina courts from current jurists.
(g) From January to May 2019, I taught Civil Rights and Civil Liberties at Lander University. The class met for one hour

and fifteen minutes two times per week. During this course, students present oral arguments of pending US Supreme Court cases.

(h) From August to December 2019, I taught Judicial Process at Lander University. The class met for one hour and fifteen minutes two times per week. During this course, three different judges served as guest lecturers for the class. The students enjoyed learning about the South Carolina courts from current jurists.

(i) From January to May 2020, I taught Civil Rights and Civil Liberties at Lander University. The class met for one hour and fifteen minutes two times per week. During this course, the students present oral arguments of pending US Supreme Court cases.

(j) From August to December 2020, I taught Constitutional Law at Lander University. The class met for one hour and fifteen minutes two times per week. The students wrote opinion essays and made presentations about recent legal events, including recent US Supreme Court opinions.

(k) From January to May 2021, I taught Judicial Process at Lander University. The class met for one hour and fifteen minutes two times per week. During this course, three different judges served as guest lecturers for the class. The students enjoyed learning about the South Carolina courts from current jurists, including a South Carolina Court of Appeals Judge.

(l) From August to December 2021, I taught Constitutional Law at Lander University. The class met for one hour and fifteen minutes two times per week. The students wrote opinion essays and made presentations about recent legal events, including recent US Supreme Court opinions.

Ms. Merrill reported that she has published the following:

(a) Jane Hawthorne Merrill, Comment, Multijurisdictional Practice of Law Under the Revised South Carolina Rules of Professional Conduct, 57 S.C. L. REV. 549 (2006).

(4) Character:

The Commission's investigation of Ms. Merrill did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Merrill did not indicate any evidence of a troubled financial status. Ms. Merrill has handled her financial affairs responsibly.

The Commission also noted that Ms. Merrill was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Merrill reported that her rating by a legal rating organization, Avvo, is 7.8.

Ms. Merrill reported that she has not served in the military.

Ms. Merrill reported that she has never held public office.

(6) Physical Health:

Ms. Merrill appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Merrill appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Merrill was admitted to the South Carolina Bar in 2007.

She gave the following account of her legal experience since graduation from law school:

(a) From November 2007 until December 2007, I served as an Assistant Solicitor in the Eighth Judicial Circuit in the Greenwood office. I managed all aspects of cases, including case and discovery review, theory development, case strategy, plea negotiations, guilty pleas, motion hearings, and jury trials.

(b) From January 2008 to August 2008, I served as a Judicial Law Clerk for The (Late) Honorable Wyatt T. Saunders, Jr., a Circuit Court Judge for the Eighth Judicial Circuit. Being a judicial law clerk provided

invaluable experience in developing and honing my legal skills.

(c) From August 2008 until June 2010, I served as an Assistant Solicitor in the Eighth Judicial Circuit in the Greenwood office. I managed all aspects of cases, including case and discovery review, theory development, case strategy, plea negotiations, guilty pleas, motion hearings, and jury trials.

(d) From July 2010 until February 2013, I worked as an associate attorney on the litigation team at McDonald Patrick Poston Hemphill & Roper, LLC. Most of my practice involved civil litigation matters, including drafting pleadings, engaging in discovery, preparing motions and memoranda, arguing motions, and trying cases to juries. A small portion of my practice involved domestic and criminal matters. I was not involved in the administrative and financial management at this firm.

(e) From March 2013 to the present, I have practiced law in my own firm, Hawthorne Merrill Law, LLC. As a solo practitioner, I manage all aspects of civil, criminal, and domestic cases and claims, from intake and case evaluation to resolution. I draft pleadings, motions, memoranda and orders, engage in discovery, argue motions, reach settlements through negotiation and mediation, and try cases before juries and judges. In addition to representing clients through my private practice, I represent indigent clients in Greenwood County through a contract with the South Carolina Commission on Indigent Defense and in Abbeville County through a contract with the Eighth Circuit Public Defender's office. I occasionally represent clients for South Carolina Legal Services. I have represented veterans before the Court of Appeals for Veterans Claims. I am a certified Circuit Court Mediator, and mediate cases pending in circuit and family courts. I am solely responsible for the administrative and financial management of the firm, including compliance with the rule requiring attorneys to maintain monthly trial balances and reconciliations of client trust accounts.

Ms. Merrill further reported regarding her experience with the Circuit Court practice area:

I am uniquely qualified to be a Circuit Court judge. I have tried cases to juries as a criminal prosecutor, a criminal defense attorney, and a civil litigator representing both plaintiffs and defendants. The depth, breadth, and variety of my experience in the courtroom provides a strong foundation for the role of Circuit Court Judge. I regularly appear before Circuit Court Judges, including every day on numerous matters during Abbeville County general sessions terms.

In addition to my litigation experience, I was honored to serve as a judicial law clerk for The (Late) Honorable Wyatt T. Saunders from January 2008 to August 2008. My clerkship with Circuit Court Judge Saunders offered yet another perspective from which to learn and gain experience. While my primary responsibilities included researching and writing, I also observed numerous criminal and civil court proceedings. A summary of my experience in criminal and civil matters follows.

Criminal Experience:

I had the good fortune to begin my legal career as an Assistant Solicitor in the Eighth Judicial Circuit. Being a prosecutor provided significant and meaningful opportunities to gain courtroom experience. In that position, I was involved in all aspects of managing my significantly large caseload, including case and discovery review, theory development, case strategy, plea negotiations, presenting guilty pleas in court, motions hearings, jury selections, and trials as lead counsel and second chair. I worked on a variety of misdemeanor and felony charges, including armed robberies, kidnappings, burglaries, drug trafficking, child abuse, and animal abuse. Additionally, I communicated with victims, law enforcement officers, and witnesses. I found working with victims particularly meaningful. Even though each victim of a crime reacts and responds differently to their own experience, every victim needs the chance to be heard. Listening is an important part of being an effective attorney. Being a prosecutor provided significant and meaningful opportunities to gain courtroom experience.

Although I found it rewarding to serve as an assistant solicitor, I was interested in learning about other types of law. In July 2010, I began working for a law firm as an associate

attorney on the litigation team which primarily focused on civil litigation which will be described in the Civil Experience section below.

In March 2013, I opened Hawthorne Merrill Law, LLC. At various times since opening my firm, I have participated in the Rule 608 Contract program, and represented defendants on both appointed and retained cases. Defending a criminal case presents different challenges than prosecuting one. It is imperative to communicate effectively with your client and earn your client's trust. Discovery is also reviewed from a different perspective as a defense attorney. For example, I analyze reports, warrants, indictments, statements, and evidence to develop issues affecting my client's constitutional rights, such as search and seizure, exigent circumstances, voluntariness of client's statement, Miranda protocol, immunity and privilege, and hearsay.

I have tried several serious criminal cases to juries, including murder, armed robbery, kidnapping, drug trafficking, and burglary. I tried a murder case as lead counsel in 2015 when the jury acquitted my client and tried another murder case as sole counsel in 2016 when the jury convicted my client of the lesser included offense of involuntary manslaughter. In August 2021, a jury found my client guilty of domestic violence, third degree after acquitting her of domestic violence, high and aggravated.

Knowing, understanding, and applying procedural and substantive criminal law is essential to effectively trying criminal cases. Being on both sides of the courtroom provides a unique perspective that would be helpful and informative as a Circuit Court Judge.

Civil Experience:

In July 2010, I began working for McDonald Patrick Poston Hemphill & Roper, LLC, as an associate attorney on the litigation team. I litigated civil matters in both state and federal courts, primarily representing defendants. After opening Hawthorne Merrill Law, LLC in March 2013, I've represented plaintiffs more often than defendants, and most of my caseload is in state court, though I do some work in federal courts.

As part of my civil litigation duties, I manage complex civil cases from intake and case evaluation to resolution. I draft and answer complaints, engage in discovery, depose parties and

witnesses, prepare, and argue motions, settle suits through mediation, and try cases to juries. I collaborate effectively with expert witnesses, and assist with the preparation of expert affidavits, reports, and testimony contesting causation. I have tried several civil cases to juries. I also represent veterans and appear by filings before the United States Court of Appeals for Veterans Claims.

Since 2016, I have been certified as a Circuit Court Mediator by The South Carolina Board of Arbitrator and Mediator Certification. I mediate cases pursuant to court appointments and parties' selection. During mediation, I analyze the facts and law, apply knowledge of wide range of substantive and procedural law, and assist litigating parties during settlement negotiations through the mediation process.

Ms. Merrill reported the frequency of her court appearances during the past five years as follows:

(a) Federal: I am admitted to the federal bar and appear by way of motions and filings in the District of South Carolina, and in the Court of Appeals for Veterans Claims.

(b) State: I appear in state court at least four times per week. Because the counties in the Eighth Judicial Circuit where I primarily practice do not have court every week of the year, this number is an average. Additionally, I appear before Circuit Court Judges every day on numerous matters during Abbeville County general sessions terms. This is an average for motion hearings and guilty pleas. Trials are detailed below.

Ms. Merrill reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 10%;
(b) Criminal: 55%;
(c) Domestic: 25%;
(d) Other: 10%.

Ms. Merrill reported her practice in trial court as follows:
(a) Approximately 90% of my work is litigation in trial courts. This includes criminal cases in General Sessions and Family Court and civil cases in Common Pleas and Family Court.
(b) Twenty-nine cases went to trial and resulted in a verdict. This includes criminal jury trials in General Sessions and civil jury and bench trials in Common Pleas and Family Court.
(c) Approximately three cases resolved after (or during) the Plaintiff's or state's case. Specifically, there was a criminal case in General Sessions in Abbeville County in which the court declared a mistrial during the State's case when several jurors recognized the crime scene and/or a testifying witness. In another matter, the parties settled a family court case on the third day of trial after the Plaintiff rested. In the third matter, the court dismissed the case upon a defense motion after the State called its first witness.
(d) I recall one case which settled after the jury was selected before opening statements in a Greenwood County case in General Sessions. The Defendant pleaded guilty after jury selection and a full day of pretrial motions, outside the jury's presence, in which the court ruled the evidence admissible.

Ms. Merrill provided the following about her role as counsel during the past five years:
I most often served as sole counsel in the last five years. There were several trials in which I served as chief counsel with another attorney who served as second chair.

The above questions are answered in good faith based on my recollection and after reviewing closed files for the last five years.

The following is Ms. Merrill's account of her five most significant litigated matters:
(a) *State v. John Gregory Barnes*, 2006-GS-24-00153, 2006-GS-24-00154, 2007-GS-24-02020; Circuit Court, General Sessions, Greenwood County (Trial December 2007); I was sworn into the South Carolina Bar on November 13, 2007, and less than a month later I tried this case before the Honorable D. Garrison Hill. I was lead counsel with another attorney as second chair. I presented the opening

statement, direct examined all witnesses, and argued the closing. The jury returned a guilty verdict for Unlawful Neglect of a Child and Possession of Methamphetamine. This case was significant because it was the first case I tried, and the defendant's attorney was, and still is, a seasoned and well-respected criminal defense attorney.

(b) *State v. Jerome Chisholm*, 395 S.C. 259, 717 S.E.2d 614 (Ct. App. 2011); 2005-GS-24-01386; Circuit Court, General Sessions, Greenwood County (Trial June 2009); I tried this case as an Assistant Solicitor. The state indicted the defendant for criminal sexual conduct with a minor. The defendant sexually abused the minor child and infected the minor child with the HIV virus. I assisted in preparing the entire case for trial. I served as second chair for trial and had the delicate and challenging task of direct examining the minor child victim. I also direct examined the physician who served as the state's expert witness. The jury found the defendant guilty, and the court imposed the maximum sentence. I handled the case only at the trial level, and on appeal, it was affirmed. This case is significant because it was humbling to meet, interact with, and prepare the minor child for trial. Working with this child and trying this case significantly impacted and guided how I work on cases with children.

(c) *State v. Zanquirious Hurley*, Indictment Nos. 2014-GS-24-0972, 2014-GS-24-0973; Circuit Court, General Sessions, Greenwood County (Trial September 2015); Mr. Hurley, at age 17, was accused of robbing and murdering his father. I represented Mr. Hurley and served as sole counsel throughout the process except trial. For the trial, I hired another attorney to sit second chair because this was the first murder case I tried as defense counsel. I conducted the opening statement, cross examined all witnesses except one, direct examined all defense witnesses, and presented the closing argument. The jury acquitted Mr. Hurley on all charges. This case was significant because after conducting an extensive investigation, including interviewing numerous witnesses no one else interviewed, I was firmly convinced of my client's innocence. As such, the jury's verdict was the

proper result. Mr. Hurley and his family appreciated my dedication and diligence in representing him.

(d) *State v. Marcus Manick*, 2014-GS-24-0746, 2014-GS-24-0747; Circuit Court, General Sessions, Greenwood County (Trial October 2016); Mr. Manick was charged with murder. The state alleged Mr. Manick murdered a man who was physically attacking Mr. Manick's "sister." Mr. Manick considered this woman like a sister because they grew up in the same household together, although they were not blood related. I represented Mr. Manick after his public defender discovered a conflict of interest. I was Mr. Manick's sole attorney and tried the case alone. Throughout the process and during the trial, Mr. Manick did not deny firing the weapon, but I believed and successfully argued there was no malice to support a murder conviction. The jury acquitted Mr. Manick of murder and found him guilty of the lesser included offense of involuntary manslaughter. The Court dismissed the remaining indictment for Possession of a Weapon During the Commission of a Violent Crime. This case was significant because it was a serious case that I tried alone, the jury returned a correct verdict, and my client was grateful for the effort and time I invested in his case.

(e) *Richard Wilson, et al. v. Laura B. Willis et al.*, 426 S.C. 326, 827 S.E.2d 167 (2019); I represented Laurie Williams in Circuit Court (Common Pleas), the Court of Appeals, and the Supreme Court. Ms. Williams was seriously injured in 2012 when a driver operating an SUV struck my client who was walking for exercise. The case has numerous parties and a complicated procedural history, and Ms. Williams became involved in the larger case when the SUV's driver's insurance company sued Ms. Williams in federal court. The federal case was dismissed, and the insurance company then sued her in state court. Months after filing suit against Ms. Williams in state court, the insurance company moved to compel arbitration based on an arbitration clause in a contract between the insurance company and an insurance agency. The trial court denied the motion to compel, and the insurance company appealed. The Court of Appeals reversed. *Wilson v. Willis*, 416 S.C. 395, 786 S.E.2d 571

(Ct. App. 2016). The Supreme Court granted certiorari, heard oral arguments (my co-counsel and I argued separately) on December 13, 2018, and reversed the Court of Appeals in its decision issued April 10, 2019. This case is significant personally because it is the first case I argued before the Supreme Court and because it addressed a unique issue related to arbitration and insurance policies that provides guidance for the wider legal community.

The following is Ms. Merrill's account of five civil appeals she has personally handled:

(a) *Singleton v. Shinseki*, Vet. App. No. 12-1084, U.S. Court of Appeals for Veterans Claims (2013). After the prebriefing conference, the VA Secretary conceded the Board of Veterans' Appeals erred because it did not provide an adequate statement of reasons or bases to support its finding that the Veteran "has not been shown to have a prostate disorder that is related to his military service." A joint motion for remand was filed, and the Court issued an Order remanding the case to the Board of Veterans' Appeals.

(b) *Carroll v. Shinseki*, Vet. App. No. 12-2696, U.S. Court of Appeals for Veterans Claims (2014). Mr. Carroll was a Vietnam era Veteran who sought service connection for Hepatitis C. By the time I began representing him before the Court, his claim had been pending for twelve years. I represented Mr. Carroll for his entire case before the Court of Appeals for Veterans Claims. The Secretary would not agree to a consent joint remand, so I argued his position in a brief and reply brief. In an unpublished memorandum decision, the Court ruled favorably for Mr. Carroll, and vacated the Board of Veterans' Appeals decision and remanded the matter for further proceedings consistent with its opinion. About a year later, the Department of Veterans Affairs granted service connection to Mr. Carroll for his Hepatitis C.

(c) *King v. McDonald*, Vet. App. No. 15-1983, U.S. Court of Appeals for Veterans Claims (2016). The Court affirmed the decision of the Board of Veterans' Appeals denying Mr. King's initial evaluation in excess of 10% for service-

connected mechanical low back pain, and for a total disability evaluation based on individual unemployability (TDIU).

(d) *Thompson v. Shulkin*, Vet. App. No. 16-3503, U.S. Court of Appeals for Veterans Claims (2018). After the prebriefing conference, the VA Secretary agreed to vacate and remand Mr. Thompson's case because the VA failed to provide adequate examinations in April 2008, August 2009, December 2010, and January 2015, and the Board of Veterans' Appeals relied upon the inadequate examinations in its decision. A consent joint motion for remand was filed, and the Court issued its order remanding the matter to the Board of Veterans' Appeals.

(e) *Wilson v. Willis*, 426 S.C. 326, 827 S.E.2d 167 (2019). The Supreme Court decided that insureds were not required to arbitrate their claims, which was favorable to my client. More details about this case are included in the response to Question 15 (e) above.

The following is Ms. Merrill's account of the criminal appeal she has personally handled:

State v. Green, Court of Appeals, May 11, 2016; I represented Mr. Green in this appeal pursuant to an appointment through the Appellate Practice Project. The Court of Appeals affirmed in an unpublished decision filed May 11, 2016.

Ms. Merrill further reported the following regarding unsuccessful candidacies:
I ran for Circuit Court Judge, At-Large, Seat 13, in the Fall of 2019. I ran for Circuit Court Judge, At-Large, Seat 3, in the Fall of 2022. Both times, I was found qualified though not nominated.

(9) Judicial Temperament:

The Commission believes that Ms. Merrill's temperament would be excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee found Ms. Merrill "Well-Qualified" as to the evaluative criteria of ethical fitness,

professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee noted: "Ms. Merrill has appeared before this Committee before. Then and now, she has made a forceful impression on us as a skilled and talented lawyer, a dedicated community servant, and a person of great character and integrity. We believe that she would make a fine Circuit Court judge."

Ms. Merrill is married to Albert L. Merrill. She has two children.

Ms. Merrill reported that she was a member of the following Bar and professional associations:
(a) South Carolina Bar, since 2007
(b) Greenwood County Bar Association, since 2007
(c) South Carolina Association of Criminal Defense Lawyers, since 2013
(d) National Organization of Veterans' Advocates, former member

Ms. Merrill provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) South Carolina Bar Leadership Academy Graduate (2022)
(b) G. Dewey Oxner, Jr. Mentor of the Year Award, South Carolina Bar (2019)
(c) Greenwood Leadership Graduate (2018)
(d) Star Under 40 Award, Greenwood Chamber of Commerce (2015)
(e) Phi Beta Kappa (inducted 2001)
(f) Legislative Appointee, Board of Directors, Greenwood County First Steps (since March 2022)
(g) Confirmed Communicant, Church of the Resurrection (Episcopal); Lay Reader (since 2005); Choir Member (since 2007); Delegate to Diocesan Convention (2021 to 2023 and 2013 to 2015); past Member of Rector Search Committee (2018 to 2019); past Senior Warden (2012); past Vestry Member (2010 to 2012)
(h) Immediate Past Chair, Board of Directors, Greenwood Community Theatre (Chair, 2020 to 2022; Vice Chair, 2019; Member since 2015)

(i) Board of Directors, Greenwood County Community Foundation (2015 to 2021)
(j) Founding Member, Greenwood Women Care (2018 to 2022)
(k) Volunteer Attorney Coach, High School Mock Trial Team (since 2013)
(l) Member, Kiwanis International (2010 - 2022)

Ms. Merrill further reported:

As the daughter of a social worker and truck driver, I had little exposure to the legal world growing up. Nevertheless, my life experiences have prepared me in immeasurable ways to be a conscientious, courteous, compassionate, and committed judge.

"Hard work never killed anyone." "If it's worth doing, it's worth doing right." "Can't never could." These are some of my mother's favorite phrases. My brother and I heard them all the time. Fortunately for us, my mother embodied these words in her own life, and we learned by her example.

My brother, older than me by only six months thanks to the gift of adoption, and I started kindergarten and graduated high school together. Our single mother working for DSS and our father, who was totally disabled by the time of our high school graduation, simply did not have the means to fund our college educations. So, I earned my college education through hard work and determination.

In high school I worked as a clerk at the local library and saved my minimum wage earnings. The summer before starting college, I kept my library job and added another waiting tables. Throughout college, I always worked at least one job, and most summers, I worked three. My jobs ran the gamut. I waited tables at three different restaurants, ran errands for two law firms, babysat, tutored student athletes, interned at an advertising agency, completed administrative tasks for a professor, and worked third shift at a radio station. When I walked across the stage at graduation, I had no student loan debt and a 3.95 GPA.

My mother learned the value of hard work from her parents. My grandfather worked multiple jobs to provide for his wife and five children. He started his own business, and steadily built a successful trucking company. My grandmother took care of their home and children and worked in her husband's business as it grew. Neither of my grandparents had a college degree, but I am

grateful that at least my grandmother lived long enough to be there when I earned mine.

My parents divorced when I was twelve, but even before they separated, my father worked late hours and my mother was the primary parent. I am blessed to have an extended family that love and care about me. A few of my fond memories include winning "best presentation board" in fifth grade because my uncle cut an interesting shape from wood onto which I glued facts and figures; learning from another uncle how to drive a manual transmission car on back country roads; and, moving in and out of every college apartment with help from yet another uncle. Two of my aunts worked as school librarians, and they introduced me to new worlds, adventures, and ideas through books. Another aunt embraced technology and taught me to use a computer. Another aunt and uncle beautifully play the piano and organ and inspired my love of music. And yet another aunt and uncle who met at a Mensa convention challenged me to critically analyze important issues. Finally, my aunt and uncle who lost their son in 1984, and my other aunt and uncle who lost their son in 2012 exemplified compassion and strength of character.

Though none of them worked in the legal field, my family supported my dream of becoming a lawyer. They encouraged me, prayed for me, and kept my infant child while I commuted daily between Greenwood and Columbia during my last year of law school. Even though my family did not expose me to the legal field, there were events along the way that sparked my interest in the law.

A junior high school field trip to the Greenwood County Courthouse fascinated me. Writing a paper in high school about Sandra Day O'Connor and her ascension to the United States Supreme Court inspired me. Working for lawyers in college opened my eyes to the variety of areas in which a lawyer could practice. Helping my father, who had Multiple Sclerosis and was wheelchair bound the last ten years of his life, navigate legal, long-term care, and medical decisions taught me patience and further ingrained in me that all people, no matter their circumstances, deserve to be treated with respect and dignity.

Though I can never repay my family for all they have given me, I can pay it forward to the next generation. I give back to our community and the legal profession in various ways. For more than ten years, I have served as a volunteer coach for

Greenwood High School's mock trial team. I serve on the boards of Greenwood County First Steps and Greenwood Community Theatre. I was honored to serve as a mentor to Daenayia Hudson through the South Carolina Bar's mentoring program, and then humbled to receive a 2019 Mentor of the Year award. There to celebrate the moment with me was my mother, sitting beside the Chief Justice of the South Carolina Supreme Court.

By example, my family taught me to be conscientious, courteous, compassionate, and committed. Just like an excellent judge, they paid attention and listened. They were patient, kept an open mind when I shared ideas and dreams, and encouraged my success. They knew that work worth doing was worth doing right. The life lessons I learned from them guided me through childhood, college, law school, and my career. I am grateful for them. All I learned from them, coupled with my broad, deep, and varied legal experiences, will serve me well as a Circuit Court Judge.

(11) Commission Members' Comments:

The Commission commented on Ms. Merrill's impressive scholarly background and her demonstrated commitment to public service throughout her professional career.

(12) Conclusion:

The Commission found Ms. Merrill qualified, and nominated her for election to Circuit Court, At-Large, Seat 16.

FAMILY COURT
QUALIFIED AND NOMINATED

Jerrod A. Anderson
Family Court, First Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, First Judicial Circuit, Seat 4, three candidates applied for this vacancy, and one candidate withdrew. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Anderson meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Anderson was born in 1971. He is 52 years old and a resident of Orangeburg, South Carolina. Mr. Anderson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1999. He was also admitted to the Georgia Bar in 2000.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Anderson.

Mr. Anderson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Anderson reported that he has not made any campaign expenditures.

Mr. Anderson testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Anderson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Anderson to be intelligent and knowledgeable.

Mr. Anderson reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Mr. Anderson reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Anderson did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Anderson did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Mr. Anderson was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Anderson reported that he is not rated by any legal rating organization.

Mr. Anderson reported that he has not served in the military.

Mr. Anderson reported that he has never held public office.

(6) Physical Health:

Mr. Anderson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Anderson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Anderson was admitted to the South Carolina Bar in 1999.

He gave the following account of his legal experience since graduation from law school:
(a) Glenn Walter's and Associates June 1998- August 1999, Associate Attorney;
(b) Law Office of Carl B. Grant August 1999- July 2004, Associate Attorney;
(c) South Carolina Department of Social Services Orangeburg and Calhoun County July 2004- September 2006, Attorney III
(d) Reeves Law, PA September 2006- June 2007, Associate Attorney
(e) Anderson Law Office, PA, June 2007-present, Sole Practitioner

Mr. Anderson further reported regarding his experience with the Family Court practice area:

I have had the privilege of representing clients in Family Court for over twenty-three (23) years. As to divorce and equitable division of marital property, I have completed dozens of divorces, and the issue of martial property or alimony is at issue before the Court. Generally, the parties had divided most of the personal property to their liking. The biggest assets were generally pension plans and equity in the martial home. I found that if both parties have a pension, we would work to keep each pension intact and make the division work out of the equity in the martial home. Custody of the minor children would be worked out by agreement; child support was paid by the non-custodial parent according to the South Carolina Child Support Guidelines. Alimony was usually waived and attorney fees if any would be the responsibility of the client who hired their attorney. I have established child custody by Court order for single parents who were not listed on the minor's birth certificate, grandparents who obtained physical custody of their grandchildren because the parent or parents, untimely death and aunts or uncles who have physical custody of their niece or nephew because of the parties untimely death. I get a great since of satisfaction in protecting children and helping a family move towards peace in their time of need. I have handled a handful of

adoptions, which have so many positives I recall in one instance my client asked the presiding judge to join in the first picture of family after the completion of the adoption proceedings. The Judge smiled and was so happy to be a part of the special moment. As to neglect and abuse cases, I have participated in dozens if not hundreds of hearings. I began my experience by covering pro bono appointments defending parents in abuse and neglect cases. Then I prosecuted on behalf of Orangeburg County and Calhoun County Department of Social Services (SCDSS) from July 2004 to September 2006. I resumed representing defendant parents from 2006 to 2016. I prosecuted cases again for SCDSS for a little over a year. Then I represented guardians appointed through the Cass Elias McCarter Guardian Ad Litem Program for 2019 to present. I have represented a handful of minors in three (3) to four (4) juvenile hearings. One thing I noticed about these cases is the children's behavior was linked to trouble at home, pressure at school or bad influences from peers. I was able to request access to resources for my client to help address problems that existed at home and/or school. The Court accepted negotiated pleas by my clients.

Mr. Anderson reported the frequency of his court appearances during the past five years as follows:

(a) Federal: No appearances.

(b) State: I was in Family Court generally weekly with South Carolina Department of Social Services docket.

Mr. Anderson reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 50%

(b) Criminal:

(c) Domestic: 50%

(d) Other:

Mr. Anderson reported his practice in trial court as follows:

(a) 35% settled prior to trial

(b) 20% of cases went to trial and resulted in a verdict

(c) 0 cases went to trial and resolved after the plaintiff's or State's case

(d) 0 cases settled after a jury was selected but prior to opening statements

Mr. Anderson provided that during the past five years he most often served as sole counsel.

The following is Mr. Anderson's account of his five most significant litigated matters:

(a) *SCDSS v. Latoya Greene, et. al.*, Case No.: 2022-DR-38-530: This case involved violence of a parent against his child which resulted in the child's death. There were other children in the household who witnessed the terrible and ultra traumatic killing. Helping the children find permanency demanded everyone's full attention.

(b) *SCDSS v. Anwar Young, et. al.*, Case No.: 2012-DR-38-1169: This case involved the defense of a paramour in the household who denied the sexual assault allegations alleged against him. He was criminally charged with the allegations, and his situation was more precarious by his prior-criminal history involving the death of child.

(c) *SCDSS v. Antar Jeter, et. al.*, Case No.: 2023-DR-38-897: This case involved an autistic minor the age of six, whose mother was murdered, and the biological father was criminally charged with the mother's death. Helping this minor child pick up the pieces, find family and have a healthy life is paramount.

(d) *SCDSS v. LeeAnne Cattles, et. al.*, Case No.: 2019-DR-38-03111: This case involved nine children with a procedural history starting in the year of 2016. Children were returned to the custodial mother; however, the children came back in the care of DSS. In 2018 ultimately the fathers abandoned the children, and the mother was not able to remedy conditions for the return of the children. Seven of the children were placed with family and friends of the family. Two of the children remain in foster care.

(e) *SCDSS v. LeeAnne Cattles, et. al.*, Case No.: 2022-DR-38-0019: Ms. Cattles' parental rights as to the two remaining children were terminated with the permanency plan of adoption. The two remaining children were housed separately, and each foster parent

expressed a willingness to adopt. The children have all finally reached permanency.

The following is Mr. Anderson's account of two civil appeals he has personally handled:

(a) *South Carolina Department of Social Services v. Melissa Wilson Evans, et. al.*, Unpublished Opinion No. 2006-UP-028.

(b) *South Carolina Department of Social Services v. Sharon Smith, et. al.*, Unpublished Opinion No. 2006-UP-258.

Mr. Anderson reported that he has not personally handled any criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. Anderson's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Mr. Anderson to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Citizens Committee stated in summary, "Dedicated, empathetic, calm, good integrity, tremendous desire to help and protect children, wide experience, would make a great family court judge (applied upon suggestion of Judge Dixon)."

Mr. Anderson is married to Nicole Lanee Reedus Anderson. He has three children.

Mr. Anderson reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar Association

(b) Georgia Bar Association.

Mr. Anderson provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Alpha Phi Alpha Fraternity Incorporated (Inactive)

(b) Christian Evangelism Fellowship (CEF) (Committee member of the Orangeburg/Lower Savanah District, presently Vice Chairman).

(11) Commission Members' Comments:

The Commission noted that Mr. Anderson has an impressive breadth of experience in Family Court.

(12) Conclusion:

The Commission found Mr. Anderson qualified, and nominated him for election to Family Court, First Judicial Circuit, Seat 4.

Deanne M. Gray
Family Court, First Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, First Judicial Circuit, Seat 4, three candidates applied for this vacancy, and one candidate withdrew. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Gray meets the qualifications prescribed by law for judicial service as a Family Court judge.

Ms. Gray was born in 1972. She is 51 years old and a resident of Summerville, South Carolina. Ms. Gray provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2000. She was also admitted to the Texas Bar in 2006.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Gray.

Ms. Gray demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Gray reported that she has made $95.24 in campaign expenditures for a name badge, postage, paper and envelopes.
Ms. Gray testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Gray testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Gray to be intelligent and knowledgeable.

Ms. Gray reported that she has taught the following law-related courses:

(a) In 2014, I taught a section for Law School for Non-Lawyers course at Trident Technical College regarding the topic of child protection law on behalf of the South Carolina Bar, public services division;
(b) In 2019, I presented at the Charleston County bar program entitled "DSS Abuse & Neglect Cases" regarding child protection laws;
(c) In 2020, I presented at the statewide guardian ad litem training seminar regarding guardian ad litem involvement with DSS including tips, tricks, and pitfalls;

(d) In 2020, I presented at a DSS continuing legal training regarding utilizing data to manage cases specific to termination of parental rights cases;

(e) In 2020, I presented at a legal training for advocates sponsored by My Sister's House. My presentation was entitled, "Everything you wanted to know about DSS but were afraid to ask";

(f) In 2022, I taught a section for Law School for Non-Lawyers course at Orangeburg-Calhoun Technical College regarding child protection law on behalf of the South Carolina Bar, public services division;

(g) I'm scheduled to teach another section for Law School for Non-Lawyers course at the Technical College of the Lowcountry regarding child protection law on September 18, 2023 on behalf of the South Carolina Bar, public services division.

Ms. Gray reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Ms. Gray did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Gray did not indicate any evidence of a troubled financial status. Ms. Gray has handled her financial affairs responsibly.

The Commission also noted that Ms. Gray was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Gray reported that she is not rated by any legal rating organization.

Ms. Gray reported that she has not served in the military.

Ms. Gray reported that she has never held public office.

(6) Physical Health:

Ms. Gray appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Gray appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Gray was admitted to the South Carolina Bar in 2000.

She gave the following account of her legal experience since graduation from law school:

(a) Law Clerk, South Carolina Court of Appeals, August 1999-August 2002. Drafted opinions and orders, read and analyzed trial records and briefs, participated in pre-oral argument court conferences, performed legal research, and supervised two junior law clerks.

(b) Assistant Solicitor, Charleston County Family Court, August 2022-February 2006. Prosecuted juvenile criminal offenses, including all sexually based offenses, worked closely with law enforcement agencies, prepared and presented training materials to law enforcement. Conducted waiver hearings pursuant to Kent v. United States, 383 U.S. 541, 86 S.Ct. 1045, 16 L.Ed.2d 84 (1966).

(c) Prosecuting Attorney, City of Fort Worth, Texas, June 2007-February 2008. Prosecuted state and local offenses in the City's municipal courts, prepared cases and pre-trial hearings, negotiated appropriate settlements with attorneys and un-represented defendants, represented the State in hearings regarding Emergency Protective Orders.

(d) Assistant City Attorney, City of Fort Worth, Texas, February 2008-June 2008. Researched legal questions and evaluated the impact of issues on city policies and procedures, provided advice to city management staff, filed charges, prosecuted and/or negotiated pending cases against violators, supervised staff responsible for providing legal assistance to the City.

(e) Managing County Attorney Dorchester County DSS, May 2013-January 2022. Represented SCDSS in Court and at administrative hearings, in addition to providing legal

advice for county child protective services and adult protective services staff. Managed the county legal office and hired, fired, trained, and supervised the attorneys and paralegals within my office. Assumed final responsibility for maintaining good working relationships and communication between the county legal office and other system stakeholders. Managed workflow for timeliness and statutory compliance.

(f) Family Law Attorney, Cobb Dill & Hammett, LLC, January 2022-Present. Advise clients regarding family law matters. Represent private clients in actions involving divorce, custody, child support, and equitable division of property. Draft Settlement Agreements and Prenuptial Agreements for clients. Defend private clients in actions brought by the South Carolina Department of Social Services. Attend arbitration and mediation with clients.

Ms. Gray further reported regarding her experience with the Family Court practice area:

Divorce and Equitable Division – As a law clerk for the South Carolina Court of Appeals, I reviewed many divorce cases involving equitable division of property. In my current position as a family law attorney, I handle numerous divorce cases, both contested and uncontested. The divorce cases are based on fault and no-fault grounds and involve equitable division. I have also attended mediations and arbitrations dealing with the equitable division of martial property. I appear before a Family Court judge three to four times a month on divorce cases involving equitable division.

Child Custody – For almost a decade, I appeared on behalf of the South Carolina Department of Social Services when foster parents or other individuals filed private actions seeking custody. As a family law attorney, I represent parents seeking custody of their children or to modify existing child custody orders based on a significant change of circumstance. I typically appear before a Family Court judge at least once a week on cases involving child custody.

Adoption – On behalf of the South Carolina Department of Social Services, I appeared in cases when a private adoption action was consolidated with a pending SCDSS action and if SCDSS objected to the consolidation and opposed the private adoption action. In private practice, I have filed several termination of parental rights and adoption actions. These cases are typically step-parent adoptions or adoptions by relatives who gained custody of the children through a previous SCDSS action. I typically appear before a Family Court judge once every other month for adoption hearings.

Abuse and Neglect – I served as the managing attorney for SCDSS in Dorchester County for almost a decade. I appeared before the Family Court for probable cause, merits, permanency planning and termination of parental rights hearings. I also advised SCDSS staff regarding prior rulings of the Court in private actions. I now defend parents when their children have been removed by SCDSS due to allegations of abuse and/or neglect. In the past five years, I would appear several times a week before a Family Court judge as the managing attorney for Dorchester County DSS. I now handle numerous cases defending parents in abuse and neglect actions and appear in before a Family Court judge two to three times a month.

Juvenile Justice – I served as an assistant solicitor in Charleston County and prosecuted juvenile offenders. I participated in detention, adjudicatory, and dispositional hearings. I developed a team to handle the prosecution of sexually based juvenile offenses to guarantee that the cases were handled with consistency and continuity. I handled several complex trials including having a five-years old victim testify via closed circuit video and a deaf victim testify with the assistance of interpreters from out of state. I was also the lead attorney in a waiver hearing. In the past five years, I appeared before a Family Court judge two to three times a month when juveniles, who were also involved with SCDSS, had hearings.

Ms. Gray reported the frequency of her court appearances during the past five years as follows:
(a) Federal: None;
(b) State: Weekly.

Ms. Gray reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 2%;
(b) Criminal: 3%;
(c) Domestic: 55%;
(d) Other: 40%.

Ms. Gray reported the percentage of her practice in trial court during the past five years as follows:

(a) 98% of my practice in the past five years was in trial court;
(b) In the last five years, at least thirty cases went to trial and resulted in the Court's verdict;
(c) In the last five years, at least five cases went to trial and resolved after Plaintiff's case;
(d) I have not had any cases settle after a jury was selected as I primarily practice in Family Court.

Ms. Gray provided that during the past five years she most often served as sole counsel.

The following is Ms. Gray's account of her five most significant litigated matters:

(a) *SCDSS v. M.L., et. al.:* This emergency removal and termination of parental rights action involved birth parents who were arrested on federal charges of child sex trafficking. A great deal of time was spent getting information from the United States Attorney's Office regarding the federal charges to determine how best to present the case to the Family Court to show termination of parental rights was in the best interests of the minor child. In addition, a study of the maternal grandmother's home in New York was completed through the Interstate Compact for the Place of Children (ICPC) and was denied. The grandmother then relocated to South Carolina and filed a Motion of Intervene seeking custody of the minor child. After receiving testimony and evidence from all parties, the Family Court terminated the birth parents' parental rights and denied the grandmother's petition for custody.

(b) *State v. R.S.:* I prosecuted a juvenile for several counts of criminal sexual conduct with a minor, first degree. The victim was just five (5) years old at the time of trial. After filing the appropriate motions, I prepared the victim and worked with the clerk's office to have the victim testify via closed circuit television. This case meant a great deal to me as I was able to prepare the victim to testify and make her comfortable enough in the courtroom that it was a positive experience for her. She felt that she had told the truth and people believed her and took steps to protect her. After the child victim testified, counsel for the juvenile accepted the State's plea offer to resolve the matter without further testimony being presented.

(c) *State v. T.K.,* I was the lead prosecutor presenting the case to waive the juvenile offender to General Sessions court after he was arrested for criminal sexual conduct. This required me to present evidence as to the existence of probable cause that the juvenile committed the offense. Once the Family Court determined probable cause existed, I presented evidence as to the waiver factors as set forth in Kent v. United States, 383 U.S. 541, 86 S.Ct. 1045, 16 L.Ed.2d 84 (1966). Most family law attorneys have not had the opportunity to participate in a waiver hearing. It is an extensive process, but I was able to present the case from the first detention hearing through the waiver hearing where the Court waived the juvenile to General Sessions.

(d) *SCDSS v. D.M., et. al.:* This termination of parental rights action involved a minor child with numerous allergies, medical conditions, and behavioral issues. Defendant's counsel argued that these conditions made the minor child "unadoptable" and therefore, termination of the mother's parental rights was not in the minor child's best interests. After working closely with the child's treating physicians and counselors, I was able to successfully argue that termination of the defendant mother's parental rights was in the minor child's best interests. The minor child was subsequently adopted and found a forever permanent home.

(e) *Singh v. Singh*: I represented the defendant father in this divorce and custody matter filed by the birth mother. North Carolina had jurisdiction over the divorce as my client was a resident of North Carolina. The divorce was granted in by North Carolina and that issue was dismissed in the South Carolina matter. This matter was resolved with a one-day trial on the issues of child custody, visitation, and child support. In addition, a Rule to Show Cause against the mother based on her failure to pay child support as ordered by the Court. At the end of the trial, the Court found in my client's favor and granted the relief he requested.

Ms. Gray reported she has not personally handled any civil or criminal appeals.

Ms. Gray further reported the following regarding unsuccessful candidacies:

(a) Family Court, At-Large, Seat 1 in 2019. I did not receive enough votes to be moved to the election.
(b) Family Court, First Judicial Circuit, Seat 3 in 2021. I withdrew prior to the election.
(c) Family Court, First Judicial Circuit, Seat 3 in 2022. I withdrew prior to the election.

(9) Judicial Temperament:

The Commission believes that Ms. Gray's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Ms. Gray to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "HIGHLY QUALIFIED!!! Would make a great family court judge. Organized, compassionate, great comments from her peers.

Ms. Gray is married to John William Gray Jr. She has two children.

Ms. Gray reported that she was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
(b) Dorchester County Bar Association
(c) Texas Bar Association
(d) Dorchester County Bar Association, Family Court Liaison Committee (2018-2020).

Ms. Gray provided that she was not a member of any civic, charitable, educational, social, or fraternal organizations.

Ms. Gray further reported:

I have spent most of my legal career practicing in the South Carolina Family Court. I have been blessed to appear before a diverse group of judges that have shaped the type of judge I plan to be in the future. Deanne is tough, but fair. This was the way I was first described by a fellow member of the bar after I joined the Solicitor's office. It is a motto that I have spent my legal career upholding. I believe all members of the legal community need to hold themselves to a high standard, both at work and in the community.

As a SCDSS attorney, I advocated on behalf of the Department. However, I had to remain open to the positions of all parties and respect their perspectives and positions. I was required to have a good temperament and the ability to communicate with pro se litigants as well as other attorneys. I have had the opportunity to mentor several attorneys during my time at SCDSS and hope I have passed those lessons on to new members of the bar.

The Family Court bench and bar deal with some of the most emotional and intimate areas of people's lives. I am a family law attorney who has experience practicing in all three areas before the Family Court, Department of Juvenile Justice (DJJ) cases, Department of Social Services (DSS) cases, and now private practice cases involving child support, custody, divorce, orders of protection, equitable division, and other issues in the Family

Court. Each area has its own nuances and distinct challenges. They also require those appearing before the Family Court to understand the specific skills and knowledge required in each area. However, there are many times that these areas may overlap. A juvenile involved with DJJ may make allegations of abuse or neglect that trigger the filing of a DSS action. One of the parties in a divorce action may make allegations against the other party that requires DSS to initiate an investigation and take appropriate protective measures. Given the broad scope of issues involved in family law cases, some would argue that family law should be considered complex litigation.

I often told the high school students I tutored that they shouldn't assume things about individuals based on that person's appearance or the limited information they may have regarding that person. My experience on paper may not fully inform the reader of my past struggles and personal experiences that led me to this moment. As a military spouse, sister of a domestic violence survivor, aunt to a teen mom, working mother, prosecutor, and attorney, I have been exposed to a wide array of individuals, experiences, cultures, religions and circumstances. Professionally, I have handled cases that involve issues of substance abuse, extreme physical abuse and neglect, sexual abuse, and domestic violence. These experiences have allowed me to develop a professional demeanor when arguing cases and not let my emotions rule my judgement, decisions, and interactions. Every individual who appears before the Family Court deserves to be treated with dignity and respect no matter the allegations they are facing. I would be honored to carry on the fine traditions of the South Carolina Family Court judges that came before me.

(11) Commission Members' Comments:

The Commission noted that Ms. Gray had overwhelming positive comments from her peers in the BallotBox survey. They were impressed with her temperament and her experience, not only as an attorney with DSS, but more recently, in private practice.

(12) Conclusion:

The Commission found Ms. Gray qualified, and nominated her for election to Family Court, First Judicial Circuit, Seat 4.

Pete G. Diamaduros
Family Court, Seventh Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Seventh Judicial Circuit, Seat 4, two candidates applied for this vacancy. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Diamaduros meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Diamaduros was born in 1961. He is 62 years old and a resident of Spartanburg, South Carolina. Mr. Diamaduros provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1986.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Diamaduros.

Mr. Diamaduros demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Diamaduros reported that he has not made any campaign expenditures.

Mr. Diamaduros testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Diamaduros testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Diamaduros to be intelligent and knowledgeable.

Mr. Diamaduros reported the following about teaching law-related courses:

(a) I have not taught classes nor lectured at bar association conferences but have on occasion served on discussion panels at seminars with the South Carolina Association of Criminal Defense Lawyers.

(b) I was a speaker in a continuing legal education program presented by the South Carolina Association of Criminal Defense Lawyers to young lawyers who had been admitted to the bar for only a few years. I spoke on how to successfully practice law in a small firm.

Mr. Diamaduros reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Diamaduros did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Diamaduros did not indicate any evidence of a troubled financial status. Mr. Diamaduros has handled his financial affairs responsibly.

The Commission also noted that Mr. Diamaduros was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Diamaduros reported that he is not rated by any legal rating organization.

Mr. Diamaduros reported that he has not served in the military.

Mr. Diamaduros reported that he has never held public office other than judicial office.

(6) Physical Health:

Mr. Diamaduros appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Diamaduros appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Diamaduros was admitted to the South Carolina Bar in 1986.

He gave the following account of his legal experience since graduation from law school:

(a) November 14, 1986 - December of 1988, I was an associate/partner in the firm of Phillips, Guess and Diamaduros. This was a general practice firm but the other partners predominantly handled collections for local banks, real estate transactions and trusts and estates. I was allowed to expand my caseload to include civil, domestic, and criminal cases. I had no financial management involvement in this firm.

(b) January 1989 - August of 1992, I was a partner in the firm of Whitney, White and Diamaduros. The firm was a general practice firm which predominantly handled criminal, domestic, civil, real estate, foreclosure and

collection work. I became heavily involved in the financial management of this firm including the management of trust accounts.

(c) August of 1992 - May of 2000, the previous firm added a partner and the name changed to Whitney, White, Diamaduros and Diamaduros. The firm continued its general practice mentioned above. I remained active in the administrative and financial management of this firm which included the management of trust accounts.

(d) May of 2000 - June of 2014, I was a partner in the firm of White, Diamaduros and Diamaduros. This firm was a general practice firm which concentrated on domestic, civil, criminal, collections, foreclosure and real estate work. I was considered the office managing partner and handled the majority of the administrative and financial management of this entity including the management of the trust accounts. In 2002 I served as a part time county attorney along with the other partners in the firm.

(e) June of 2014 - the present date, I am a partner in the Diamaduros Law Firm. This is a general practice firm which predominantly handles domestic, civil, criminal, collections and foreclosure. I often serve as special referee for common pleas cases in Union, Cherokee and Laurens County. I am considered the office managing partner and handle the majority of the administrative and financial management of this firm including the management of the trust accounts. I have continued to serve as part time county attorney along with the other partner in the firm.

Mr. Diamaduros further reported regarding his experience with the Family Court practice area:

(a) Divorce and equitable division of property: I have represented clients in what I would estimate to be, nearly a thousand cases involving divorce and decree of separate support and maintenance since I started practicing in 1986. I have equally represented husbands and wives as both plaintiffs and defendants in family court. I have represented them on all grounds of divorce including one year's continuous separation, adultery, habitual drunkenness, physical cruelty, and one case of desertion. I

have also represented clients seeking annulments and have represented clients seeking to establish common law marriages. Nearly every case I have handled has included the issue of equitable division of property. Many of these cases included issues involving transmutation of non-marital property into marital property, special equities in properties and property having been purchased in the name of a third party. The cases that I have handled included the issue of equitable division of property ranging from personal property of nominal value to multi-million-dollar estates.

I am familiar with the evidence required to meet the various burdens of proof for the grounds of divorce and division of assets. I have always worked hand in hand with my clients in identifying and valuing marital assets including, but not limited to, real property, businesses, retirement accounts, personal property and pensions. I have employed professionals to help with valuation of assets in some cases.

I have regularly appeared before the family court judges on all of these issues in the past five years. I would estimate I appear in family court fifty times per year.

(b) Child Custody: I have represented the mother, father, third parties, grandparents, and other relatives in hundreds of cases in which custody was in dispute. I have handled initial custody disputes, modifications of custody based on a change in circumstances, issues involving parents relocating out of state, third party custody actions and cases where DSS has become involved and removed children from their homes.

Some cases I handled included the need for genetic testing to determine paternity. Physical and psychological abuse and neglect were issues in many cases. Parental alienation, psychological parenting and de facto custodians were often involved in these cases. Many, if not most, of these cases are resolved at mediation or shortly before trial. Throughout my practice I have litigated many custody cases that consisted of actual trials that lasted up to five days.

I have regularly appeared before the family court on this issue in the past five years. I would estimate I have handled approximately five seriously contested custody cases a year during the past five years.

(c) Adoption: Throughout my career I have handled between fifty to one hundred adoption cases. Nearly all of these cases were relative adoption cases. I have served as guardian ad litem on many uncontested adoption cases and on a contested adoption cases.

I have handled cases that were tried to verdict that involved termination of parental rights and in some cases the termination of parental rights and adoption of the child.

I have appeared before the family court about two times per year on these issues in the past five years.

(d) Abuse and Neglect: I have been involved in many DSS abuse and neglect cases. Those cases involved attendance at probable cause hearings, status hearings, motion hearings, removal hearings, intervention hearings, judicial review hearings, permanency planning hearings, and termination of parental right hearings. In many of these cases, I was actively representing third parties or relatives seeking custody in private actions that coincided with the DSS action.

I have appeared before the family court multiple times on these issues in the past five years.

(e) Juvenile Justice: In the past I was appointed to serve as attorney in many juvenile justice cases. I have been retained to represent juveniles in cases in the past. During my service on the Commission on Lawyer Conduct from 1993 to 2021 there was an order from the Supreme Court removing members on the Commission on Lawyer Conduct from the clerk of court's appointment list. This order removed me from the list that appointed me to many juvenile justice cases. Even though I have not appeared regularly before the court on juvenile cases, I have extensive experience in handling criminal cases for adults and am regularly before the court of general sessions,

magistrate courts and municipal courts throughout the upstate of South Carolina.

Mr. Diamaduros reported the frequency of his court appearances during the past five years as follows:

(a) Federal: None;

(b) State: I appear frequently in general sessions, common pleas, family, magistrates and municipal courts. I regularly appear in court and would estimate that I appear seventy-five times per year.

Mr. Diamaduros reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 20%;
(b) Criminal: 35%;
(c) Domestic: 30%;
(d) Other: 15%.

Mr. Diamaduros reported the percentage of his practice in trial court during the past five years as follows:

(a) What percentage of your practice was in trial court, including cases that settled prior to trial? 95%

(b) What number of cases went to trial and resulted in a verdict? Approximately ten

(c) What number of cases went to trial and resolved after the plaintiff's or State's case? Zero (Resolved may include settlement, plea, by Judge's order during a motion hearing, etc.

(d) What number of your cases settled after a jury was selected but prior to opening statements? Zero

Mr. Diamaduros provided that during the past five years he most often served as sole counsel.

The following is Mr. Diamaduros's account of his five most significant litigated matters:

(a) State of South Carolina vs. Jerry Fox, 88-GS-181

This case involved an individual charged with three separate counts of Criminal Sexual Conduct in the Second Degree with a Minor. I had been out of law school for just shy of eighteen months. The defendant

was arrested on April 12, 1988. I was hired as soon as he was released on bond. The grand jury issued indictments on May 2, 1988. I was immediately given discovery and told the case would be tried in May. The solicitor William "Red" Ferguson and his assistant Jack Flynn would not discuss or entertain a motion for continuance. I recall being told that the crime carried twenty years and that the state would try him on all three counts and put him away for sixty years. I met with my client and we frantically prepared for trial. I was not granted a continuance and trial started on May 3rd. The state rested after a day of trial and I put up three witnesses the next day. Closing arguments were held and a not guilty verdict was returned on May 4, 1988.

This case was significant in that it was my first felony trial. My client professed his innocence and was not open to a plea bargain. I tried this case alone and was very nervous knowing my client's freedom was resting in my hands. As the jury was deliberating, I was going back over every question I asked and everything I argued and was hoping I had done enough. The jury returned their verdict. Hearing the words "not guilty" and being able to walk out of the courtroom with a man wrongly accused of having sex with a thirteen-year-old girl made me know that I had chosen the right profession for me.

(b) Preston Brooks Carwile vs. Sharon Brickle Carwile 1992-DR-44-13
Union County DSS vs. Brooks Carwile and Sharon Carwile 1997-DR-44-366
Sharon Carwile-Smith vs. Preston Brooks Carwile 1996-DR-44-211

This case was a divorce and custody action filed by the husband against the wife. I represented the husband throughout many years of litigation. The cases listed above are only a few of the case names and numbers that I could locate regarding these individuals. In 1992, joint custody was agreed to and approved by the courts for these parents to share their children and both parents felt

this was in the children's best interests. The litigants did not get along very well at all which led to more court appearances a few years later. The mother filed an action against the father in 1996 which led to a two-day trial in 1998 at which time the court granted custody of the oldest daughter to the mother and custody of the other two children to the father. Due to allegations made in this case the Department of Social Services also brought an action against the parents. A third case was filed by the mother against the father which led to an additional three-day trial wherein the court did not change the custody arrangement that was in place. As the years progressed, the parties would file contempt actions against each other and litigation seemed to go on for over ten years.

This case was significant because it was a case involving joint custody being allowed and then confirmed by courts after multiple trials between the parents. There were experts that did psychological evaluations and MMPI evaluations on the parents. There were allegations of alienation, verbal and mental abuse, coaching, etc. in all of these cases. I was representing the husband/father who was a childhood friend of mine which made juggling friendship and my responsibilities as his attorney a bit difficult at times. I was the only attorney that Mr. Carwile had represent him throughout all of these different actions. The wife had, to my recollection, five different attorneys representing her throughout this matter. It seems there were about six different judges that took part in the trials and/or contempt matters that were litigated. I would go to family court seminars and would be pulled aside by numerous judges wanting to know if these two parents were still litigating their differences. It seemed like each time the answer was "yes, they are".

(c) Danny William Dove vs. Dana Haddox, Leslie Haddox and Tamara Dove, 2008-DR-29-644
State vs. Danny William Dove (indicted in Chester County, South Carolina)

Danny Dove was arrested in Chester County with charges including illegal gambling machines in his home, possession of drugs, criminal conspiracy, distribution of controlled substances, operating a gambling establishment, two counts of child neglect and was accused of holding his wife and children captive for four years inside his home. The wife and two children were taken into protective custody by the Department of Social Services and turned over to state officials. This case was picked up by the internet and all facts such as the home being littered with human waste, food scraps, and animal waste was being reported and being put on the nightly news and on internet feeds every day, or at least for what seemed like every day. I had to navigate not only the criminal case against Mr. Dove, which led to a dismissal of all of the charges, but also had to defend him from what he would categorize as a "witch hunt" by the Department of Social Services. Approximately a year and a half later, we were in court in Lancaster County in the family courts and Mr. Dove was granted custody of the two minor children and the wife/mother was granted visitation as allowed by Mr. Dove.

This case was significant because, even though Mr. Dove was not guilty of any crimes, he had to accept responsibility for the condition of the home and complete classes required by DSS before he was able to obtain custody of the children. Those children have lived with him since he obtained custody in January of 2009. Since the family court and the Department of Social Services are always trying to protect children, it seemed like an impossible battle to overcome the criminal charges, the DSS investigation and a custody battle against the wife. The individuals that were granted custody of the minor children while the Doves were following a DSS treatment plan also caused issues in the case. The fact that Mr. Dove raised those two boys alone and was there sole provider until they reached the age of majority made all the hard work and pressure associated with this high publicity case worth every minute that we put into it.

(d) South Carolina Department of Social Services vs. Kristin E. Williams, Matthew West and Donna Jean Sanders 2009-DR-42-2898

I got into this case when it was almost too late to make a difference. The Department of Social Services had removed a minor child, who was about five years old, from the mother due to the mother's addiction to, and abuse of, drugs. After the mother continued to fail in her attempts to convince the South Carolina Department of Social Services that she was overcoming her drug addiction and was able to care for her child, the Department of Social Services referred this case to an adoption review committee that recommended termination of the parent rights to the minor child and adoption by the foster parents. It was at about this time that Donna Jean Sanders, the maternal grandmother, retained my services. I was actually retained by the maternal grandmother just before the adoption review hearing. After that ruling and before the Department of Social Services started a termination of parental rights action, I filed a motion on behalf of the grandmother asking for an order of the court allowing the grandmother to be made a party to this action and to be granted custody of her granddaughter. A hearing was held on September 1, 2010 and the grandmother was made a party to the action and was granted actual and physical custody of her minor grandchild effective that same afternoon.

The reason this case was significant was that the court, after hearing the arguments made on behalf of my client, ordered the transfer of custody to the grandmother. There were a number of issues that did not allow SCDSS to place the child with my client throughout the proceedings, but as soon as she was made a party to the case, she was able to explain why those issues should not have been the sole determinative issues in the case. The court considered what was best for the child and reuniting the family was determined to be best. I will never forget how unbelievably happy and excited Ms.

Sanders was to have been granted custody of her grandchild and to have been allowed to raise her granddaughter as her own.

(e) Heather Marie Shaw vs. Robert Ryan Shaw, 2018-DR-42-1293

In 2018, the wife filed an action against her husband seeking emergency relief. The South Carolina Department of Social Services had become involved in this case based upon the wife's allegations of physical abuse towards the minor child of the marriage by not only the father, but also the paternal grandmother. Temporary hearings were held on June of 2018 and May of 2019. Pretrial conferences were held. During my representation of the husband, the emotional pain and heartache that he endured based upon the false allegations of abuse by the mother pushed my client close to an emotional breakdown. Ultimately, we were able to convince the Department of Social Service to close their case over the objection of the mother. During the period of time that the case was open, my client was only allowed supervised visitation for a few hours every other weekend with his mother-in-law as the "sight and sound supervisor" of the visitation. The child was evaluated by a child therapist and both parents had to subject themselves to psychological evaluations and co-parenting therapists etc. After a hearing with the court in May of 2019, the father was given "makeup" visitation and was allowed nearly the entire summer of 2019 with his child after having no meaningful visitation outside of supervision for a year. This case was ultimately litigated in a five-day trial in November and December of 2019. The father was granted custody and the mother was given "sight and sound" supervised visitation by the court. Over the course of the following three and a half years, the mother has retained three additional attorneys and my client has continued to have to litigate and defend himself from many different allegations of physical abuse, alienation, coaching, and mental abuse.

> This case is significant because there was a point in this litigation when my client was so depressed and upset with all of the allegations being made against him that I honestly thought he was going to quit and give up on his fight to obtain custody of his child and thereby protect the child from his ex-wife's manipulation.
>
> The father was able to obtain custody, and to this day, I am pleased to report that the child is an honor student in school, excels in sports, is considered a leader among his peers, and has a wonderful and happy personality. None of this would have happened if I had not convinced my client to continue the fight and not give up on the court system.

The following is Mr. Diamaduros's account of two civil appeals he has personally handled:

(a) *Willie McBeth vs. TNS Mills, Inc*., 318SC388, 458SE2d52 (1995) (appeal from common pleas court to S.C. Court of Appeals) (I was heavily involved in the trial of the case but most of the brief to the court was handled by co-counsel).

(b) *Julie Sims vs. Paul Glenn*, 2001CP4400316 (2003)

The following is Mr. Diamaduros's account of three criminal appeals he has personally handled:

(a) *State of South Carolina vs. Woodrow Mozee*, 2015UP453 (appeal from court of general sessions to S. C. Court of Appeals).

(b) *State of South Carolina vs. Gene Howard Vinson*, 400SC347(SC Ct. App. 2012), 734SE2d82 (appeal from magistrate court to common pleas court to S.C. Court of Appeals).

(c) *Kenyotta Brandon vs. State of South Carolina*, 2003CP4400222 (2003).

(9) Judicial Temperament:

The Commission believes that Mr. Diamaduros's temperament would be excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Mr. Diamaduros to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament.

Mr. Diamaduros is married to Gia Konduros Diamaduros. He has two children.

Mr. Diamaduros reported that he was a member of the following Bar and professional associations:

(a) Union County Bar Association
(b) South Carolina Bar Association
(c) Spartanburg County Bar Association

Mr. Diamaduros provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Supreme Court Commission on Lawyer Conduct 1993-2021
(b) Union Rotary Club 1987-2023 (President 1999-2000)
(c) Wofford Terrier Club Board of Directors (app 1995-2023) (President 2004-2005)
(d) South Carolina Association of Criminal Defense Lawyers (founding member in 1992)
(e) South Carolina Bar Association
(f) Union County Bar Association, treasurer
(g) Spartanburg County Bar Association
(h) Family Law Section of South Carolina Bar Association
(i) Criminal Section of South Carolina Bar Association
(j) Workers Compensation Section of South Carolina Bar Association
(k) Westminister Presbyterian Church, Spartanburg, South Carolina
(l) St. Nicholas Greek Orthodox Church, Spartanburg, South Carolina
(m) Piedmont Club, Spartanburg, South Carolina
(n) Debutante Club of Spartanburg, South Carolina
(o) Spartanburg Country Club

Mr. Diamaduros further reported:

Born in Chester SC in 1961, I am the proud son of Gus and Helen Diamaduros, whose sacrifices afforded me the opportunity to be the first to go to college in my family. I graduated from Union High School in 1979, received a BA degree in accounting from Wofford College in 1983, and received my Juris Doctor degree from The University of South Carolina School of Law in 1986. My father owned and ran Heart's Restaurant in Union, SC from 1963-1995, managed it for many more years, and to this day can be found still making his secret hamburger sauce and greeting customers at 92. I watched him work eighty-hour weeks for most of my life and began working with him as a "curb hop" at age 7, happy to be near him. He instilled this same work ethic in me. During my thirty-six-year career, I have always been committed to my clients and have made myself available to them after hours and weekends as well. I would like to think that my work history has been one of consistency, stability, hard work and passion for my clients. One of my daily life habits is promptly and conscientiously returning phone calls and answering emails and letters. That being said, I am a family man, happiest when I am with my wife, children, new granddaughter, and extended family. I can usually be found at some point every week on the back of a tractor or working on our farm with my son.
I moved my family to Spartanburg in 1995 when our son started kindergarten at Pine Street Elementary, and we have loved being a part of the Spartanburg community ever since.

I have been married to Gia Konduros Diamaduros for thirty-five years, and we have two married children and one precious grandchild. Gia has been on staff and the contemporary worship leader at Westminster Presbyterian Church since 2005, where we have worshiped as members for over 15 years.

I truly love the law and continue to pursue practicing with integrity daily. As my wife reminds me, it is how I live out my God-given calling. One thing I know to be true for me is that knowing and understanding the facts and law surrounding a case is needed, but spending the time to know the client and explain realistic expectations before taking on a case is the key to a successful practice. In addition to practicing law, I served on the

Supreme Court Commission for Lawyer Conduct from 1993-2021 and the South Carolina State Ethics Commission from July 2000-May 2005. I have been a member of the Union Rotary Club (President 1999-2000) for approximately thirty-five years and the Wofford Terrier Club Board of Directors (President 2004-2005) for over twenty-five years. Some of the other organizations I have served are the St. Nicholas Greek Orthodox Church Board of Directors, the Workforce Development Board, the Union County United Way Board of Directors the Hillbrook Baseball Board of Directors, the South Carolina Bar Judicial Qualifications Commission 1999-2000 (Citizens Committee) and was a founding member of the South Carolina Association of Criminal Defense Lawyers started in 1992.

I feel that my personal life- my Christian faith and my family- and all the life and work experiences that I have touched on above, give me the skills and experience necessary to be an excellent and passionate family court judge- who I hope and pray could make a real difference. In my heart and mind, I would like to give back to this profession at this point in my career. I have been in the criminal, civil, and family courtrooms in over half of the counties in the state and have tried hundreds of cases to verdict or ruling. I have handled over 1500 domestic cases in one-third of the counties in this state, many of which involved trials lasting from two to five days in duration. I believe having the extensive litigation experience that I have had in my career, coupled with common sense, "street smarts", knowledge of the statutory and case law of the family court, and passion for the law and the people involved, give me the ability to make a difference from the bench.

(11) Commission Members' Comments:

The Commission commented that Mr. Diamaduros has a reputation that precedes him. They noted that he had many wonderful BallotBox comments that had been well earned due to his work ethic and his ability to work well with other attorneys. The Commission noted that they believe that Mr. Diamaduros would be a great asset to the Family Court bench.

(12) Conclusion:

The Commission found Mr. Diamaduros qualified, and nominated him for election to Family Court, Seventh Judicial Circuit, Seat 4.

Jonathan W. Lounsberry
Family Court, Seventh Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court Seventh Judicial Circuit, Seat 4, two candidates applied for this vacancy. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Lounsberry meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Lounsberry was born in 1980. He is 43 years old and a resident of Spartanburg, South Carolina. Mr. Lounsberry provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2009.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Lounsberry.

Mr. Lounsberry demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Lounsberry reported that he has made $17.94 in campaign expenditures for a name tag.

Mr. Lounsberry testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Lounsberry testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Lounsberry to be intelligent and knowledgeable.

Mr. Lounsberry reported that he has taught the following law-related courses:

(a) I was a moderator at the 2023 New York State Bar Association's "Advanced Topics and The Hague Abduction Convention";
(b) I was a presenter on the topic of "1980 Hague Convention Litigation in Light of Monasky and Golan" at the 2022 SC Bar Program Hot Tips from the Coolest Domestic Law Practitioners;
(c) I was a moderator and course planner at the 2022 SC Bar Program "CLE Essentials: Family Law";
(d) I was a moderator and course planner at the 2022 SC Bar Program "All About Alimony: An Intensive Workshop;"
(e) I was a presenter on the topic of Evidence at the 2022 Massachusetts Chapter – AAML program "Sophisticated Family Law Topics";
(f) I was a panel member at the 2021 AAML Webinar "Technologies that are Built to Last";
(g) I was a moderator and course planner at the 2021 SC Bar Program "CLE Essentials: Family Law";

(h) I was co-presenter on the topic of "How to Try a Hague Case from Start to Finish" at the International Law Committee's presentation at the 2021 SC Bar Convention;

(i) I was a panel member on the topic of "International Child Recovery … 13 B Hague Convention" at the IAFL-AIJUDEFA 2021 Latin American Family Law Webinar;

(j) I was a co-presenter on the topic of "How to Try a Hague Case from Start to Finish" at the 2020 IAFL USA Chapter "coffee hour";

(k) I was a moderator and course planner at the 2020 SC Bar Program "CLE Essentials: Family Law";

(l) I was a co-presenter for the 2020 Strafford Webinars "Dividing High Value Items in Divorce";

(m) I was a panelist for "Trial Technology: Tricks of the Trade" panel at the 2019 American Bar Association Section of Family Law Fall CLE Conference in Austin, Texas;

(n) I was a presenter on the topic of "Rule: What's Going On?" at the 2019 SC Bar Program Hot Tips from the Coolest Domestic Law Practitioners;

(o) I was a moderator, course planner, and lecturer at the 2019 SC Bar Program "CLE Essentials: Family Law";

(p) I was a co-presenter for "Judge, What Do You Want to Hear? Presenting a Bench Trial" presentation at the 2019 American Bar Association Section of Litigation & Section of Solo, Small Firm, and General Practice Annual Conference in New York City, New York;

(q) I was a moderator, course planner, and lecturer at the 2018 SC Bar Program "CLE Essentials: Family Law";

(r) I was a moderator, course planner, and lecturer at the 2017 SC Bar Program "CLE Essentials: Family Law";

(s) I assisted with the Legal Eagle Squares Game Show presentation at the 2017 Horry County Family Court CLE seminar;

(t) I presented on the topic of investigative tools and their uses at the 2017 SC Bar Program "Guardian ad litem Annual Training and Update";

(u) I participated in researching and drafting the questions for and assisting with the Hollywood Squares presentation on domestic relations and mental health issues at the 2017 Annual SC Bar Meeting;

(v) I participated in researching and drafting the questions for and assisting with the Hollywood Squares presentation on domestic relations and procedural and evidentiary issues at the 2016 Annual SC Bar Meeting;

(w) I lectured at all three of the 2016 SC Bar Program "Bridge the Gap" for new lawyers;

(x) I presented on the topic of tech tips for trial lawyers at the 2015 SC Association for Justice Annual Meeting;

(y) I presented on the topics of proper procedure for filing and serving domestic relations actions and the litigation of contempt actions at the 2015 SC Bar Program "CLE Essentials: Family Law";

(z) I lectured at all three of the 2015 SC Bar Program "Bridge the Gap" for new lawyers;

(aa) I presented on the topic of courtroom etiquette with the Honorable Dorothy M. Jones as part of the 2014 Professionalism Series at the Charleston School of Law;

(bb) I presented a review of recent SCOTUS rulings that affected family law at the 2014 SC Bar Program "Hot Tips from the Coolest Domestic Law Practitioners";

(cc) I lectured at all three of the 2014 SC Bar Program "Bridge the Gap" for new lawyers;

(dd) I was a program co-chair for a presentation on the topic of the 1980 Hague Convention on the Civil Aspects of International Child Abduction and its implementation in Asia for the 2014 ABA Section of International Law Program "International Families: Money, Children, and Long-Term Planning";

(ee) I was a member of the planning committee for the 2014 ABA Section of International Law Program "International Families: Money, Children, and Long-Term Planning" Program;

(ff) I assisted James T. McLaren with a presentation entitled "How Litigation Apps Can Make You a Better Trial Lawyer" at the 2013 SC Association of Justice Annual Convention;

(gg) I assisted James T. McLaren with a presentation entitled "Using Technology to Present a Complex Equitable Division Case" at the 2013 American Academy of Matrimonial Lawyers Mid-Year meeting;

(hh) I presented on the topic of marital agreements and whether parties can contract out of the jurisdiction of Family Court for a 2013 SC Bar Distance Learning CLE Program;

(ii) I presented on the topic of being appointed a Juvenile Justice matter for a 2013 SC Bar Distance Learning CLE Program; and

(jj) I assisted James T. McLaren with a presentation entitled "Technology for iPads and PC Laptops at Deposition and Trial" at the 2012 American Academy of Matrimonial Lawyers Annual meeting.

Mr. Lounsberry reported that he has published the following:

(a) J. Benjamin Stevens and Jonathan W. Lounsberry, Family Law Essentials: A Primer for Private Practice Before the Family Court in SC (SC Bar CLE 2018);

(b) Jonathan W. Lounsberry, The Family Court's New Uniforms: Amendments to South Carolina's Uniform Interstate Family Support Act and Adoption of the Uniform Deployed Parent Custody and Visitation Act (SC Lawyer January 2017);

(c) James T. McLaren and Jonathan W. Lounsberry, Division of Assets Held by Third Party Legal Entities in Domestic Relation Cases (International Academy of Family Lawyers Online News, June 2016);

(d) Jonathan W. Lounsberry, Tips for Using Technology Inside and Outside the Courtroom (Family Law Litigation Newsletter, ABA Section of Litigation, March 2016);

(e) Jonathan W. Lounsberry, Using Technology Inside & Outside the Courtroom: Streamlining the Litigation Process and Enhancing the Impact of Evidence (Family Law Advocate, ABA Section of Family Law, Spring 2015);

(f) Kathryn Barton, LBSW, et al., SC Children's Law Manual (Jonathan W. Lounsberry, Principal Editor, SC Bar CLE 2014); and

(g) Jonathan W. Lounsberry, Marital Agreements: Can You Really Contract Out of Family Court Jurisdiction? (SC Lawyer 2013).

(4) Character:

The Commission's investigation of Mr. Lounsberry did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Lounsberry did not indicate any evidence of a troubled financial status. Mr. Lounsberry has handled his financial affairs responsibly.

The Commission also noted that Mr. Lounsberry was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Lounsberry reported the following about his rating by a legal rating organization: for Martindale Hubbell, AV rating; for Super Lawyers, Super Lawyers, Family Law; for Greenville Business Magazine, Legal Elite, Family Law and International Law.; and SC Lawyers Weekly Power List: Family Law.

Mr. Lounsberry reported that he has not served in the military.

Mr. Lounsberry reported that he has never held public office.

(6) Physical Health:

Mr. Lounsberry appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Lounsberry appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Lounsberry was admitted to the South Carolina Bar in 2009.

He gave the following account of his legal experience since graduation from law school:

(a) Curphey & Badger, P.A. (Contract Attorney/Associate) (2009-2010): The general character of my practice was conducting real estate closings throughout the State of South

Carolina. I was not involved in the administrative and financial management of the firm.

(b) Hire Counsel (Contract Document Review Attorney) (2010): The general character of my practice was working on two document review projects for Nelson Mullins in Columbia, South Carolina, between July 2010 and December 2010. I was not involved in the administrative and financial management of the firm.

(c) Carolina Legal Associates (Contract Document Review Attorney) (2011): The general character of my practice was working on a document review project for Motley Rice Charleston, South Carolina, in January 2011. I was not involved in the administrative and financial management of the firm.

(d) McLaren & Lee (Contract Attorney/Associate) (2011-2013): The general character of my practice was assisting James T. McLaren and C. Dixon Lee, III, in litigating complex Family Court matters, including divorce, child custody, equitable division of property, multi-jurisdictional issues, 1980 Hague Convention matters, international family law issues, and the like. I was not involved in the administrative and financial management of the firm.

(e) Melissa F. Brown, LLC (Associate Attorney) (2014): The general character of my practice was assisting Melissa F. Brown in litigating complex Family Court matters, including divorce, child custody, equitable division, multi-jurisdictional issues, and the like, as well as litigating my own Family Court matters. I was not involved in the administrative and financial management of the firm.

(f) The Stevens Firm, P.A. (Senior Associate Attorney) (2015-2021): The general character of my practice was litigating and trying complex Family Court matters, divorce, child custody, equitable division of property, multi-jurisdictional issues, 1980 Hague Convention matters, 2007 Hague Convention matters, international family law issues and the like. I was not involved in the administrative and financial management of the firm.

(g) Harrison White/KD Trial Lawyers (Associate Attorney) (2021-Present): The general character of my practice is litigating and trying Family Court matters, including complex matters, in the areas of divorce, child custody, equitable

division of property, multi-jurisdictional issues, 1980 Hague Convention matters, 2007 Hague Convention matters, international family law issues and the like. I am not involved in the administrative and financial management of the firm.

Mr. Lounsberry further reported regarding his experience with the Family Court practice area:

(a) Divorce: I have acted as lead counsel and associate and/or co-counsel in matters involving divorce, as a single issue and as part of matters that involve alimony, child support, child custody, visitation, and equitable division of property. I have represented both plaintiffs and defendants in divorce actions involving statutory fault grounds, such as adultery, physical cruelty, and habitual drunkenness. I have not represented any litigants in a divorce action involving the statutory fault ground of desertion, but I have represented both plaintiffs and defendants in actions involving a divorce being granted on the statutory ground of one-year's continuous separation. In prosecuting and defending divorce actions, I am familiar with gathering requisite evidence to meet the various burdens of proof and with working with requisite experts necessary for the same.

My representation of litigants in divorce actions has included litigants who have been involved in common law, short-term and long-term marriages. I have regularly appeared before a Family Court judge on this issue in the past five years.

(b) Equitable Division of Property: I have acted as lead counsel and associate and/or co-counsel in matters involving equitable division of property. My experience with equitable division of property spans from the division of small marital estates to multi-million-dollar marital estates. In each of these instances I have dealt with the identification and valuation of various assets, including, but not limited to, real estate, closely held corporations, complex corporate structures, retirement accounts, pension plans, military retirement, stocks, professional practices, personal property, foreign property, and the like. In identifying and valuing these assets, I am also familiar with employing the services of various

experts (e.g., forensic CPAs, appraisers, etc.), as well as reviewing both personal and business tax returns.

I have also acted as lead counsel and associate and/or co-counsel in matters involving non-marital property, including, but not limited to, real estate, personal property, and the like. In dealing with the issue of non-marital property, I have experience in identifying such assets, determining whether the assets have transmuted into marital property or whether a party has a special equity interest in that property. I also have experience in dealing with actions where one or both parties are the trustee and/or beneficiary of trusts.

I have regularly appeared before a Family Court judge on these issues in the past five years.

(c) Child Custody: I have acted as lead counsel and associate and/or co-counsel in matters involving child custody for parents (both fathers and mothers, married and unmarried) in child custody actions, including determinations of biological and legal paternity. I have also represented third parties seeking custody of children, including the complicated issues of psychological parents and de facto parents. My experience includes initial actions for child custody and modification actions of prior orders. I have dealt with child custody issues involving healthy children, children with special needs, and children ranging in age from infancy to teenagers close to the age of emancipation. I have also prosecuted and defended litigants in matters involving the termination of parental rights.

I have experience in dealing with multijurisdictional issues under the Uniform Child Custody Jurisdiction Enforcement Act, including determining which State would have jurisdiction over the ensuing matter and the registration and enforcement and/or modification of foreign child custody orders.

I also have experience in litigating several 1980 Hague Convention on the Civil Aspects of International Child Abduction matters in both State and Federal Court.

Throughout the various types of matters discussed above, I have had to confront and address claims of physical abuse, neglect, parental alienation, parental gatekeeping, psychological parent, de facto custodians, and various jurisdictional issues. In doing so, I have worked with professionals (e.g., physicians, therapists, and teachers) and expert witnesses (e.g., psychological evaluators, forensic custody evaluators, counselors, etc.) in connection with these issues. I have also had to cross-examine expert witnesses regarding the above-referenced issues.

I have regularly appeared before a Family Court judge on these issues in the past five years.

(d) Adoption: I have both a professional (as lead counsel and associate and/or co-counsel) and personal experience with adoption actions, which I believe gives a unique perspective on the issues involved from the perspective of a lawyer, as well as a litigant. These actions have involved both blood-relative/stepparent adoptions, as well as private adoptions. These matters have been both uncontested and contested, one of which was a trial that involved a termination of parental rights that lasted for five days (see below). I have also taken consent/relinquishments for several private adoptions as well.

I have appeared before a Family Court judge on several occasions regarding these issues in the past five years.

(e) Abuse and Neglect: I have served as counsel of record in abuse and neglect matters. I have also gained some knowledge and experience in this area through my work in private cases where the parties have made allegations warranting the involvement of DSS. In 2014, I acted as the Principal Editor for the SC Children's Law Manual, which covers the statutes and procedures involved in abuse and neglect cases. However, as this area has not been a large part of my practice, I would further educate myself in this area by reviewing relevant statutes, regulations and procedures; attending CLEs; meeting with DSS staff and observing DSS proceedings; and seeking the advice of other Family Court judges experienced in this area.

I have appeared before a Family Court judge on several occasions regarding these issues in the past five years.

(f) Juvenile Justice: I served as counsel of record in several Juvenile Justice matters, where I was appointed under Rule 608, SCACR. These matters ranged from issues of simple assault to criminal sexual conduct. In representing these clients, I have been successful in utilizing discovery requests and motions to either reduce the number of charges or have the matter dismissed entirely. After being appointed my first juvenile justice matter, I worked with the SC Bar to develop a distance learning CLE regarding the representation of a juvenile client in an appointed matter as there were very few resources available regarding the same. While it has not been a large part of my practice, I would further educate myself in this area by reviewing relevant statutes, regulations and procedures; attending CLEs; meeting with DJJ staff and observing DJJ proceedings; and seeking the advice of other Family Court judges experienced in this area.

Mr. Lounsberry reported the frequency of his court appearances during the past five years as follows:

(a) Federal: 1% – My appearances in federal court have been limited to the litigation of 1980 Hague Convention on the Civil Aspects of International Child Abduction matters;
(b) State: 99% – I have regularly appeared in Family Court in the past five years regarding matters of divorce, child custody, vitiation, support, and other related issues.

Mr. Lounsberry reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: N/A;
(b) Criminal: N/A;
(c) Domestic: 100%;
(d) Other: N/A.

Mr. Lounsberry reported his practice in trial court during the last five years as follows:

(a) 100% was in trial court, including cases that settled prior to trial;

(b) An exact percentage of cases that went to trial and resulted in a verdict is difficult to estimate, most of the cases I handle (approx. 99% or more) are contested litigations in Family Court. These matters are resolved by settlement, court decision, Judge's order during a motion hearing, etc.;

(c) See above for number of cases that went to trial and resolved after the plaintiff's or State's case;

(d) 0 cases settled after a jury was selected but prior to opening statements.

Mr. Lounsberry provided that during the past five years he has most often served as follows:

During the past five years, I have carried a roster of clients where I served as sole counsel. During the past five years, I have also served as associate and/or co-counsel on various matters.

The following is Mr. Lounsberry's account of his five most significant litigated matters:

In effort to comply with Rule 1.6, RPC, Rule 407, SCACR, and existing court orders, the names of the parties have been reduced to initials or fictitious names. To the extent that I am able, I am happy to provide additional information, if such information is requested.

(a) *State v. O., A Minor Under the Age of Seventeen, Case No.: 2012-JU-18-09, 2012-JU-18-10, and 2012-18-JU-374 (Family Court, First Judicial Circuit, Dorchester County):* I was appointed to represent a minor in a pending juvenile delinquency matter. My client was charged with criminal sexual conduct with a minor, lewd act on a minor, and assault and battery in the second degree. I was successful in having the charge for a lewd act on minor nol prossed, as my client did meet the statutory age requirement for that charge. There was a motion hearing to deal with evidentiary issues (e.g., whether there should be a separate hearing to suppress certain evidence and requiring DSS to provide its file on their investigation into the matter) and two adjudicatory hearings.

This matter also involved my client submitting to a psycho-sexual evaluation. After the evaluation, the Solicitor and I structured a plea where my client would plead to assault and battery in the second degree and the criminal sexual conduct was nol prossed. The plea was conditioned such that if my client completed certain requirements, he would not be required to register as a sexual offender. The matter was not appealed, and there is no citation for this matter.

(b) *A. v. S., 2015-DR-42-2977 (Family Court, Seventh Judicial Circuit, Spartanburg County):* I represented the defendant in this matter, which was an action instituted by a third-party seeking custody of a minor child from the biological father. Prior to retaining me as his attorney in July 2016, my client was represented by two other attorneys.

Prior to the action being filed the child's mother committed suicide while living in South Carolina. The defendant was able to obtain custody of the minor child following the mother's death, which resulted in the child's maternal grandfather first filing an action in Florida and then filing an action in South Carolina. A Temporary Hearing was held, and the Court granted the minor child's maternal grandfather temporary custody and granted the defendant limited visitation, as well as appointing a guardian ad litem.

The matter was heavily litigated, with both parties propounding discovery. In July 2016, I was hired as co-counsel after the litigation began to assist with mediation and, if necessary, the trial on the merits. The parties were unable to reach a settlement during mediation, and a Pre-Trial hearing was requested.

I made my Notice of Appearance in August 2016. At the Pre-Trial hearing, the plaintiff requested the ability to take video-taped de bene esse depositions of the majority of his witnesses that resided in Florida. I was successful in arguing that the plaintiff should only be able to take a limited number of de bene esse depositions. Ultimately, the plaintiff was able to take nine videotaped de bene esse depositions (although the plaintiff only took six of these depositions over a period of two days, which were later used during the trial on the merits).

Also, as a result of the Pre-Trial Hearing, I became the defendant's sole counsel of record.

Following the taking of the depositions, there were several other motion hearings prior to the trial. From March 20–30, 2017, the matter was tried over a period of nine days, with the appearances of approx. 18 witnesses. The trial of this matter involved complex child custody issues (e.g., psychological parent, de facto custodian, the constitutional right to parent), complex evidentiary issues (e.g., the minor child's mother was dead and the plaintiff sought the ability to use de bene esse depositions), and complex mental health issues (e.g., the plaintiff hired a nationally renowned mental health expert to conduct a parental fitness evaluation on the child's maternal grandfather). The court found in favor of my client and granted him a $10,000.00 award in attorney's fees and costs. The matter was appealed, and I did not participate in the appeal. The citation for the Court of Appeals decision is *Alukonis v. Smith*, 431 S.C. 41, 846 S.E.2d (Ct. App. 2020).

(c) *B. v. L. et al., Case No.: 2016-DR-42-1006 (Family Court, Seventh Judicial Circuit, Spartanburg County):* J. Benjamin Stevens and I represented one of the defendants (the biological father) in this matter (the other defendant appeared pro se), which was an action for a termination of parental rights and adoption, or custody in the alternative. An Emergency Hearing was held, and the Court granted the plaintiffs temporary custody, with the defendants having visitation at the discretion of the plaintiffs, as well as appointing a guardian ad litem.

We were hired to represent the biological father following the Emergency Hearing, at which he appeared pro se. The matter was heavily litigated, and there were several motion hearings over the course of the litigation, which, among other issues, concerned the application of certain case law to the matter, as well as whether the matter should have been bifurcated. Prior to the matter being set for trial, the defendant's father filed a motion to intervene in the action, which was granted.

From October 30, 2017–November 6, 2017, the matter was tried over a period of five days, where I acted as lead counsel

for our client. The trial of this matter involved the testimony of one mental health expert and one counseling expert, as well as various other witnesses. The court found in favor of the plaintiffs. The matter was appealed, and I participated in the appeal. The Court of Appeals decision was unpublished, but the citation is *Burke v. Lusk*, No. 2019-UP-082, 2019 S.C. App. Unpub. LEXIS 82 (Ct. App. Feb. 13, 2019).

(d) *T. v. A., Case No.: 8:18-cv-02862-TMC (United States District Court for the District of South Carolina):* J. Benjamin Stevens (Fellow, AAML/IAFL), Richard Min (Fellow, IAFL) and I represented the Petitioner as co-lead counsel in a 1980 Hague Convention matter seeking return of her minor child to Ireland (which was their last habitual residence).

The Petitioner is a citizen and resident of France and was married to the Respondent, who is a U.S. citizen in living in Ireland. The parties spent significant time living in both France and Ireland, and the Respondent ultimately filed a divorce action in Ireland. Prior to his filing a divorce action in Ireland, the Petitioner returned with the minor children to France.

As a result, the Respondent filed a 1980 Hague Convention in France seeking return on the minor children to Ireland. Following a lengthy trial-court process and appellate-court process, the minor children were ultimately returned to Ireland. Once the children were in Ireland, the Respondent absconded with the minor children to the United States, hiding in various States, until he was located in South Carolina.

After learning the minor children were in the United States, the Petitioner hired an attorney admitted to practice in New York and France, who associated Mr. Min based on his experience in trying 1980 Hague Convention matters. Mr. Min contacted Mr. Stevens and me, as he had determined that the Respondent was in South Carolina. We filed the appropriate pleadings in the U.S. District Court for the District of South Carolina, and the matter was tried over one day (December 2018), resulting in the minor children being

returned to Ireland. The U.S. District Court also awarded the Petitioner an approximate total of $67,247.46 in attorney's fees and travel costs. The matter was not appealed, and there is no citation for this matter.

(e) *R. v. S., Case No.: 2:19-cv-02521-RMG (United States District Court for the District of South Carolina):* I represented the Petitioner in a 1980 Hague Convention Matter seeking return of minor child to Germany.
This matter consisted of one pre-trial hearing, the filing of several motions, including Motions to Make a Determination of German Law; Motion for Expedited Consideration and Issuance of Show Cause Order; and Motion for Summary Judgment.

The Court, *sua sponte*, sealed the record in this matter and appointed a Guardian *ad Litem*. The matter was resolved by a 1-day trial (November 2019), where, after the direct and cross-examination of my client, the Respondent settled the matter by agreeing to return the minor child.

Following Respondent's agreement to return the minor child, she subsequently refused to comply with the U.S. District's Order and obtained German counsel, who advised the U.S. District Court that Respondent did not need to return the minor child to Germany. This resulted in several telephonic hearings following the issuance of the final order; and, as a result, the Court allowed the Petitioner to come to South Carolina and pick up the minor child. The matter was not appealed, and there is no citation for this matter.

The following is Mr. Lounsberry's account of four civil appeals he has personally handled:

(a) *Burke v. Lusk*, No. 2019-UP-082, 2019 S.C. App. Unpub. LEXIS 82 (Ct. App. Feb. 13, 2019).

(b) I acted as a consultant on *Grano v. Martin*, 821 F. App'x 26 (2d Cir. 2020), which was a matter filed before the United States Court of Appeals for the Second Circuit.

(c) *Golan v. Saada*, 142 S. Ct. 1880 (2022). I, along with Leah M. Ramirez, James Netto, and Katy Chokowry, filed an amicus curiae brief for the Child Abduction Lawyers Association (CALA) UK in support of the respondent. Copy of brief found here:

https://www.supremecourt.gov/DocketPDF/20/20-1034/214956/20220225094456311_CALA%20INTERVENTION%20IN%20USSC%20-%2022.02.24.pdf

(d) W.K.S. v. J.K.S., Appellate Case No. 2022-001185, South Carolina Court of Appeals. This was an appeal from a Family Court matter decided in the Charleston County Family Court. Based on a Motion to Dismiss filed by myself and co-counsel, the matter was dismissed on March 24, 2023. The Court of Appeals dismissed the matter, and the Appellant has filed a Motion for Rehearing—as of the date of this application there has been no decision issued regarding said Motion. There is no published opinion.

Mr. Lounsberry reported that has not personally handled any criminal appeals.

Mr. Lounsberry further reported the following regarding unsuccessful candidacies:

I was a candidate in the 2018 judicial race for Family Court, Seventh Judicial Circuit, Seat 2, but withdrew from the race for personal reasons. Shortly after I withdrew from the race, my mother's battle with Stage 4 Pancreatic Cancer ended in December 2018.

I was a candidate in the 2020 judicial race for Family Court, Seventh Judicial Circuit, Seat 1, and was found qualified and nominated. I withdrew from the race prior to the election.

(9) Judicial Temperament:

The Commission believes that Mr. Lounsberry's temperament would be excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Mr. Lounsberry "Qualified" in the evaluative criteria areas of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria areas of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee did not have related or summary comments.

Mr. Lounsberry is married to Liza Juliet Lounsberry (Malone). He has two children.

Mr. Lounsberry reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar
  a. Delegate, Seventh Judicial Circuit, House of Delegates (2017-Present);
  b. Chair, Practice & Procedure (2016-2020);
  c. Chair, NextGen Committee (2018-2019);
  d. Co-Chair, Technology Committee, Young Lawyer's Division (2017-2018);
  e. Member, Young Lawyer's Division (2009-2018);
  f. Member, Practice & Procedure Committee (2009-Present);
  g. Member, Family Law Section (2009-Present);
  h. Member, South Carolina Bar Leadership Academy Committee (2016-2019);
  i. Member, Judicial Qualifications Committee (2015-2017);
  j. Member, International Law Committee (2014-Present).

(b) American Bar Association
  a. Vice-Chair, Family Law Committee, ABA Section of International Law (2018-Present);
  b. Member, Section of International Law, (2018-Present);
  c. Subcommittee Chair/Newsletter Editor, Family Law Litigation Committee, ABA Section of Litigation (2016-2020);
  d. Member, Section of Litigation (2015-Present);
  e. Member, Section of Family Law (2010-Present).

(c) International Academy of Family Lawyers
  a. Fellow (2020-Present);
  b. Relocation of Children Committee (2021-Present);
  c. Inter-Country Child Abduction and Protection Measures Interest Group (2021-Present).

(d) American Academy of Family Lawyers
  a. Fellow (2021-Present);
  b. Member, AAML/AFCC Joint Committee (2021-Present);
  c. Member, International Issues Committee (2021-Present);
  d. Member, Practice and Technology Committee (2021-2022);
  e. Member, National CLE Committee (2022-Present);

f. Member, Institute for Family Law Associates Committee (2022-Present).

(e) Spartanburg Bar Association; and
(f) Greenville Bar Association.

Mr. Lounsberry provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Leadership Spartanburg (2016-2017);
(b) Board of Regents, Leadership Spartanburg (2017-2019);
(c) Vestry, The Episcopal Church (TEC) of the Advent Spartanburg (2020-2023);
(d) Liturgy Commission, TEC of the Advent Spartanburg (2020-2023);
(e) Children and Young Families Commission, TEC of the Advent Spartanburg (2020-2023);
(f) Sunday School Teacher, TEC of the Advent Spartanburg (2023-Present);
(g) Alpha Leader, TEC of the Advent Spartanburg (2022-Present);
(h) Board Member, Spartanburg Little Theater (2021-Present);
(i) Member at Large, Executive Committee, Spartanburg Little Theater (2022-2023);
(j) President-Elect, Executive Committee, Spartanburg Little Theater (2023-Present);
(k) Seventh Judicial Circuit Pro Bono Committee (2017-2019);
(l) Self-Represented Litigation Family Committee, South Carolina Access to Justice Commission (2017-2018);
(m) I was awarded a Merit Award from the Charleston School of Law in 2008;
(n) I was invited to and attended the 2016, 2017, 2018, and the 2020 (virtual) Fall Leadership Meetings and Editor's Symposiums for ABA Section of Litigation;
(o) I was selected and invited to participate in the ABA Collaborative Bar Leadership Academy;
(p) I participated in the South Carolina Lawyer Mentoring Program in 2016-2017;
(q) I participated in the 2016 MDA Lock-Up which raised funds for children with muscle-debilitating diseases.

Mr. Lounsberry further reported:

Throughout my career, I have been fortunate to work for very accomplished Family Court attorneys. Doing so has allowed me to improve my knowledge of and experience with Family Court law and the rules of procedure and evidence. As a result, my practice focuses on litigation of difficult, complex, and, sometimes, novel Family Court issues. It has also required me to stay abreast of changes and trends in family law, which in turn has allowed me to develop a passion for and a deep understanding of the same.

I have set high standards for myself and my practice, and I strive to attain these standards every day with every client. If elected, I would continue to stay abreast of changes and trends in family law, with the goal of increasing my passion for and deepening my understanding of family law.

Early on in my career, a mentor gave me the following maxim: If you take care of the law, then the law will take care of you. After being given that instruction, I have devoted a significant portion of my time to writing about and presenting on substantive family law issues and family court litigation. As a result of this work, I served as Chair of the South Carolina Bar Practice and Procedure Committee (2016-2020) and continue to as Vice-Chair for an American Bar Association committee. I feel very honored and humbled by these experiences. If elected, I plan to remain committed to bettering and/or improving the practice of law.

(11) Commission Members' Comments:

The Commission noted that Mr. Lounsberry enjoys a good reputation among the Spartanburg Bar and has vast experience in family law.

(12) Conclusion:

The Commission found Mr. Lounsberry qualified, and nominated him for election to Family Court, Seventh Judicial Circuit, Seat 4.

Blakely Copeland Cahoon
Family Court, Ninth Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Ninth Judicial Circuit, Seat 4, three candidates applied for this vacancy, one candidate withdrew, and one candidate was found not qualified. Accordingly, the name and qualifications of one candidate is hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Cahoon meets the qualifications prescribed by law for judicial service as a Family Court judge.

Ms. Cahoon was born in 1974. She is 49 years old and a resident of Summerville, South Carolina. Ms. Cahoon provided in her application she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2000.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Cahoon.

Ms. Cahoon demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to a judge, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Cahoon reported that she has not made any campaign expenditures.

Ms. Cahoon testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Cahoon testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Cahoon to be intelligent and knowledgeable.

Ms. Cahoon reported that she has spoken or lectured for the following matters:
I have spoken in the past regarding family law, elder law, estate planning and probate matters.

Ms. Cahoon reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Ms. Cahoon did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Cahoon did not indicate any evidence of a troubled financial status. Ms. Cahoon has handled her financial affairs responsibly.
The Commission also noted that Ms. Cahoon has been punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Cahoon reported that she is not rated by any legal rating organization.

Ms. Cahoon reported that she has not served in the military.

Ms. Cahoon reported that she has never held public office.

(6) Physical Health:

Ms. Cahoon appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Cahoon appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Cahoon was admitted to the South Carolina Bar in 2000.

She gave the following account of her legal experience since graduation from law school:

Young Clement Rivers and Tisdale, LLP, Charleston SC. From June 2000-May 2001, I was a first-year associate with the firm in the practice areas of estate planning, probate, state and federal taxation and nonprofit law. I was not involved with the administrative or financial management of the firm. I had no management over the trust account(s).

Berry Quackenbush and Stuart, PA, Columbia SC. From August 2001 – September 2006. I was a general practice associate with the firm practicing primarily in the areas of estate planning, state and federal taxation, probate, elder law, family law, nonprofit law and general business issues. I had no responsibility for the administrative or financial management of the firm. I had no management over the trust account(s).
MerrittWebb, PLLC, Columbia SC. September 2006-March 31, 2011. I followed the managing partner of Berry Quackenbush and Stuart to MerrittWebb where I continued as a general practice associate with the firm practicing primarily in the areas of estate planning, state and federal taxation, probate, elder law, family law, nonprofit law and general business issues. I had no responsibility for the administrative or financial management of the firm. I had no management over the trust account(s).

Cahoon Law Firm, LLC, Columbia SC. April 1, 2011-present. I opened Cahoon Law Firm, LLC, on April 1, 2011. Since that time, I have primarily practiced in Family Court where I have handled clients matters related to all cases over which the Family

Court has original jurisdiction. This includes divorce, child custody and child support, equitable apportionment of property, protective orders, alimony issues along with modifications of child custody and visitation, alimony and child support. I have been involved in all aspects of adoption. I have represented parents, grandparents and other caregivers. While I encourage my clients to try and resolve their issues without the need for a contested hearing, I have handled contested trials on these issues. I had a 608 contract with the State of South Carolina through the Office of Indigent Defense to represent indigent parties in abuse and neglect cases since the program's inception. I have a contract with SCDSS to represent the agency in Family Court. Currently, approximately eighty-five percent of my practice involves Family Court matters with the remaining fifteen percent of my practice related to estate planning, elder law, probate and general business work. As the owner and sole member, I am responsible for all administrative, accounting and financial management. The operating and trust account are held and operated in accordance with the required rules.

Ms. Cahoon further reported regarding her experience with the Family Court practice area:

Frequency of appearances: For the past twelve years my practice has primarily consisted of Family Court matters. Within the past five years I have appeared on average twice a week before a Family Court Judge. Many weeks I am in court at least two days with multiple hearings being scheduled on those days. I have experience in all areas of practice within the Family Court.

Divorce and Equitable Distribution of Property: I have handled divorces that dealt with the uncontested statutory ground of a one-year physical separation and those with fault grounds. I have represented individuals who were the victims of domestic violence and those who were alleged to have committed such domestic violence. I have tried cases that required my client to prove fault whether adultery or habitual drunkenness or drug use and I have defended clients who spouses alleged fault grounds. Many of these matters also involved contested equitable apportionment of property and division of debt. I have used experts to value homes, retirement accounts and other assets. I

have dealt with the issues of non-marital property, inherited property and transmuted property. I have represented third party defendants in a divorce. In all my cases I encourage my clients to try to resolve the issues between my client and their spouse either through informal or formal mediation between the parties as this allows my client to determine what is best for their family and circumstances. When mediation does not resolve the issues then I have prepared for and tried multi-issue matters.

Child custody: In issues of child custody, I have represented parents, grandparents and other relatives in seeking custody or visitation. I have handled de facto guardian and psychological parent cases. I have helped new parents who are not married to long term married couples with teenagers. In each case, I encourage parents and other caregivers to work together to resolve their issues as they know what is best for their child(ren). I have helped families reach agreements that are flexible enough to grow with the child and hopefully allow the parents to work together with the need for additional legal action. The agreements generally involve schedules and parental conduct guidelines. In contested matters I have worked with both attorney and lay guardian ad litems appointed for the children. I have also served as guardian ad litem. When my clients have been unable to reach agreements often because of an issue such as mental health concerns or addiction issues with the other party then I have tried these issues before the Court. I have used experts regarding psychological evaluation and parenting evaluations. With custody issues I have also handled the accompanying visitation and child support issues. While child support is primarily set by the child support guidelines, I have worked with my clients to ensure accurate income figures as well child care and insurance credits are presented to the court. I have tried multiple day custody actions.

Adoptions: In the area of adoption, I have handled both contested and uncontested adoptions. This includes private adoptions and inner family adoptions. I have also assisted clients who were foster parents adopting their foster children from the custody of the Department of Social Services. I have also served as guardian ad litem in this type of matter. I have helped secure the appropriate pre and post placement investigations for my

clients along with handling relinquishment of parental rights. I have assisted other attorneys by taking relinquishments from biological parents. I have represented parents who rights were terminated so that an adoption could occur.

Abuse and neglect: I currently represent Richland County DSS weekly in all types of abuse and neglect matters including termination of parental rights actions. As a former 608 attorney, I previously regularly defended parents or other caregivers who were alleged to have abused or neglected a child and parents whose children are brought into care because of the alleged inappropriate actions of the custodian. While many of my cases in this area were from a court appointment, I also was privately retained to represent parents dealing with these issues. I defended and assisted many parents who had issues such as poverty, lack of education, little work skills or experience, suffer from addiction, are involved abusive relationships, who grew up in foster care themselves and who were homeless. I handle all types of hearings including probable cause hearings, merit hearings, judicial reviews, permanency planning and termination of parental rights actions. I have handled matters that involved children subject to the Indian Child Welfare Act. I have helped non-offender parents get custody of their children from foster care. I have negotiated findings and appropriate treatment plans. I have helped my clients reach their treatment goals and defended their rights to visit their children. I have helped many clients reunite with their children after successfully completing treatment. On the other side I have also represented parents in abuse and neglect matters that are unsuccessful in completing their treatment plan. Those clients I then often represent in a termination of parental rights action where the court terminates their parental rights. I have handled severe cases including cases where a child died, and my client also faced significant charges on the criminal side of their case. I have filed actions to intervene on behalf of other relatives to obtain custody of children in foster care.

Juvenile justice: While in law school I represented juveniles through my work with the juvenile justice clinic. I also previously volunteered as arbitrator in juvenile cases while in law school. I am familiar with the statutes and the process

juveniles who are involved in Family Court go through. I have had abuse and neglect matters that were also Department of Juvenile Justice matters. While I have no significant court experience in this area, I believe that I would be able to work with the solicitor, public defender, Department of Juvenile Justice, Department of Mental Health, Department of Social Services and other parties in handling these cases. I am a quick learner and the primary thing I learned while studying for my LL.M in taxation at the University of Florida was to how to read and interpret statutes as the law and accompanying regulations are always changing.

Ms. Cahoon reported the frequency of her court appearances as follows:
(a) federal:
(b) state: weekly in Family Court.

Ms. Cahoon reported the percentage of her practice involving civil, criminal, domestic and other matters as follows:
(a) Civil: 0%
(b) Criminal: 0%
(c) Domestic: 85%
(d) Other: Estate Planning, Probate, Elder Law, General Business Law: 15%

Ms. Cahoon reported the following about her practice in trial court during the past five years:
(a) What percentage of your practice was in trial court, including cases that settled prior to trial? 85%
(b) What number of cases went to trial and resulted in a verdict? 45-50%
(c) What number of cases went to trial and resolved after the plaintiff's or State's case? NA (Resolved may include settlement, plea, by Judge's order during a motion hearing, etc.
(d) What number of your cases settled after a jury was selected but prior to opening statements? NA

Ms. Cahoon provided that during the past five years she most often served as a sole or chief counsel.

The following is Ms. Cahoon's account of her five most significant litigated matters:

(a) *SCDSS v. E.B. et al*, 15-DR-28-661. This was a four-day contested Termination of Parental Rights action where I successfully defended a father. The Court determined that SCDSS had not met its burden of proof and my client's parental rights were not terminated. There was expert testimony and many witnesses for the state. There was also a section 19-1-180 motion that was argued regarding the testimony of the minor child.

(b) *D v. G&R*, 2020-DR-40-2387. This was a three-day contested custody and grandparent visitation action where my clients as defendants maintained custody of their niece who had been in their care for over seven years. This matter is currently set for appeal on other issues.

(c) *O v F &W*, 2020-DR-40-0363. I represented the defendant grandmother who after multiple hearings and multiple day hearing maintained custody of her two grandchildren against her son, their birth father.

(d) *DSS v MB*, 2018-DR-40-0661. I represented the defendant mother in a five day termination of parental rights action that also involved a private termination of parental rights action.

(e) *DSS v W*, 2019-DR-40-3218. I represented the agency a one day contested termination of parental rights action that included the foster parents as intervenors was granted by the trial court.

The following is Ms. Cahoon's account of three civil appeals that she has personally handled:

(a) *SCDSS v. Carter*, Appellate Case No. 2019-001657 (unpublished), May 12, 2021. SC Court of Appeals reversed the trial court resulting in my client having no finding of abuse and neglect.

(b) *SCDSS v. S.B.*, Appellate Case No. 2015-002008. Unpublished opinion affirmed the decision of the Family Court.

(c) *SCDSS v CS*, Appellate Case No. 2019-000555. Case was remanded by agreement of parties and the Family Court vacated the termination of parental rights order against my client.

Ms. Cahoon reported that she has not personally handled any criminal appeals.

Ms. Cahoon reported the following regarding unsuccessful candidacies:
I ran for Family Court, Fifth Judicial Circuit, Seat 1 in 2019. I was found qualified and removed my name from consideration before the scheduled vote by the Legislature.

(9) Judicial Temperament:

The Commission believes that Ms. Cahoon's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Ms. Cahoon to be "Unqualified" as to the evaluative criteria of constitutional qualifications due to lack of residence. The Committee did not make findings on the other evaluative criteria. The Committee noted that Ms. Cahoon "[h]as not moved. Has not brought a property. Has not rented a property. She said it is likely 'her plan' to move here. Committee believes she did not meet the constitutional residency requirement at time of interview" in their related comments.

After being contacted by Commission staff regarding the language of the SC Code Section 63-3-30 (A) (1) which provides that a person must meet the residential requirements at the time of assuming office, the Citizens Committee confirmed their report. In any event, since meeting with the Lowcountry Citizens Committee, Ms. Cahoon has established a legal residence in Berkeley County. The Commission found that Ms. Cahoon meets the statutory qualifications prescribed by law for judicial service as a Family Court judge.

Ms. Cahoon is married to Frank Ellwood Cahoon III. She has two children.

Ms. Cahoon reported that she was a member of the following Bar and professional associations:
(c) South Carolina Bar

(d) Richland County Bar Association
(e) SC Women Lawyers

Ms. Cahoon provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Junior League of Columbia
(b) Alala Cancer Society Board of Directors
(c) Blythewood Soccer Club Board of Directors
(d) Northeast United Methodist Church; Former Lay Leader, Former Chair of Administrative Counsel, certified lay servant for Columbia District
(e) Sandhills Community Church – current co-third grade leader
(f) Trinity Home School Academy Board of Directors
(g) St. Peter's Catholic PTA - President

Ms. Cahoon further reported:

Family Court Judges have a tremendous impact on children and families. Family Court more than any other court is about personal issues that affect children and families. From my personal experience as a child of divorced parents, as a parent to two children, from my daughter's adoption through foster care and my professional work with clients in all aspects of Family Court I truly believe I can help other children and families who are navigating the Family Court system. With my personal history and work experience I understand the personal and legal issues that would be brought before me.
Family Court is a frightening and stressful place for everyone. A courtroom where all parties feel safe, heard and respected can make a huge difference in how parties perceive and experience Family Court. This is an adversarial system so absent an agreement between the parties; one or both parties will disagree with my ruling as the decision maker. My biggest challenge would be wording my ruling in such a way to help parties who consider themselves the "loser" to understand that I did hear and consider their viewpoint when making my ruling. Words matter and taking time to ensure that address the issues before the Court from both sides in an impartial manner makes a difference. Addressing parties with respect throughout the process is important.

As a Judge I hope that my demeanor, courtesy, empathy, attention, knowledge and diligence would help facilitate a positive experience even when the parties disagree over the outcome. Even though they may not agree with my decision, I want the people who leave my courtroom, whether lawyers, pro se litigants, other parties or court personnel, to have felt that they were in a safe place, that their voice was heard, that they were respected and that their outcome was based on a thoughtful, deliberate decision which was issued within the confines of the existing laws that govern Family Court.

(11) Commission Members' Comments:

The Commission commended Ms. Cahoon for the glowing comments she received in the BallotBox survey and congratulated her on being the kind of lawyer that other lawyers want in the profession.

(12) Conclusion:

The Commission found Ms. Cahoon qualified, and nominated her for election to Family Court, Ninth Judicial Circuit, Seat 4.

Gina J. McAlhany
Family Court, Ninth Judicial Circuit, Seat 6

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Ninth Judicial Circuit, Seat 6, two candidates applied for this vacancy, and one candidate withdrew. Accordingly, the name and qualifications of one candidate is hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. McAlhany meets the qualifications prescribed by law for judicial service as a Family Court judge.

Ms. McAlhany was born in 1967. She is 56 years old and a resident of Summerville, South Carolina. Ms. McAlhany provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1993.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. McAlhany.

Ms. McAlhany demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. McAlhany reported that she has not made any campaign expenditures.

Ms. McAlhany testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. McAlhany testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. McAlhany to be intelligent and knowledgeable.

Ms. McAlhany reported that she has taught the following law-related courses:

(a) I gave a lecture in 2019 at Charleston Southern University to graduate and undergraduate students in the criminal justice program as to juvenile waiver proceedings;

(b) I served as an adjunct professor for one semester at Trident Technical College in Charleston, teaching business law in their paralegal program in 1998;
(c) I gave a presentation to foster parents in 1997 at their foster parent symposium.

Ms. McAlhany reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Ms. McAlhany did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. McAlhany did not indicate any evidence of a troubled financial status. Ms. McAlhany has handled her financial affairs responsibly.

The Commission also noted that Ms. McAlhany was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. McAlhany reported that her rating by a legal rating organization, Martindale-Hubbell, is Distinguished, Peer Rated for High Professional Achievement, Client Champion Silver 2023.

Ms. McAlhany reported that she has not served in the military.

Ms. McAlhany reported that she has never held public office.

(6) Physical Health:

Ms. McAlhany appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. McAlhany appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. McAlhany was admitted to the South Carolina Bar in 1993.

She gave the following account of her legal experience since graduation from law school:

(a) November 1993 – current day. Solo practitioner and owner of Gina J. McAlhany, Inc. d/b/a Gina J. McAlhany Attorney at Law

I have been a solo practitioner from the day I began practicing law, maintaining my office in Summerville, South Carolina for the entirety of my practice. I have practiced as a private practitioner exclusively in family court and specifically in the Berkeley, Dorchester, and Charleston County Family Courts. I have handled all types of cases in the family court including divorce, actions for separate support and maintenance, equitable distribution, custody, visitation, paternity, name changes, termination of parental rights, adoptions, settlement agreements, abuse and neglect cases and juvenile defense work.

On March 23, 1999 I became a certified Family Court mediator, and began mediating more frequently over the past eight (8) years. In 2018, I decided I would no longer serve as an attorney for parties in contested custodial cases as I have grown my mediation practice and would characterize my current practice as fifty (50%) percent mediations and fifty (50%) percent family court litigation.

As of June 2023, I have opened one hundred sixty-eight (168) total domestic and juvenile cases, inclusive of eighty-four (84) mediations.

I have always been solely responsible for the financial management of my law firm, including payroll, as well as sole management of my IOLTA trust account. I have always had a full time legal secretary or paralegal regarding daily administration of my office and assistance with clients and cases.

(b) September 1, 1995 – November 30, 1997

I served as the Dorchester County DSS attorney, prosecuting abuse and neglect cases through a contract position. I maintained my own office and my private practice with my individual staff and had a court docket every week for one half day, exclusive of any additional trial time or emergency hearings and had staffings at least one day per week at the Department of Social Services Office to prepare cases with the caseworkers. I was involved in the administration of these cases regarding notices, drafting of pleadings, orders, and subpoenas to include arguing an appeal in the Court of Appeals. I was not responsible for the financial management of the Department of Social Services in any manner.

(c) 1998, Adjunct Professor of Business Law, Trident Technical College

For one semester, I taught students participating in the paralegal program a course in business law at Trident Technical College in downtown Charleston. The course was essentially one of court procedures. I was responsible for the preparation of the lectures and materials, as well as testing and grading the students' work. I was not responsible for the financial management in any manner.

(d) January 2, 2006 – June 30, 2008, South Carolina Governor's Office, Attorney for Dorchester County guardian ad litem program

I served as the attorney for the volunteer guardians through the Governor's program in the abuse and neglect cases in Dorchester County as a contract attorney. I maintained my own office and my private practice with my staff. I participated in the weekly court trial docket in the abuse and neglect cases, in addition to additional time for trials. My role was to advocate the position of the guardian ad litem appointed to represent the best interest of the children in the Department of Social Services cases. I was responsible for meeting with the volunteer guardians, preparing them for court, reviewing their written reports, and preparing them,

as well as any evidence for trial. I was responsible for preparing legal motions and recall on one occasion preparing and successfully litigating a Rule to Show Cause against the Department of Social Services for failing to comply with a court order resulting in further harm to the children involved. I was not responsible for the financial management in any manner.

(e) November 1993 – 1997 and 1998 to current, Juvenile Public Defender for Dorchester County

I have served as the attorney representing indigent juveniles in the Family Court twenty-seven (27) of my thirty (30) years of practice. I have maintained my private practice and my own office and staff, and am responsible upon my notice of appointment for all further aspects of the juvenile proceeding, including Rule 5 Motions, letters to juveniles, meeting with juveniles, meeting with parents, interagency staffings, representation of the juvenile in all hearings from detention, full probable cause hearings, adjudications, disposition, and review hearings. I appear in court once weekly on the regular half-day docket, in addition to initial detention hearings as a courtesy and statutory detention hearings thereafter if I am appointed as counsel. Saving my initial appointment through the Public Defender's Office, I handle all further administration of the file until closure in the Defender data system. I am in no manner responsible for any financial management.

Ms. McAlhany further reported regarding her experience with the Family Court practice area:

I have practiced in all areas of Family Court since the beginning of my practice in November 1993, including cases of divorce, equitable division of property, alimony, child custody, termination of parental rights, adoption, abuse and neglect, and juvenile justice.

I have handled domestic cases which have been amicable under the circumstances from the inception, including the preparation of written settlement agreements with custodial and equitable

division issues and thereafter filing and obtaining final court approval of the agreements. I have handled high conflict cases involving custody and modification of custody based on a substantial change in circumstances. I have handled contested domestic cases regarding issues of alimony and equitable distribution, as well as stepparent adoption cases by consent. The majority of my contested filings would include motions for temporary relief, which I have prepared and argued. I have filed and litigated actions regarding custody or visitation for a de facto custodian/psychological parent, contested termination of parental rights and adoptions, as well as actions for grandparent visitation due to the death of a parent. I have prepared prenuptial agreements. I have also handled adult name changes.

I prepare qualified domestic relations orders for equitable division of retirement accounts not only for my clients, but I am also hired to prepare these orders for attorneys and clients generally in the Lowcountry area. I handle approximately three (3) to five (5) QDROs a month at the current time.

In 2018, I made the conscious decision to step away from handling contested custody cases, as although I have been a licensed mediator since 1999, my mediation practice has grown tremendously, and I now mediate one hundred (100) to one hundred fifty (150) cases a year.

As set forth above, I have not only represented defendants in abuse and neglect cases, but I have also been the county attorney in the prosecution of these cases as well as the attorney for the volunteer guardian ad litem program in the abuse and neglect cases.

I continue to maintain the juvenile public defender position, as I have for almost the entirety of my practice representing juveniles charged with status offenses to murder, including waiver hearings, one of which I have been recently assigned.

In the past five (5) years, I appear at least once or twice a week before a Family Court judge both for juvenile cases and for domestic cases.

Ms. McAlhany reported the frequency of her court appearances during the past five years as follows:

(a) Federal: none;
(b) State: I appear in Family Court once or twice per week on average.

Ms. McAlhany reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 0%;
(b) Criminal: 0%;
(c) Domestic: 100% (inclusive of juvenile proceedings and family court mediations);
(d) Other: 0%.

Ms. McAlhany reported her practice in trial court during the past five years as follows:

(a) 50% of her practice was in trial court, including cases that settled prior to trial;
(b) 0 cases went to trial and resulted in a verdict;
(c) In the past five years, as 50% of my practice is Family Court litigation and 50% is devoted to mediating family court cases, I would estimate 40% of my litigation Family Court cases resolved after a motion, plea, or settlement. The number of cases would be dependent on the number of files I handled each year. By example as of June 2023, I have opened one hundred sixty-eight (168) cases, eighty-four (84) which are mediations.
(d) N/A regarding number of cases settled after a jury was selected but prior to opening statements.

Ms. McAlhany provided that during the past five years she most often served as sole counsel.

The following is Ms. McAlhany's account of her five most significant litigated matters:

(a) *The State of South Carolina v. R.S.F., a minor,* 2015-JU-18-274, 2015-JU-18-275, and 2015-JU-18-276

My client, a juvenile, was charged in 2015 with murder, armed robbery, and burglary second when he was fourteen (14) years old. The State filed a waiver petition to seek to waive him to General Sessions court. There were a sixteen (16) and seventeen (17) year old co-defendants who were charged as adults and were each sentenced to approximately twenty-five (25) years in prison.

My client had not finished eighth grade, had never been adjudicated in the Family Court, was one of eight (8) children, whose mother although caring, had her own limitations. I hired my own psychologist as an expert witness for his waiver hearing regarding my client's treatability, risk, and rehabilitation. He was diagnosed with PTSD from the event. In the spring of 2017, after the first day and one-half day of trial, I was offered a plea to allow my client to remain and be adjudicated in Family Court. After almost two years in May 2017, his dispositional hearing was held, and he was given a suspended indeterminate commitment sentence with alternative placement for twelve (12) months. The victim's family had been present for all of his proceedings and did not object to his sentencing.

The resolution of this case prevented a fourteen-year-old from receiving an adult sentence in an adult prison system, and allowed him the opportunity to receive the services to rehabilitate and return to the community.

(b) *South Carolina Department of Social Services v. Kimberly Love, Jason Buckley and Kelvin Mendoza*, 2012-DR-18-246

I was appointed by the Family Court to represent the Defendant Mother. Ms. Love was charged with murder of her special needs child and her three (3) other children were removed from her custody by the Department of Social Services. Early in the case, I was able to have her three children moved from foster care to a relative placement to allow her supervised visitation. Ms. Love's deceased son had a congenital condition which did not allow him to speak nor ambulate and he had a history of seizures. Ms. Love's three other children who were removed from her custody were straight "A" students and there was no prior Department of Social Services history, nor criminal

history as to her and her children. After multiple hearings, deposition of the pathologist, review from a second pathologist, the case was concluded with no required treatment nor findings and her children were returned to her custody. Ms. Love's special needs child was loved and was cared for by his mother. It was later determined her son had a seizure and died in his sleep. Ultimately in January 2017, the murder charge against Ms. Love was also dismissed by the solicitor.

(c) *The State of South Carolina v. D.W., a minor,* 2021-JU-18-001, and 2021-JU-18-092

This juvenile came into the juvenile system in 2021, initially with assault and battery third degree charges, but continued to accrue multiple charges during the next twenty-four (24) months, although ultimately not adjudicated on the charges. I was aware that he had seizures in the past, but they had been in remission. Based on my multiple interactions with my client and based on his inability to control his actions or process his thoughts at times, although he was articulate, I believed there needed to be further evaluation. I appeared at approximately fifteen (15) hearings for this child, and ultimately was able to have a neuropsychological evaluation ordered by the Family Court. The neuropsychological evaluation found he had a cerebral condition that affected his executive functioning, and therefore his reasoning, if in a heightened or agitated state. As a result, in May 2022, I was able to have his adjudications vacated and my client committed to the Department of Mental Health for placement and treatment rather than remain in the juvenile system.

(d) *Steven Singletary v. Verlie C. Vanzant f/k/a Verlie C. Fender* , 2010-DR-08-893 and 2012-DR-08-871

I represented a father in a custody proceeding. In his initial Final Order, my client had represented himself, leaving him susceptible to the mother and his child relocating, which is what occurred with a relocation to Texas. Neither parent was unfit. An agreement was reached in mediation, which allowed the mother and child to remain in Texas; however, the mother withdrew and the case was scheduled for trial. At the

commencement of trial, I was able to make motions regarding exclusion of witnesses based on the failure of counsel to comply with discovery and responsive pleadings, and as a result, settlement negotiations ensued which allowed the child to remain in South Carolina in the custody of my client, provided if the mother relocated back to South Carolina from Texas, the parties would share custodial time. Subsequent to the Final Order, the Mother filed a second action with a new attorney seeking to vacate the prior Final Order, as she did not want to return to South Carolina, claiming she was forced/coerced into the agreement due to her prior counsel's representation. I represented Father again in this action. My client maintained custody of his daughter in South Carolina.

(e) *Sherrie Winn v. Alicia Cates and Donald Winn, Sr. and Sean Rucker and Amanda Rucker v. George Cates v. Alicia Cates, Donald Winn, Sr. and Sherrie Winn,* 2011-DR-18-328

This was a complex custody case involving a paternal grandmother, maternal grandfather, mother, father, and my clients who were unrelated third-parties and had assumed significant caretaking responsibility for the child. I filed an action on behalf of my clients seeking custody of the child as psychological parents/defacto custodians and moved to intervene in the pending case with the parental grandmother and biological parents. Subsequently, the maternal grandfather moved to intervene and became a party in the case seeking custody. After multiple motions, pretrial hearings, and discovery, the case resolved with my clients maintaining primary physical and legal custody of the child until and unless the father completed a reunification plan and conditions. Provided the father was able to comply and maintain the conditions of the transition plan, primary custody would return to Father, however, my clients maintained joint custody with specific custodial rights, such as the child would continue care with the current pediatrician, my clients would continue as the childcare provider, and the child would attend private school of my clients choosing if they were financially responsible for same. Ultimately due to this case, this child was given a loving and stable home with my clients.

The following is Ms. McAlhany's account of three civil appeals she has personally handled:

(a) *Dorchester County Department of Social Services, Respondent v. Clyde Mitchell and Krista Atkinson, Defendants, of whom Clyde Mitchell is Appellant*, (S.C. Ct. App. heard June 5, 1996);

(b) *Department of Social Services v. Miller*, Court of Appeals, date of decision October 14, 1996, Case No. 324 S.C. 445, 477 S.E.2d 476 (Ct. App. 1996);

(c) *S.C. Dept. of Social Services v. C.H.*, Court of Appeals, date of decision October 28, 2009, Case No. 386 S.C. 58, 685 S.E.2d 835 (Ct. App. 2009).

Ms. McAlhany reported that she has not personally handled any criminal appeals.

(9) Judicial Temperament:

The Commission believes that Ms. McAlhany's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee found Ms. McAlhany "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in summary, "Super-qualified and experienced, well regarded and well liked. Excellent experience, wonderful disposition, empathetic, smart, dedicated – make GREAT FAMILY COURT JUDGE A+."

Ms. McAlhany is married to Peter Them Thomason. She has one child.

Ms. McAlhany reported that she was a member of the following Bar and professional associations:

(a) South Carolina Family Law American Inn of Court, Master;

(b) Dorchester County Bar Association;

(c) South Carolina Women Lawyers Association.

Ms. McAlhany provided that she was a member of the following civic, charitable, educational, social, or fraternal organization: United States Tennis Association.

Ms. McAlhany further reported:

In completing my application for my candidacy, it required me to reflect on my legal career as a family court practitioner. Throughout this process, it reminded me of the impact the Family Court has in the lives of not only the adult litigants, but on the lives of the children who are brought into the Family Court through custody actions, abuse and neglect proceedings, or as juveniles. I believe having practiced in all areas of the Family Court, I have a recognition of the tremendous responsibility I would have as a judge to those that appeared before me.

(11) Commission Members' Comments:

The Commission noted that Ms. McAlhany had universally positive comments in the BallotBox survey, which is not frequently seen. Further, the Commission stated that she has earned a reputation that has distinguished her among members of the Bar, and that is something of which all members can be proud.

(12) Conclusion:

The Commission found Ms. McAlhany qualified, and nominated her for election to Family Court, Ninth Judicial Circuit, Seat 6.

David J. Brousseau
Family Court, Tenth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Tenth Judicial Circuit, Seat 1, three candidates applied for this vacancy, and one candidate withdrew. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Brousseau meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Brousseau was born in 1976. He is 47 years old and a resident of Anderson, South Carolina. Mr. Brousseau provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2003.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Brousseau.

Mr. Brousseau demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Brousseau reported that he has not made any campaign expenditures.

Mr. Brousseau testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Brousseau testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Brousseau to be intelligent and knowledgeable.

Mr. Brousseau reported that he has taught the following law-related courses:

(a) I taught an Introduction to Law course at Anderson University from 2015-2018.
(b) I lectured on all topics at the Advanced Family Law Seminar CLE by NBI on March 18, 2015.
(c) I lectured on the topic of appeals, alimony and equitable division for the 2023 Family Court Seminar by the Anderson County Bar on February 3, 2023

Mr. Brousseau reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Brousseau did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Brousseau did not indicate any evidence of a troubled financial status. Mr. Brousseau has handled his financial affairs responsibly.

The Commission also noted that Mr. Brousseau was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Brousseau reported that his rating by a legal rating organization, Martindale-Hubbell, is 4.4 out of 5.

Mr. Brousseau reported that he has not served in the military.

Mr. Brousseau reported that he has held the following public office:

2009-Curent: Anderson County Tax Assessor Appeals Board, Member. This is an appointed position by the Anderson County Council that serves as part of the assessor's office. No report is required with the State Ethics Commission for this position. I have never been subject to a penalty.

(6) Physical Health:

Mr. Brousseau appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Brousseau appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Brousseau was admitted to the South Carolina Bar in 2003.

He gave the following account of his legal experience since graduation from law school:

(a) 2002-2003, law clerk at McIntosh, Sherard & Sullivan; Anderson, South Carolina. I assisted the attorneys on their files while I awaited the results of the Bar Exam and getting sworn in. I did title searches for the real estate attorneys at the firm, and particularly assisted in discovery, legal research, and trial preparation on the litigation side of the firm.
(b) 2003-2009, Associate attorney at McIntosh, Sherard & Sullivan; Anderson, South Carolina. During this time period my practice consisted of general litigation with a particular emphasis on civil litigation. By 2005, I took over all domestic relations cases at the firm. Over fifty percent of my caseload was in all facets of domestic relations law. Additionally, I was handling a number of cases involving personal injury, breach of contract, construction litigation, and real estate disputes in Circuit Court.

(c) 2009-Current, Partner at McIntosh, Sherard, Sullivan & Brousseau; Anderson, South Carolina. In 2009, I became a partner at my firm. My practice continues to be in civil litigation with an emphasis in domestic relations law, personal injury, real estate litigation, and construction litigation. I also

handle criminal defense cases, but typically on the lower end of the penalty threshold. Over fifty percent of my caseload involves family court cases. Additionally, I serve as mediator on a number of family court cases by agreement of the attorneys. I am involved in the administrative decisions of the firm, management of trust accounts on my cases and other related financial matters directly related to the litigation side of my firm.

(d) 2015-2018, Adjunct Professor, Anderson University; Anderson, South Carolina. In 2015, Anderson University asked me to teach an Intro to Law course. It was offered every fall term. I lectured on the basics of American law and jurisprudence; including, but not limited to: constitutional law, criminal law, criminal procedure, civil law and civil procedure.

Mr. Brousseau further reported regarding his experience with the Family Court practice area:

In my 20 years of practicing law, I have handled cases of all types in the Family Court system. I appear before the Family Court on a weekly basis for motion hearings, contempt hearings and trials on the merits. I have handled countless divorce cases where issues of custody, support, alimony, and equitable division are often involved. Some of those matters may be complex and involve closely-held family businesses. Some of those matters may be emotionally charged due to custody issues or allegations of fault regarding the breakdown of the marriage. I have also represented clients in quite a few multi-state custody disputes involving 4 the Uniform Custody Jurisdiction and Enforcement Act (UCCJEA). I have represented clients in termination of parental rights (TPR) and adoption cases. Further, I have handled and tried a number of cases involving DSS. I have been involved in DJJ cases; however, those cases are much less frequent than my normal caseload. I also have an appellate practice, and have argued many of the issues that often are presented in Family Court to the appellate courts. Lastly, I serve as mediator on family court matters upon the agreement of the attorneys involved in those cases.

I believe that my experience in all areas of domestic relations law have prepared me to serve as Family Court judge. I am aware of the procedure and rules on all types of cases in Family Court. I am also familiar with the substantive law on the issues that often appear before the Family Court. I feel that the experience I could bring to the bench would be an asset to the attorneys and litigants that would appear before me.

Mr. Brousseau reported the frequency of his court appearances during the past five years as follows:
(a) Federal: have handled two federal court cases in the past five years
(b) State: I appear frequently in state court. These appearances likely average, on an annual basis, at least once per week, if not more, when court is in session.

Mr. Brousseau reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 35%;
(b) Criminal: 5%;
(c) Domestic: 60%;
(d) Other: 0%.

Mr. Brousseau reported the percentage of his practice in trial court during the past five years as follows:
(a) 100% of cases practiced in trial court including cases that settled prior to trial.
(b) 8-10 cases went to trial and resulted in a verdict.
(c) 0 cases went to trial and resolved after plaintiff's or State's case.
(d) 0 cases settled after a jury was selected but prior to opening statements.

Mr. Brousseau provided that during the past five years he most often served as sole counsel.

The following is Mr. Brousseau's account of his five most significant litigated matters:

(a) McDermott, et al v. Melvin, et al, CA No. 2020-DR-04-1105; Appellate CA No. 2023-000115 – This was my most recent trial. It was a three-day, TPR trial in which my clients, the foster parents, were successful in having the Family Court find that TPR was in the child's best interests. It is significant because DSS believed that reunification with the birth mother was in the child's best interests. The Guardian ad Litem in the DSS case recommended reunification. The Guardian ad Litem in the TPR case recommended TPR. We were able to convince the Court, by clear and convincing evidence, that TPR was appropriate and in the child's best interests despite DSS's position. The child in this case has only known the foster family as her family. She is 5 years old. I strongly believe that the Family Court correctly decided that TPR was in this child's best interests. This case is currently pending on appeal with The South Carolina Court of Appeals.

(b) Holland v. Holland, 438 S.C. 69, 881 S.E.2d 766 (Ct. App. 2022) – This case established that there is no statute of repose on enforcement of a child support order. The Family Court dismissed a contempt action because the youngest child had been emancipated for over ten years at the time that the father was served with a Clerk's Rule to Show Cause for failure to pay child support. In doing so, the Family Court applied the general ten-year statute of repose on judgments as provided in S.C. Code Ann. § 15-39-30. The Court of Appeals reversed the Family Court and found that the general statute of repose on enforcement of judgments does not apply to child support orders. Initially, the opinion was unpublished. Father filed a petition for a writ of certiorari to the Supreme Court. The Supreme Court denied the Father's petition, and requested that the Court of Appeals publish Its opinion.

(c) Miller Construction Co. v. PC Construction of Greenwood, 418 S.C. 186, 791 S.E.2d 321 (Ct. App. 2016) – This case established that the licensing statutes do not apply in contractor versus contractor claims. This was a three-day, non-jury trial between contractors related to the construction of the Lander University sports complex. My client, Miller Construction, sued for breach of contract for not being paid by the general contractor. The general

contractor contended that my client, Miller Construction, was not properly licensed for its work. Additionally, the general contractor argued that my client owed the general contractor for delay damages it said was attributable to Miller Construction. The trial court disagreed with the general contractor, and my client was granted nearly all its damages except pre-judgment interest. The general contractor appealed, and we cross-appealed on the issue of pre-judgment interest. The Court of Appeals affirmed the decision of the lower court, and reversed the trial court's decision on the issue pre-judgment interest.

(d) Hicks Unlimited v. UniFirst Corp., (Howard Advance Sheet, June 14, 2023) - I handled this case on appeal. This is a breach of contract case. UniFirst moved to compel arbitration pursuant to the Federal Arbitration Act (FAA). My client, Hicks Unlimited, moved to stay arbitration. The arbitration provision did not comply with the notice requirements of the South Carolina Arbitration Act. However, the FAA does not have the same notice requirements. The question was whether or not the contract implicated interstate commerce thereby triggering the FAA. The Circuit Court found that interstate commerce was not implicated, and therefore the FAA did not apply. As a result, the arbitration provision was unenforceable pursuant to the South Carolina Arbitration Act. The Court of Appeals reversed the Circuit Court, and found that interstate commerce was implicated and the FAA did apply. We filed a petition for a writ of certiorari to The Supreme Court. The Supreme Court granted the petition, and reversed the Court of Appeals in a recently published opinion.

(e) SCDSS v. Johnnie B., 2014-UP-080 (Ct. App. 2014): DSS brought this case alleging abuse and neglect against my client's ex-wife and her boyfriend related to three children. My client was the father of the oldest child, and was a non-offending parent. However, DSS did not want the oldest child to go to my client. My client obtained a custody order for the child in Georgia where he lived and where the child was from. I argued that Georgia had jurisdiction over the issues related to the oldest child pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act

(UCCJEA). The Family Court disagreed and found South Carolina had jurisdiction, not Georgia, and that DSS was to retain custody over the child. We appealed the decision. The Court of Appeals reversed the Family Court's decision, and found that Georgia did have jurisdiction over the issues related to my client's child. This resulted in my client being granted custody under the Georgia custody order.

The following is Mr. Brousseau's account of five civil appeals he has personally handled:

(a) SCDSS v. Johnnie B., SC Court of Appeals, decision filed February 21, 2014, Unpublished Opinion 2014-UP-080.
(b) Robin Carr Smith v. James Rory Smith, SC Court of Appeals, decision filed September 19, 2018, published opinion, 425 S.C. 119, 819 S.E.2d 769 (Ct. App. 2018),
(c) Elizabeth Holland v. Richard Holland, SC Court of Appeals, initial decision filed August 4, 2021, as an unpublished opinion. The opinion was then re-filed as a published opinion on September 7, 2022, following an order from the Supreme Court denying the petition for a writ of certiorari, 438 S.C. 69, 881 S.E.2d 766 (Ct. App. 2022).
(d) Miller Construction v. PC Construction of Greenwood, SC Court of Appeals, decision filed September 14, 2016, published opinion, 418 S.C. 186, 791 S.E.2d 321 (Ct. App. 2016)
(e) Hicks Unlimited v. UniFirst Corp., SC Supreme Court, decision filed June 14, 2023, published opinion, Howard Advance Sheet, June 14, 2023.

Mr. Brousseau reported that he has not handled any criminal appeals.

Mr. Brousseau further reported the following regarding unsuccessful candidacies:
Yes. I ran for Family Court judge in 2018. I withdrew my application.

(9) Judicial Temperament:

The Commission believes that Mr. Brousseau's temperament would be excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualifications found Mr. Brousseau to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluation criteria of constitutional qualifications, physical health, and mental stability

Mr. Brousseau is married to Amy Boggs Brousseau. He has one child.

Mr. Brousseau reported that he was a member of the following Bar and professional associations:

(a) Anderson County Bar Association, member
(b) South Carolina Bar, member
(c) South Carolina Association for Justice, member 9
(d) Anderson County Inns of Court, member
(e) Tenth Circuit Fee Dispute Resolution Board, member

Mr. Brousseau provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Anderson County Inns of Court, member
(b) Cobb's Glen Country Club, golf and social member

Mr. Brousseau further reported:

In my twenty years of practice, I have handled all types of family court cases. Those cases have ranged from the court-appointed cases involving DSS to divorces involving millions of dollars in assets. Additionally, I often serve as mediator on family court cases by agreement of counsel. In addition to my family court practice, I have also tried a number of jury and non-jury cases, of all types, in the Court of Common Pleas. I am well-versed in the procedural and substantive law that is often presented in the Family Court. I have often witnessed the emotions that litigants

experience going through a family court case, and I am mindful of how difficult the process can be for litigants in Family Court.

Over the years, I have appeared before some fantastic judges. I have seen how they handle their courtrooms, and I learned from them. A family court judge is often dealing with litigants who are going through the loss of a marriage, lost time with a child, or both. Those litigants are anxious about the amount of time they may get with their child, or how they are going to financially make ends meet without the support of their former partner. Litigants are always best served not only by a judge who is well-versed in the procedural and substantive law, but also a judge who will listen and understand.

My parents divorced was I was in middle school. I recall what it was like to be a child with parents going through the divorce process. My wife and I are parents of a middle schooler. I mention this because during custody cases, we often forget how hard it is to be a parent and how hard the litigation process can be for a child.

I try to stay calm under even the toughest of circumstances, as it is difficult to think clearly when you are upset. We want judges who know the law but also understand the difficulties and emotions that litigants may be experiencing. It is my belief that my legal experience, life experience, temperament, and attitude would all be an asset to parties who may appear before me as well as the Family Court bench and bar.

(11) Commission Members' Comments:

The Commission noted that Mr. Brousseau enjoys a good reputation in his community for having a fair, even temperament. The Commission further commented that Mr. Brousseau's experience make him a good candidate for the bench.

(12) Conclusion:

The Commission found Mr. Brousseau qualified and nominated him for election to Family Court, Tenth Judicial Circuit, Seat 1.

THURSDAY, JANUARY 11, 2024

Heather Vry Scalzo
Family Court, Tenth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Tenth Judicial Circuit, Seat 1, three candidates applied for this vacancy, and one candidate withdrew before the public hearing. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Scalzo meets the qualifications prescribed by law for judicial service as a Family Court judge.

Ms. Scalzo was born in 1974. She is 49 years old and a resident of Anderson, South Carolina. Ms. Scalzo provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2002.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Scalzo.

Ms. Scalzo demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Scalzo reported that she has not made any campaign expenditures.

Ms. Scalzo testified she has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Scalzo testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Scalzo to be intelligent and knowledgeable.

Ms. Scalzo reported that she has taught the following law-related courses:

(a) I taught the Juvenile Justice class (1 hour and a half) through the SC Bar's Law School for Non-Lawyers at Greenville Tech in fall 2023, spring 2023 and fall 2022. This class is an overview of juvenile justice.
(b) I taught the Child Protection class (1 hour and a half) through the SC Bar's Law School for Non-Lawyers at Greenville Tech in fall 2023, spring 2023 and fall 2022. This class is an overview of child protection proceedings.
(c) I presented "Waiver Hearings for Clinicians" to DJJ's psychologists in the spring of 2023. This presentation is an overview of the law relating to cases where the state is seeking to transfer or waive a juvenile to General Sessions for adult prosecution.
(d) I presented "How Truancy, Suspensions, Expulsions, & Other School Issues Affect the Child Custody Case" at the 2023 SC Bar's Annual Guardian ad Litem Training. This topic dealt with the mechanics of school issues and how they relate to child custody.
(e) I presented "Motions Practice" with a co-presenter to juvenile public defenders at SCCID's Juvenile Defense Essentials Training in February 2023. This topic informs attorneys how to use motions to advocate for their client.

I have been a frequent presenter and trainer for juvenile public defenders and DJJ staff through my position with the Children's Law Center at the USC School of Law. I am also certified by the

National Juvenile Defender Center in their Juvenile Training Immersion Program (JTIP) curriculum featuring forensic training exercises ("on your feet" practices and interactive break-out sessions). In 2014, I became the first certified JTIP trainer in the state of SC. As a trainer, I adapt the lessons to relevant South Carolina law. The following list is not exhaustive.

(f) I taught the JTIP lesson "Motions Practice as a Juvenile Defender" on March 29, 2019 (1 hour and a half) with a co-trainer for defense attorneys.

(g) I taught the JTIP lesson "Ethics Issues for Juvenile Defenders" on March 29, 2019 (1 hour) with a co-trainer for defense attorneys.

(h) I taught the JTIP lesson "Challenging ID Testimony" on March 29, 2019 (2 hours) with a co-trainer for juvenile defense attorneys.

(i) I was a guest lecturer for a family law class at Greenville Senior High Academy for Law, Business and Finance on March 15, 2019.

(j) I presented "Pitfalls of DJJ Practice" in August 2018 at the South Carolina Association of Justice Annual Convention (15 minutes). This topic gave helpful hints on representing juveniles in criminal matters.

(k) I presented "Competency to Stand Trial" (2 hours) on April 13, 2018 with a co-trainer for SC public defenders.

(l) I presented a JTIP lesson, "Disposition Advocacy," (2 hours) on April 13, 2018 with a co-trainer for SC public defenders.

(m) I taught, with a co-trainer, "Advanced Legal Training for Community Staff," a two-hour class on legal terminology, DJJ policies related to community intake and probation, testifying in a court hearing, and responding to subpoenas under DJJ policies, for DJJ staff on April 3, 2017 and May 15, 2018.

(n) I was a break-out group leader on the JTIP lesson "Fourth Amendment Challenges" at the Southern Juvenile Defender Center Regional Summit on June 2, 2017 (45 min).

(o) I taught, with a co-trainer, "Advanced Courtroom Training for Clinicians," a two-hour class on legal terminology, testifying in a court hearing, and responding to subpoenas under DJJ policies for DJJ social workers and psychologists in February 2016 and February 2017.

(p) I taught a class entitled "Waiver Training for Clinicians" on March 21, 2016 with a co-trainer for DJJ staff.
(q) I taught "Role of Juvenile Defense Counsel: Ethics in Practice" with a co-trainer on March 6, 2017 for South Carolina public defenders. This topic dealt with the ethical pitfalls attorneys face when representing juveniles.
(r) I taught the JTIP lesson "Dispositional Advocacy for Juvenile Defenders" with a co-trainer at the South Carolina Public Defender's Conference in September 2016.
(s) I presented juvenile defense basics at the Greenville County Bar End of Year CLE in February 2016.
(t) I taught "Legal 101 for Juvenile Correctional Officers", a three-hour class for new correctional officers at DJJ encompassing Constitutional issues, legal terminology, case law, statute and DJJ policies impacting officers about two to three times a year from 2016 to 2019.
(u) I taught "Legal Update and Prison Rape Elimination Act," a two-hour update certification class for correctional officers at DJJ encompassing statutes and policies impacting officers at DJJ about two to three times a year from 2015 to 2018.
(v) I was on a panel with other juvenile justice attorneys at the 2015 SC Bar Convention in Columbia.
(w) I was a co-presenter at the 2023 SC Public Defender Conference in Myrtle Beach on October 10, 2023. I presented on Preparing for a Juvenile Waiver Hearing.

Ms. Scalzo reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Ms. Scalzo did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Scalzo did not indicate any evidence of disqualifying financial issues.

The Commission noted that the state tax lien for individual income taxes filed against Ms. Scalzo in 2004 has been satisfied.

The Commission also noted that Ms. Scalzo was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Scalzo reported that she has not sought membership or rating in any legal rating organization, and that she was selected by her peers as the *Greenville Business Magazine* "Legal Elite" in 2022 for Education Law and in 2023 Appellate, Education, and Family Law.

Ms. Scalzo reported that she has not served in the military.

Ms. Scalzo reported that she has never held public office.

(6) Physical Health:

Ms. Scalzo appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Scalzo appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Scalzo was admitted to the South Carolina Bar in 2002.

She gave the following account of her legal experience since graduation from law school:

(a) Attorney-Advisor, Social Security Administration Office of Hearings and Appeals, Greenville, SC, June 2003 – June 2005
I drafted disability decisions for Administrative Law Judges.

(b) Attorney, Heather Scalzo Attorney at Law, Greenville, SC, June 2005 – June 2015
My practice was almost exclusively juvenile criminal defense, except for a short period of time (August 2005 to November 2006) when I also handled Social Security appeals cases on a

contract with another lawyer. I managed the administrative and financial activities of my solo practice.

(c) Juvenile Justice Resource Attorney, Children's Law Center, University of South Carolina School of Law, December 2014 to December 2019

I did trainings and presentations on juvenile justice issues to public defenders and Department of Juvenile Justice staff. This was a part-time position.

(d) Attorney/Partner, Byford & Scalzo, LLC, Greenville, SC, June 2015 to May 2022

During my seven years in this practice, I steadily increased my domestic relations practice from doing almost exclusively juvenile defense and school disciplinary hearings to doing 80% domestic relations (divorce, custody, adoptions, abuse and neglect) in 2022.

From March 2018 to December 2019, I had a contract with the Anderson County Public Defender's Office to handle their probation violation cases. This necessitated my being in court an average of two to three days per month in Anderson County.

From July 2018 to June 2022, I had a contract with the SC Commission on Indigent Defense to represent clients in (DSS) abuse and neglect proceedings in Greenville County.

I assisted my law partner in the administrative and financial activities of the practice.

(e) Counsel, Offit Kurman, Spartanburg, SC, June 2002 to April 2023, promoted to Principal April 2023 to present. Invited to open the Greenville SC office September 2023.

My practice is almost exclusively high conflict custody cases and high net worth equitable division cases. I have some abuse and neglect cases, juvenile delinquency cases, and the occasional probate litigation and school disciplinary case.

Ms. Scalzo further reported regarding her experience with the Family Court practice area:

I am well-versed in all practice areas in Family Court.

Divorce/Custody/Equitable Distribution: Currently, my caseload is almost exclusively high conflict custody cases and high net worth divorce and equitable division cases. My cases involve financial experts, psychologists, custody evaluators, and therapists. As an example, I have the following pending trials for

2023-24: a five-day trial for divorce, child custody, and equitable distribution, a three-day trial for divorce and equitable distribution of property, a three-day trial for custody modification, a two-day trial for custody modification, a one-day trial for custody modification, and a one to two day trial for alimony modification. I had a three-day custody trial earlier this year. I have the requisite experience and knowledge to preside over divorce, custody, and equitable division cases.

Adoption: I have represented biological parents, foster parents, step-parents, and kinship caregivers in adoption proceedings as well as termination of parental rights proceedings. I have filed actions to withdraw consent to relinquish parental rights and had contested multi-day trials to resolve them. I have filed actions for private termination of parental rights and adoption and have represented foster parents in adoption cases where the Department of Social Services filed the termination of parental rights. I have the requisite experience and knowledge to preside over adoption cases.

Abuse and neglect: I had a contract with SCCID from 2018 to 2022 to represent indigent caregivers in DSS actions. I was in court two to three times a week during this four-year period. I averaged a trial about every month for merits hearings and termination of parental rights cases. I continue to handle abuse and neglect cases. This past year I had a five-day trial for an abuse and neglect action that was combined with a petition to withdraw consent to relinquish parental rights. I have the requisite experience and knowledge to preside over abuse and neglect cases.

Juvenile Defense: I was a part-time juvenile public defender for 14 years. For 13 years (2005 to 2018) I was in Greenville County and for one year Spartanburg County (2021 to 2022). I have represented juveniles charged with all manner of offenses, from status offenses to drug offenses to criminal sexual assaults and homicides. I have handled five waiver cases, one as co-counsel and four as sole counsel. As a result, I have been asked to conduct juvenile waiver trainings for multiple organizations over several years. I have the requisite experience and knowledge to preside over juvenile cases.

From June 2005 to June 2022, I appeared before a Family Court judge on average two times a week. Currently, I appear in court a few times per month and have a statewide practice; at one point this year, I had cases pending in ten counties.

Ms. Scalzo reported the frequency of her court appearances during the past five years as follows:

(a) Federal: none;
(b) State: From June 2018 to June 2022, I was in court two to three times per week. For the past year, I have been in court a few times per month.

Ms. Scalzo reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five yearsas follows:

(a) Civil: 0%;
(b) Criminal: juvenile criminal 18%, adult criminal 1%;
(c) Domestic: 79%;
(d) Other: school discipline, probate 2%.

Ms. Scalzo reported their practice in trial court during the past five years as follows:

(a) Almost all [settled prior to trial]. I also handle school disciplinary hearings, which are not in trial court.
(b) Because mediation is mandatory in family court, most of my cases settled. In the past five years, I have tried to verdict at least twenty cases.
(c) Most of my cases that go to trial go to a verdict [after the plaintiff's or State's case].
(d) No jury cases [settled after a jury was selected but prior to opening statements].

Ms. Scalzo provided that during the past five years she most often served as sole counsel.

The following is Ms. Scalzo's account of her five most significant litigated matters:

(a) *DSS v. [Redacted]*

In 2022, I was appointed (through the SCCID contract) to represent [Redacted] in an abuse and neglect action. [Redacted], a Texas resident, gave birth to a baby in Texas and placed her baby at birth with [Redacted], a South Carolina couple. Several weeks after the couple returned to South Carolina with the baby, they took the baby to the hospital and the baby was found to have serious injuries. DSS then brought an abuse and neglect action against the couple, who, at that time, were only prospective adoptive parents, and added [Redacted] as named party because the adoption was still pending. I reviewed the case and determined it was necessary to challenge [Redacted] consent to relinquish her parental rights in the adoption. The adoption action and DSS action were consolidated, and, after a five-day trial, I succeeded in getting [Redacted] baby returned to her. The court found [Redacted] consent was not freely and voluntarily given. This was based on several factors. One of those factors was that [Redacted], who did not speak English, was not provided a certified translator and she was not given copies of the consent in Spanish. This was a significant case because it was legally complex, in that it dealt with termination of parental rights, withdrawal of consent, and abuse and neglect. It was also a complex case to litigate, involving testimony by multiple medical professionals, law enforcement officers, DSS personnel, as well as the parties and their lay witnesses. In addition, the trial itself, while highly contested, was enjoyable because I worked alongside six other attorneys, each with their own position to advocate and a fabulous judge who ensured that we were able to get our respective positions on the record.

(b) *Casea David v. Timothy Hall, Elizabeth Langley*

In 2023, I represented Ms. Langley, the aunt of two children who had been in her care for over seven years. Ms. David, the biological mother, was seeking to have the children returned to her because she'd recently gotten sober. After a three-day trial, the judge returned the children to their mother, finding that she was now fit to care for them again. This was a significant case for me. To start with, it was in a county several hours from

my home and office, requiring me to navigate the challenges of trial preparation without the support of home and office. But more importantly, it was significant because, although she was not successful in the lawsuit, my client told me I was the first of the four attorneys she'd had in two years who fought for her.

(c) *State v. Juvenile A.*

In 2021, my juvenile client was charged with murder and attempted murder. The state was alleging my client shot two people during a drug transaction and moved to waive him to General Sessions to be prosecuted as an adult. My client, however, maintained he was defending himself because the two people were robbing him at gunpoint. After a two-day waiver trial, I was successful in keeping my juvenile client within the jurisdiction of family court. I was ultimately able to negotiate a guilty plea to one count of voluntary manslaughter and my client was given an indeterminate sentence. This case was significant because it was legally and factually complex. In addition to the complexity of any waiver hearing, this case presented a challenge on whether my client could maintain a self-defense claim despite defending himself from two armed robbers. It was also significant because the ramifications to my client being waived to adult court were at the highest ends of an adult criminal sentence but because he was a model inmate in detention with no write-ups for over a year while simultaneously earning his high school diploma, I was able to present a strong and successful case for him to remain in Family Court.

(d) *State v. Juvenile C.*

In 2011, at age 14, my client was charged with the murder of a homeless man who had significant ties to the community. The state petitioned to waive jurisdiction to General Sessions and prosecute my client as an adult. I handled the waiver hearing as sole counsel and was successful in keeping the case in Family Court. I then negotiated an agreement to a plea of guilty to involuntary manslaughter for which my client received an indeterminate sentence as a juvenile. This case is significant because it was the first complex case I did as

sole counsel. It is also significant because I had to examine a DSS caseworker and law enforcement officer, both of whom were reluctant witnesses for the defense, to provide the trial judge with the fullest picture of this child's experience and environment through his history with both DJJ and DSS involvement.

(e) *Does v. Does*

This is a case where my clients, who are the maternal grandparents of a child who has lived with them since birth, have filed for termination of parental rights of both parents, each of whom live outside of South Carolina. The mother filed an action in her home state (the father did not respond) seeking to withdraw a prior custody determination made by her home state's probate court. While that was pending, she filed a motion in our case contesting jurisdiction and seeking to dismiss my clients' action. This case required a UCCJEA conference because of the prior custody determination in mother's home state. Ultimately, I was successful in having the South Carolina Family Court terminate the parents' rights and allow the grandparents to adopt. This was a significant case because it had legal complexities stemming from the involvement and rulings of a second state but also because assisting grandparents with gaining stability for the grandchild they had raised since birth was personally rewarding.

The following is Ms. Scalzo's account of five civil appeals she has personally handled:

(a) *Reginald Swain v. Daniel Allen Bollinger and Jane Doe*, S.C. Supreme Court, January 5, 2022, 435 S.C. 280, 866 S.E.2d 923 (2022)

(b) *Lani and Amanda Johnson v. Shianne Leigh Jarrett*, S.C. Ct. App., August 3, 2022, 2022-UP-324

(c) *SCDSS v. Laci Smith,* S.C. Ct. App., April 1, 2022, 2022-UP-171

(d) *SCDSS v. Heather Lynn Dean and Joseph Kasey*, S.C. Ct. App., May 14, 2021, 2021-UP-169

(e) *SCDSS v. Danielle Gay and Samuel Ogg*, S.C. Ct. App., No. 2023-UP-273, July 19, 2023

The following is Ms. Scalzo's account of the criminal appeal she has personally handled:
State v. Gerald Haltiwanger, S.C. Ct. App., April 13, 2016, Appellate Court No. 2013-002460

Ms. Scalzo further reported the following regarding unsuccessful candidacies:
I ran for Family Court, At-Large Seat 1 in 2019-20. I was found Qualified.

(9) Judicial Temperament:

The Commission believes that Ms. Scalzo's temperament would be excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Ms. Scalzo to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, reputation, physical health, and mental stability. The Committee had the following comment: "The candidate currently does not live in Anderson County, and it is unclear when she may actually establish residence in that county. She lacks involvement in Anderson community affairs."

Ms. Scalzo is married to Christopher Dominic Scalzo. She has four children.

Ms. Scalzo reported that she was a member of the following Bar and professional associations:
(a) South Carolina Bar
(b) Greenville County Bar
(c) National Juvenile Defender Center (now, The Gault Center) certified trainer, 2014-present
(d) South Carolina Supreme Court's Family Court Docketing Subcommittee, 2011-2019
(e) Southern Juvenile Defender Center, Advisory Committee, 2013-2018
(f) South Carolina Justice Act Task Force, 2012-2017

(g) South Carolina Public Defender Association, 2005-2018, Juvenile Public Defender of the Year, 2012

(h) South Carolina Association of Criminal Defense Lawyers, 2021-present

Ms. Scalzo provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Junior League of Greenville, Member, 2008 to present

Served on Board of Directors: Fund Development Vice President, 2015-2016 and Strategic Planner, 2018-2019

Nearly New Shop Chair, 2013-2014; Led a committee that oversees the business operations of the Nearly New Shop, a second-hand store with annual sales of over $200,000. As Chair, I was involved in all aspects of running the business, including hiring and firing employees and managing store operations. I served on the committee for two years prior to becoming Chair.

Property Management Chair, 2014-2015, 2017-2018; Responsible for routine and emergency maintenance of the two buildings owned by the Junior League of Greenville. I was tasked with getting quotes for roofing, flooring, plumbing, security, etc. for presentation to the Board.

Advisor to the Property Management Chair, 2022-2023

(b) Kappa Kappa Gamma, Alumni Chapter Advisor, Furman University Chapter; 2015-2019, I served as an advisor for the college chapter.

(c) Buncombe Street United Methodist Church, Missions and Outreach Committee, 2019-2020; Greeter; Sunday School Teacher/Assistant

Ms. Scalzo further reported:

About ten years ago, several people in the family court system told me that I should run for judge as they believed I had a good judicial temperament. As a person of faith, I contemplated this and asked God for a sign that I should run. What a surprise to pull into the Lowe's parking lot and see a bush on fire! Was this literal burning bush a sign? Of course, it wasn't but it was a reminder of my faith. So, I continued to prayerfully consider whether to run and decided in 2019 that I would run for an at-large Family Court seat. Although I was not elected, I have neither lost hope nor faith in the importance of

the process of running for judge. There is value in the journey to being elected a judge, and having been through an election before, I believe I have what it takes to be an excellent family court judge.

As for my faith, the story of my life has been evidence that, regardless of wins or losses, God is at work in my life. My father died in June 1976. I was just shy of two years old and the youngest of three girls. My mother was a homemaker, having stopped working as a teacher when my oldest sister was born. My father had been a psychiatrist in Greenville. He was the first in his family to go to college (Furman) and then put himself through medical school (Wake Forest). His parents were sharecroppers in Horry County who later saved to buy their own land. Unfortunately, all the years of him working in the fields without sunscreen led to his getting melanoma, which took his life. When he was dying, my father told my mother he wanted his daughters to have a father. That dying wish gave my mother peace to move forward.

My mother was introduced to a widowed physician who was new to Greenville and had lost his wife around the same time my father had passed. He had two young girls, one older than me and one younger. This man and my mother married in January 1978 after dating a short six weeks! They have been married ever since. Fortunately, this man wanted to be a father to me and my two older sisters, and so he adopted us. My mother adopted his two girls. Altogether, we became a family of seven and then eight when, several years later, they had my youngest sister.

My life was forever changed by having an adoptive father who became "Dad." I am thankful that he chose me to be his daughter. He has been the most supportive and caring father I could ever have imagined. I would not be the person that I am without his wisdom and influence.

In my professional career, I am reminded often that children have little power to change their life situations; the adults do. My parents – my biological father, my mother, and my adoptive father – all wanted the very best for me. But that is not always the case for many children in South Carolina.

Family Court judges have immense power to make positive changes in children's lives, whether it is through ordering termination of a parent's rights, granting an adoption,

requiring supervised visitation, granting a divorce, ordering sole or joint custody arrangements, finding a child delinquent and imposing services to assist the child, or any number of things. Many of these things have their beginnings in tragedy and trauma. So, when these cases come before the Family Court, the parties are looking for solutions, help, and even closure. It takes compassion, understanding, a sense of fairness, and a commitment to the law and to justice to exercise the role and responsibilities of a Family Court judge. I believe I possess these qualities. In my personal life and my professional life, I am the same: compassionate and fair, a rule-follower, a seeker of justice. I would be honored to serve the families of South Carolina as a Family Court judge.

(11) Commission Members' Comments:

The Commission noted that Ms. Scalzo has significant past experience with family court matters in the public sector, and was impressed that she is now expanding her practice areas by joining a law firm.

(12) Conclusion:

The Commission found Ms. Scalzo qualified, and nominated her for election to Family Court, Tenth Judicial Circuit, Seat 1.

Sammy Diamaduros
Family Court, Sixteenth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Sixteenth Judicial Circuit, Seat 1, one candidate applied for this vacancy. Accordingly, the name and qualifications of one candidate is hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Diamaduros meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Diamaduros was born in 1965. He is 58 years old and a resident of Union, South Carolina. Mr. Diamaduros provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1991.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Diamaduros.

Mr. Diamaduros demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Diamaduros reported that he has not made any campaign expenditures.

Mr. Diamaduros testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Diamaduros testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Diamaduros to be intelligent and knowledgeable.

Mr. Diamaduros reported that he has not taught or lectured at any Bar association conferences, educational institutions, or continuing legal or judicial education programs.

Mr. Diamaduros reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Diamaduros did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Diamaduros did not indicate any evidence of a troubled financial status. Mr. Diamaduros has handled his financial affairs responsibly.

The Commission also noted that Mr. Diamaduros was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Diamaduros reported that he is not rated by any legal rating organization.

Mr. Diamaduros reported that he has not served in the military.

Mr. Diamaduros reported that he has never held public office.

(6) Physical Health:

Mr. Diamaduros appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Diamaduros appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Diamaduros was admitted to the South Carolina Bar in 1991.

He gave the following account of his legal experience since graduation from law school:

(a) Assistant Solicitor Sixth Judicial Circuit; Criminal law; fall of 1990 to fall of 1992

(b) Whitney, White & Diamaduros; I was in private practice with William E. Whitney, Jr., Thomas H. White IV and Pete G. Diamaduros; 1992 – 2000
(c) White, Diamaduros & Diamaduros; I was in private practice with Thomas H. White IV and Pete G. Diamaduros; 2000 – 2014
(d) The Diamaduros Law Firm; I am in private practice with Pete G. Diamaduros; 2014 – present

General nature of my practice: When I began my career from the fall of 1990 until the fall of 1992, I was an Assistant Solicitor for the Sixth Judicial Circuit which included Lancaster, Fairfield and Chester counties. I prosecuted cases in General Sessions Court and handled numerous trials and a large volume of guilty pleas. I also prosecuted juvenile cases in Family Court.

Thereafter, I went into private practice which the name of our partnership changed over the years, but the general character of my practice did not.

-I handle Family Court matters including DSS, DJJ, and all matters in Family Court such as divorce, child custody, child support, adoptions, termination of parental rights, equitable division of marital property, abuse and neglect cases and all other matters involved in Family Court. I have also served as a mediator and guardian ad litem numerous times in Family Court.

-I handle criminal matters in Magistrate Court, Municipal Court and General Sessions Court.
-I handle general civil matters including personal injury cases in Magistrate and Common Pleas Court and workers compensation cases.

-I handle real estate matters, deeds, wills, power of attorneys, and other general matters.

-I have served as Union County Attorney for Union County, South Carolina since May of 2000 to present and handle a wide range of issues pertaining to County legal matters and County affairs.

Office management - When I began my law practice with Whitney, White & Diamaduros, I was hired as an employee and was not over management or escrow matters, but I did eventually become a partner with that law firm and thereafter, my partners and I were all equal managers, and we all participated in administrative decisions and management of trust accounts; however, Pete Diamaduros was mainly over balancing and reviewing the trust account and managing the finances of the firm. When our firm changed to White, Diamaduros & Diamaduros and The Diamaduros Law Firm, we equally did the same managerial, administrative and management of trust accounts as stated above.

Mr. Diamaduros further reported regarding his experience with the Family Court practice area:

When I graduated from law school, I served as Assistant Solicitor in the Sixth Judicial Circuit from the fall of 1990 until the fall of 1992 whereby I handled numerous Department of Juvenile Justice cases in Family Court in addition to General Sessions Court in Lancaster, Fairfield and Chester counties. The volume of cases we handled in both Family Court with juveniles and General Sessions Court was large due to the fact that we had a small staff and covered all three counties.

From 1992 until today, I have been in private practice for over 30 years and have vast experience in all areas of Family Court practice throughout my career. I estimate that I appear several times per month before a Family Court Judge. I will not attempt to estimate the number of cases I have handled because it would be extremely large due to the fact that I have continuously handled Family Court cases throughout my career. With respect to divorce and equitable division of property, I have handled a large volume of cases in these areas and have dealt with every ground for divorce and handled numerous equitable division cases with a wide variety of disputes covering virtually every issue. With respect to child custody cases, I have handled many child custody cases, some of which were contested, some agreed upon and some settled at mediation. With respect to adoptions, I have handled many adoptions during my career, and the vast majority were intra-family adoptions, but I have recently

handled an adoption that was a more complex non-family adoption. With respect to abuse and neglect cases, I have handled many such cases, and I have been both retained and appointed to handle these cases. These cases have involved abuse and neglect of juveniles and cases dealing with vulnerable adults. With respect to juvenile justice, early in my career, I prosecuted a large volume of juvenile justice cases in Lancaster, Fairfield and Chester County, and I have handled juvenile justice cases as a defense attorney and had several trials in Family Court involving juveniles. I have also served as a mediator for Family Court cases, and I have served as a guardian ad litem many times.

As a result of serving as a general practitioner attorney throughout my career and handling a wide range of Family Court matters, I believe that my experience will allow me to do well as a Family Court Judge. I feel that I have handled the most common legal issues that are addressed day to day in Family Court. I have handled Family Court matters for in excess of 30 years in front of many different judges in numerous counties which has allowed me to have vast experience and see many different styles, tactics and opinions of different judges and attorneys throughout my career. I am also sure that there will be numerous complex issues that we rarely see or did not see in our day to day practice that I may not have experience in, but I do understand that there are numerous legal resources and research that will need to be utilized throughout my career if I become a Judge.

In conclusion, I believe that my 30 year plus career of being a general practitioner lawyer and handling a large volume of Family Court matters throughout my career has allowed me to gain a legal knowledge and experience to move forward in any endeavor in Family Court.

Mr. Diamaduros reported the frequency of his court appearances during the past five years as follows:
(a) Federal: zero;
(b) State: approximately 50 appearances per year.

Mr. Diamaduros reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 10%;
(b) Criminal: 20%;
(c) Domestic: 30%;
(d) Other: 40%.

Mr. Diamaduros reported the percentage of his practice in trial court during the past five years as follows:
(a) 50%
(b) 5 – 10
(c) Zero
(d) Zero

Mr. Diamaduros provided that during the past five years he most often served as sole counsel.

The following is Mr. Diamaduros's account of his five most significant litigated matters:
(a) SC DSS vs. Boulware, 809 S.E.2d 223, 422 S.C. 1 (2018)

This was a Family Court matter involving the abuse and neglect of a child brought by DSS and involved the natural parents, Ruth and Darryl Armstrong as relatives, and Edward and Tammy Dalsing as foster parents. This case went on for several years, and I was only involved in it for a short time, but I did represent Darryl & Ruth Armstrong at trial which lasted approximately three days and had numerous attorneys, guardian ad litems and parties involved. The Family Court found that the Petitioner/Foster Parents Edward and Tammy Dalsing did not have standing to go forward, so the case was a success for my clients. However, the case was appealed to the South Carolina Supreme Court and due to the fact that I do not have an extensive history in appellate work, I did not handle the appeals of this case to the South Carolina Supreme Court where it was later reversed. The Court concluded that Petitioners/Foster Parents did have standing to pursue a private adoption and the case continued from there with the Courts.

(b) Clark v. South Carolina Dept. of Pub. Safety, 362 S.C. 377, 608 S.E.2d 573 (2005)

This was a case that I handled with Suzanne E. Coe whereby we sued on behalf of the Estate of Amy Danielle Clark who was tragically killed in a head on collision by a drunk driver who was being pursued in a high speed chase by law enforcement. Suzanne E. Coe and I sued on behalf of the Estate of Amy Danielle Clark, and the jury returned a 3.75 million dollar verdict for Clark against the Department of Public Safety and Charles Clyde Johnson, the Defendant driver. The jury concluded that Johnson was 80% at fault and the Department of Public Safety was 20% at fault, and the department's liability was reduced to $250,000.00 as was required by the Tort Claims Act. I was involved throughout the trial process and participated with my co-counsel Suzanne E. Coe for this case. Even though she was lead counsel at trial, I participated and handled the closing arguments. After the verdict, the State appealed to the Court of Appeals and eventually the Supreme Court with numerous law enforcement agencies joining in support of the Department of Public Safety. We eventually won the case on appeals and the verdict was upheld. I was involved with the appeal process, but Suzanne E. Coe prepared the documentation and made the arguments in front of the Court of Appeals and the Supreme Court. This was an extremely complex case and involved numerous parties that were in and out of the case throughout the case which began in 1997 and concluded with a Supreme Court decision in 2005.

(c) State vs. Rick Keisler (98-GS-44-160)

This was a case where Mr. Keisler and other defendants were charged with lynching resulting from a fight where several defendants allegedly beat up one victim. This trial lasted approximately two days and had four defendants and four defense lawyers presenting evidence during this trial. At the end of the State's case, we obtained a positive verdict for Mr. Keisler and the judge granted a directed verdict and the case against Mr. Keisler was dismissed during the trial. I find this case interesting due to the fact that there were four defense lawyers and

prosecutors all cross examining different witnesses and many different techniques and styles were used during that trial.

(d) Wille Edward Randall, Jr. & Heather Daum Randall vs. AGS, a minor under 14 years (22-DR-44-47)

This was a case where DSS had removed a child from the home of the parents due to neglect and placed the child with my clients, Willie and Heather Randall. After the Randalls had the child for over one year, we filed for adoption of this child and were successful in getting an adoption granted to them. This case was an outside adoption and required that we follow all procedures of the statute due to the fact that it was not an intra-family adoption. This case was important to me due to the fact that I have handled very few adoptions that were not intra-family adoptions and due to the fact that C4 Ministries, a Christian based group that helps people in Union County, was involved along with many others, and the result was joyous to all involved. When the adoption was granted, there was approximately twenty people in court to witness this wonderful event of the adoption being granted for this minor child. I received great joy in handling this case and learned a lot of details about adoption.

(e) State vs. Bailey (13CP44142)

This was a DUI case against the Defendant whereby he had a wreck in the front yard of the City of Union Police Department while they were in a meeting. He was subsequently arrested for driving under the influence with videotapes showing numerous sobriety tests that were not favorable to the Defendant. This case did not actually go to trial, but a motion hearing was set in Magistrate Court, which took several hours, and there was a large volume of complex arguments for dismissal including technicalities, video requirements, evidentiary matters, etc. The Magistrate subsequently dismissed the charge against the Defendant, and the State appealed, and the case was heard in Common Pleas Court in front of the Honorable John C. Hayes III, and he affirmed the dismissal, and I prepared a nine page Order. This case was memorable to me due to the fact of the

complex issues involved and due to the fact that it was appealed by the State, and we were successful at both levels.

The following is Mr. Diamaduros's account of the civil appeal he has personally handled:

(a) *Clark v. South Carolina Dept. of Pub. Safety*, 362 S.C. 377, 608 S.E.2d 573 (S.C. 2005); Common Pleas Court; January 18, 2005;

The following is Mr. Diamaduros's account of three criminal appeals he has personally handled:

(a) *State of South Carolina vs. Bailey* ; Common Pleas Court Sixteenth Judicial Circuit; 09/03/2013; 2013CP4400142 (appeal from Magistrate Court)
(b) *State v. Melton*; Common Pleas Court Sixteenth Judicial Circuit; 1997; no citation (appeal from Magistrate Court)
(c) *State vs. Warren*; Common Pleas Court Sixteenth Judicial Circuit; 1994; no citation (appeal from Magistrate Court)

(9) Judicial Temperament:

The Commission believes that Mr. Diamaduros's temperament would be excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualifications found Mr. Diamaduros to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Mr. Diamaduros was a member of this Committee for many years. He impressed us then, and impresses us now, as a lawyer with a deep commitment to his clients and his community, a deep knowledge of the areas of law required of Family Court practitioners, and deep reserves of humility and compassion. We think that he would make an excellent Family Court Judge."

Mr. Diamaduros is married to Elizabeth Leigh Diamaduros. He has three children.

Mr. Diamaduros reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
(b) President of the Union County Bar Association; approximately five years

Mr. Diamaduros provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) University of South Carolina - Union Educational Board
(b) Piedmont Citizen Committee on Judicial Qualification
(c) Union Rotary Club
(d) Union County Bar Association (current President)
(e) St. Nicholas Greek Orthodox Church, Spartanburg, South Carolina

Mr. Diamaduros further reported:

I believe my experience practicing law for over 30 years and prosecuting cases in Family Court for two years will greatly benefit me if I became a judge. Also, I think it is important that for over 30 years now, I have been in private practice and have continuously handled Family Court cases during my entire career which has allowed me to have vast experience. Furthermore, I think being divorced in 2009 and having three children has made be understand the emotional aspect of going through a divorce in addition to the legal side of being involved in a divorce. During my divorce, we had joint custody, child support, division of property and assets, and I think it helped me understand both sides of the legal process and allows me to have more compassion for the true feelings that are involved while people go through divorces which are difficult for all parties involved.

(11) Commission Members' Comments:

The Commission commented that Mr. Diamaduros was very experienced and has handled nearly every type of case in the family court area. The Commission further noted Mr. Diamaduros has the high regard and esteem of his colleagues.

(12) Conclusion:

The Commission found Mr. Diamaduros qualified, and nominated him for election to Family Court, Sixteenth Judicial Circuit, Seat 1.

R. Chadwick "Chad" Smith
Family Court, Sixteenth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Sixteenth Judicial Circuit, Seat 3, four candidates applied for this vacancy and two candidates withdrew. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Smith meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Smith was born in 1971. He is 52 years old and a resident of Rock Hill, South Carolina. Mr. Smith provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2000.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Smith.

Mr. Smith demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Smith reported that he has not made any campaign expenditures.

Mr. Smith testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Smith testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Smith to be intelligent and knowledgeable.

Mr. Smith reported that he has taught the following law-related courses:

(a) I have taught the course section on Child Abuse/ Neglect and Child Protection at the 2023, 2022, 2017 and 2014 Law School for Non-Lawyers, York Technical College, Rock Hill, South Carolina.

(b) I have presented an overview of child protection proceedings to students in 2017 in Dr. Kori Bloomquist's Social Work 533 course at Winthrop University, Rock Hill, South Carolina.

(c) I have presented a session entitled "Overview of Child Protection Proceedings in South Carolina" at the Old English Consortium Professional Development Conference in 2017 to elementary and secondary educators who work in school districts within the north-central region of South Carolina.

(d) I have presented a session entitled "SCDSS Information: Beyond Mandatory Reporting" at the Old English Consortium Professional Development Conference in 2016 to elementary and secondary educators who work in school districts within the north-central region of South Carolina.

(e) I have presented a session to alternative caregivers and guardians for children enrolled in the Rock Hill School District at the Rock Hill School District Caregiver/ Guardian Forum in 2016.

(f) I have presented a session at the Rock Hill School District Secondary School Counselor's Forum in 2015 and discussed statutory child abuse/ neglect reporting requirements; various child custody arrangements; the scope and effect of safety plans implemented by SCDSS; and different court actions and the potential consequences of each action on child's custody status.

Mr. Smith has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Smith did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Smith did not indicate any evidence of a troubled financial status. Mr. Smith has handled his financial affairs responsibly.

The Commission also noted that Mr. Smith was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Smith reported that he is not rated by any legal rating organization.

Mr. Smith reported that he has not served in the military.

Mr. Smith reported that he has never held public office.

(6) Physical Health:

Mr. Smith appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Smith appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Smith was admitted to the South Carolina Bar in 2000.

He gave the following account of his legal experience since graduation from law school:

(a) The Honorable John C. Hayes, III, Sixteenth Circuit Court of South Carolina, York, South Carolina. From August 1999 to August 2000, I served as law clerk to The Honorable John C. Hayes, III. During my tenure as Judge Hayes' law clerk, I researched case and statutory law; drafted bench memoranda; drafted proposed orders; prepared civil and criminal jury charges; and acted as liaison between the court, attorneys, and court personnel.

(b) Sixteenth Judicial Circuit Solicitor's Office, York, South Carolina. From August 2000 to July 2001, I served as an assistant solicitor for Solicitor Thomas E. "Tommy" Pope. As an assistant solicitor, I evaluated law enforcement reports; researched statutory law, case law, the South Carolina Rules of Criminal Procedure, and the South Carolina Rules of Evidence; drafted indictments; interviewed and prepared witnesses for trial; and prepared and prosecuted cases in General Sessions, Transfer and Magistrate courts.

(c) Harrelson, Hayes and Guyton, LLC, Rock Hill, South Carolina. From July 2001 to February 2004, I practiced as an associate attorney with the law firm Harrelson, Hayes and Guyton, along with firm partners Hugh L. Harrelson, Sr., Senator Robert W. Hayes, Jr., and David G. Guyton. I engaged in a general practice and represented clients of the firm in a variety of matters, including adoptions, child custody, divorce, equitable division of property and debts, separation and property settlement agreements, and child visitation; general civil litigation; criminal defense; residential real estate; and probate. The firm was dissolved when David G. Guyton was elected Judge of the Family Court, Sixteenth Judicial Circuit, Seat 2. As an associate

attorney, I was not involved with the administrative and financial management of the firm.

(d) R. Chadwick Smith, Attorney at Law, LLC, Rock Hill, South Carolina. From February 2004 to May 2013, I operated my own law office and practiced family law exclusively. I represented clients in a wide array of family law matters, involving abuse and neglect of children; adoptions; alimony and separate maintenance and support; child custody, child support; divorce; domestic violence, including petitions seeking orders of protection; equitable division of property and debts; mediation; minor and adult name changes; non-compliance of a court order; premarital agreements; separation and property settlement agreements; termination of parental rights; and child visitation. I served as guardian ad litem representing numerous children subject to custody disputes brought as part of divorce actions; modification of custody cases; visitation cases; adoption actions; and abuse and neglect cases filed by the South Carolina Department of Social Services. In 2009, I completed the South Carolina Bar's Family Court Mediation Certification Training Program and became a Certified Family Court Mediator. I mediated numerous cases involving complex marital litigation; child custody; child and spousal support; property and debt division; and child visitation. I was involved with the daily administrative and financial management of my office, including management of my trust account.

(e) South Carolina Department of Social Services ("SCDSS"), Rock Hill, South Carolina. I joined the South Carolina Department of Social Services as a staff attorney in May 2013, and I am currently employed with SCDSS. In June 2021, I was named the managing attorney for the legal departments in York and Union counties. I manage the daily operations of the legal department, supervise work flow of four attorneys and four paralegals, ensure effective scheduling and docketing procedures, address human resources issues, assist in hiring and training new attorneys and staff, conduct employee performance evaluations, monitor all legal department operations, and handle a very active caseload. I represent SCDSS before the Family Court in York and Union counties in cases regarding

alleged abuse and neglect of children and vulnerable adults. I advise SCDSS county directors, supervisors, and caseworkers regarding the status of cases and legal matters; research case and statutory law; draft pleadings for ex parte removal, removal, and intervention actions; prepare cases for court by conducting and responding to discovery, interviewing and preparing fact and expert witnesses for hearings and trials; review SCDSS documentation and reports; represent SCDSS at probable cause, merits, judicial review, permanency planning, and termination of parental rights hearings; represent SCDSS in private custody, visitation, and adoption actions in which SCDSS has been named as a defendant; draft proposed orders for the Family Court; assure that SCDSS complies with state and federal law, and agency policies; represent SCDSS at MultiDisciplinary Team Meetings at Carolinas Medical Center-Levine Children's Hospital, Charlotte, North Carolina, and Piedmont Medical Center, Rock Hill, South Carolina; utilize Legal Case Management System; and provide legal training for SCDSS attorneys and staff.

Mr. Smith further reported regarding his experience with the Family Court practice area:

I have significant experience in the private and public sectors representing and advising clients in the following Family Court practice areas: divorce and equitable division of property and debts; child custody; visitation; adoption; and abuse and neglect. Within the past five years, I appeared before the Family Court in approximately six hearings each week.

Divorce and Equitable Division of Property. I represented clients in prosecuting and defending actions for divorce based upon adultery, habitual drunkenness, physical cruelty, and the parties having lived separate and apart without cohabitation for a period of one year. I represented and advised clients in cases involving equitable division of property, including specifically the validity and effect of premarital agreements; property acquired by inheritance, devise, bequest, or gift from an individual other than the spouse; premarital property; non-marital property; transmutation of premarital or non-marital property; special

equity interest in property; identification and location of property in the marital estate; valuation of marital and non-marital property; division of marital property, taking into consideration statutory apportionment factors; deviation from an equal division of marital property; personal injury claims; stock options; and retirement accounts.

Child Custody. I represented and advised clients in prosecuting and defending child custody cases, including initial child custody as part of a divorce action; modifications of child custody/visitation based upon changed circumstances such as the parties voluntarily modifying custody, the custodial parent being unfit, and the custodial preference of an older child; child custody/visitation sought by fathers who were never married to the child's mother; child custody sought by de facto custodians; child custody sought by foster parents; child custody sought by a non-parent over a natural parent; child custody based upon the psychological parent doctrine; and child custody actions when the custodial parent seeks to relocate with the child. I have served as guardian ad litem for children involved in contested custody and visitation cases; contested and uncontested adoptions; SCDSS abuse and neglect actions; and termination of parental rights cases.

Adoption. I represented and advised clients and their families in various adoption cases, including newborn, step-parent, grandparent, special-needs, uncontested, and contested adoptions. I have served as guardian ad litem for children involved in uncontested and highly contested adoption cases. I have represented SCDSS in contested termination of parental rights and adoption cases involving various intervening parties who wish to adopt children in foster care.

Abuse and Neglect. I have represented SCDSS before the Family Court in cases relating to the abuse and neglect of children and vulnerable adults. While I was in private practice, I represented parents and caregivers who were involved in actions brought by SCDSS. I have handled numerous cases involving children who have been physical abused, physically neglected, sexually abused, and mentally injured. I have represented SCDSS in uncontested and contested probable cause, merits,

judicial review, permanency planning, and termination of parental rights hearings. I often represent SCDSS in complex cases involving severe abuse and neglect of children and in cases involving the Indian Child Welfare Act and the Uniform Child-Custody Jurisdiction and Enforcement Act.

Juvenile Justice. I have represented several juvenile clients in proceedings before the Family Court who have been charged with criminal and status offenses. I have worked closely with assistant solicitors of the Sixteenth Circuit Solicitor's Office, attorneys with the Sixteenth Circuit Public Defender Office, and representatives of the South Carolina Department of Juvenile Justice when a child is placed in the emergency protective custody of SCDSS by the Family Court during a juvenile proceeding. I have represented SCDSS before the Family Court in cases involving dully-involved juveniles at detention hearings, adjudicatory hearings, and dispositional hearings. I am familiar with the statutory procedures concerning juvenile justice cases.

Mr. Smith reported the frequency of his court appearances during the past five years as follows:
(a) federal: I have not appeared in Federal Court in the past five years.
(b) state: I appear before the Family Court on a weekly basis in an average of six hearings. I often appear before the Family Court two to three days each week.

Mr. Smith reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) civil: 0%
(b) criminal: 0%
(c) domestic: 100%
(d) other: 0%

Mr. Smith reported his practice in trial court as follows:
(a) 100% of his practice was in trial court, including cases that settled prior to trial;
(b) 30% of cases went to trial and resulted in a verdict;

(c) 30% of cases went tot rial and resolved after the plaintiff's or State's case;
(d) N/A

Mr. Smith provided that during the past five years he most often served as sole counsel.

The following is Mr. Smith's account of his five most significant litigated matters:

(a) *S.C. Dep't of Soc. Servs. v. Brittany A. Thomas-Scibuola, Jeffrey Scibuola, Sr., Jeffrey Scibuola, Jr., and Tracy Scibuola, Defendants, of Whom Tracy Scibuola is the Appellant,* Unpublished Opinion No. 2022-UP-237. In 2022, I represented SCDSS in this appeal. Appellant asserted the Family Court lacked subject matter jurisdiction, within the context of an SCDSS action, to find a common-law marriage existed between the Scibuolas, and the Family Court erred in denying Appellant's Rule 60(b)(4), SCRCP. This case was unique because SCDSS is not typically involved in actions challenging the validity of a marriage. The Court of Appeals issued an unpublished opinion on June 1, 2022 which affirmed the Family Court's order denying Appellant's Rule 60(b)(4), SCRCP, motion to declare void a portion of a non-emergency removal order finding the Scibuolas were common-law married. The Court of Appeals stated that whether the Family Court lacked jurisdiction to declare the Scibuolas common-law married was moot and that the Family Court had the authority to order Appellant to pay attorney's fees.

(b) *S.C. Dep't of Soc. Servs. v. Patricia Carter, Terry Barrow. and Gary James, Defendants, of Whom Patricia Carter is the Appellant,* Unpublished Opinion No. 2018-UP-290. In 2018, I represented SCDSS in this appeal. Appellant's three-year old child obtained an unsecured loaded handgun inside Appellant's residence and while in Appellant's custody and control. Appellant's child died tragically from a self-inflicted gunshot wound. Appellant's older child was inside the home at the time of the younger child's death. The Family Court found Appellant had physically neglected her older child, based upon the circumstances of the death of her younger child. Appellant appealed the

Family Court's order and contended she had not physically neglected her older child. The Court of Appeals issued an unpublished opinion on June 27, 2018 which affirmed the Family Court's finding that Appellant had physically neglected her older child. The Court of Appeals stated that, under the specific circumstances of the case, Appellant's act of maintaining an unsecured, loaded, chambered firearm that was accessible to Appellant's child at the time of the death of her younger child constituted an act or omission that presented a substantial risk of physical injury to a child.

(c) *S.B.H. v. W.B.H.* I represented S.B.H. ("Wife") in a divorce action from W.B.H. ("Husband"). At the time marital litigation was commenced, Husband and Wife had been married for fifteen years. Husband and Wife were the parents of two children and were well-educated professionals in the community. Wife sought a divorce from Husband based upon the grounds of Husband's habitual intoxication, custody of the parties' children, child support, equitable apportionment of property and debts, and attorney's fees. One of the most significant issues in this case was Wife's assertion that Husband had engaged in a pattern of economic misconduct during the parties' marriage which adversely affected the economic circumstances of the marital partnership and that, because of Husband's economic misconduct, the Family Court should consider Husband's economic misconduct when equitably apportioning property and debts. The case came before the Family Court for a highly contested final hearing. The Family Court ruled, in relevant part, that Wife was entitled to a divorce from Husband; that Wife would have sole custody of the parties' children; and that any visitation Husband may exercise with the parties' children would be strictly supervised. In relevant part as to the issue of Husband's economic misconduct, the Family Court ruled that Wife was entitled to exclusive use and ownership of the parties' former marital home valued at approximately $450,000.00 and that Wife would receive sole ownership of her retirement account valued at approximately $100,000.00, despite Wife's retirement account being marital property subject to equitable apportionment.

(d) *T.J. v. H.J.* I represented H.J. ("Wife") in a divorce action filed by T.J. ("Husband"). At the time marital litigation was commenced, Husband and Wife had been married for six years. Husband and Wife were parents of two children. Husband sought a divorce from Wife based upon the grounds of Wife's adultery, custody of the parties' children, child support, equitable apportionment of marital property and debts, and attorney's fees. Wife filed an answer and counterclaim. Wife sought a decree of separate support and maintenance, child custody, child support, alimony, equitable apportionment of marital property and debts, and attorney's fees. The most significant issue in this case was Wife's assertion that she should be entitled to relocate to New Mexico with the parties' children. Husband vehemently opposed Wife's proposed out-of-state relocation. The case came before the Family Court for a contested final hearing. Wife was able to satisfy the requirements for a proposed out of state relocation, as articulated by the South Carolina Supreme Court in Latimer v. Farmer, 360 S.C. 375, 602 S.E.2d 32 (2004). Wife presented evidence of the potential advantages of the proposed move; the likelihood that the move would improve substantially the life of Wife and the parties' children and was not a random decision to relocate; the integrity of Wife's motives to relocate; and the availability of realistic substitute visitation arrangements to foster an ongoing relationship between the parties' children and Husband. The Family Court ruled, in relevant part, that Husband and Wife were entitled to a divorce based upon the grounds of the parties having lived separate and apart for a period in excess of one year; that Wife was granted custody of the parties' children; and that Wife could relocate to New Mexico with the parties' children.

(e) *R.R. v. J.S., et. al*. I represented R.R. ("Psychological Father") in a custody action, based upon the psychological parent doctrine. Psychological Father and the natural mother of Child A were never married to each other but resided together for over four years at the time litigation was commenced. Child A was five years old. Psychological Father was the only father Child A had ever known. The natural father of Child A allegedly resided in

California, but his location in California was not known. Child A's father had never been involved in Child A's life. The natural mother of Child A died tragically, and at the time of the mother's death, she and Psychological Father resided together with Child A. Psychological Father sought an order of the Family Court granting him emergency custody of Child A. The significant issue presented by this case was the psychological parent doctrine. The South Carolina Court of Appeals' opinion in Middleton v. Johnson, 369 S.C. 585, 633 S.E.2d 162 (Ct. App. 2006), was issued on June 28, 2006, and adopted the psychological parent doctrine. Psychological Father commenced his action seeking custody of Child A on July 31, 2006. Psychological Father presented compelling evidence that Child A's natural mother consented to and fostered Psychological Father's establishment of a parent-like relationship with Child A; that Psychological Father and Child A had lived together in the same household; that Psychological Father assumed parental obligations by taking significant responsibility for Child 's care; and that Psychological Father had been in a parental role sufficient to have established a bonded, dependent relationship with Child A. I represented Psychological Father in an action seeking to terminate the parental rights of Child A's, natural father and to adopt Child A. In 2011, Psychological Father became simply "Father" when he successfully adopted Child A.

The following is Mr. Smith’s account of five civil appeals he has personally handled:

(a) *S.C. Dep't of Soc. Servs. v. Brittany A. Thomas-Scibuola, Jeffrey Scibuola, Sr., Jeffrey Scibuola, Jr., and Tracy Scibuola, Defendants, of Whom Tracy Scibuola is the Appellant*, Unpublished Opinion No. 2022-UP-237.

(b) *S.C. Dep't of Soc. Servs. v. Patricia Carter, Terry Barrow. and Gary James, Defendants, of Whom Patricia Carter is the Appellant,* Unpublished Opinion No. 2018-UP-290.

(c) *S.C. Dep't of Soc. Servs. v. Kimberly Bolin and Angela Gibson, Defendants. of Whom Kimberly Bolin is the Appellant*, Unpublished Opinion No. 2016-UP-016.

(d) *Amanda Lake v. Jonathan Lake*, Unpublished Opinion No. 2014-UP-099.
(e) *Kevin McCrowey v. The Zoning Bd. of Adjustment of the City of Rock Hill, South Carolina*, 360 S.C. 301, 599 S.E.2d 617 (Ct. App. 2004).

Mr. Smith reported that he has not personally handled any criminal appeals.

Mr. Smith further reported the following regarding unsuccessful candidacies:
(a) I was an unsuccessful candidate for Family Court Judge, At-Large, Seat 8. On December 1, 2016, I withdrew as a candidate.
(b) I was an unsuccessful candidate for Family Court Judge, At-Large, Seat 1. I was found qualified and nominated by the JMSC. On January 30, 2020, I withdrew as a candidate.

(9) Judicial Temperament:
The Commission believes that Mr. Smith's temperament would be excellent.

(10) Miscellaneous:
The Piedmont Citizens Committee on Judicial Qualifications reported Mr. Smith to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee made the following related comment: "Mr. Smith has many years of experience in Family Court handling a wide range of issues. He is well-versed in relevant areas of law and well-attuned to the particular challenges that face litigants and practitioners in that court. All of this experience has given him the judgment, insight and humility required of a successful Family Court judge, and the Committee believes that he would serve well in that role."

Mr. Smith is married to April Edwards Smith. He has two children.

Mr. Smith reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar Association, Member, May 2000 to present.

(b) Resolution of Fee Disputes Board for the Sixteenth Judicial Circuit, Member, January 2018 to present.

(c) South Carolina Bar's Law Related Education Committee, Member, July 1, 2014 to present, Scoring Judge in numerous middle school and high school mock trial competitions.

(d) South Carolina Bar's Children's Law Committee, Member, July 1, 2014 to June 30, 2015, July 1, 2016 to June 30, 2017.

(e) York County Bar Association, Member, May 2000 to present, Secretary (2003) and Treasurer (2004)

Mr. Smith provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) First Associate Reformed Presbyterian Church, Rock Hill, South Carolina. My wife and I are active members of First Associate Reformed Presbyterian Church. On January 11, 2015, I was ordained and installed as a deacon, and served as a deacon for a three-year term. I served on the Board of Deacons, the Christian Education/ Preschool Committee, and the Transportation and Insurance Committee. For seven years, my wife and I have served as Sunday School teachers for three, four, and five-year- old children.

(b) Kiwanis Club of Rock Hill, South Carolina. I am a member of the Kiwanis Club, and have been a member for approximately twelve years. I am an active volunteer with the Terrific Kids Program, which is a student-recognition program for elementary school students that promotes character development, self-esteem, and perseverance. I participated in monthly Terrific Kids recognition programs at The Palmetto School in Rock Hill. I have been involved with the Terrific Kids Program for ten years.

(c) ROAR Sports League. Since 2016, I have been involved with ROAR Sports League through Westminster Presbyterian Church, Rock Hill, South Carolina. I have

served as a volunteer soccer and basketball coach for children in kindergarten and first grade.

(d) Rock Hill Country Club, Rock Hill, South Carolina. My family and I are members of Rock Hill Country Club. My children are members of the club's competitive swim team and junior golf team. My wife serves as an active parent volunteer and timer for swim meets.

Mr. Smith further reported:

I am a lifelong resident of South Carolina and of York County, and I am committed to public service. I was reared in a Christian home with parents who valued and demonstrated their commitment to public service. As I have practiced law in the private and public sectors for twenty-three years, I have practiced the habit of giving respect to any client whom I have represented. I have a deep admiration for judges who have earned the respect of practicing attorneys and citizens in their courtrooms, and I have had the privilege to practice before many of South Carolina's outstanding Family Court Judges. I admire greatly those judges who have control of their courtrooms, are well-organized, even tempered, and treat litigants, attorneys, and court personnel fairly, regardless of their social or financial standing. Judges with whom I have contact who have high ethical standards and are admired in the community have become role models for me.

My family and my faith define the purpose of my life. Two of the most important life experiences for me have been my marriage to my best friend and love of my life, April Edwards Smith, who serves our community as a School Psychologist in the Rock Hill School District, and the birth of our [children]. I will have lived a successful life if someday it is said, "Chad was a devoted and loving husband and father; a man of deep faith; and a well-respected Family Court Judge who applied the rule of law equitably."

(11) Commission Members' Comments:

The Commission commented that Mr. Smith's career path, was unique; from the Solicitor's office, to private practice, to now being with the Department of Social Services. The Commission

appreciated Mr. Smith's affirmation of his desire for fairness to all parties in the Family Court.

(12) Conclusion:

The Commission found Mr. Smith qualified, and nominated him for election to Family Court, Sixteenth Judicial Circuit, Seat 3.

Erin K. Urquhart
Family Court, Sixteenth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Sixteenth Judicial Circuit, Seat 3, four candidates applied for this vacancy and two candidates withdrew. Accordingly, the names and qualifications of two candidates are hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Urquhart meets the qualifications prescribed by law for judicial service as a Family Court judge.

Ms. Urquhart was born in 1981. She is 42 years old and a resident of Rock Hill, South Carolina. Ms. Urquhart provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2006.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Urquhart.

Ms. Urquhart demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Urquhart reported that she has made $2,015.75 in campaign expenditures for stationary, graphic design services, and photography services.

Ms. Urquhart testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Urquhart testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Urquhart to be intelligent and knowledgeable.

Ms. Urquhart reported that she has taught the following law-related courses:

(a) 2006 SC Bar CLE. Hot Tips from the Coolest Domestic Law Practitioners; presentation titled "Continuing Benefit of Continuing Education"
(b) 2008 York County Bar Association. Ethics Seminar, presentation on ethics opinion updates
(c) 2008 Winthrop University Pre-Law Society. Presentation to students interested in legal careers
(d) 2011 and 2014. York Technical College. Law School for Non-Lawyers, co-taught domestic relations section
(e) 2011 Domestic Relations Update, York County Sherriff's Department
(f) 2011 SC Bar CLE. Hot Tips from the Coolest Domestic Law Practitioners; presentation titled "Hot Tips Index Update"
(g) 2015 Winthrop University John C. West Forum on Politics and Policy. Panel discussion for NEW Leadership South Carolina (collegiate women's leadership and public affairs organization)

(h) 2017 SC Bar CLE. Family Court Practice Management. Presentation on Financial Declarations, Rule 20, SCRFC.
(i) 2021 Winthrop University Political Science Department. Zoom lecture and Q&A on career readiness with political science majors

Ms. Urquhart reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Ms. Urquhart did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Urquhart did not indicate any evidence of a troubled financial status. Ms. Urquhart has handled her financial affairs responsibly.

The Commission also noted that Ms. Urquhart was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Urquhart reported that she is not rated by any legal rating organization.

Ms. Urquhart reported that she has not served in the military.

Ms. Urquhart reported that she has never held public office.

(6) Physical Health:

Ms. Urquhart appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Urquhart appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Urquhart was admitted to the South Carolina Bar in 2006.

She gave the following account of her legal experience since graduation from law school:

(a) Associate, Law Office of Thomas F. McDow (August 14, 2006 – June 31, 2015).
Provided direct representation of clients in in domestic relations matters both in the Family Court and South Carolina Court of Appeals as well as office management assistance, including all financial matters, including trust accounting.

(b) Partner, McDow & Urquhart, LLC (July 1, 2015 – present).
I represent clients in domestic relations matters both in the Family Court and South Carolina Court of Appeals, often as co-counsel with my partner. Aside from legal and ethical duties to my clients, I either personally manage or oversee many aspects of running the business including personnel, billing, collections, accounts payable, marketing, vendor relationships, and accounting, to include trust accounting.

Ms. Urquhart further reported regarding her experience with the Family Court practice area:

(i) Divorce and equitable division of property. Approximately 80% of the Family Court cases I handle include the division of marital property and debts. I have handled cases with negative value marital estates up to marital estates worth multiple millions. I have represented both primary breadwinners and supported spouses whose contributions to the marital estate were arguably minimal. I am familiar with valuation procedures and concepts such as transmutation and special equity interests. I take particular pride in preparing thorough, accurate, and helpful financial declarations.

(ii) Child custody. This is the bulk of my Family Court experience. Probably 85% of my practice involves the contested issues of custody and visitation. I manage these issues nearly every day of my professional life. I am familiar with the law on

the subject matter, including handling appeals on these issues, and am comfortable with clients experiencing these legal issues.

(iii) Adoption. I have handled approximately a dozen domestic adoption cases, either representing the adoptive parent or parents, the terminating parent, or participating as guardian ad litem. I have handled one international adoption.

(iv) Abuse and neglect. Until the introduction of the Rule 608 Indigent Defense Contract Attorney program in York County (approximately 2013), I received approximately yearly appointments to represent defendants in SCDSS abuse and neglect cases in addition to private cases which have a collateral abuse and neglect case. I have also served as guardian ad litem in several SCDSS abuse and neglect cases where I was also serving as guardian in a collateral Family Court case. Since that time, I have represented Family Court clients in SCDSS cases collateral to their private cases, one or two per year on average.

(v) Juvenile justice. Minimal direct experience, however, I am familiar with South Carolina agency structure and its fundamental goals, limitations, and practical application within the local community.

In the past five years I have appeared before a Family Court Judge approximately once a week on average. Some hearings are as short as fifteen minutes; some are multi-day trials lasting as much as five days

Ms. Urquhart reported the frequency of her court appearances during the past five years as follows:
(a) Federal: 0%;
(b) State: 100%.
Ms. Urquhart reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 0%;
(b) Criminal: 0%;
(c) Domestic: 99% (including appeals from Family Court);
(d) Other: 1%.

Ms. Urquhart reported her practice in trial court as follows:
(a) 99% of her practice was in trial court, including cases that settled prior to trial.
(b) (Not Applicable) - cases went to trial and resulted in a verdict
(c) (Not Applicable) - cases went to trial and resolved after the plaintiff's or State's case
(d) (Not Applicable) - cases settled after a jury was selected but prior to opening statements

Ms. Urquhart provided that during the past five years she most often served as co-counsel. She provided the following information:
My law partner and I find that we are most effective for our clients when we each bring our strengths to a case. While one or the other of us will take the role as lead counsel, the other is heavily involved in evaluating facts, researching law, determining strategy, preparing clients and documents for court, and settlement negotiations.

The following is Ms. Urquhart's account of her five most significant litigated matters:
(a) *Johnson v. Johnson*, File book # 2003DR4602259. This was my first trial, first contested case, first client with multiple issues, first case with emergency issues, and the case from which all my future Family Court case strategy decisions would be educated. It was tried for five days beginning February 26, 2007, only 105 calendar days from my swearing-in as a baby lawyer. But for my boss and mentor serving as co-counsel, I would not have had the courage to go forward. The custody and visitation issues were complicated, including findings of abuse and neglect in a collateral SCDSS case, relocation, and split custody where the parents who were incapable of communication outside of litigation each received primary custody of one of the two children. In total, there were three guardians as litem appointed and five therapists during the litigation. The equitable apportionment of property, alimony, and child support issues were complicated by one spouse earning significantly more than the other spouse, despite our allegation that he was currently grossly underemployed. In the end, we did far better than we, the

client, or the rest of the York County Bar thought we would do. That week I learned more lessons than I can share here, but the most important of which are these: (1) The reality of sixteen hour workdays before and during trial. Have a good paralegal, partner, and spouse…and maybe dog sitter. (2) I could be trusted to think on my feet. (3) Bad cases can be won and good cases can be lost. (4) Credibility is everything. And (5) Judges prefer civility between lawyers, but they also appreciate it between parents as parties.

(b) *Hess v. Koziara*, file book # 2009DR4602493, and Hess v. Koziara, file book # 2014DR460294. The initial case in 2009 was a custody modification case with the mother seeking restricted visitation for the father who suffered mental health problems and who resided with his parents in Pennsylvania, approximately 550 miles from mother. My boss (later my law partner) and I represented the father. The Family Court decided in our favor, ruling that the child's relationship with father was important and needed protection just as much as the visitation guidelines to safeguard the child during visitation. Father was not deprived of the relationship because of his illness so long as he maintained treatment and crisis situations were met with appropriate responses. The visitation order promoted fewer and longer visitation periods over frequent and shorter visitation periods given the distance between parents. This case taught me a great deal about accepting bad facts with grace and admitting fault in order to maintain the ever-critical credibility. There are also lessons in parties accepting their co-parent as they are and avoiding short-term strategic gains when the damage to the co-parent relationship cannot be undone. The 2014 case taught lessons in the importance of learning your lesson from the Family Court the first time, and the award of attorney's fees as a significant method of leveling the playing field between parties.

(c) *Pittman v. Pittman*, 407 S.C. 141, 146, 754 S.E.2d 501 (2014). This case was important in my career regarding the issues of marital fault, alimony, equitable apportionment of property, transmutation, and attorney's fees awards. My boss and I represented the husband, who committed pre-

separation marital fault and lost nearly every substantive battle in the case all the way from the Family Court's temporary order to the Supreme Court of South Carolina finding intent for transmutation could be gleaned from the behavior of the non-owner spouse. Discovery rules and business appraisal were important in this case as well. I learned about losing with dignity and fighting until the final loss. Having a pleasant and grateful client does not affect the outcome of a case.

(d) *Lester v. Sanchez*, No. 2015-000027, 2017 WL 4817527 (S.C. Ct. App. Aug. 30, 2017). Not reported. The Supreme Court of South Carolina granted cert, Lester v. Sanchez, No. 2017-002043, 2019 WL 1486760, (S.C. Apr. 3, 2019), but dismissed as improvidently granted. This case (cases) were my deep-end plunge into third-party (specifically grandparent) custody battles. I learned important concepts about the psychology of parenting and bonding, as well as the importance of expert witnesses.

(e) *Atkinson v. Kinsler*, file book # 2020DR01439. This case is a custody and visitation case (child support being a minor issue) where the adverse party has been on a seemingly unstoppable campaign of hostility and, in my view, abuse of the system at every possible turn. The original contested litigation began before the child at issue was even a year old and he is now twelve. The father has filed grievances against medical and legal professionals. He has made unfounded allegations of abuse with SCDSS as well as criminal allegations against mother at local, state, and federal levels of law enforcement. He has been overtly critical of female professionals and females as a subset of rational human beings. There have been more than a handful of contempt proceedings; Father is currently incarcerated as a result of two of them, and is facing an upcoming hearing on our allegation of criminal contempt. This case is about perseverance, taking the high road, and believing the system will promote justice in the end.

The following is Ms. Urquhart's account of five civil appeals she has personally handled:

(a) *Walrath v. Walrath*, 2023-UP-152 (S.C. Ct. App. Apr. 12, 2023). Not reported. The file book number is

2018DR4601773, and the Family Court just received the remittitur from the Court of Appeals.

(b) *Stasi v. Sweigart*, 434 S.C. 239, 863 S.E.2d 669 (2021).

(c) *Brown v. Brown*, 408 S.C. 582, 758 S.E.2d 922 (Ct. App. 2014).

(d) *Schultze v. Schultze*, 403 S.C. 1, 741 S.E.2d 593 (Ct. App. 2013).

(e) *Snipes v. Snipes*, 2013-UP-329 (S.C. Ct. App. 2013). Not reported.

Ms. Urquhart reported that she has not personally handled any criminal appeals.

(9) Judicial Temperament:

The Commission believes that Ms. Urquhart's temperament would be excellent.

(10) Miscellaneous:

The Piedmont Citizens Committee on Judicial Qualification found Ms. Urquhart to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualification, physical health, mental stability, and experience. The Committee stated: "Ms. Massengale [Urquhart] struck the Committee as an enthusiastic and talented lawyer who has handled well a wide range of issues in the Family Court. The Committee rated her 'qualified' rather than 'well-qualified' in the area of experience, however, because we do not believe that her experience is as board [sic] as some other candidates running for this seat. Nevertheless, we believe that she is an able lawyer who would serve well as a judge."

Ms. Urquhart is married to T. Ray Massengale Jr. She has two step-children.

Ms. Urquhart reported that she was a member of the following Bar and professional associations:

(a) South Carolina Bar Association

(b) York County Bar Association. Secretary (2008-2009) and Treasurer (2009-2010)

(c) South Carolina Women's Lawyer Association

Ms. Urquhart provided that she was not a member of the following civic, charitable, educational, social, or fraternal organization.

Ms. Urquhart provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Camp Adam Fisher, Board member. For thirty years I have been heavily involved with CAF, the largest all-volunteer camp for children with Type I Diabetes in the Southeast. I started as a camper, have been a counselor-in-training (CIT), counselor, and currently serve as board member and CIT Coordinator.
(b) Rock Hill Adult Soccer League. Until Covid, I was an active participant in RHASL having spring and fall seasons for co-ed adults looking to play competitive but recreational soccer.
(c) My Legal BFF, FaceBook group offering support among a community of women lawyers, primarily in South Carolina or who attended school in South Carolina.

Ms. Urquhart further reported:

(a) To better show the extent of my appellate experience, my cases are included in bullet point fashion below: (Citations including "UP" were unpublished opinions and "MO" are memorandum opinions)

(I) SC Court of Appeals

i. *Roberts v. Roberts*, 2009-UP-190 (S.C. Ct. App. 2009)
ii. *Hicks v. Hicks*, 2011-UP-124 (S.C. Ct. App. 2011)
iii. *Pittman v. Pittman*, 395 S.C. 209, 717 S.E.2d 88 (Ct. App. 2011)
iv. *Jennifer K. v. Robert K.*, 2012-UP-489 (S.C. Ct. App. 2012)
v. *SC Dept. of Social Services v. Sandra G.*, 2012-UP-052 (S.C. Ct. App 2012)
vi. *Fortenberry v. Fortenberry*, 2013-UP-364 (S.C. Ct. App. 2013)
vii.*Schultze v. Schultze*, 403 S.C. 1, 741 S.E.2d 593 (Ct. App. 2013)
viii. *Snipes v. Snipes*, 2013-UP-329 (S.C. Ct. App. 2013)

ix. *Brown v. Brown*, 408 S.C. 582, 758 S.E.2d 922 (Ct. App. 2014)
x. *Brown v. Brown*, 2014-UP-307 (S.C. Ct. App. 2014)
xi. *Forman v. SC Dept of Labor*, 419 S.C. 64, 796 S.E.2d 138 (Ct. App. 2016)
xii. *Miteva v. Robinson*, 418 S.C. 447, 792 S.E.2d 920 (Ct. App. 2016)
xiii. *Lester v. Sanchez*, 2017–UP–241 (S.C. Ct. App. 2017)
xiv. *Gay v. Gay*, No. 2016-001679 (S.C. Ct. App. 2019)
xv. *Vitale v. Vitale*, 2019-UP-068 (S.C. Ct. App. 2019)
xvi. *Whitesell v. Whitesell*, 431 S.C. 575, 848 S.E.2d 588, (Ct. App. 2020)
xvii. *Hughes v. Corretjer*, 2022-UP-411 (S.C. Ct. App. 2022)
xviii. *Walrath v. Walrath*, 2023-UP-152 (S.C. Ct. App. 2023)

(II) Supreme Court
i. *Brunson v. Brunson*, 2009-MO-054, (S.C. 2009)
ii. *Pittman v. Pittman*, 407 S.C. 141, 146, 754 S.E.2d 501 (2014)
iii. *Lester v. Sanchez*, 2019-MO-020 (2019)
iv. *Stasi v. Sweigart*, 434 S.C. 239, 863 S.E.2d 669 (2021)

(b) In addition to private practice of representing Family Court litigants, since 2011, I have been a certified Family Court mediator, mediating all types of Family Court cases. I have been appointed by Family Court Judges and stipulated to by lawyers. Since 2018, I serve as a self-represented litigant pro bono mediation volunteer with the Family Court of the Sixteenth Judicial Circuit.

(c) My time in law school primarily focused on the child protection system. I clerked my 1L summer for the DSS Attorney for Cherokee County (2004). In the spring of 2006, I received the Cali Award (American Jurisprudence) -- Child Abuse and the Legal System.

(d) Even my college experience helped to prepare for me for the judicial system. From 2002-2003 I served as the Winthrop University Model United Nations, Secretary General training

committee chairs, editing conference resolutions, and interpreting and enforcing the conference rules of order.

(11) Commission Members' Comments:

The Commission questioned Ms. Urquhart about various situations that she would face as a Family Court judge if she was elected. In response, Ms. Urquhart demonstrated the depth of her knowledge and answered the questions to the Commission's satisfaction.

(12) Conclusion:

The Commission found Ms. Urquhart qualified, and nominated her for election to Family Court, Sixteenth Judicial Circuit, Seat 3.

ADMINISTRATIVE LAW COURT
QUALIFIED AND NOMINATED

The Honorable Ralph K. Anderson III
Administrative Law Court, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Anderson meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Anderson was born in 1959. He is 64 years old and a resident of Columbia, South Carolina. Judge Anderson provided in his application he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1984.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Anderson.

Judge Anderson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important

to a judge, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Anderson reported that he has not made any campaign expenditures.

Judge Anderson testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Anderson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Anderson to be intelligent and knowledgeable.

Judge Anderson reported that he has spoken or lectured for the following classes, programs, or seminars:

(l) USC School of Law Class (Jurisdiction before the ALC) on February 13, 2023.

(m) SCAARLA (Administrative Law Court's New E-Filing System) on February 10, 2023.

(n) USC School of Law Class (Law Practice Workshop) on February 7, 2022.

(o) Recorded CLE for SC Bar & SCAARLA (How to Craft an Order) on December 13, 2021.

(p) Seminar sponsored by the ABA Judicial Division & Commission on Disability Rights as a panelist concerning "Living with a Disability in the Profession on October 27, 2021

(q) SC Administrative Law Court (How to Craft an Order) on October 8, 2021.

(r) How to Craft an Order (Pub. Serv. Comm'n) on June 8, 2021.

(s) Recorded SC Judicial CLE (The Administrative Law Court: Overview and Judicial Considerations) on March 29, 2021.

(t) USC School of Law Class (Jurisdiction before the ALC) on March 17, 2021.
(u) USC School of Law Class (Law Practice Workshop) on February 8, 2021.
(v) SC Bar Convention - Virtual CLE (Tales from Emails) on January 22, 2021.
(w) Recorded CLE for SCAARLA (Appellate Jurisdiction before the ALC) on October 8, 2020.
(x) SCAARLA (Tales from Emails) on February 21, 2020.
(y) USC School of Law Class (Law Practice Workshop) on February 10, 2020.
(z) SC Bar Convention (Case Law Update: Administrative Law) on January 24, 2020.
(aa) SC Bar Diversity Committee (Panel: How ____ can I be?) on January 7, 2020.
(bb) Central Panel Directors Conference (Asheville NC) - Report of the South Carolina ALC on November 1, 2019.
(cc) USC School of Law Class (Law Practice Workshop) on February 25, 2019.
(dd) SC Bar Convention (Case Law Update: Recent Supreme Court and Court of Appeals Cases from the ALC and Recent ALC Cases) on January 17-18, 2019.
(ee) USC School of Law Class (Law Practice Workshop) on February 26, 2018.
(ff) SCAAO Conference on October 6, 2017, concerning tax law cases and statutory construction.
(gg) USC School of Law Class (Law Practice Workshop) on April 3, 2017.
(hh) DHEC (What is Effective Regulation?) on October 28, 2016.
(ii) Fifth Circuit's Spring Courthouse Keys event on April 1, 2016.
(jj) USC School of Law Class (Law Practice Workshop) on February 8, 2016.
(kk) SC Bar Convention for the Regulatory and Administrative Law Section on January 22, 2016.
(ll) SC Bar (Fifth Circuit Tips from the Bench) on January 8, 2016.
(mm) USC School of Law Class (Law Practice Workshop) on February 9, 2015.
(nn) A seminar for SC HHS Hearing Officers on April 13, 2015.
(oo) An Administrative Law & Practice in S.C. Seminar on January 31, 2014.

(pp) USC School of Law Class (Law Practice Workshop) on March 3, 2014.

(qq) S.C. Bar Convention (Panel Discussion on Administrative Law) on January 25, 2013.

(rr) A seminar for the Public Service Commission. (APA, Agency Decision & Ethics) on March 20, 2013.

(ss) Two separate CLEs on Administrative Law on February 21 & 22, 2013.

(tt) S.C. Bar CLE (Hot Topics in Administrative Law) on October 30, 2009.

(uu) A panel discussion for the Judicial Merit Selection Commission CLE on July 31, 2009.

Judge Anderson reported that he has published the following books or articles:

(a) "A Survey on Attributes Considered Important for Presidential Candidates," Carolina Undergraduate Sociology Symposium, April 17, 1980.

(b) "An Overview of Practice and Procedure Before the Administrative Law Judge Division," South Carolina Trial Lawyer, Summer 1996.

(c) The Majesty of the Lord's Prayer: An Analytical Review of Its Meaning and Implications (Murrels Inlet: Covenant Books, Inc., 2020).

(4) Character:

The Commission's investigation of Judge Anderson did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Anderson did not indicate any evidence of a troubled financial status. Judge Anderson has handled his financial affairs responsibly.

The Commission also noted that Judge Anderson was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Anderson reported that he is rated by one legal rating organization, Martindale-Hubbell, as AV Preeminent.

Judge Anderson reported that he has not served in the military.

Judge Anderson reported that he has held the following public office: from 1985 to 1995 Judge Anderson was appointed and served as an Assistant Attorney General

(6) Physical Health:

Judge Anderson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Anderson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Anderson was admitted to the South Carolina Bar in 1984.

He gave the following account of his legal experience since graduation from law school:

I began my legal career at the South Carolina Attorney General's Office in September 1984. During my career at the AG's office, I prosecuted numerous criminal cases of all types and handled a wide variety of civil litigation. My duties included:

(a) Statewide criminal prosecutor
(b) Assisting in the implementation of the Statewide Grand Jury
(c) Extradition hearing officer on behalf of the Governor of South Carolina
(d) Counsel to the State Ethics Commission
(e) Representing the State in a variety of civil litigation matters
(f) Representing the State in post-conviction relief matters
(g) Committee Attorney for the State Employee Grievance Committee
(h) Prosecutor for the Engineering and Land Surveyor's Board

I also prosecuted Medical Board cases, wrote Attorney General Opinions and handled Criminal Appeals.

On May 25, 1994, I was elected to Administrative Law Judge Seat No. 6 and re-elected to that position in 1996, 2001 and 2006. Administrative Law Judges hear appellate, injunctive and trial cases in a broad range of administrative matters involving governmental agencies and private parties.

On May 13, 2009, I was elected Chief Administrative Law Judge and re-elected to this position February 5, 2014, and February 6, 2019.

As an Assistant Attorney General, I did not have any significant administrative and financial management. As an Administrative Law Judge, I did not have any legal obligation regarding administrative and financial management but was occasionally assigned those duties by the Chief Judge. As Chief Administrative Law Judge, I am responsible for the administration of the court, including budgetary matters, assignment of cases, and the administrative duties and responsibilities of the support staff. See S.C. Code Ann. § 1-23-570. Also, Section 1-23-660 of the South Carolina Code (Supp. 2017) provides "The chief judge is solely responsible for the administration of the [Office of Motor Vehicle Hearings], the assignment of cases, and the administrative duties and responsibilities of the hearing officers and staff."

Judge Anderson reported that he has held the following judicial office(s):

I was elected by the General Assembly to serve as an Administrative Law Judge beginning February 1, 1995. On May 13, 2009, I was elected Chief Administrative Law Judge and have been serving continuously since that date.

Administrative Law Judges hear appellate, injunctive, and trial cases in a broad range of administrative matters involving governmental agencies and private parties.

The Administrative Law Court's appellate jurisdiction includes appeals involving Medicaid; driver's license revocations and suspensions; licensing decisions from boards/commissions under the Department of Labor, Licensing and Regulation; Budget and Control Board's Employee Insurance Program; AFDC benefits; operation of day care facilities and foster home licensing; food stamps; and revocations or suspensions of teachers' certificates. The Administrative Law Court also hears appeals

from final decisions of the Department of Employment and Workforce; the Department of Corrections in "non-collateral" matters; and appeals from final decisions of the South Carolina Department of Probation, Parole and Pardon Services permanently denying parole eligibility.

The contested case litigation includes hearings involving environmental and health permitting; Certificates of Need; State Retirement Systems' disability determinations; Disadvantaged Business Enterprises; state and county tax matters; alcoholic beverage issues; and wage disputes.

Judge Anderson provided the following list of his most significant orders or opinions:

(a) *Travelscape, LLC v. S.C. Dep't of Revenue*, Docket No. 08-ALJ-17-0076-CC. Holding affirmed in *Travelscape, LLC v. S. C. Dept. of Revenue*, 391 S.C. 89, 705 S.E.2d 28 (2011)

(b) *Duke Energy Corp. v. S. C. Dep't of Revenue*, Docket No. 10-ALJ-17-0270-CC. Holding affirmed in *Duke Energy Corp. v. S.C. Dep't of Revenue* 410 S.C. 415, 417, 764 S.E.2d 712, 713 (Ct. App. 2014), reh'g denied (Nov. 21, 2014), cert. granted (Apr. 9, 2015) and further affirmed by the Supreme Court in *Duke Energy Corp. v. S. C. Dep't of Revenue*, 415 S.C. 351, 782 S.E. 2d 590 (2016).

(c) *Kiawah Dev. Partners, II v. S.C. Dep't of Health and Envtl. Control, Docket No. 09-ALJ-07-0029-CC and S.C. Coastal Conservation League v. S.C. Dept. of Health and Envtl. Control, Docket No. 09-ALJ-07-0039-CC (February 26, 2010) (consolidated cases)*. Holding originally reversed by the Supreme Court, then affirmed and then reversed 3-2 in *Kiawah Dev. Partners, II v. S.C. Dep't of Health & Envtl. Control*, 411 S.C. 16, 766 S.E.2d 707 (2014).

(d) *Amazon Servs., LLC v. S.C. Dep't of Revenue*, Docket No. 17-ALJ-17-0238-CC (September 10, 2019) (Currently on appeal)

(e) *Lexington Cty. Health Servs. Dist. Inc., d/b/a Lexington Med. Ctr. v. S.C. Dep't of Health and Envtl. Control and Prisma Health-Midlands, Providence Hosp., LLC d/b/a Providence Health, Providence Health Northeast, Providence Health Fairfield, and Kershaw Hosp., LLC*

d/b/a KershawHealth Med. Ctr., Docket No. 20-ALJ-07-0108-CC (December 7, 2020) (Originally appealed to the Court of Appeals, appeal later withdrawn by parties)

Judge Anderson reported no other employment while serving as a judge.

Judge Anderson reported the following regarding unsuccessful candidacies:

(a) Administrative Law Judge, Seat 3 (February 23, 1994)
(b) Fifth Judicial Circuit Court, Seat 3 (May 24, 2000) - Found qualified and nominated but withdrew prior to election.
(c) Circuit Court, At-Large Seat 9 (January 16, 2003) - Found qualified but not nominated.
(d) Court of Appeals, Seat 9 (March 10, 2008) - Found qualified but not nominated.
(e) Supreme Court, Seat 2 (January 14, 2016) - Found qualified and nominated but withdrew prior to election.
(f) Supreme Court, Seat 5 - Found qualified and nominated on November 15, 2016, but later found qualified and not nominated on December 5, 2016.
(g) Supreme Court, Seat 4 - Found qualified but not nominated on January 17, 2023.

(9) Judicial Temperament:

The Commission believes that Judge Anderson's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Judge Anderson to be "Well Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee had the following related comment, "Exceptionally experienced".

Judge Anderson is married to Linda Corley Anderson. He has no children.

Judge Anderson reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar
(b) Administration and Regulatory Law Committee of the SC Bar
(c) South Carolina Administrative and Regulatory Law Association; President since 2009.

Judge Anderson provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Shandon Baptist Church. I am a member of the church but have not held any office with the church.
(b) South Carolina Administrative and Regulatory Law Association (SCAARLA). I became a member and board member of SCAARLA following its formation in 2002. In 2009, I was elected President of SCAARLA and have been serving in that capacity since that date.

(11) Commission Members' Comments:

The Commission noted that Judge Anderson's intellect and organizational skills have made him a highly effective Administrative Law Judge and Chief Judge.

(12) Conclusion:

The Commission found Judge Anderson qualified, and nominated him for re-election to Administrative Law Court, Seat 1.

QUALIFIED, BUT NOT NOMINATED

Grayson Lambert
Court of Appeals, Seat 9

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Lambert meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Mr. Lambert was born in 1986. He is 37 years old and a resident of Columbia, South Carolina. Mr. Lambert provided in his application that he has been a resident of South Carolina for at

least the immediate past five years and has been a licensed attorney in South Carolina since 2013. He was also admitted to the North Carolina Bar in 2012.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Lambert.

Mr. Lambert demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Lambert reported that he has made $582.51 in campaign expenditures for paper, envelopes, stamps, and printing services.

Mr. Lambert testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Lambert testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Lambert to be intelligent and knowledgeable.

Mr. Lambert reported that he has taught the following law-related courses:

(a) I planned and delivered, with another partner in the firm, a CLE for associates on legal writing at Burr & Forman in 2021.
(b) I planned the Trial & Appellate Advocacy Council's 2023 South Carolina Bar Convention CLE about legal writing, and I moderated a panel of four judges discussing how to be a better writer.

Mr. Lambert reported that he has published the following:

(a) *Lawsuits and Legislative Leadership*, SC Lawyer 26 (July 2019) (with Brad Wright)
(b) *Getting from Award to Judgment: Where to Confirm or Vacate Arbitration Awards*, SC Lawyer 26 (July 2018)
(c) *The Necessary Narrowing of General Personal Jurisdiction*, 100 Marq. L. Rev. 375 (2016)
(d) *Unmixing the Mess: Resolving the Circuit Split over the* Brillhart/Wilton *Doctrine and Mixed Complaints*, 64 U. Kan. L. Rev. 793 (2016)
(e) *Focusing on Fulfilling the Goals: Rethinking How Choice-of-Law Regimes Approach Statutes of Limitations*, 65 Syracuse L. Rev. 491 (2015)
(f) *Toward a Better Understanding of Ripeness and Free Speech Claims*, 65 S.C. L. Rev. 411 (2013)
(g) *Keeping the Inference in the Adverse Inference Instruction: Ensuring the Instruction Is an Effective Sanction in Electronic Discovery Cases*, 64 S.C. L. Rev. 681 (2013)
(h) Note, *The Real Debate over the Senate's Role in the Confirmation Process*, 61 Duke L.J. 1283 (2012)

(4) Character:

The Commission's investigation of Mr. Lambert did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Lambert did not indicate any evidence of a troubled financial status. Mr. Lambert has handled his financial affairs responsibly.

The Commission also noted that Mr. Lambert was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Lambert reported that his rating by a legal rating organization, Super Lawyers, is Rising Star: Appellate; and his

rating by Best Lawyers, Ones to Watch, is Appellate, Commercial Litigation.

Mr. Lambert reported that he has not served in the military.

Mr. Lambert reported that he has never held public office.

(6) Physical Health:

Mr. Lambert appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Lambert appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Lambert was admitted to the South Carolina Bar in 2013.

He gave the following account of his legal experience since graduation from law school:

(a) Law Clerk, Hon. Dennis W. Shedd, United States Court of Appeals for the Fourth Circuit, 2012–2013

I handled traditional law clerk duties, including drafting bench memoranda, assisting in oral-argument preparation, and drafting and editing opinions. I was not involved in administrative or financial management in this role.

(b) Associate, McGuireWoods LLP, 2013–2017

My first job after clerking was focused on civil litigation. I was fortunate, while a young lawyer at a large firm, to have the opportunity to do substantive work on dispositive motions and discovery motions in significant matters. By the end of my time at the firm, about a quarter of my work was in appellate proceedings. I was not involved in administrative or financial management in this role.

(c) Partner (2021), Associate (2017–2020), McNair Law Firm, P.A./Burr & Forman, LLP, 2017–2021

My practice at McNair (which became Burr & Forman while I was there) was again almost exclusively civil. I

had a goal to build an appellate practice, and my work grew from about 25% appellate work to almost exclusively appellate work by the end of my time there. The trial court work I did usually focused on novel or complex legal questions or high-value disputes. I was not involved in administrative or financial management in this role.

(d) Senior Litigation Counsel, Office of Governor Henry McMaster, 2021–present
I joined the Governor's Office specifically to handle his litigation. The majority of that litigation involves novel legal questions in high-profile cases. Many of those cases proceed quickly through trial court and into the appellate courts. I am not involved in administrative or financial management in this role.

Mr. Lambert reported the frequency of his court appearances during the past five years as follows:

(a) Federal: Given the nature of my appellate practice, most of my appearances are in written form. I have been counsel in 18 cases in federal courts of appeals in the past five years (typically as lead counsel), as well as counsel on three amicus briefs (again typically as lead counsel). I have argued three appeals in the Fourth Circuit during that time. In the U.S. Supreme Court, I have led two and participated in drafting three amicus briefs, and I was counsel of record in two U.S. Supreme Court cases.

In federal district court, my appearances in court have all been to argue major motions. I have typically handled several of those types of motions per year over the past five years.

(b) State: My state court practice mirrors my federal practice. I have been lead counsel in 13

cases in the South Carolina Supreme Court in the past five years, and I have argued five of those cases. I have also led five amicus briefs in the South Carolina Supreme Court in the past five years. I have been lead counsel in 15 cases in the South Carolina Court of Appeals in the past five years, and I have led one and participated in another amicus brief in that time.

In circuit court, I have been co-counsel in one bench trial, and I have argued a wide range of motions, averaging between eight and ten per year, over the past five years.

Mr. Lambert reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 99%;
(b) Criminal: 1%;
(c) Domestic: N/A
(d) Other: N/A

Mr. Lambert reported the percentage of his practice in trial court during the past five years as follows:

(a) Cases that settled prior to trial: 10%
(b) Cases that went to trial and resulted in a verdict: One
(c) Cases that went to trial and resolved after plaintiff or State's case: None
(d) Cases settled after a jury was selected but prior to opening statements: None

Mr. Lambert provided that during the past five years he most often served as lead counsel in appellate proceedings and co-counsel in trial court proceedings.

The following is Mr. Lambert's account of his five most significant litigated matters:

(a) *Andino v. Middleton*, 141 S. Ct. 9 (2020): This was the culmination of the COVID-related voting cases in which I represented the members of the S.C. Election Commission. After the district court enjoined the State's witness requirement for absentee ballots for the 2020 general election, we appealed. The Fourth Circuit initially granted our motion to stay the injunction, but the en banc court vacated that order and denied the motion. We sought emergency relief in the U.S. Supreme Court. The Supreme Court granted that relief, which meant the witness requirement remained in effect for the 2020 general election.

(b) *Planned Parenthood South Atlantic v. State*, No. 2023-000896 (S.C.): This case involves a challenge to the 2023 Fetal Heartbeat and Protection from Abortion Act. The General Assembly enacted this statute in response to the divided Supreme Court decision that the 2021 Fetal Heartbeat and Protection from Abortion Act was unconstitutional. The circuit court quickly enjoined the 2023 Act, and we immediately appealed. I was the principal author of the Governor's brief, and I argued the case on his behalf on June 27, 2023. The case is pending, as we await a decision from the Supreme Court.

(c) *Disability Rights S.C. v. McMaster*, 24 F.4th 893 (4th Cir. 2022): This case was a challenge to the budget proviso that prohibited school districts from using state funds to impose mask mandates on students. The district court enjoined the Governor and others from enforcing the budget proviso, and we appealed. We raised jurisdictional and merits argument. After I argued the case in the Fourth Circuit, that court held that the district court lacked jurisdiction to enjoin the Governor. After losing on appeal, the plaintiffs essentially gave up on the case on remand against other defendants. Therefore, the budget proviso protecting students from mask mandates enforced with state money remained in effect.

(d) *Owens v. Stirling*, 438 S.C. 352, 882 S.E.2d 858 (2023): This case challenged the constitutionality of the firing squad and electrocution as methods of execution under article I, section 15 of the South Carolina Constitution. The circuit court held both methods were unconstitutional, and

we appealed, arguing that the original understanding of the Constitution makes clear that both methods are constitutional. I argued the case in the Supreme Court, which remanded part of the case for more information on the efforts of the Department of Corrections to obtain lethal injection drugs while holding the remainder of the appeal in abeyance. Proceedings on remand are stayed in light of the recently enacted shield statute, as the Department of Corrections attempts to obtain the drugs necessary for carrying out an execution by lethal injection. This case is significant because it will determine whether and how the State can carry out lawfully imposed death sentences for convicted murderers.

(e) *Brannon v. McMaster*, 434 S.C. 386, 864 S.E.2d 548 (2021): The Governor ended South Carolina's participation in federal unemployment benefits during the COVID pandemic in an effort to encourage people to fill the more than 80,000 open jobs across the State. People who had been receiving those benefits challenged the Governor's authority to end the State's participation in that federal program. I argued this case on appeal, and the S.C. Supreme Court held that the Governor did in fact have the authority under state law to make the decision he did. This case meant that people were incentivized to get back to work, rather than to stay at home and collect extra benefits from the federal government.

The following is Mr. Lambert's account of five civil appeals he has personally handled:

(a) *Planned Parenthood South Atlantic v. State*, 438 S.C. 188, 882 S.E.2d 770, (2023)
(b) *Pinckney v. Peeler*, 434 S.C. 272, 862 S.E.2d 906 (2021)
(c) *League of Women Voters v. Andino*, 849 F. App'x 39 (4th Cir. 2021)
(d) *Bailey v. S.C. Election Comm'n*, 430 S.C.268, 844 S.E.2d 390 (2020)
(e) *Pershing, L.C.C. v. Kiebach*, 819 F.3d 179 (5th Cir. 2016)

The following is Mr. Lambert's account of two criminal appeals he has personally handled:

(a) *State v. Troutman*, No. 2017-002224, 2020 WL 2213643 (S.C. Ct. App. May 6, 2020)
(b) *United States v. Rivers*, 576 F. App'x 282 (4th Cir. 2014)

(9) Judicial Temperament:

The Commission believes that Mr. Lambert's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Lambert to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Will be a great asset to the Court of Appeals!"

Mr. Lambert is married to Mary Elizabeth Ward Lambert. He has three children.

Mr. Lambert reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar
  Trial and Appellate Advocacy Council, 2018–present
    Immediate Past Chair, 2023–present
    Chair, 2022–2023
    Chair-Elect, 2021–2022
    Secretary, 2020–2021
  Young Lawyers Division
    Community Law Week Co-Chair, 2019–2022
    Out-of-State Representative, 2015–2017
    iCivics Committee, 2013–2014
  Practice and Procedure Committee, 2014–present
(b) Federalist Society, 2013–present
(c) Fourth Circuit Rules Advisory Committee, 2017–2023
    Chair, 2021–2023
(d) New Lawyers Division, Duke Law Alumni Association Board of Directors, 2012–2017
    Chair, 2016–2017
    Vice Chair, 2015–2016

Mr. Lambert provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) First Presbyterian Church
Deacon
Sunday School class moderator and teacher
Youth basketball coach
(b) Forest Lake Club
(c) Palmetto Club

Mr. Lambert further reported:

I am excited about the possibility of serving as a judge on the Court of Appeals for three reasons. First, it is an opportunity to serve the State. Public service is important—that is one of the primary reasons I left private practice to join the Governor's Office. Serving on the Court of Appeals would provide a new and exciting way to continue my public service.

Second, serving on the Court of Appeals would allow me to use the skill set I have developed. I have been involved in more than 80 appeals in every context—from appellant to respondent to amicus to emergency motions to oral arguments. This has taught me how to carefully study the record, effectively analyze the case law, rigorously construct a logical argument, and precisely and concisely put pen to paper. These same skills are necessary as a judge.

Third, judges perform a critical role in society. The rule of law provides order and stability, and courts ensure that the rule of law always prevails. That said, the judicial role is limited to resolving only cases that are brought to the courts. It is not a policymaking role, and judges must be careful to respect the separation of powers.

(11) Commission Members' Comments:

The Commission commented that Mr. Lambert has an excellent reputation and vast experience in appellate law. They noted his superb intellect and work ethic.

(12) Conclusion:

The Commission found Mr. Lambert qualified, but did not nominate him for election to Court of Appeals, Seat 9.

Jason P. Luther
Court of Appeals, Seat 9

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Luther meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Mr. Luther was born in 1980. He is 43 years old and a resident of Columbia, South Carolina. Mr. Luther provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2009.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Luther.

Mr. Luther demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Luther reported that he has made $161.07 in campaign expenditures for paper, envelopes, labels for introduction letters, and postage.

Mr. Luther testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Luther testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Luther to be intelligent and knowledgeable.

Mr. Luther reported the following about teaching law-related courses:

I do not keep a list of speaking engagements, but these are the instances I have been able to recall to the best of my recollection:

(a) I served as judge for USC School of Law's annual Kate Bockman Moot Court competition on numerous occasions since 2012
(b) State and Local Tax Case Law Update, 2018 Annual SC Bar Convention
(c) Update from the SCDOR, Council on State Taxation Southeast Regional State Tax Seminar (April 2018)
(d) Top 10 Things OGC Learned at SCDOR, 2019 Annual SC Bar Convention
(e) I was a panelist for a USC School of Law panel re: careers as an in-house attorney
(f) Beware – the Taxman Cometh, 2020 Annual SC Bar Convention
(g) I participated in an Alcohol Laws and Regulation Education Seminar with SLED and Columbia Police Department
(h) State and Local Tax Case Law Update, 2021 Annual SC Bar Convention
(i) OMG, I'm being audited! What do I do now?, recorded CLE as round table panelist for South Carolina Administrative and Regulatory Law Association seminar (December 2021)
(j) State and Local Tax Case Law Update, 2022 Annual SC Bar Convention
(k) SALT Seminar, hosted by Nexsen Pruet (January 2022)
(l) The Twelve Days of Taxmas, 2023 Annual SC Bar Convention

(m) I presented at the SALT Seminar - South Carolina Association of CPAs, hosted by Nexsen Pruet (February 2023)

Mr. Luther reported that he has published the following:

(a) A Tale of Two Cities: Is *Lozano v. City of Hazleton* the Judicial Epilogue to the Story of Local Immigration Regulation in Beaufort County, South Carolina?, 59 S.C. L. REV. 573 (2008).
(b) Reflections on Professionalism: A Student Perspective, S.C. YOUNG LAW., February 2009 (Vol. 1, Issue 2)
(c) Peer Review as an Aid to Article Selection in Student-Edited Legal Journals, 60 S.C. L. REV. 959 (2009) (co-authored with John P. Zimmer)
(d) South Carolina Nonprofit Corporate Practice Manual (3rd Ed., forthcoming), contributing author/editor for chapter dealing with state taxes

(4) Character:

The Commission's investigation of Mr. Luther did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Luther did not indicate any evidence of a troubled financial status. Mr. Luther has handled his financial affairs responsibly.

The Commission also noted that Mr. Luther was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Luther reported that his rating by a legal rating organization, Super Lawyers, is Rising Star.

Mr. Luther reported that he has not served in the military.

Mr. Luther reported that he has never held public office.

(6) Physical Health:

Mr. Luther appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Luther appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Luther was admitted to the South Carolina Bar in 2009.

He gave the following account of his legal experience since graduation from law school:

(a) From 2009 to 2010, I was in private practice with Nelson Mullins Riley & Scarborough LLP in Columbia. I worked primarily on a team that handled commercial litigation and business torts, with a focus on franchise & distribution litigation. However, because of my interest in appellate practice, I also had the opportunity to brief an appeal to the United States Court of Appeals for the Fourth Circuit and work on an amicus brief to the United States Supreme Court. No administrative or financial management.

(b) From August 2010 to August 2012, I served as a judicial law clerk to the Honorable Dennis W. Shedd, United States Court of Appeals for the Fourth Circuit. While clerking for Judge Shedd, I reviewed briefs and records in a variety of different appeals, including criminal, civil, employment and labor, energy and utilities, environmental law, finance and banking, immigration, taxation, insurance, construction, intellectual property, government contracts, products liability, administrative law, civil rights, family law, etc. For each appeal, I researched legal issues and prepared bench memoranda for Judge Shedd, assisted him in preparing for oral arguments, attended oral arguments during each term of court in Richmond, VA, and drafted opinions. No administrative or financial management.

(c) After completing my judicial clerkship I returned to private practice to work for Murphy & Grantland, P.A. from September 2012 to May 2017. There, I was primarily a civil litigator focusing on general commercial and business litigation, insurance defense and coverage matters, and any

appellate matters that arose out of my civil litigation practice. This included appeals both at the South Carolina Court of Appeals and the United States Court of Appeals for the Fourth Circuit. No administrative or financial management.

(d) In May 2017, I accepted a job as the General Counsel for Litigation at the South Carolina Department of Revenue. In that role, I served as Deputy Director and the managing head of the litigation division, providing senior leadership, oversight, and direction on all legal matters impacting the agency, including civil and administrative litigation and criminal tax prosecutions, bankruptcy, and foreclosures. I also provided general legal advice and counsel on a variety of matters including Freedom of Information and alcohol beverage licensing. One of the reasons I chose to leave private practice and join the Department was because it presented a unique opportunity to be involved in more appellate work, and especially appeals that dealt with novel legal and constitutional issues. This job has not disappointed; since joining the Department six years ago I have had an active role in over 30 appellate matters at the South Carolina Court of Appeals or Supreme Court, as well as one matter at the United States Court of Appeals for the Fourth Circuit. No financial management.

(e) In the summer of 2020, the Department of Revenue restructured and consolidated all of its legal services and functions in a single, centralized Office of General Counsel. My title changed to Chief Legal Officer. My duties also expanded to include oversight of the Department's Appeals Section, as well as advice and counsel on matters related to high-balance collections, contracts and procurement, and agency policy on wide-ranging tax, regulatory, and administrative law issues.

Mr. Luther reported the frequency of his court appearances during the past five years as follows:

(a) Federal: Infrequent. There was one case, *CSX Transportation, Inc. v. S.C. Dep't of Revenue*, 959 F.3d 622 (4th Cir. 2020), that was litigated and tried in federal court prior to my joining the

Department. The Fourth Circuit vacated and remanded the case to the district court. I appeared as co-counsel in the remanded proceedings, a second appeal to the Fourth Circuit, and subsequent reversal and remand to the district court, all of which occurred between 2017–2020;

(b) State: Frequent. The majority have been at the Administrative Law Court, with some Circuit Court and appellate court appearances.

Mr. Luther reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 15%;
(b) Criminal: 0%;
(c) Domestic: 0%;
(d) Other: 85% (administrative cases).

Mr. Luther reported the following about the percentage of his practice in trial court during the past five years:

I would estimate that during the past 5 years approximately 50% of my practice has been in trial court, 20% has been on appellate matters, and 30% has dealt with other non-trial matters. Nearly all of the Department's cases are non-jury contested case hearings (trials) in the Administrative Law Court, and therefore do not result in a jury verdict. To the best of my knowledge, in the past five years our criminal prosecutor has had four jury trial verdicts—three in favor of the State—and one case in which the defendant pled guilty after the first day of trial.

Mr. Luther provided the following about his role as counsel during the past five years:

My practice at the Department of Revenue is unique. Our Office of General Counsel handles hundreds of administrative appeals, criminal cases, and civil matters each year. As Chief Legal Officer, I have supervisory responsibility for all of these cases, in addition to other non-trial legal matters.

I serve as co-counsel on many of the administrative cases, although my level of involvement varies widely depending on the complexity and policy implications of the case. In the majority of cases, my involvement is limited primarily to assisting with developing case strategy and reviewing significant pleadings and filings. I am more involved in the complex or significant matters, including actively participating in the discovery process and serving as part of the trial team. My other non-litigation duties as Chief Legal Officer prevent me from handling a full litigation caseload, but I do maintain a small caseload in which I serve as sole counsel or chief counsel. I am typically chief counsel on all circuit court matters. On the appellate matters where I am not the chief or sole counsel, I am heavily involved in the brief-writing process and conducting moot court sessions to prepare our attorneys for oral argument. We have a Special Assistant Attorney General in our office that has primary responsibility on all criminal matters; I supervise this attorney and we frequently collaborate on prosecution strategy.

With that as background, I would estimate that during the past 5 years approximately 50% of my practice has been in trial court, 20% has been on appellate matters, and 30% has dealt with other non-trial matters. Nearly all of the Department's cases are non-jury contested case hearings (trials) in the Administrative Law Court, and therefore do not result in a jury verdict. To the best of my knowledge, in the past five years our criminal prosecutor has had four jury trial verdicts—three in favor of the State—and one case in which the defendant pled guilty after the first day of trial.

The following is Mr. Luther's account of his five most significant litigated matters:

(a) *Dominion Energy South Carolina, Inc. f/k/a SCE&G v. South Carolina Department of Revenue*, Docket No. 19-ALJ-17-0170-CC.

This contested case hearing at the Administrative Law Court (ALC) arose out of South Carolina Electric and Gas Company's (SCE&G) abandonment of the two-unit nuclear

project at the VC Summer Nuclear Station. The issue was whether SCE&G owed sales and use tax on all of the materials and equipment it had purchased tax-free during construction of the project, even though the project was never completed or operational. Ultimately, after several years of administrative appeals and litigation, we negotiated a settlement with Dominion Energy.

The case was significant for a number of reasons. The settlement allowed the State to recover $165 million for the tax revenues it had foregone during the construction of the project. We also capitalized on a rare opportunity and negotiated for Dominion to transfer four unique and desirable properties to the State as part of the settlement amount. As a result, Ramsey Grove (a 2,600 acre planation in Georgetown County); Misty Lake (191 acres in Aiken County); and Pine Island (27 acres) and Bundrick Island (94 acres) (both islands are on Lake Murray in Lexington County) will become new state parks or public lands that all South Carolinians will be able to enjoy for generations to come. I am grateful to have played a small part in this piece of South Carolina's history.

(b) *Richland Cty. v. S.C. Dep't of Revenue*, 422 S.C. 292, 811 S.E.2d 758 (2018).

I was lead counsel in the "second half" of a case involving Richland County's expenditure of certain sales and use tax revenues, commonly known as the "Penny Tax." When I joined the Department in May 2017, the case had already proceeded through Circuit Court and was pending at the Supreme Court. After the Supreme Court issued its opinion in March 2018, there was over three years of subsequent litigation on remand to the Circuit Court (including an audit that was conducted in conjunction with discovery), as well as a companion case that Richland County filed in the Administrative Law Court. We also filed an amicus brief in a separate appeal that also dealt with Richland County's and the Central Midlands Regional Transit Authority's (CMRTA) use of penny tax revenues. Ultimately, in July 2021 we reached an agreement with Richland County and

CMRTA that brought to a final conclusion a very public dispute that had been ongoing for over six years.

This case was significant because it established, as a matter of first impression, the Department's authority to review and audit a local government's use of penny tax funds. The case also resulted in the County and CMRTA reimbursing the penny tax program for improper expenditures, and led to the development of a uniform standard (Guidelines) to be applied to all local governments to ensure that transportation penny tax funds are spent only on transportation-related projects, in compliance with state law.

(c) *Clarendon County et al. v. South Carolina Department of Revenue and Farmers Telephone Cooperative, Inc. et al.*, Docket No. 17-ALJ-17-0237-CC; Appellate Case No. 2020-000983.

This contested case hearing at the ALC dealt with the interpretation of S.C. Code § 12-37-220(B)(10), which provides a property tax exemption to any property of a rural telephone cooperative that is "used in providing rural telephone service." There were a number of issues in the case, but the primary dispute centered on whether the exemption extended to property used to provide rural *wireless* telephone service, or only rural *landline* telephone service. The ALC's final decision agreed with the Department's position that wireless assets qualify for the exemption, at least partially. During the pendency of the appeal at the Court of Appeals, the General Assembly amended section 12-37-220(B)(10) to clarify the exemption applies to modern facilities and technology as well as dual-use assets/property. This clarification confirmed the Department's interpretation of the exemption. As a result of the amendment, the counties and telephone cooperative reached a settlement, and the appeal was dismissed.

This case was significant to me because it concerned important issues relating to the provision of affordable and accessible telephone service in underserved rural areas, with implications for things like rural internet and broadband

access. It also exposed me to many of the unique aspects of ad valorem property taxes and the interplay between the Department and counties concerning assessment and taxation of property in the state.

(d) *Grange Mutual v. 20/20 Auto Glass*, Unpublished Opinion No. 2019-UP-419 (Dec. 31, 2019).

This case dealt with whether a unilateral contract is created when an auto glass repair company performs repair services after being told that performance constitutes acceptance of the offer to pay a certain amount for those services. I was sole counsel on this case through the bench trial; the trial court ruled in my client's favor. After the other party appealed and shortly before our brief was due at the Court of Appeals, I took a job with Department of Revenue and had to withdraw as counsel in this case. One of my former colleagues did a wonderful job handling the appeal. The Court of Appeals affirmed the trial court; after holding oral arguments, the Supreme Court dismissed the writ as improvidently granted.

The case was significant for at least two reasons: first, this same issue was being litigated around the country, and courts in other jurisdictions had diverged on how to resolve this particular unilateral contract issue. Second, the case had statewide implications relating to contract formation, and was the first time the Court of Appeals had addressed this issue since deciding *S. Glass & Plastics Co. v. Kemper*, 399 S.C. 483, 732 S.E.2d 205 (Ct. App. 2012), which dealt with a similar scenario as a matter of first impression.

(e) *Sidney Edwards Graham as Personal Representative of the Estate of Darrell Wayne Graham v. Allied Barton Security Services, LLC, et al.*, Civil Action No. 2015-CP-26-0426.

This case arose out of the drowning of a plastic surgeon at Broadway at the Beach (Myrtle Beach, SC). The decedent's wife brought a wrongful death and survival action against a number of defendants alleging theories of premises liability and negligence. My client had contracted with the property

owners to provide security services at Broadway at the Beach. The plaintiff alleged my client had contributed to the decedent's death by failing to provide a reasonably safe premise and permitting the decedent to become inebriated on the property and drown in the lake.

I handled a number of litigation matters for this particular client and considered all of their cases to be important, but this case was especially important to them and therefore significant to me. The circumstances were tragic, but the case presented a number of unique factual issues and novel legal questions, including the extent to which a private security company owes a duty to monitor intoxicated patrons, and whether the attractive nuisance doctrine extends to adults. Unfortunately, the court never had an opportunity to answer those questions; we litigated the case for 2 years but it settled shortly after I filed a motion for summary judgment. Nevertheless, it remains one of the more memorable and interesting matters that I have handled.

The following is Mr. Luther's account of five civil appeals he has personally handled:

(a) *Aiken v. South Carolina Department of Revenue*, 429 S.C. 414, 839 S.E.2d 96 (2020).
(b) *Greenville Hospital System v. South Carolina Department of Revenue*, Op. No. 2020-UP-065, 2020 WL 1170173 (S.C. Ct. App. filed Mar. 11, 2020).
(c) *Cramer v. Nat'l Cas. Co.*, 690 F. App'x 135, 2017 WL 2333591 (4th Cir. 2017). Personally handled briefing at trial level and on appeal, did not argue appeal.
(d) *Pennsylvania National Mutual Casualty Insurance Company v. Lewis*, 650 Fed. Appx. 159 (4th Cir. 2016). Personally handled litigation and tried the case with co-counsel; personally handled appellate briefing, did not argue appeal.
(e) *Lytle v. BI-LO, LLC*, Op. No. 2015-UP-027, 2015 WL 164323 (2015). Personally handled briefing, did not argue appeal.

I am currently lead counsel on three cases pending at the Court of Appeals that are on the preliminary list for the September or

October 2023 terms: *Synovus Bank v. SCDOR*, Appellate Case No. 2020-000999; *Duke Energy Corporation v. SCDOR*, Appellate Case No. 2020-001542; and *Lowe's Home Centers, LLC v. SCDOR*, Appellate Case No. 2021-000031. I am also co-counsel on four other cases pending at the Court of Appeals and three at the Supreme Court.

Mr. Luther reported that he has not personally handled any criminal appeals.
All of our criminal appeals are handled by the Attorney General's office. We have had one criminal appeal involving felony tax evasion during my time at the Department, *see State v. Hughes*, 2018 WL 679482 (S.C. Ct. App. Jan. 24, 2018).

(9) Judicial Temperament:

The Commission believes that Mr. Luther's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Mr. Luther to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted, "Past experience makes him well qualified."

Mr. Luther is married to Emily Suzette Luther. He has three children.

Mr. Luther reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association (2009 to present)
(b) Torts and Insurance Practices Section Council (approximately 2015–2017)
(b) Richland County Bar Association (2009 to present)
(c) South Carolina Administrative Law Court Rules Committee (2022 to present)

Mr. Luther provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) South Carolina Law Review Association, Board Member
(b) Junior Achievement of Greater South Carolina, Midlands District Board Member
(c) First Presbyterian Church, Elder (Columbia, SC)
(d) Historic Columbia, Palladium Member
(e) South Carolina Philharmonic Conductor's Cabinet
(f) 20 Under 40 (The State Newspaper)
(g) Leadership Columbia, Class of 2017
(h) South Carolina Executive Institute, Class of 2023
(i) School Improvement Council, Brennen Elementary (2022–2023)
(j) I also volunteer as a coach for each of my sons' teams in the Palmetto Baseball League and Christian Youth Basketball League.

Mr. Luther further reported:

My first trial experience was at age 14; my first appellate argument came three years later. Both of those experiences changed the trajectory of my life.

The trial involved a friend of my father, who was the plaintiff and represented (pro bono, as I recall) by Rep. Terry Haskins, later the Speaker pro-tempore of the South Carolina House of Representatives. I come from a family of non-lawyers and did not understand most of the technical aspects of the trial. But that experience is what motivated me to pursue law. More importantly, I was inspired by Rep. Haskins' example of public service.

The appellate argument was part of a high school moot court competition, and I argued the final round in the Supreme Court of Georgia. Even as a teenager, I found in appellate advocacy the perfect intersection of my personality, abilities, and interests. Appellate practice remains the most rewarding and satisfying element of my law practice.

I am mindful of the many people who have supported, guided, and invested in my personal and professional development. I am grateful for those individuals; along with various life experiences, they have taught me valuable lessons, shaped my

character and worldview, and given me unique perspectives—all of which will undoubtedly influence the type of judge I will be.

For example, as a byproduct of growing up the oldest of six children, when making decisions I typically consider all sides of a situation while remaining open to different ideas and viewpoints. My working class grandparents taught me the virtues of industriousness and selflessness. My parents (career missionaries) instilled in me a love for learning and self-development, and challenged me to find my purpose through serving others. I believe these are important traits for a judge.

Through a variety of internships, fellowships, my study of history in college, and a judicial clerkship I developed a profound appreciation for the exceptional nature of democracy in America and the role of our courts within our constitutional frameworks—both federal and state. I believe judges are duty bound to preserve and uphold our first principles like the rule of law and separation of powers, and that the province and duty of the judiciary is to say what the law is, not what it should be.

Life experiences—legal and non-legal—will undoubtedly affect my perspective as a judge as well. I have enjoyed a diverse practice: state and federal, jury and non-jury, trial and appellate, administrative and civil and criminal. I appreciate the immense time and effort that goes into presenting an effective appeal; I have also seen what it takes for the judge to be equally prepared, informed, and willing to engage (and actively listen). I understand the challenges unique to working in a firm representing multiple clients, or in-house with one organizational client. As general counsel for a state agency, I have gained experience in deciding specific controversies or issues against a backdrop of precedent and longstanding administrative practice—always with an eye on the long-term ramifications of each particular decision. Starting a roofing business in the aftermath of hurricane Wilma also gave me a glimpse into the world of entrepreneurship and small business. That experience regularly motivates me to ensure that our government works best for its constituents by being timely, responsive, and efficient.

It is said that to whom much is given, much is required. Throughout my career, I have tried to steward the talents entrusted to me and honor those who have invested in my life by working diligently and zealously for my clients and community. To pay it forward, in a sense. It would be a tremendous privilege and honor to serve my fellow citizens and our State as a judge on the Court of Appeals.

(11) Commission Members' Comments:

The Commission commented that Mr. Luther has significant experience in the appellate field. The Commission further commended Mr. Luther for his desire to serve on the bench in addition to his extensive service to South Carolina, and applauded his many other qualifications.

(12) Conclusion:

The Commission found Mr. Luther qualified, but did not nominate him for election to Court of Appeals, Seat 9.

Jason A. Daigle
Circuit Court, Ninth Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Daigle meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Daigle was born in 1976. He is 47 years old and a resident of Mt. Pleasant, South Carolina. Mr. Daigle provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2005.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Daigle.

Mr. Daigle demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to

judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Daigle reported that he has not made any campaign expenditures.

Mr. Daigle testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Daigle testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Daigle to be intelligent and knowledgeable.

Mr. Daigle reported that he has not taught or lectured at any bar association conferences, educational institutions, or continuing legal or judicial education programs.

Mr. Daigle reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Daigle did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Daigle did not indicate any evidence of a troubled financial status. Mr. has handled his financial affairs responsibly.

The Commission also noted that Mr. Daigle was punctual and attentive in his dealings with the Commission, and the

Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Daigle reported that he is not rated by any legal rating organization.

Mr. Daigle reported that he has not served in the military.

Mr. Daigle reported that he has never held public office.

(6) Physical Health:

Mr. Daigle appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Daigle appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Daigle was admitted to the South Carolina Bar in 2005.

He gave the following account of his legal experience since graduation from law school:

(a) Fish & Richardson, Dallas, TX (2004) – Paralegal/unlicensed attorney – civil litigation
(b) Robertson & Hollingsworth, Charleston, SC (2005-2006) – associate attorney – civil litigation
(c) Anastopoulo & Clore, Charleston, SC (2006) – associate attorney – civil litigation
(d) Pierce Herns Sloan & McLeod, Charleston, SC (2006-2009) – associate attorney – civil litigation
(e) Maybank Law Firm, Charleston, SC (2009-2014) - associate attorney – civil litigation
(f) Clement Rivers (formerly Young Clement Rivers) (2014 – 2019) associate attorney – civil litigation; (2020 - present) Partner – civil litigation
(g) I was not involved with the administrative or financial management (including management of trust accounts) of any of those firms as an associate

attorney. As a partner at Clement Rivers I have been involved with the administrative and financial management of the firm as a voting partner. I have had no involvement with the management of the trust account.

Mr. Daigle further reported regarding his experience with the Circuit Court practice area:

Civil Court – I have been a civil litigator for over 18 years. I have tried about 15 civil cases in state court – both jury trials and bench trials. I have arbitrated several other cases. I have argued and defended motions dozens and dozens of times in state court. Conservatively, I would estimate I have appeared in state court, one way or another, well over 200 times. I have handled a wide array of civil cases including: construction defects, termite claims, slip/trip and falls, premises liability, dram shop, trucking, civil rights, products liability, public nuisance, contract disputes, mechanic's liens, insurance disputes, professional liability, auto accident, tort claims act cases, business negligence, and commercial disputes. I have represented both plaintiffs and defendants over the course of my career. I would estimate that my practice has been 80% defense and 20% plaintiff. Although, of the cases I have tried the split was about 50/50 plaintiff and defense. The past 5 years has been slow for court appearances because of COVID. However, on average, I would still estimate have appeared at least monthly, if not several times a month, before a circuit court judge in the past five years.

Criminal Court – I have never practiced criminal law. I have been involved in about five criminal matters that were related to civil cases that I was defending. Of those, I have only gone to General Sessions court a few times and was not actively involved in the process. As a judge in criminal proceedings, I would not be the one trying the case. My job in criminal cases is to ensure that everyone gets a fair trial and that the rules are followed. My civil practice has given me more than adequate experience with the rules of evidence and jury trials in general. Further, my experience in civil litigation has exposed me to all kinds of people. I have had to evaluate people regularly in depositions and trials. Knowing people and evaluating people is

critically important in criminal proceedings, especially bonding and sentencing. I will have to go back and familiarize myself with criminal procedure, sentencing guidelines, and the criminal code in general. These are all things I had to in both law school and for the bar exam. I have no doubt I will be up to speed on criminal matters well before I would take the bench.

Mr. Daigle reported the frequency of his court appearances during the past five years as follows:
(a) Federal: about 1 case a year;
(b) State: frequently – at least monthly, sometimes weekly.

Mr. Daigle reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 100%;
(b) Criminal: 0%;
(c) Domestic: 0%;
(d) Other: 0%.

Mr. Daigle reported the percentage of his practice in trial court during the past five years as follows:
(a) 100% settled prior to trial
(b) 0 cases went to trial and resulted in a verdict
(c) 1 case went to trial and resolved after the plaintiff's or State's case
(d) 0 cases settled after a jury was selected but prior to opening statements

Mr. Daigle provided that during the past five years he most often served as chief counsel.

The following is Mr. Daigle's account of his five most significant litigated matters:
(a) *Andrew McIntire, et al vs. Seaquest Development Company Inc. et al*
2016CP1001833 – Charleston County Circuit Court
This case was one of the first cases in South Carolina to use the Notice and Opportunity to Cure Act to dismiss a case. The case was appealed and the ruling was overturned on other grounds. We then had a week long arbitration where

the same motion was made prior to openings and again at the conclusion of the arbitration. The case was settled prior to the arbitrator's ruling on the motion.

(b) *Allan Dapore, et al vs. Upper Deck Tavern Limited, et al*
2016CP1002198 – Charleston County Circuit Court
This case involved a trip a fall inside a business that resulted in catastrophic injuries. The liability was complicated as the building was under a series of leases and subleases between the named defendants. Although I did not have to try the case, we were able to work through the complicated array of leases and obligations between the defendants to negotiate an excellent settlement for the plaintiff.

(c) *Stephen Paul Young vs. STIHL Incorporated, et al*
2015CP0802283 – Berkeley County Circuit Court
This case involved a product defective design of a chop saw against an international company with $5B in yearly revenue and defended by a high powered international law firm. Defective design cases are inherently complicated and involve legal issues unlike other civil cases. I had to litigate this case and avoid summary judgment and exclusion of experts in order to obtain an excellent settlement for the plaintiff.

(d) *James E King vs. Santee Resort Condominium Association Inc., et al*
2011CP1400541 – Clarendon County Circuit Court
This was a defamation case that went to trial in Clarendon County. We obtained a jury verdict that, according to the Clerk, was the second biggest verdict in Clarendon County at the time.

(e) *Concord West Of The Ashley Homeowners Association, et al vs. Julian Lecraw & Company Holdings Inc., et al*
2008CP1001659 – Charleston County Circuit Court
This was huge construction defect case where I represented the developers that converted apartment buildings in to condominiums. This was one of the largest construction defect cases in the state at the time and involved complicated issues of original construction, conversion renovations, and the duties of conversion developers.

The following is Mr. Daigle's account of the civil appeal he has personally handled:

Seaquest Development Company, Inc., Third-Party Plaintiff/Appellant vs. Red Bay Constructors Corp., et al, Respondents
Case No. 2016-CP-10-01833 – Charleston County Circuit Court
Appellate Case No. 2021-001055 – SC Court of Appeals

Mr. Daigle reported that he has not personally handled any criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. Daigle's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Mr. Daigle to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and experience; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament. The Committee did not provide a summary statement or related comments.

Mr. Daigle is married to Kathy Aboe Carlsten Daigle. He has three children.

Mr. Daigle reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar
(b) Charleston County Bar Association
(c) Federal Bar Association (formerly)
(d) American Bar Association (formerly)

Mr. Daigle provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
Academic Magnet High School Foundation Board - Chairman

Mr. Daigle further reported:

More than anything, my professional experiences as a litigator have influenced the kind of judge I plan to be. Throughout my 18 year career I have encountered many different kinds of

lawyers and judges. I have learned from each of them. Some of them inform what I want to be as a judge, while others inform what I do not want to be as a judge. I feel very strongly about the integrity of the South Carolina Bar and our Oath of Civility. I feel very strongly about the impartiality and service of the judiciary. Judges perform a very important public service that ensures litigants get a fair shot at the legal system and that lawyers are able to properly represent their clients. Insisting on high standards of integrity and civility from lawyers goes a long way in that endeavor. I think being composed, engaged, and respectful from the bench encourages attorneys to maintain civility and builds confidence within the bar and the public in general.

(11) Commission Members' Comments:

The Commission commented that while Mr. Daigle has a lack of criminal experience, he also has vast experience as a civil litigator for over 19 years, and an excellent temperament.

(12) Conclusion:

The Commission found Mr. Daigle qualified, but did not nominate him for election to Circuit Court, Ninth Judicial Circuit, Seat 4.

The Honorable Ittriss J. Jenkins
Circuit Court, Ninth Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Jenkins meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Jenkins was born in 1972. He is 51 years old and a resident of Charleston, South Carolina. Judge Jenkins provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2007.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Jenkins.

Judge Jenkins demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Jenkins reported that he has not made any campaign expenditures.

Judge Jenkins testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Jenkins testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Jenkins to be intelligent and knowledgeable.

Judge Jenkins reported that he has taught the following law-related courses:
Contracts July 17 Orientation School for Magistrates and Municipal Judges- I described the basics of contract law.

Judge Jenkins reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Jenkins did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Jenkins did not indicate any evidence of a troubled financial status. Judge Jenkins has handled his financial affairs responsibly.

The Commission also noted that Judge Jenkins was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Jenkins reported that his last available rating by a legal rating organization as follows:
The National Black Attorney Top 100 2016-present;
Premier Lawyers in America 2019;
American Institute of Legal Counsel 2018-2019;
American Association of attorney advocates 2021;
American Jurist Institute 2019

Judge Jenkins reported that he has not served in the military.

Judge Jenkins reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Jenkins appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Jenkins appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Jenkins was admitted to the South Carolina Bar in 2007.

He gave the following account of his legal experience since graduation from law school:
(a) Charleston County North Area 2
Magistrates Judge (5/2015-Present)

- Presides over cases involving civil matters under $7,500.00, landlord- tenant issues, traffic tickets and claim and delivery disputes,

- Served as Judge in Domestic Violence Court,
- Sets bonds for individuals accused of a misdemeanor and felony crimes in Charleston County,
- Preside over preliminary hearings which establish probable cause for criminal cases,
- Serve as presiding judge in Transfer Court,
- Review and Issue warrants, based on the standard of the 4th amendment of the Constitution,

(b) Law Office of Ittriss J. Jenkins LLC Charleston, S.C.
Managing Attorney (11/07-Present)

- Practicing Attorney, in the areas of Estate Planning, Probate Administration and Elder law,
- Serve as Special Administrator in probate cases,
- Prepare wills, trusts, power of attorneys, and other estate planning documents,
- Provide counsel relating to incapacity and asset protection planning,
- Serves as an attorney appointed by the State to represent committed patients under the mental health system
- Serve as Attorney- Guardian-at-litem in the Charleston County Probate Court,
- Represents criminal clients in Federal, Circuit, Magistrate and Municipal Courts,
- Certified Equal Employment Opportunity Investigator,
- Presenter for continuing legal education courses in the area of trusts and HIPPA regulations
- Responsible for day-to-day operations of the office.

Judge Jenkins further reported regarding his experience with the Circuit Court practice area:

After I was appointed as a Magistrate Judge in Charleston, I was forced to terminate my representation in Circuit Court in Charleston. I did represent a defendant in Berkeley County whom was accused of operating an illegal repair shop and another individual whom had drug charges and flee from the police.

Prior to becoming a Magistrate, I represented criminal clients charged with a wide variety of charges ranging from trafficking to attempted murder.

In the Common Please Court, I represented Plaintiffs and Defendants. I have a lot of clients who own small businesses, so I have appeared in Circuit Court representing the Plaintiff and Defendant on different cases. In October 31st 2022, I won a jury trial in Allendale Court of Common Pleas. I represented the Plaintiff in that case on the issue was fraud.

As a Magistrate Judge, I have had the pleasure of hearing small claims actions where the amount in question is less than $7500.00. Although the rules are slightly different when is comes to default hearings, most of the other rules are identical to Circuit Court.

Judge Jenkins reported the frequency of his court appearances prior to his service on the bench as follows:
(a) Federal: quarterly;
(b) State: every six months.

Judge Jenkins reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:
(a) Civil: 10%;
(b) Criminal: 30%;
(c) Domestic: 1%;
(d) Other: 59% probate.

Judge Jenkins reported the percentage of his practice in trial court prior to his service on the bench as follows:
(a) Jury: 10%;
(b) Non-jury: 90%.

Judge Jenkins provided that during the past five years prior to his service on the bench he most often served as sole counsel.

The following is Judge Jenkins's account of his most significant litigated matter:

(a) Riley vs. Riley. 2020-CP-03-0176 (involved fraud and statute of limitations)

The following is Judge Jenkins's account of one civil appeal he has personally handled.
Riley vs. Riley 2023-001281

Judge Jenkins reported he has not personally handled any criminal appeals.

Judge Jenkins reported that he has held the following judicial office(s):
Magistrate Judge, Charleston County April 2015-present
- Appointed
- This Court has jurisdiction in Charleston County

Judge Jenkins provided the following list of his most significant orders or opinions:
(a) 2018CV1010500915- Clemons vs. Washington
(b) 2017CV1010500447 – Valentine vs. Denham
(c) 2016CV1010500760- Extended Stay vs Allen

Judge Jenkins reported the following regarding his employment while serving as a judge:
Law Office of Ittriss J. Jenkins LLC

(9) Judicial Temperament:

The Commission believes that Judge Jenkins's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Judge Jenkins to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Energetic, magnetic, smart, caring, insightful, diverse experience, personable, and serves as judge now."

Judge Jenkins is married to Loquita Sucaria Bryant Jenkins. He has two children.

Judge Jenkins reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar
(b) Charleston County Bar
(c) South Carolina Summary Court Judges Association
(b) Better Business Bureau A+ rating

Judge Jenkins provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Historic Rotary Club of Charleston
(b) North Central Neighborhood Association Member
(c)One-80 Place Board member
(d) Preservation Society of Charleston, Board Member
(e) Children's Museum Charleston Board of Member
(f) Carolina Voyager Charter School Inc. Board Member
(g) Royal Foundation, Vice-Chair
(h) City of Charleston Short-term rental task force

Judge Jenkins further reported:
I am a Deacon at the Royal Baptist Church. I take this role seriously. I feel it is important to show the love of Jesus Christ in my interaction with others. In showing love I will always be patient and kind to the people who appear in Court.

(11) Commission Members' Comments:

The Commission commented that Judge Jenkins has an outstanding personality and energy that would serve him well as a Circuit Court judge.

(12) Conclusion:

The Commission found Judge Jenkins qualified, but did not nominate him for election to Circuit Court, Ninth Judicial Circuit, Seat 4.

Elizabeth Morrison
Circuit Court, Ninth Judicial Circuit, Seat 4

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Morrison meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. Morrison was born in 1985. She is 38 years old and a resident of Charleston, South Carolina. Ms. Morrison provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2012.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Morrison.

Ms. Morrison demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Morrison reported that she has not made any campaign expenditures.

Ms. Morrison testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Morrison testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Morrison to be intelligent and knowledgeable.

Ms. Morrison reported that she has taught the following law-related courses:

2023 – PLUS Healthcare & MedPL Webinar: Sexual Abuse and Molestation Claims
Discussed trends and defense strategy for sexual abuse claims in the medical profession.

2020 - COVID-19: Current State of Immunity and Potential Liability For Healthcare Providers, DRI Webinar – *Discussed the PREP Act and its impact on liability for claims involving vaccines and other federal directives in response to Covid-19* **.**

Ms. Morrison reported that she has published the following:
"Time is Not on Your Side: Avoiding Pitfalls When Filing Motions to Alter or Amend under Rule 59(e), S.C.R.Civ.P.," South Carolina Lawyer Magazine, March 2017

(4) Character:

The Commission's investigation of Ms. Morrison did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Morrison did not indicate any evidence of a troubled financial status. Ms. Morrison has handled her financial affairs responsibly.

The Commission also noted that Ms. Morrison was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Morrison reported that her rating by a legal rating organization, Best Lawyers in America, is One to Watch; and her rating by Charleston Business Magazine, is Legal Elite of the Lowcountry, insurance law.

Ms. Morrison reported that she has not served in the military.

Ms. Morrison reported that she has never held public office.

(6) Physical Health:

Ms. Morrison appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Morrison appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Morrison was admitted to the South Carolina Bar in 2012.

She gave the following account of her legal experience since graduation from law school:

Whelan Mellen & Norris, LLC, Charleston, SC September 2023 – Present

Partner

Civil Litigation practice focused on landlord-tenant, general liability, transportation, insurance coverage, sexual assault, negligent security, and professional negligence. Also provide general representation and counseling to local businesses including contractors, property managers, landlords and those in the retail and hospitality industry.

Hall Booth Smith, P.C., Mount Pleasant, SC, December 2017 – 2023

Senior Associate / Partner (2020 – 2023)

Civil Litigation practice focused on landlord-tenant, general liability, transportation, insurance coverage, professional negligence and medical malpractice. Also provide general representation and counseling to local businesses including contractors, property managers, landlords and those in the retail and hospitality industry. Since making partner, I am responsible for ensuring collections from clients, establishing scope of representation and payment. As a partner, I also participate in approving compensation for all employees and focus on staff hiring needs for the South Carolina office.

Pritchard Law Group LLC, Charleston, SC, April 2014 – December 2017

Associate Attorney

Litigation practice with a focus on general municipal and magistrate matters, business litigation, insurance coverage, including first party bad faith and contractual indemnity, appellate work, residential and commercial landlord tenant disputes, premises liability, personal injury, including exposure to toxic mold, workers compensation, and construction defects.

Corrigan & Chandler LLC, Charleston, SC, November 2012 – April 2014
Associate Attorney

Civil Litigation practice with a focus on construction defect litigation, insurance defense, business disputes, horizontal property regimes, and premises liability. Drafted subpoenas, minor settlements and discovery requests, including non-privileged document review.

Ms. Morrison further reported regarding her experience with the Circuit Court practice area:
Criminal Experience last five years: Early on in my career, I handled some criminal matters at the municipal court level, which required court appearances wherein the matter was either amicably resolved or the matter was adjudicated by a judge. In the last five years of my practice, which is nearly all civil, I have represented clients who either have criminal charges pending in connection with the civil matter, or another party in the case has criminal charges pending, which has required me to monitor the criminal action and/or collaborate with a client's criminal attorney. Generally, the criminal charges involved are criminal sexual misconduct, Felony DUI, reckless driving, and/or assault and battery. I am familiar with the discovery process in criminal court, and the differing evidentiary standards from circuit court as well as the procedural process prior to trial.

Civil Experience last five years: Over the last five years, my civil experience has become more expansive with cases ranging from landlord/tenant, motor vehicle accidents, premises liability actions, professional negligence, medical malpractice, first party insurance actions, dram shop actions, §1983 claims, education law, dog bites, mechanics liens, wrongful death, negligent security and sexual assault. In the last five years, I have tried

three cases to verdict and resolved countless others at various stages in litigation, most often at mediation.

Parties Represented: Generally, I represent defendants (individuals, businesses, UIM carriers) but take on 1-2 Plaintiff cases a year, typically in commercial landlord tenant cases or life insurance bad faith cases.

Appearances before Circuit Court Judge in the last five years: I routinely appear before Judge Price and Judge McCoy in Charleston County. I also have several cases in the Fourteenth Circuit and have appeared before Judge Bonds and Judge Mullen. The last case I tried was before Judge McKinnon and I have an upcoming trial before Judge Young. Other judges I have appeared before include Judge Jocelyn Newman, Judge DeBerry, Judge Curtis, Judge Murphy, Judge Gibbons, Judge Pope, Judge Goodstein, Judge Dickson, Judge Culbertson, Judge Seals, and Judge Burch.

Ms. Morrison reported the frequency of her court appearances during the past five years as follows:
(a) Federal: 1-2 times per year;
(b) State: 1-2 times per month.

Ms. Morrison reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 90 percent;
(b) Criminal: 0;
(c) Domestic: 5 percent (representing therapists and psychologists subpoenaed in domestic matters);
(d) Other: 5 percent (business formation, LLR licensures, ABL licensing).

Ms. Morrison reported the percentage of her practice in trial court during the past five years as follows:
(a) What percentage of your practice was in trial court, including cases that settled prior to trial? 90 percent
(b) What number of cases went to trial and resulted in a verdict? 3 cases – 2018, 2019, 2022

(c) What number of cases went to trial and resolved after the plaintiff's or State's case? 0 – However in 2017, 2 trials resolved after Plaintiffs tried their case. (Resolved may include settlement, plea, by Judge's order during a motion hearing, etc.)
(d) What number of your cases settled after a jury was selected but prior to opening statements? 0

Ms. Morrison provided the following as to her role as counsel during the past five years: Magistrate Court: Sole Counsel – 2 times Circuit Court – Co-Counsel – 3 times

The following is Ms. Morrison's account of her five most significant litigated matters:

(a) *Huck v. Oakland Wings, LLC*, 422 S.C. 430, 813 S.E.2d 288 (Ct. App. 2018)(representing the Plaintiffs, this case established procedures for disclosing pre-trial set-off/settlement of other parties)
(b) *Charleston Elec. Services., Inc. v. Rahall*, 427 S.C. 317, 831 S.E.2d 122 (Ct. App. 2019)(On behalf of Defendant in a contribution/indemnity action, the Court of Appeals declined to find a "special relationship" exists between an adult child and their elderly mother to create a duty of care)
(c) *Key v. Ansonborough House*, 732 F. App'x 224 (4th Cir. 2018)(affirming in an unpublished opinion that for purposes of HUD, a parking fee does not constitute rent as contemplated under 42 U.S.C. § 1437(a)(1), and Ansonborough House was allowed to collect the parking payment as a separate fee).
(d) *Patti Silva v. Allstate Property and Casualty Insurance Company* (Civil Action No. 3:17-163-RMG, 2017) (Certified Question to the SC Supreme Court finding that absence of an eyewitness to the incident leading to death of Plaintiff's decedent barred recovery under S.C. Code Section 38-77-140 for uninsured motorist coverage).
(e) *Fields v. Crane Transport, LLC, et. al (C.A. No. 8:20-cv-00659)(D.S.C. – Anderson Division)* (trucking fatality where the plaintiff burned alive at the scene after striking defendant's truck that was legally stopped on I-85. Liability was heavily disputed. This case involved several issues concerning discovery, specifically financial

discovery, a motion to "trifurcate" and resolved within 2 weeks of trial).

The following is Ms. Morrison's account of five civil appeals she has personally handled:

(a) *AML, et. al v. Wright Directions, LLC*, S.C. Court of Appeals, Case No. 2023-000791 (pending)
(b) *Gregory Muxlow v. Natasha Anglin, et. al*, S.C. Court f Appeals, Case No. 2020-00129 (voluntarily dismissed on March 29, 2022)
(c) *Charleston Elec. Services., Inc. v. Rahall*, 427 S.C. 317, 831 S.E.2d 122 (Ct. App. 2019)
(d) *Huck v. Oakland Wings, LLC*, 422 S.C. 430, 813 S.E.2d 288 (Ct. App. 2018)
(e) *Jonathan Barber v. Ansonborough House Corp.*, SC Court of Appeals, Case No. 2017-002150 (dismissed on November 21, 2017)

Ms. Morrison reported that she has not personally handled any criminal appeals.

Ms. Morrison further reported the following regarding unsuccessful candidacies:
2013 – unsuccessfully ran for Charleston County City Council, District 4

(9) Judicial Temperament:

The Commission believes that Ms. Morrison's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Ms. Morrison. to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and experience; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament. The Committee had no related or summary statements.

Ms. Morrison is married to George Edmondston Morrison. She one child.

Ms. Morrison reported that she was a member of the following Bar and professional associations:
(a) Charleston County Bar Association, 2012 - present
(b) DRI, 2017 – 2019, Member Trucking Law Committee
(c) South Carolina Bar Foundation, Ambassador, 2015 – 2020
(d) South Carolina Bar House of Delegates, Ninth Circuit Delegate, 2018 – present
(e) South Carolina Lawyers Fund for Client Protection, 2017 – 2021

Ms. Morrison provided that she was a member of the following civic, charitable, educational, social, or fraternal organization:
Lowcountry Street Grocery, Advisory Board Member 2018 – present

Ms. Morrison further reported:

I am not a native South Carolinian, and I have always been concerned that not being born and raised in this state could be a potential barrier to being elected to the bench. However, having lived here for the last 14 years and practicing law for the last 11 years, I have had an amazing opportunity to travel around South Carolina and represent clients in several different venues. Charleston has been my home since 2009 and I could not imagine living anywhere else. In fact, I unsuccessfully ran for City Council in 2013. That experience was very eye-opening as I had the opportunity to meet and hear from my fellow residents their opinions about issues that mattered to them and their less than cordial opinions about a then-28-year-old running for public office. Even though I did not win my race, I experienced a renewed faith in the electoral process as well as a renewed commitment to service to those in my community.

For me, the legal profession is not just a job, it is a calling. I do not come from a legal background, and I am proud to be the first lawyer in my family. My mom taught special education for thirty years and my dad was an intensive probation officer. Neither had much advice to give me about going to law school other than to be prepared for student loans. They have been happily married for 45 years and continue to be a great source of inspiration and

provide great advice. They raised my older sister and I to work hard and to keep focus on personal and professional growth. This philosophy inspired me to put myself through law school, secure legal employment in an unfamiliar town with no connections during a recession, survive an apartment fire six months into my legal career, all of which ultimately led me to forging a life and career in South Carolina.

In the last 5 years, I have gotten married, survived breast cancer and become a mother. All of these life events have pushed me forward in my legal career and made me more empathetic and understanding of others. I always thought about running for a judicial seat as a "someday" goal, but with the creation of this new seat, I took it as a sign to throw my name in to the hat. I love being in the courtroom and I love trying cases. There is something about the entire process and then hearing the verdict, that always reinforces my faith in our society. Of course, I may not always agree with every verdict, but I have always understood them. Yet, some of my favorite days are when I attend a motion hearing where there are several attorneys present and you get the opportunity to observe and learn from others, which always includes the presiding judge. I have never had a bad experience before any circuit court judges, although I have received some pointed criticism that I have tried to learn from.

I recognize that my criminal experience is lacking, but I am confident that I will be able to learn what is necessary to preside over these matters and will also make it a priority to do all that I can to ensure a more streamlined resolution of outstanding matters.

(11) Commission Members' Comments:

The Commission commented extensively on Ms. Morrison's enthusiasm, positive energy, and optimism, and commended her on her commitment to public service and the law. Ms. Morrison received admiration from the Commission for her personality

and character, and the Commission appreciated her offering to serve.

(12) Conclusion:

The Commission found Ms. Morrison qualified, but did not nominate her for election to Circuit Court, Ninth Judicial Circuit, Seat 4.

Maryann Blake
Circuit Court, At-Large, Seat 8

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Blake meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. Blake was born in 1968. She is 55 years old and a resident of Walterboro, South Carolina. Ms. Blake provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2006. Ms. Blake was also admitted to the Georgia Bar in 2009.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Blake.

Ms. Blake demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Blake reported that she has not made any campaign expenditures.

Ms. Blake reported that she has made $1.11 in campaign expenditures for postage

Ms. Blake testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Blake testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Blake to be intelligent and knowledgeable.

Ms. Blake reported that she has not taught any law-related courses.

Ms. Blake reported that she has written the following:
(a) "Hope for the Juvenile Criminal: A Review of the Manatee County Juvenile Boot Camp." September 1995 article included in the National Criminal Justice Reference Service (NCJRS) document database at call number 156752. (non-refereed)
(b) "Brain Development and the Legal Rights of Children." Encyclopedia of Forensic and Legal Medicine. June 2005. Co-author Judge Frank Orlando. (Refereed)
(c) "Worker Rights and Health Protection for Prostitutes: A Comparison of the Netherlands, Germany and Nevada." November 2012. Chosen as one of twenty from over 300 papers for publication in special conference edition for International Council on Women's Health Issues (ICOWHI), 19th International Congress. Women's Health 2012: Partnering for a Brighter Global Future." (Refereed)
(d) "Worker Rights and Health Protection for Prostitutes: A Comparison of the Netherlands, Germany and Nevada." Health Care for Women International. 2015, 36: 784-796.

(4) Character:

The Commission's investigation of Ms. Blake did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Blake did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Ms. Blake was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Blake reported that she is not rated by any legal rating organization.

Ms. Blake reported that she has not served in the military.

Ms. Blake reported that she has held the following public office:

(a) I was appointed by Governor Henry McMaster for the term of September 2016-September 2020 to the Board of Voter Registration and Elections for Colleton County. I was reappointed and served until March 2022 when I withdrew to run for Colleton County Council. I have timely filed my reports with the State Ethics Commission. I had to pay a penalty of $100.00 in 2018 because I missed the deadline.

(b) I was appointed by the Colleton County Council for the term of September 2017-September 2022 to the Colleton County Board of Assessment Appeals. I am not required to file a report with the State Ethics Commission.

(c) I was appointed by the Colleton County Council to the Planning Commission 2020-present and to the Lowcountry Community Action Agency Board 2022-23. I am not required to file a report with the State Ethics Commission.

(6) Physical Health:

Ms. Blake appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Blake appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Blake was admitted to the South Carolina Bar in 2006 and the Georgia Bar in 2009.

She gave the following account of her legal experience since graduation from law school:

(a) Harvey & Battey, PA, Beaufort, SC. June –October 2004. I completed the field part of the Environmental Law Clinic at this firm during my last semester of law school and was asked to stay on as a temporary law clerk to W. Brantley Harvey, Jr. I researched issues involved with building docks in wetlands in Beaufort County for the clinical part of my stay with the firm. During my tenure as law clerk, I assisted with probate work including an estate involving over one hundred heirs.

(b) Bogoslow, Jones, and Stephens, Walterboro, SC. October 2004-November 2007. I began working for the firm as a law clerk and then continued on as an associate attorney after passing the bar in 2006. The law firm's focus was insurance defense of governmental agencies through the Insurance Reserve Fund. My duties included extensive legal research and writing dealing with governmental regulations and liability, the South Carolina Tort Claims Act, and the public duty doctrine. I reviewed and drafted contracts and leases and established small corporations. A major project that was assigned to me was assisting the Jasper County Animal Rescue Mission to become a charitable nonprofit organization. I assisted the senior partner in being the attorney for Jasper County as well. I drafted appeal briefs, pleadings, Wills, and discovery responses. I assisted in developing and teaching a training course on courtroom procedures for law enforcement officer cadets. I also spoke to middle school students about the legal profession during career week.

(c) Woodard & Butler, LLC, Walterboro, SC. June 2008-October 2020. I served as senior associate with this firm. The law firm's focus is on creditor's rights and does extensive

debt collecting throughout South Carolina and Georgia. My main job focus was litigation with a strong emphasis on negating settlement before trial. The firm also does insurance subrogation work and was contract attorney for the Department of Social Services in child abuse and neglect cases.

(d) City of Walterboro, October 2014-Present. I serve as part-time prosecutor for the City of Walterboro. I have prosecuted a wide range of offenses including minor traffic violations, drug charges, assault and battery cases and shoplifting. I have tried many cases before a jury and have never lost.

(e) Maryann Blake, Attorney at Law, LLC, Walterboro, SC. October 2018-Present. I manage all aspects of my own solo practice including its trust accounts. While still at Woodard & Butler, with the encouragement of the senior partner, I established my own firm in early 2018 and became an LLC in 2019. I have a general practice focusing on personal injury, probate, property disputes, real estate, and family law. I am certified as both a Circuit Court and Family Court Mediator. I serve as court appointed counsel for the Colleton County Probate Court through SCCID.

(f) Town of Edisto Beach, November 2022-Present. I serve as attorney for Edisto Beach. My duties include drafting resolutions, reviewing contracts, and responding to subpoena requests and FOIA requests.

Ms. Blake further reported regarding her experience with the Circuit Court practice area:

Over the past five years my practice has focused on civil, probate, and family court matters. I have also served as part-time prosecutor for the City of Walterboro since 2014. The majority of my civil work has been for the plaintiff. I have handled a wide variety of cases during the past five years including the following: debt collection, creditors' rights, personal injury, wrongful death, heirs' property, real estate closings, boundary disputes, HOA disputes, and establishing businesses. I have also represented a juvenile in court for the charge of assault. As prosecutor for Walterboro I have handled over 100 cases including DUI/DUS, shop lifting, assault and battery, drug possession, and larceny. These cases were either settled or tried before a jury. While I was with Woodard & Butler,

I appeared on average at least once a month before a circuit court judge or Master in Equity. My wide variety of experience has developed my procedural knowledge of how trials work from pretrial procedure through jury verdicts.

Ms. Blake reported the frequency of her court appearances during the past five years as follows:
(a) Federal: 1%;
(b) State: 99%

Ms. Blake reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 55%;
(b) Criminal: 15%;
(c) Domestic: 25%;
(d) Other: 5%.

Ms. Blake reported her practice in trial court as follows:
(a) Jury: 20%
(b) Non-jury: 80%

Ms. Blake provided that during the past five years she most often served as sole counsel.

The following is Ms. Blake's account of her five most significant litigated matters:
(a) *Wilmington Savings Fund Society v. James Edwin Hiott, et.al*, 2022CP1500284. I represented Beth Bolt, the personal representative of the Estate of James Edwin Hiott in this matter. This was a foreclosure of a reverse mortgage. This case was significant in that it gave me experience in how estate matters also are tried in circuit court.
(b) *Janie Singleton, et. al v. Connie Johnson, et.al*, 2020CP1500024. I represent the Plaintiffs in this matter. This is an heirs property case. This case is significant because of the decades of family strife involved. At issue is whether Mrs. Singleton's husband was adopted and thus, an heir.
(c) *Jon Attridge et. al v. The Board of Directors of Bull Point Plantation Property Owners Association, Inc., et. al*,

2018CP0702345. I represented two of the Defendants in this case. This was an exceptionally complex dispute over the declarancy to Bull Point. It was significant to me because I learned a lot about pretrial procedure and motion practice.

(d) *Estate of Mary Susan Crerar v. Jon Andrews, et. al*, 2021CP3700006. I represented The Estate and the personal representative in this wrongful death action. Since this was an Oconee County case the client also retained local counsel. This case involved the death of an 80-year-old woman resulting from the malfunction of a dumbwaiter. The case was significant for me because I learned how expert testimony can either make or break a case. This was settled at mediation against one defendant and with a $1.5 million judgment against the other defendant.

(e) *State v. Marceia Sanders* No 5102P0331719. This is a jury case I tried for the City of Walterboro. Mrs. Sanders was charged with violation of a window tinting ordinance and resisting or obstructing an officer. The Defendant was the wife of a county deputy. There was some thought in the community that the charges should be dismissed because of that fact. The evidence supported the charges, so I had to try the case. This case was significant because laws should be applied equally and justly no matter the familial status of the Defendant.

Ms. Blake has not personally handled any civil appeals. She reports the following:

None of the cases I have personally handled from start to finish have been appealed. However, I do have experience in the appeals process through work on the following two cases.

(a) Bewersdorf v. South Carolina Department of Public Safety, 2001CP150677. Appeal from the Fourteenth Circuit Court of Common Pleas. I worked as associate counsel on this case while working at Bogoslow, Jones, and Stephens. We represented the Department of Public Safety who was the Respondent in the appeal. I completed all the research and drafting of Respondent's Brief. The trial court's directed verdict based on the public duty doctrine was affirmed.

(b) Stancel E. Kirkland and El Cid Holdings, LLC v. Robert Wolfson, 2019-000203. Appeal from the Fourteenth Circuit. I was co-counsel for Respondent El Cid Holdings, LLC for a short while and assisted in drafting Respondent's initial brief.

Ms. Blake has not personally handled any criminal appeals. She reports the following:

None while being a practicing lawyer. However, during law school I assisted with several criminal appeals through my employer Bogenschutz & Dutko in Ft. Lauderdale Florida. I worked as a law clerk for the firm. My duties included researching and drafting briefs for both state and federal appeals.

Ms. Blake further reported the following regarding unsuccessful candidacies:

I ran for Colleton County Council at Large seat in 2022 but did not win the primary run-off. Also, I was a candidate for Circuit Court at large seat 13 in 2019. I withdrew to gain more experience.

(9) Judicial Temperament:

The Commission believes that Ms. Blake's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Ms. Blake to be "Qualified" in the evaluative criteria of constitutional qualifications, professional and academic ability, reputation, physical health, mental stability, and experience; and "Well-Qualified" in the evaluative criteria of ethical fitness, character, and judicial temperament.

Ms. Blake is married to Stephen Brian Blake. She has one child.

Ms. Blake reported that she was a member of the following Bar and professional associations:

(a) South Carolina Bar Association
(b) South Carolina Bar Association, Board of Governors 2020-23; Strategic Plan Implementation subcommittee

(c) South Carolina Bar Association, House of Delegates, At-large seat 2017-19.
(d) South Carolina Bar Association, House of Delegates Fourteenth Judicial Circuit
2023-25.
(e) South Carolina Bar Association, Board of Fee Disputes Resolutions, Fourteenth Circuit, 2017-Present.
(f) South Carolina Supreme Court Commission on Lawyer Conduct 2021-present.
(g) South Carolina Bar Foundation Board Member 2023-24
(h) Georgia Bar Association
(i) South Carolina Women Lawyers Association
(j) Colleton County Bar Association, Technology Committee, Chair, 2019-20
(k) American Bar Association 2022-present
(l) South Carolina Bar Solo and Small Firm Section member

Ms. Blake provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) I was a member of Civitans, Walterboro. I served as president elect 2016-17 and president 2017-18.
(b) I attend Bethel United Methodist Church, Walterboro where I volunteer as church attorney and serve on the church council.
(c) I am a board member of the Colleton County Chamber of Commerce and currently serve as vice-chair.

Ms. Blake further reported:
I am the first college graduate and first lawyer in my family. Since moving away from my hometown I have had the opportunity to travel extensively throughout the United States, Canada, the Caribbean, and Thailand. I have been exposed to many different cultures and people from varied walks of life. I have worked in various areas of the justice system since entering college at American University. These jobs included secretary to a chief of police; assistant to the chair of the Department of Justice Law and Society at AU; litigation support services; volunteer at a victim witness program; and law clerk for one of the leading criminal defense firms in Fort Lauderdale. These jobs coupled with living in many different locations have

allowed me to see the justice system from many different perspectives. I have seen people at their very worst and at their very best I have seen people suffer from court decisions and I have seen people rejoice as well. I learned from my various jobs in the justice system that all people, no matter where they live or who they are, come to the courts seeking to be treated fairly and justly. Using this knowledge and experience I would strive to be an impartial judge capable of firmness but compassion as well.

(11) Commission Members' Comments:

The Commission commented that Ms. Blake appears professional, prepared, and respectful.

(12) Conclusion:

The Commission found Ms. Blake qualified, but did not nominate her for election to Circuit Court, At-Large, Seat 8.

The Honorable Russell A. Blanchard IV
Circuit Court, At-Large, Seat 8

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Blanchard meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Blanchard was born in 1982. He is 41 years old and a resident of Orangeburg, South Carolina. Judge Blanchard provided in his application he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2007.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Blanchard.

Judge Blanchard demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to a judge, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Blanchard reported that he has made $570.52 in campaign expenditures for business cards, letterhead, copies, and postage.

Judge Blanchard testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Blanchard testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Blanchard to be intelligent and knowledgeable.

Judge Blanchard reported that he has never taught law-related courses or lectured at bar association conferences, educational institutions, or continuing legal or judicial education programs.

Judge Blanchard reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Blanchard did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Blanchard did not indicate any evidence of a troubled financial status. Judge Blanchard has handled his financial affairs responsibly.

The Commission also noted that Judge Blanchard was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problem with his diligence and industry.

(5) Reputation:

Judge Blanchard reported that he is not rated by any legal rating organization.

Judge Blanchard reported that he has not served in the military.

Judge Blanchard reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Blanchard appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Blanchard appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Blanchard was admitted to the South Carolina Bar in 2007.

He gave the following account of his legal experience since graduation from law school:

(a) Attorney at Williams & Williams Attorneys at Law, LLC- November 2007 through present day. My practice involves personal injury, workers' compensation, real estate closings, deed transfers, family court, traffic court, general sessions, real estate litigation, probate court, drafting Estate planning paperwork, representing municipalities, and civil practice in circuit and magistrate court. I have had some involvement in the administrative and financial management of the firm. The administrative matters that I am involved in relate to the staff and paralegals that work directly with me. The financial management that I am involved in is making sure that best practices are followed for the money on cases that I am handling.

(b) Municipal Judge for Allendale, South Carolina. 2019 through present. This is a part time position. I handle primarily traffic/criminal charges and preliminary hearings. I handle bond hearings when the other municipal judge is unable to do them.

Judge Blanchard further reported regarding his experience with the Circuit Court practice area:

I have handled criminal cases in Magistrate, Municipal, and Circuit Court since became an attorney in 2007. Two of the cases ended in jury trials, and the remaining cases ended in pleas or bench trials. The types of cases include traffic tickets, misdemeanor charges, and a wide range of felonies (for example- drug charges, domestic violence, financial crimes, murder, kidnapping, and breach of the peace of a high and aggravated nature). I have also represented clients in civil cases in Circuit Court and Magistrate Court throughout my career. I have handled evictions, quiet title actions, foreclosures, easement disputes, personal injury claims, contract disputes, and had at least two cases transferred from probate court to circuit court. In litigating these cases, I have dealt with a wide variety of motions on issues related to discovery, summary judgment. venue, and amendment of pleadings. The majority of the time I have represented plaintiffs, but there have been some cases where I represented defendants. All of my civil cases in Circuit Court were either settled, resolved by motion, or ended with a non-jury trial. I have not had a civil case go to jury trial in Circuit Court, but I have had sufficient experience litigating cases in various courts that I would be comfortable presiding over a trial. I have had civil cases go to jury trial in Magistrate Court. I appear in Circuit Court multiple times per month.

Judge Blanchard reported the frequency of his court appearances as follows:
(a) federal: I have had one case in federal court in the past five years. It resolved after jury selection but prior to trial.
(b) state: I appear in state court about once a week.

Judge Blanchard reported the percentage of his practice involving civil, criminal, domestic and other matters as follows:
(a) Civil: 40%
(b) Criminal: 20%
(c) Domestic: 1%
(d) Other: 39%

Judge Blanchard reported his practice in trial court during the past five years as follows:

(a) 60% was in trial court, including cases that settled prior to trial;
(b) 1% of his cases went to trial and resulted in a verdict;
(c) 0% went to trial and resolved after the plaintiff's or State's case;
(d) 1% of his cases settled after a jury was selected but prior to opening statements.

Judge Blanchard reported that during the past five years, he most often served as sole counsel.

The following is Judge Blanchard's account of his five most significant litigated matters:

(a) State v. Tawes- 2021GS380994. This case was significant because the State attempted to try Mr. Tawes three times (twice in Magistrate Court and once in General Sessions). The case ended when a jury in General Sessions found him not guilty of Breach of Peace of a High and Aggravated Nature and not guilty of Breach of the Peace.
(b) Mederos v. Pifer dba Pure Gold Gentleman's Club- 1423068- This case was significant because it was the first Workers' Compensation case that I tried as sole counsel, and it involved an uninsured employer. One of the major issues was whether Ms. Mederos was an independent contractor. A single commissioner agreed with us that she was not an independent contractor, and an appellate panel agreed.
(c) State v. Houser- This was my first general sessions jury trial, and I tried it as co-counsel with Charles H. Williams, III. Mr. Houser was charged with multiple felonies. We obtained a verdict of not-guilty on the murder charge, but Mr. Houser was found guilty of other charges.
(d) McCurry v. Robinson- 5:17-cv-03156-JMC. This was my first wrongful death case, and it was in Federal Court. It involved a tractor-trailer, an individual on a bicycle, and disputed liability. The case was resolved in mediation after jury selection but prior to trial.
(e) Jones v. Jamison- 2007-CP-38-883. When I took this case on, my client was in default, and I filed and successfully argued a Motion to Set Aside Default. This was one of

the first motions I argued in Circuit Court, and it was against an attorney that had been practicing law longer than I had been alive. It taught me the importance or reading the rules, reading case law, and being prepared.

Judge Blanchard reported that he has never handled the following civil appeals:

(a) Riley v. Outlaw, Court of Appeals, 2016-001867, decided 1/4/2019

(b) Fairey v. Gillespie, Court of Appeals, 2021-000787, decided 5/31/2023

Judge Blanchard reported that he has not handled any criminal appeals.

Judge Blanchard reported that he has held the following judicial office(s):

Municipal Judge for the Town of Allendale. 2019 through present day. I was appointed to this position. This court has limited jurisdiction over traffic tickets, misdemeanor criminal charges, bond hearings, and preliminary hearings.

Judge Blanchard reported the following about his most significant orders or opinions:

I have not had to prepare any Orders or opinions as Municipal Judge for Allendale other than form orders related to bonds and discharges.

Judge Blanchard reported the following regarding his employment while serving as a judge:

I have worked as an attorney at Williams & Williams Attorneys at Law, LLC, while serving as a Municipal Judge for the town of Allendale.

(9) Judicial Temperament:

The Commission believes that Judge Blanchard's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee reported Judge Blanchard to be "Well-Qualified" as to the evaluative criteria of ethical fitness,

professional and academic ability, character, reputation, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualification, physical health, mental stability, and experience. The Committee noted: "Personable, bright, good communicator."

Judge Blanchard is married to Jennifer G. Blanchard. He has two children.

Judge Blanchard reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar
(b) American Bar Association
(c) South Carolina Association for Justice
(d) South Carolina Summary Court Judges Association
(e) Orangeburg County Bar

Judge Blanchard provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) First Baptist Church of Orangeburg. I served as a Deacon, including Deacon Chair and Deacon Vice-Chair. I have also served on the Missions Committee and Stewardship Committee.
(b) Catch the Vision International. I assisted in creating this non-profit, and I served on the Board of Directors. I am not currently on the Board.
(c) Rotary. I served as President in 2019. I am also a Paul Harris Fellow.
(d) Orangeburg Country Club.

Judge Blanchard further reported:
I believe that my knowledge of the law, experience dealing with a wide variety of legal issues, ability to relate to people with different backgrounds and life experiences, and empathy for people gives me the necessary skill set to serve as a Circuit Court Judge. The only types of cases that I have not handled are income tax, social security, and employment law. In my 15 years of practicing as an attorney, I have helped clients or other attorneys with a wide array of legal issues. While I have not tried a civil case before a jury in Circuit Court and only had two

General Sessions cases go to jury trial, I have the necessary knowledge of procedural, evidentiary, and substantive law to preside over these types of cases as a Circuit Court Judge. I have litigated numerous cases in Circuit Court which resolved prior to a jury trial, and I have had cases resolved by bench trial before a Circuit Court Judge or Master-in-Equity. I have had civil and criminal cases go to jury trial in Magistrate Court, and I have served as sole counsel on numerous bench trials in Magistrate and Municipal Court. I have also presided over jury trials in Municipal Court in Allendale. All this experience makes me confident that I have the knowledge of the Rules of Evidence, Rules of Civil Procedure, and other rules needed to preside over trials in Circuit Court. When I become a Circuit Court Judge and am no longer in private practice, I will keep my knowledge sharp by continuing to study the rules while serving as a Judge.

My time spent working in Woody's Pawn and Jewelry prior to becoming an attorney gave me additional skills that I believe will be important when serving as a Circuit Court Judge. This job exposed me to people from all walks of life outside of the bubble that I grew up in. It helped me become a better listener which has served me in my job as an attorney and will serve me in my work as a Circuit Court Judge. I took this experience into my practice as a lawyer in a small town firm and used it to help in relating to my clients and the various people that were involved in the cases I handle.

My faith also plays an important role in my law practice and would play a role in how I handle my duties as a Circuit Court Judge. I believe that I am required to do all things in a manner that is pleasing to the Lord and that includes how I carry out my responsibilities at work. I strive to treat everyone with respect, kindness, grace, and truthfulness.

(11) Commission Members' Comments:

The Commission noted that Judge Blanchard has a great reputation as evidenced by many positive comments from the BallotBox survey and noted that his letters of recommendation were also very complimentary.

(12) Conclusion:

The Commission found Judge Blanchard qualified, but did not nominate him for election to Circuit Court, At-Large, Seat 8.

Ashley A. McMahan
Circuit Court, At-Large, Seat 8

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. McMahan meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. McMahan was born in 1978. She is 45 years old and a resident of Columbia, South Carolina. Ms. McMahan provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2004.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. McMahan.

Ms. McMahan demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. McMahan reported that she has not made any campaign expenditures.

Ms. McMahan testified she has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Ms. McMahan testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. McMahan to be intelligent and knowledgeable.

Ms. McMahan reported that she has taught the following law-related courses:

(a) I taught law-related courses while an adjunct at South University between 2010-2018. I taught Environmental Law, which was an overview of the more significant federal environmental law as well as an overview of South Carolina's environmental laws. I also taught Introduction to Paralegalism, which was a basic overview of the court system in the United States as well as South Carolina, basic legal terms, and how to find cases online, etc.

I also taught Real Estate (an overview of property rights and types of deeds), Trust and Estates (an overview of wills, intestacy, etc.), and Intellectual Property (an overview of trademarks, copyright, patents, etc.).

I taught Introduction to Information Literacy (LIBR 101) at the University of South Carolina from August 2013 through December 2016. While this is not specifically a legal or law type course, the course does relate to the legal field as it teaches basic research and information literacy skills, which apply to all fields. This course teaches the basics of how to do competent research online by analyzing the source, date of publication, the author, etc., while also teaching the differences between opinions (most blogs) to news and periodicals.

(b) I have lectured at the following:

1. Post-Conviction Relief and Habeas Corpus: Preserving the Conviction
   South Carolina Bar Continuing Legal Education Seminar - September 18, 2009

Columbia, South Carolina

2. Protecting Convictions from Collateral Attack
   South Carolina Solicitors' Association Annual Conference - September 29, 2009
   Hilton Head Island, South Carolina
3. Environmental Statutes and Related Crimes & Preparing a Case for the Prosecutor
   Southeastern Environmental Enforcement Network - June 28-30, 2010
   Columbia, South Carolina
4. Environmental Crimes in South Carolina
   South Carolina Bar Continuing Legal Education Seminar – January 21, 2011
   Columbia, South Carolina
5. Natural Resources & Environmental Law
   South Carolina Bar Continuing Legal Education Seminar – August 22, 2014
   Columbia, South Carolina
6. Advanced Environmental Crimes Training Program
   Federal Law Enforcement Training Center – July 2015 & April 2016
   Glynco, Georgia
7. Environmental Law in South Carolina
   South Carolina Bar Continuing Legal Education Seminar – June 3, 2016
   Columbia, South Carolina
8. Thirty-First Annual Criminal Practice in South Carolina
   South Carolina Bar Continuing Legal Education Seminar – February 18, 2022
   Columbia, South Carolina
9. Prosecution CLE Series - Case Round Up
   South Carolina Commission on Prosecution Coordination – October 11, 2022
   Zoom Webinar.

Ms. McMahan reported that she has published the following:

(a) Environmental Law in South Carolina, Fourth Edition, (SC Bar CLE 2016)
   Contributing author, Chapter 12 – Environmental Crimes in South Carolina

(b) The South Carolina Post-Conviction Relief Manual, Second Edition, (SC Bar CLE 2008)
Case law update through December 31, 2009 published March 2010

(4) Character:
The Commission's investigation of Ms. McMahan did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. McMahan did not indicate any evidence of a troubled financial status. Ms. McMahan has handled her financial affairs responsibly.

The Commission also noted that Ms. McMahan was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Ms. McMahan reported that she is not rated by any legal rating organization.

Ms. McMahan reported that she has not served in the military.
Ms. McMahan reported that she has never held public office.

(6) Physical Health:
Ms. McMahan appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Ms. McMahan appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Ms. McMahan was admitted to the South Carolina Bar in 2004.

She gave the following account of her legal experience since graduation from law school:
(a) McMahan Law, LLC – Columbia, SC
Owner, January 2022 - present

(formerly McMahan & Taylor Attorneys, LLC - Owner/partner, July 2016 – Dec 2021)

Defends criminal matters across the midlands.
Handles family based immigration matters such as fiancé(e) visas, spousal visas, etc.
Files and handles naturalization cases.
Prosecutes post-conviction relief matters across the state.
Files and handles civil matters in magistrate and Common Pleas courts
Handles appeals in the South Carolina Court of Appeals and the South Carolina Supreme Court.
Files pardons and expungements on behalf of clients.
Litigates vital record amendment matters in both Common Pleas and Family Court.
Litigates simple divorce matters in Family Court.

Handles all financial and administrative management of law firm, including trust accounts.

(b) Sixth Circuit Solicitor's Office - Lancaster, SC
Assistant Solicitor, February 2017 – present
Lancaster & Fairfield Offices
Tried at least five cases to jury verdict.
Handled prosecution of special victims' crimes: sexual misconduct, domestic violence, etc.
Prosecute felony level offenses including murders, armed robbery, etc.
Handle juvenile criminal cases in Family Court.

(c) South University - Columbia, SC
Adjunct Professor, June 2010 – May 2018

Taught Environmental Law; Intro to Paralegalism; Intellectual Property; Real Estate; Trusts & Estates.

(d) South Carolina Attorney General's Office - Columbia SC
Assistant Attorney General August 2006 – July 2016
Special Assistant United States Attorney, May 2011 – July 2016

Prosecution & State Grand Jury Section (2008-2016)

Handled State Grand Jury cases, including appeals and PCRs.

Sworn Delegate to the South Carolina State Grand Jury, with statewide jurisdiction.

Prosecuted South Carolina criminal environmental matters and other matters as assigned.

Handled all State Grand Jury post-conviction relief matters.

Indicted the first-ever State Grand Jury environmental criminal case.

Provided guidance and interpretation of laws to investigators.

Post-Conviction Relief & Criminal Appeals Section (2006-2008)

Handled approximately 550 Post-Conviction Relief and State Habeas Corpus cases.

Wrote approximately seven Petitions for Writs of Certiorari to the state Supreme Court and approximately 110 Returns to Petitions for Writs of Certiorari, and handled other Appellate Court briefings

(e) The Honorable Clifton Newman - Kingstree, SC

Judicial Law Clerk, November 2004 – July 2006

Wrote orders, handle scheduling, liaison between the judge and members of the Bar, organized the office, saved judge's life from a heart attack.

(f) Rogers, Townsend, & Thomas, PC - Columbia, SC

Law Clerk/Title Reviewer, June 2004 – November 2004

Reviewed title abstracts for title insurance binders.

(g) Anderson & Brown, LLC – Hampton, SC

Law Clerk, June 2004 – November 2004

General law clerk duties, drafting deeds, abstracting, assisting with court matters, etc.

Ms. McMahan further reported regarding her experience with the Circuit Court practice area:

My experience with criminal law started once I graduated from law school and started clerking for Judge Newman back in 2004. I have been handling criminal law matters for eighteen years now. Most of my criminal law experience has been as a prosecutor; however, in private practice I have had criminal defense clients with cases in Summary Court as well as in General Sessions. I also work with the Sixth Circuit Solicitor's Office prosecuting all kinds of criminal matters from domestic violence court, to juvenile court, to high level felonies.

The issues involved in my criminal cases are all over the board. It could be a juvenile waived up to General Sessions, it could be issues related to the chain of custody for drugs, it could be a statement made by a child in a forensic interview setting. I've had all of these issues come up before and then some. I am in Circuit Court at least five days a month, usually more.

My civil practice consists mostly of post-conviction relief matters, a few personal injury matters, as well some immigration cases. While most people probably don't think of post-conviction relief as a civil matter, these cases are civil and are filed in Common Pleas. Instead of a Summons & Complaint, the Applicant files an Application. Instead of an Answer, the State files a Return. Otherwise, all the same civil rules of procedure apply. I have been doing post-conviction relief matters since 2006. I continue to do them now via appointment or by being retained. I have probably handled close to 400 of these cases. Most of the issues involved in these cases related to ineffective assistance of counsel of their prior criminal attorney since these cases are collateral attacks on criminal convictions.

In addition, my civil practice also consists of general civil matters in magistrate courts as well as appeals from magistrate court, some family court matters, probate, and civil cases in federal court. Some of the types of cases I have handled/filed in magistrate courts include breach of contract type matters, restraining orders, etc. My family court experience has been with simple divorces, name changes, gender marker changes, as well

as juvenile prosecution matters. In probate court I have mostly dealt with death certificate amendments, while in federal court I have filed federal habeas corpus cases and writs of mandamus related to immigration matters. I have also handled vital records litigation in Circuit Court.

Ms. McMahan reported the frequency of her court appearances during the past five years as follows:
(a) Federal: 1%;
(b) State: 99%

Ms. McMahan reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 45%;
(b) Criminal: 45%;
(c) Domestic: 3%;
(d) Other: 7%.

Ms. McMahan reported her practice in trial court as follows:
(a) The vast majority of my practice is in trial court. I would estimate at least 85% of what I do is in trial court. (I am including both jury trials and bench trials.) If I were to split between jury and non-jury practice, I would estimate that 20% of my criminal cases end up as a jury trial, while the remainder of my cases are bench trials or are matters that are generally handled short hearings. (i.e. Juvenile trials, post-conviction relief matters, and family court matters.)
(b) This is a hard number to quantify as I handle both jury and non-jury matters but over the past five years I estimate I have tried to verdict at least five jury trials. (This includes during the COVID shut down.)
(c) Again, difficult to quantify simply because record management does not distinguish between a matter that started as a trial and ended up with a guilty plea. I estimate I have had at least another five cases where a jury was pulled and/or opening statements or the State's case was presented and then the Defendant decided to plead guilty.
(d) Please see the above answer.

Ms. McMahan provided that during the past five years she most often served as sole counsel, occasionally co-counsel.

The following is Ms. McMahan's account of her five most significant litigated matters:

(a) *State of South Carolina v. David Matthew Carter* (Lancaster County 2016-GS-29-00036, 37, 38) – Criminal Sexual Conduct with a Minor, First Degree. A week-long trial involving a minor who was the step-daughter of the defendant. Judge allowed the defendant to be in secondary courtroom while the minor victim testified. Matter is currently on appeal and oral arguments were recently held at the Supreme Court. https://www.heraldonline.com/news/local/crime/article211857364.html

(b) *Ivis Ahimara Reyes Yedra v. State of South Carolina* (Lexington County 2017-CP-32-04132) – Post-Conviction Relief matter stemming from a State Grand Jury conviction. Applicant was not properly advised of immigration consequences, among other things. Was denied relief in lower court. Certiorari was denied. Remittitur sent on March 23, 2023.

(c) *State of South Carolina v. George W. Smolen* (State Grand Jury 2013-GS-47-0003) – First and only State Grand Jury environmental case. Defendant was an armchair chemist and was attempting to create biodiesel. Contaminated large areas of land and runoff seeped into Lake Hartwell. https://regionalassociations.org/upstate-businessman-target-of-first-sc-state-grand-jury-pollution-indictment/

(d) *State of South Carolina v. Charlie Tillman* (Abbeville County 2013-GS-01-00175, 176, 177) – Calhoun Falls town councilman was arrested for driving under the influence and threatening a public official. Trial was started but after two days of testimony, defendant decided to plead guilty. Very contentious matter within that community, defendant was the reason the entire police force of Calhoun Falls quit. https://www.wyff4.com/article/upstate-councilman-charged-with-dui-takes-plea-deal/7009388

(e) *State of South Carolina v. George Ralph Bobo* – (Greenville County, 2013-GS-23-08476, 08477) – Defendant was former police officer for Simpsonville. During a job interview with SLED, he admitted to destroying evidence in a murder case. Charged with misconduct in office and obstruction of justice. https://www.greenvilleonline.com/story/news/local/golden-strip/2015/06/16/bobo-guilty-misconduct-investigation-murder/28839239/

The following is Ms. McMahan's account of five civil appeals she has personally handled:

(a) *Simuel v. State of South Carolina*, 390 S.C. 267, 701 S.E.2d 738 (Sup. Ct. 2010)

(b) *Robinson v. State of South Carolina*, 387 S.C. 568, 693 S.E.2d 402 (Sup. Ct. 2010)

(c) *Edwards v. State of South Carolina*, 392 S.C. 449, 710 S.E.2d 60 (Sup. Ct. 2011)

(d) *Barber v. State of South Carolina*, 393 S.C. 232, 712 S.E.2d 436 (Sup. Ct. 2011)

(e) *Yedra v. State of South Carolina*, Appellate Case No.: 2019-1309. Remittitur sent on March 23, 2023. Not reported.

The following is Ms. McMahan's account of two criminal appeals she has personally handled:

(a) *State of South Carolina v. Whitesides*, 397 S.C. 313, 725 S.E.2d 487 (Sup. Ct. 2012).

(b) *Rosetta Miller v. State of South Carolina*, criminal appeal from magistrate court to Common Pleas. Not reported. (2022-CP-20-00253)

Ms. McMahan further reported the following regarding unsuccessful candidacies:

I ran for a Circuit Court, At-Large Seat 3 in 2022. I withdrew from the race mid-November 2022.

(9) Judicial Temperament:

The Commission believes that Ms. McMahan's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Ms. McMahan to be "Qualified" in the evaluative criteria of constitutional qualifications, character, reputation, physical health, mental stability, experience, and judicial temperament; and "Well-Qualified" in the evaluative criteria of ethical fitness and professional and academic ability. The Committee commented "Needs more past experience, but willing to prepare for future application."

Ms. McMahan is not married. She does not have any children.

Ms. McMahan reported that she was a member of the following Bar and professional associations:

(a) Richland County Bar Association
(b) Lexington County Bar Association – Executive Committee 2020 & 2021
(c) Lancaster County Bar Association
(d) American Immigration Lawyers Association – CLE Committee 2019 to present
(e) Trial & Appellate Advocacy Committee – Executive Committee 2022 to present
(f) Practice & Procedure Committee
(g) South Carolina Association for Justice
(h) Solo & Small Firm Section
(i) Fairfield County Bar Association
(j) Young Lawyers Division – YLD Executive Committee, 5th Circuit Representative
July 2009 – June 2013
(k) South Carolina Women Lawyers' Association – 2005 to 2007 (approx..)

Ms. McMahan provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) SQ Rescue – SBT (pet rescue)
(b) Carolina Hearts Aussie Rescue
(c) South Carolina Bar Leadership Academy, Inaugural Class 2008-2009
(d) South Carolina Bar YLD Star of the Quarter – FY 2010-2011
(e) John R. Justice award – 2018 Solicitor's Conference

(f) SC Women Lawyer's Association – Young Lawyer to Watch, September 2006
(g) Series 6 & 63 securities licenses – 2000 to 2001
(h) SC Life, Accident, & Health Insurance License – 2000 to 2001
(i) Certified Circuit Court Mediator – August 2023.

Ms. McMahan further reported:
Upon information and belief, I have no other information at this time.

(11) Commission Members' Comments:

The Commission commented that Ms. McMahan has a plethora of experience and presented as a professional and knowledgeable candidate.

(12) Conclusion:

The Commission found Ms. McMahan qualified, but did not nominate her for election to Circuit Court, At-Large, Seat 8.

R. Bruce Wallace
Circuit Court, At-Large, Seat 8

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Wallace meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Wallace was born in 1971. He is 52 years old and a resident of Mt. Pleasant, South Carolina. Mr. Wallace provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1996.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Wallace.

Mr. Wallace demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to

judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Wallace reported that he has made $5.00 in campaign expenditures for postage.

Mr. Wallace testified he has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Wallace testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Wallace to be intelligent and knowledgeable.

Mr. Wallace reported the following about teaching law-related courses:
I have taught continuing legal education courses for National Business Institute in the past, but it has been more than 15 years since I last taught a course.

Mr. Wallace reported that he has published the following:
(a) Co-Author, Roadmap to Collection – How to Navigate Debtor Exemptions in South Carolina, approved for publication, S.C. Lawyer, September 2018
(b) Co-Author, Show Me the Money – Collecting Judgments Against the Savvy Judgment Debtor, S.C. Lawyer, September 2016
(c) Author, Serving the Master: Challenging the Authority Power or Jurisdiction of the Master-in-Equity, S.C. Lawyer, January 2015
(d) Contributing Author, Federal Consumer Credit Protection Statutes (DRI 2015)

(e) Co-author, Strategies to Obtain Early Settlement of General Aviation Claims, Skywritings (DRI 2014)
(f) Author, With Friends Like These, Who Needs Enemies? Getting Out of Default is Never Easy, S.C. Lawyer, November 2013
(g) Author, SC Chapter, The Collateral Source Rule: A Compendium of State Law (DRI 2012)
(h) Author, SC Chapter, Professional Liability Insurance: A Compendium of State Law (DRI 2012)
(i) Co-author, Using Non-reliance Clauses in Defense of Fraud Claims, The Business Suit (DRI March 2006).
(j) Regional Editor, Unfair Trade Practices: A Compendium of State Law (DRI 2005).

(4) Character:

The Commission's investigation of Mr. Wallace did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Wallace did not indicate any evidence of a troubled financial status. Mr. Wallace has handled his financial affairs responsibly.

The Commission also noted that Mr. Wallace was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Wallace reported the following:
(a) I am listed as AV "preeminent" rated, Martin Hubbell.
(b) I am listed in Best Lawyers in America for Commercial Litigation (since 2015) and Litigation – Insurance (since 2016). I was named Lawyer of the Year in Litigation – Insurance, for 2017 and 2020.
(c) I have been listed in SuperLawyers 2008-2009, and 2016-2022.

Mr. Wallace reported that he has not served in the military.

Mr. Wallace reported that he has never held public office.

(6) Physical Health:

Mr. Wallace appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Wallace appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Wallace was admitted to the South Carolina Bar in 1996.

He gave the following account of his legal experience since graduation from law school:

(a) 1996-1998. Law Clerk, the Honorable C. Weston Houck, United States District Court. Served as a judicial law clerk, assisting the court with orders, trials, motions, and other administrative tasks.

(b) 1998-2002. Wallace and Wallace (formerly Wallace and Tinkler). I was an associate attorney then a partner in a personal injury law firm. We handled domestic cases, criminal defense cases, personal injury, legal malpractice defense, probate and trust litigation. I was not involved in the financial management of this entity, nor did I manage trust accounts.

(c) 2002-present. Maynard Nexsen PC (formerly Nexsen Pruet, LLC). I am a shareholder in the law firm. I handle matters involving commercial litigation (plaintiff and defense), insurance coverage (mostly defense), legal malpractice defense, probate and trust litigation (plaintiff and defense), and real estate disputes (plaintiff and defense). I have been a signatory on several trust accounts, but have no involvement in the management of the firm.

Mr. Wallace further reported regarding his experience with the Circuit Court practice area:

During my 27-year career, I have actively appeared before the Circuit Court in at least 20 counties in South Carolina. In the past five years, I have appeared before a Circuit Court judge on a regular basis.

(a) I have limited experience in criminal matters in the Circuit Court during the past five years. However, I practiced criminal law from 1998 to approximately 2011 in all courts, including the Circuit Court. I studied criminal procedure and substantive criminal law during those years, and I plan to draw on that experience to preside over criminal matters in Circuit Court. Additionally, I plan to study each case and each matter as they come before me, researching the statutes, case law, and applicable Rules of Criminal Procedure.
(b) I have extensive experience in civil matters before the Circuit Court in the past five years. I have served as lead counsel or sole counsel in all of those matters. I regularly file and argue motions, and I have tried cases in Circuit Court, both bench and jury trials. I represent individuals and companies in a wide variety of commercial litigation claims. I have handled insurance coverage disputes, mostly representing insurance companies, but several times I have represented the insureds. I have handled numerous real estate matters in Circuit Court, involving Homeowner Association rules, boundary disputes, and restrictive covenants. I have defended lawyers in legal malpractice actions. I have handled other general civil matters, including litigation involving financial institutions, where I mostly represent the financial institutions. I have represented landowners in condemnation proceedings, both in the proceedings to fix the award and proceedings to challenge the condemnation. I have handled personal injury matters, both large and small, usually representing defendants.

Mr. Wallace reported the frequency of his court appearances during the past five years as follows:
(a) Federal: 30%;
(b) State: 70%.

Mr. Wallace reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 90%;
(b) Criminal: 5%;
(c) Domestic: 0%;
(d) Other: 5% (probate).

Mr. Wallace reported the percentage of his practice in trial court during the past five years as follows:

(a) 90% of my practice is in trial court. About 10% involve appeals.
(b) Three (3) cases went to trial and resulted in a verdict.
(c) No cases went to trial.
(d) No cases settled after a jury was selected but prior to opening statements.

Mr. Wallace provided that during the past five years he most often served as sole counsel or chief counsel.

The following is Mr. Wallace's account of his five most significant litigated matters:

(a) *Christina Jones v. Mary P. Miles*, Case No. 2022-CP-32-00867 (Eleventh Judicial Circuit). I defended a lawyer in a legal malpractice action. After a jury trial, the jury found the plaintiff to be forty percent (40%) comparatively negligent.
(b) *MAC Coastal Properties, Inc. v. Shoestring Retreat, LLC*, Case No. 2020-CP-22-0072 (Fifteenth Judicial Circuit). I represented a homeowner in a restrictive covenant enforcement action that involved complex legal principles and significant equitable defenses. The court ruled against my client, and my client appealed the final order. The case remains on appeal.
(c) *SM Charleston, LLC v. Daniel Island Riverside Developers, LLC*, Case No. 2020-CP-08-00914 (Ninth Judicial Circuit). I represented a developer in a contract dispute with another developer, involving complex contractual issues, development ordinances, and equitable defenses.
(d) *City of Folly Beach, et al. v. State, et al.*, Case No. 2019-CP-10-00717 (Ninth Judicial Circuit). I represented a homeowner in a civil action where the municipality offered a novel legal theory to prevent development of the homeowner's lot. The trial court dismissed the complaint and the municipality appealed the dismissal. The case is pending on appeal.
(e) *Brown, et al. v. Richardson, et al.*, Case no. 2018-CP-26-3173 (Fifteenth Judicial Circuit). I represented several members of the board of directors for a homeowners'

association. We obtained partial summary judgment on plaintiffs' main cause of action for declaratory relief. The case is highly contested and involved the complex interplay of recorded homeowner documents, statutes, and case law. Plaintiffs appealed the Order granting summary judgment, and the case is pending on appeal.

The following is Mr. Wallace's account of three civil appeals he has personally handled:

(a) *Accident, Injury & Rehab., PC v. Azar*, 943 F.3d 195 (4th Cir. 2019).
(b) *Regions Bank v. Owens*, 402 S.C. 642, 741 S.E.2d 51 (Ct. App. 2013).
(c) *Charleston Trident Home Builders, Inc. v. Town Council of Town of Summerville*, 369 S.C. 498, 632 S.E.2d 864 (2006).

Mr. Wallace reported that has has not personally handled any criminal appeals.

Mr. Wallace further reported the following regarding unsuccessful candidacies:

(a) I withdrew from consideration for Circuit Court, At Large Seat No. 9 in 2014.
(b) I was an unsuccessful candidate for a United States Magistrate Judge position in 2015.

(9) Judicial Temperament:

The Commission believes that Mr. Wallace's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Mr. Wallace to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and experience.

Mr. Wallace is married to Sally M. Wallace. He has four children.

Mr. Wallace reported that he was a member of the following Bar and professional associations:

(a) S.C. Bar Association, 1996 to present
  (1) Board of Governors, 2017-2020.
  (2) House of Delegates, 2004-2017.
  (3) Chair-Elect, Trial and Appellate Advocacy Council, 2016.

(b) Federal Bar Association, SC Chapter, Board of Directors, 2008-2012.

(c) Defense Research Institute (DRI), Program Chair, Professional Liability Committee, 2019.

Mr. Wallace provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Member, St. Andrews Church, Mt. Pleasant.

(b) Secretary and Director, North Charleston Dental Outreach, 2020-present.

(c) Standing Committee, Diocese of the Carolinas, 2019-2022.

(d) Mentor, USC School of Law 1L Professionalism Series, 2020.

(e) Mentor, Supreme Court Lawyer Mentoring Program, 2022-present.

(f) Recipient, Compleat Lawyer, USC School of Law, Gold, 2020.

(g) Legal Elite of the Lowcountry, Charleston Business Magazine
  Insurance, 2018-2019.
  Estate and Trust – Litigation, 2022.

Mr. Wallace further reported:

My grandfather, O. T. Wallace, served as master-in-equity in Charleston County. My father, Robert Wallace, served as the Ninth Circuit Solicitor from 1968 to 1976. I learned from both of these men the value of the rule of law, the integrity of the judicial system, and the effort it takes to maintain both. I hope to serve as a Circuit Court judge consistent with the highest principles embraced and demonstrated by these two men.

(11) Commission Members' Comments:

The Commission was impressed by Mr. Wallace's vast litigation experience, his intellect, and his temperament. The Commission noted that the BallotBox survey overwhelming reflected in a positive manner his skills as a lawyer as well as his qualities as a person.

(12) Conclusion:

The Commission found Mr. Wallace qualified, but did not nominate him for election as Circuit Court, At-Large, Seat 8.

Christian G. Spradley
Circuit Court, At-Large, Seat 16

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Spradley meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Spradley was born in 1969. He is 54 years old and a resident of Batesburg-Leesville, South Carolina. Mr. Spradley provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1997.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Spradley.

Mr. Spradley demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Spradley reported that he has made $807.69 in campaign expenditures for printing business cards, resumes, magnetic name badges, and hand cards and note cards.

Mr. Spradley testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Spradley testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Spradley to be intelligent and knowledgeable.

Mr. Spradley reported that he has taught or lectured at the following bar association conferences, educational institutions, or continuing legal or judicial education programs:

(a) I lectured at the March 18, 2002 DUI Trial Advocacy From Arrest to Verdict presented by the South Carolina Prosecution Commission, the South Carolina Department of Public Safety, and the South Carolina Sheriffs' Association.
I lectured at the March 17, 2008 Magistrate Orientation School.
(b) I lectured at the July 21, 2008 Magistrate Orientation School.
(c) I lectured at the March 16, 2009 Magistrate Orientation School.
(d) I lectured at the July 20, 2009 Magistrate Orientation School.
(e) I lectured at the August 17, 2009 Annual Intensive Training for Magistrate and Municipal Judges.
(f) I lectured at the August 16, 2010 Annual Intensive Training for Magistrate and Municipal Judges.
(g) I lectured at the May 1, 2012 Criminal Litigation from A to Z CLE.
(h) I lectured at the February 20, 2014 "May it Please the Court" Effective Case Presentation at Trial CLE.

(i) I lectured for SDDOR in 2015 to County Auditors, Treasurers, and Tax Collectors on FOIA issues.
(j) I lectured at the August 15, 2016 Annual Intensive Training for Magistrate and Municipal Judges
(k) I lectured at the August 4, 2019 SCACA Annual Conference.
(l) I lectured at the March 6, 2020 Sex Crimes: Getting Serious about Sex Crime Defense.
(m) I lectured at the October 13, 2021 SCMA Conference.
(n) I have lectured at the SCFFA Leadership Institute for multiple year on legal issues.
(o) I have lectured at the SCFFA Officer's Academy for multiple years on legal issues.
(p) I have lectured at multiple fire departments throughout the state for years on legal issues.

Mr. Spradley reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Spradley did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Spradley did not indicate any evidence of a troubled financial status. Mr. Spradley has handled his financial affairs responsibly.

The Commission also noted that Mr. Spradley was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Spradley reported that he is not rated by any legal rating organization.

Mr. Spradley reported that he has not served in the military.

Mr. Spradley reported that he has never held public office**.**

(6) Physical Health:

Mr. Spradley appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Spradley appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Spradley was admitted to the South Carolina Bar in 1997.

He gave the following account of his legal experience since graduation from law school:

(a) 1997 Law Office of John Harte – Only employed for a period of weeks
(b) 1998-1999 Aiken County Public Defenders' Office – Defense of Indigents on matters ranging from DUI to Murder.
(c) 1999-2002 Lexington County Solicitors' Office – Prosecution of Criminal Cases from DUI to Murder. First Prosecutor for the LCMANET.
(d) 2002-Present Moore Bradley Myers Law Firm P.A. (with preceding names excluded). – Hired as an Associate, became Partner in 2005 and became Managing Partner in 2021. My practice is a General Practice covering many areas of the law. In operating the Saluda office, I personally have been responsible for the day to day operation, administrative operation and financial management of the office since it opened. Since becoming Managing Partner, I am responsible for the overall operation of the firm. All attorneys are responsible for the management of trust accounts. In Saluda, I have a trust account for which I am responsible.

Mr. Spradley further reported regarding his experience with the Circuit Court practice area:

Criminal Experience: During my employment with the Aiken County Public Defenders' Office and the Eleventh Judicial Circuit Solicitors' Office I both prosecuted and defended cases ranging from DUI to Murder. I learned valuable lessons from both positions.

As a Public Defender I learned how to deal with large caseloads while ensuring that each client received both the legal and personal time needed for their cases. It was driven home that every case is important to ensure that rights are not infringed upon. The time management skills that I learned have been a great help to me in my practice.

As an Assistant Solicitor I was hired to originally run Transfer Court. This entailed setting a docket and running the Court. I was later moved to General Sessions where I eventually became the prosecutor for the Lexington County Narcotics Enforcement Team. I spent time with law enforcement and directed them as to what was expected from them from a prosecution standpoint. I learned how to determine which cases were worthy of prosecution and which defendants were worthy of second chances. In essence, dispensing justice does not equate to obtaining a conviction in every case. I learned that certain cases required rehabilitation, while others called for housing a defendant.

In private practice I have solely defended accused individuals. I handle cases in both city/magistrate courts as well as General Sessions. I have handled cases ranging from traffic tickets to Criminal Sexual Conduct with a Minor and Murder.

Civil Experience: Once I entered private practice I began obtaining experience in the civil realm. Most of my civil practice has revolved around Plaintiffs' cases, but I have also had a few cases on the defense side as well as appearing often in Family Court. I have also served as County Attorney for a number of years as well as representing municipalities and a Special Purpose District. I have handled probate matters as well as cases before Masters-In-Equity/Special Referees.

From a Plaintiff's standpoint, I have dealt with wreck cases, property cases, contractual disputes, fiduciary issues, election issues, as well as others. My defense practice has been limited to auto and civil issues over property.

Mr. Spradley reported the frequency of his court appearances during the past five years as follows:
(a) Federal: Very infrequently. Once in total;
(b) State: Depending on time of year, weekly.

Mr. Spradley reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 33%;
(b) Criminal: 33%;
(c) Domestic: 25%;
(d) Other: 8%.

Mr. Spradley reported the percentage of his practice in trial court during the past five years as follows:
(a) 90% was in trial court including cases that settled prior to trial;
(b) 3% went to trial and resulted in a verdict
(c) 6% went to trial and resolved after the plaintiff's or State's case
(d) 1% settled after a jury was selected but prior to opening statements

Mr. Spradley provided that during the past five years he most often served as sole counsel.

The following is Mr. Spradley's account of his five most significant litigated matters:
(a) *State v. James Michael Lucas* – As an Assistant Solicitor I was assigned this case which was originally charged as Involuntary Manslaughter by another Assistant Solicitor. When I received the case to prosecute, the fact pattern led me to believe that something other than an accident took place. I requested that a SLED Crime Scene team perform a blood spatter analysis nearly a year after the incident. Based on newly discovered evidence I was able to prove that Mr. Lucas shouldered his weapon and fired it killing a 13 year old mentally handicapped girl. Mr. Lucas was Straight Indicted for and convicted of Murder. He received a Life Sentence.

(b) *State v. Johnny West* – Mr. West was charged with Driving with an Unlawful Alcohol Concentration when the law was first adopted. A ticket was never written for the original DUI which negated law enforcement's ability to request a breath sample. The order that I obtained dismissing my client's charges and the theory I used has been utilized by numerous defense attorneys in the State.
(c) *State v. Donnie Brown* – As a Public Defender I represented Mr. Brown who was charged with Murder in Aiken County. His defense was self-defense. At the end of the State's case, Mr. Brown was offered a plea to involuntary manslaughter with a negotiated sentence which would have resulted in time served. Mr. Brown declined the offer and was later convicted of Murder. This case is significant in that though my vigorous defense was able to obtain an offer which would have afforded Mr. Brown a life outside of prison.
(d) *Durst v. Koontz* – This case involved property on Lake Murray where the Defendant claimed ownership of portions of land deed to Plaintiff. In representing Plaintiff I was able to establish ownership in my client and defeat Defendant's claim of acquiescence in the property line.
(e) *Wiszowati v. Republican Party* – Client was a candidate for a South Carolina House seat and was removed from the ballot on the Saturday before the primary. I was able to have my client remain on the ballot.

The following is Mr. Spradley's account of three civil appeals he has personally handled:

(a) *Lambries v. Saluda County Council*, 760 S.E.2d 785 (S.C. 2014) – June 18, 2014. This case dealt with the Freedom of Information Act issue as to whether it was proper for a County Council to amend its agenda during a regular meeting. I was successful in having the Circuit Court uphold the amendment as proper and Plaintiff appealed. In a split decision the Court of Appeals held that it was not proper. The case was argued before the Supreme Court of South Carolina which overturned the Court of Appeals and affirmed the Circuit Court.
(b) *Perry v. Perry*, Unpublished – January 5, 2009. Family Court post-divorce custody action. Representing the

Mother/Plaintiff we requested the Court name a primary custodian in a split custody situation due to significant discord in the decision making process between the parents. We argued that no change in circumstance was necessary because we were not changing the custodial situation, only clarifying it. Trial Court ruled that a change in circumstance was necessary and refused to make any changes. We appealed and the Court of Appeals upheld the Trial Court's ruling.

(c) *Clark v. Irving et al* – September 26, 2013. This is a partition action in which I represent the Plaintiff. Several different people own smaller shares of a large tract of land. After obtaining the results desired by my client, one of the defendants appealed. The Appeal was dismissed.

The following is Mr. Spradley's account of the criminal appeal he has personally handled:

State v. Fayth Leeann Dickson – September 15, 2010. Client was convicted of DUI in Magistrates Court. We appealed based on eight separate grounds. In the case the proper advising of Miranda, chain of custody, proper foundation for admission of evidence, and Rule 5 of the Criminal Rules of Procedure were major issues. The Circuit Court granted the appeal and dismissed the charges against the Defendant.

(9) Judicial Temperament:

The Commission believes that Mr. Spradley's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Mr. Spradley to be "Qualified" in the evaluative criteria of constitutional requirements, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee noted: "Well qualified all the way around. Pleasant and endearing."

Mr. Spradley is married to Christina "Christy" Reece Spradley. He has two children.

Mr. Spradley reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar
(b) Tri-County Bar
(c) Saluda County Bar – President 2019 – Present
(d) Lexington County Bar
(e) South Carolina Association of Criminal Defense Lawyers – Board Member 2016-2018
(f) SC Bar Ethics Advisory Committee 2022-Present
(g) SC Bar Convention Committee 2022-Present
(h) SC Bar House of Delegates 2018-Present
(i) SC Association of Justice
(j) 11th Circuit Fee Dispute Board Member

Mr. Spradley provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) B-L Rotary Club – Member 2017-Present, President 2019-2020, Board of Directors 2020-2021
(b) Town of Saluda Fire Department – Firefighter 2012-Present
(c) F3 Nation – F3 Lexington – F3 Smokehouse

Mr. Spradley further reported:

I have learned that attorneys that work in trial courts deal with people who are at the lowest point of their lives. They have either lost someone, been injured, been victimized, accused of a crime, going through a divorce, or some other life altering event. Most of the time, if these individuals feel that they have been heard and have been treated fairly, they may not like it but will accept the result. In many cases, how the result is delivered can make all the difference in how it is perceived. Harsh results can be handed down with a velvet glove. I would aspire to be the kind of judge that may not rule a way that everyone likes, but in a way that everyone understands and hopefully can live with.

I have been blessed with a great family. My father instilled in me the belief that public service and giving back to my fellow man are cornerstones of society. My wife has been very supportive of my desire to serve our State as a Circuit Court

Judge. I am offering myself out of pure desire to continue a lifelong commitment to my fellow man.

(11) Commission Members' Comments:

The Commission commented that Mr. Spradley has outstanding knowledge of the law and diverse experience in handling civil and criminal matters, including as a prosecutor, that would serve him well as a jurist.

(12) Conclusion:

The Commission found Mr. Spradley qualified, but did not nominate him for election to Circuit Court, At-Large, Seat 16.

S. Boyd Young
Circuit Court, At-Large, Seat 16

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Young meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Young was born in 1974. He is 49 years old and a resident of Columbia, South Carolina. Mr. Young provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1999. He was also admitted to the Georgia Bar in 2005.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Young.

Mr. Young demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Young reported that he has not made any campaign expenditures.

Mr. Young testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Young testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Young to be intelligent and knowledgeable.

Mr. Young reported that he has taught the following law-related courses:

(a) I have lectured and taught at the National Criminal Defense College annually since 2009. It is a two-week trial advocacy program for criminal defense attorneys with various levels of experience.

(b) I have lectured and taught at the National College of Capital Voir Dire annually since 2007. It is a program dedicated to teaching constitutional voir dire requirements to attorneys.

(c) In 2010 I founded a public defender training program for South Carolina, and it has since been turned into a mandated training program for all new public defenders. I continue to teach and lecture in the program.

(d) I am on the National Association of Criminal Defense Attorneys, Capital Committee where I serve as Co-Chair. I put on an annual continuing legal education seminar regarding capital defense.

(e) I participate annually in the South Carolina Bar Mock Trial competition.

(f) In 2009 South Carolina Solicitors and defense lawyers received a joint grant to host training programs for capital cases. I managed the defense lawyer training and over the course of three years held multiple training events around

the state. This was a joint effort to combat South Carolina's near 80% reversal rate in capital cases.

Mr. Young reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Young did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Young did not indicate any evidence of a troubled financial status. Mr. Young has handled his financial affairs responsibly.

The Commission also noted that Mr. Young was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Young reported that he is not rated by any legal rating organization.

Mr. Young reported the following military service:
May 1993 – February 5, 1996. United States Navy, Midshipman. Honorable Discharge, February 5, 1996

Mr. Young reported that he has never held any public office.

(6) Physical Health:

Mr. Young appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Young appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Young was admitted to the South Carolina Bar in 1999.

He gave the following account of his legal experience since graduation from law school:

(a) 1999-2000 I was hired as a law clerk to A. Victor Rawl, Circuit Court Judge in Charleston, SC. My duties included assisting Judge Rawl with both criminal and civil matters throughout South Carolina.

(b) 2000-2005 I was hired at the Charleston County Public Defender's Office. I was an assistant public defender for five years and promoted to senior trial attorney. I handled all levels of criminal cases.

(c) 2005-2008 I joined the newly formed Georgia Capital Defender Office in Atlanta where I handled trial level capital cases throughout the state of Georgia.

(d) 2008-2017 I returned to South Carolina to help form the Capital Trial Division for the South Carolina Commission on Indigent Defense. I was initially hired as the Deputy Attorney of the office.

(e) 2017-Present I have served as the Chief Attorney of the Capital Trial Division. I supervise two other attorneys, a paralegal, and numerous interns and externs. We handle trial level death penalty cases throughout the state and have been directly responsible for saving South Carolina over $1 Million annually.

Mr. Young further reported regarding his experience with the Circuit Court practice area:

As the Deputy and Chief Attorney for the Capital Trial Division for the South Carolina Commission on Indigent Defense, I have been involved in almost every death penalty trial conducted in South Carolina in the past fifteen years. I appeared before a Circuit Court Judge at least once a month during the past five years. Recently I was lead counsel on the longest capital trial ever held in South Carolina, State v. Timothy R. Jones, Jr. in Lexington County. This case involved numerous forensic and legal issues. It included everything from DNA to serious mental health claims, and Fourth, Fifth, Sixth, and Eighth Amendment Constitutional issues. In preparation for the trial there were over one hundred pretrial motions litigated and a multi-state investigation conducted over the course of several years. Witnesses from all over the country had to be coordinated and brought to Court by the State and Defense for the trial. The

central issue was whether Mr. Jones suffered from a mental illness, and if so, was it to the extent that he could not form the criminal intent necessary to be found guilty of murder. It was an extraordinarily complicated case that involved hundreds of witnesses and lasted for almost eight weeks including several weeks of jury selection.

Throughout my 23 year career as a trial lawyer, I have handled every type of criminal case at all court levels, from parking tickets in Municipal Court to death penalty cases in General Sessions Court. I have also handled cases involving every possible defense, from mistaken identification to insanity. I have dealt with every type of forensic issue from multi-source DNA statistics to tire track comparisons.

My civil court experience is limited to quasi-civil matters such as PCR and appeals from Magistrate Court. While my direct experience with Common Pleas Court is limited, capital cases often involve ancillary matters that must be dealt with, both for clients and their family members. I have dealt with these matters throughout my legal career and I am always quick to review the rules of civil procedure and help guide people through the process. Putting together a mitigation case for a capital case is not all that different from a civil case in which you are seeking a "but – for" causation. I feel that my extensive capital trial background makes me well suited for constantly learning and staying up to date on the law and its many changes. I would bring this same dedication to civil matters. Being a good capital trial attorney means that you have to be knowledgeable and well-versed in all aspects of the law – civil, criminal, appellate, domestic, and administrative.

Mr. Young reported the frequency of his court appearances during the past five years as follows:

(a) Federal: None;
(b) State: Monthly.

Mr. Young reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

(a) Civil: 1%;
(b) Criminal: 97%;
(c) Domestic: 1%;

(d) Other: 1%.

Mr. Young reported his practice in trial court as follows:
(a) 97% of his cases were in trial court, including cases that settled prior to trial
(b) 15 cases went to trial and resulted in a verdict
(c) 0 cases went to trial and resolved after the plaintiff's or State's case
(d) 0 cases settled after a jury was selected but prior to opening statements

Mr. Young provided that during the past five years he most often served as chief counsel.

The following is Mr. Young's account of his five most significant litigated matters:

(a) *State v. Timothy R. Jones, Jr.* 2023 WL 2671754 (March 29, 2023) This was a death penalty trial in Lexington, SC in 2019. The case is currently pending in the South Carolina Supreme Court for direct review. This was the longest, most complicated death penalty case in recent history. This case was significant for a multitude of reasons, but I think it was an important example of how our mental health facilities and social institutions fail to protect our most vulnerable citizens. While there were several open Department of Social Services investigations, Mr. Jones continued to spiral out of control, and it eventually resulted in the killing of five innocent children. I was lead counsel for Mr. Jones. The trial was tremendously impactful on me, both as a person and a lawyer.
(b) *Kenneth Simmons v. State*, 416 S.C. 584, 788 s.E.2d 220 (2016). A Post Conviction Relief case in which I became involved based on my knowledge and experience with DNA evidence. My representation at Mr. Simmons' PCR resulted in a reversal of his conviction, and ultimately Mr. Simmons pleaded guilty for a reduced sentence. The Solicitor in the case had presented false DNA results implicating Mr. Simmons. The case demonstrates the necessity of attorneys and judges being well educated on the forensic issues that impact jury trials.

(c) *State v. Todd Kohlhepp*. A 2017 case involving a serial killer from Spartanburg. Mr. Kohlhepp was charged with seven murders and the kidnapping and sexual assault of a woman found chained in a storage container on his property. This case demonstrated that early and adequate representation for the accused leads to better outcomes for all involved. Because of my early involvement I was able to ensure that all of Mr. Kohlhepp's personal property went into receivership, resulting in the victims' ability to recover, monetarily, some small part of their losses. Through the early cooperation of Mr. Kohlhepp, and with the consent of the victims, we were able to negotiate life without parole sentences for Mr. Kohlhepp - saving the State significant expense and the victims the emotional impact of a long, drawn out process. I was lead counsel for Mr. Kohlhepp.

(d) *State v. Crystal Johnson*. A murder case out of Spartanburg in 2016. Ms. Johnson was already in prison serving a sentence for child neglect when the Sheriff identified her as a suspect in a double murder that occurred several years prior. The State's intention to seek the death penalty was announced at a press conference. Once warrants were drafted I was able to get involved and conduct a thorough investigation. I was able to prove that Ms. Johnson was not involved in the murders. Additionally, I was able to uncover the identity of the actual murderer which I forwarded to the Solicitor's Office. This case is important to show why a thorough investigation is necessary, how devastating a rush to judgement can be, and why attention to detail is crucial in the administration of justice.

(e) *State v. John Edward Weik*. This was a 2016 death penalty retrial in Dorchester County. Mr. Weik was tried, convicted, and given the death penalty. His sentence was affirmed in 2004. The PCR Judge found that his counsel was deficient for failing to investigate and present Mr. Weik's extensive mental health history to the jury. Weik v. State, 409 S.C. 214, S.E.2d 757 (2014). I was able to provide the Solicitor with proof that Mr. Weik was schizophrenic. He then received an offer to plead to life without parole which he accepted. The case is significant because it demonstrates the value of the appointment of

qualified counsel in complicated cases to avoid costly retrials.

Mr. Young reported that he has not personally handled any civil or criminal appeals.

Mr. Young further reported the following regarding unsuccessful candidacies:
In 2020 I was screened as a candidate for Circuit Court, At Large, Seat 12. I was found to be well qualified but was not selected as a final candidate by the Committee.
In 2021 I was screened out as a candidate for Circuit Court, Fifth Circuit, Seat 2. I was submitted to the legislature as one of 3 well qualified candidates but withdrew prior to the election. In 2022 I was screened out as a candidate for Circuit Court, At-Large, Seat 3, and withdrew prior to the election.

(9) Judicial Temperament:

The Commission believes that Mr. Young's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualifications found Mr. Young to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated: "No doubt well-qualified".

Mr. Young is married to Laura W. Young. He has two children.

Mr. Young reported that he was a member of the following Bar and professional associations:

(a) South Carolina Association of Criminal Defense Lawyers - Member
(b) National Association of Criminal Defense Lawyers – Capital Trial Committee – Co-chair
(c) South Carolina Public Defender Association – Board Member
(d) Richland County Bar Association – Member

(e) South Carolina Association for Justice - Member

Mr. Young provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Recognized by the Red Cross as a Platelet Donor
(b) I run an annual charity yard sale at my house to support children with an incarcerated parent at Christmas.
(c) My wife worked with Achieve Columbia – a group dedicated to providing support services to at risk youth in local schools – which resulted in us getting an educational guardianship for a minor and having her live with us for her last two years of High School, there was a recognition by Achieve Columbia.

Mr. Young further reported:
I had the great fortune of clerking for a Judge that was respected by all parties that came before him. He taught me how to maintain poise even when others could not, the value of always being prepared, and treating others with dignity and respect no matter the circumstances. I have spent my career as a trial lawyer in courtrooms across South Carolina applying these lessons. I have appeared in front of great jurists, and some not so great, but we have always managed to get along and get the work done. I have managed some of the most complex cases in South Carolina and maintained a case budget that saves the citizens of South Carolina money. At the same time, I have maintained good relationships with not only opposing counsel, but also with many of the victims in cases that I was defending. If selected, I will make a good addition to the South Carolina Judiciary.

(11) Commission Members' Comments:

The Commission commented that Mr. Young has an outstanding reputation, noting his intellect, demeanor, and reputation. The Commission also noted his years of service to the state and extensive experience and knowledge handling criminal matters.

(12) Conclusion:

The Commission found Mr. Young qualified, but did not nominate him for election to Circuit Court, At-Large, Seat 16.

Paul F. LeBarron
Family Court, Ninth Judicial Circuit, Seat 4

Commission's Findings: NOT QUALIFIED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the Commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Family Court, Ninth Judicial Circuit, Seat 4, three candidates applied for this vacancy, one candidate was found not qualified, and one withdrew. Accordingly, the name and qualifications of one candidate is hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. LeBarron meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. LeBarron was born in 1970. He is 53 years old and a resident of Ladson, South Carolina. Mr. LeBarron provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995. He was also admitted to the North Carolina Bar in 1995.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. LeBarron.

Mr. LeBarron demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. LeBarron reported that he has made $97.18 in campaign expenditures for postage, and cards.

Mr. LeBarron testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Mr. LeBarron testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. LeBarron to be intelligent and knowledgeable.

Mr. LeBarron reported that he has taught the following law-related courses:

(a) I have lectured at the New Family Court Judge Orientation School every year since 2017, discussing the Division's supplementary processes and remedies in the framework of support obligation enforcement.
(b) I have presented regarding the income-shares model of support determination at the Lake County (IL) Family Law Conference held in Charleston in 2019.
(c) I have presented at the 2019 Hot Tips for the Coolest Domestic Law Practitioners seminar regarding the rollout, implementation, and immediate anticipated effects of the new Palmetto Automated Child Support System.
(d) I have presented regarding the child support guidelines and impacts of PACSS to the Charleston County Bar Association (2019), Berkeley County Bar Association (2019), Horry County Bar Association (2023), with the Cooperative Family Law Association (2023), and as part of a Hot Topics from the Bench in the Fourteenth Circuit (2022).

Mr. LeBarron reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. LeBarron did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. LeBarron did not indicate any evidence of a troubled financial status. Mr. LeBarron has handled his financial affairs responsibly.

The Commission also noted that Mr. LeBarron was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. LeBarron reported that he is not rated by any legal rating organization.

Mr. LeBarron reported that he has not served in the military.

Mr. LeBarron reported that he has never held public office.

(6) Physical Health:

Mr. LeBarron appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. LeBarron appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. LeBarron was admitted to the South Carolina Bar in 1995.

He gave the following account of his legal experience since graduation from law school:

(a) 1995-March 1, 2000: sole practitioner with general practice. Handled individual tax issues along with some domestic practice and estate planning. I handled all administrative and financial functions of the practice, including the trust account.

(b) March 2, 2000 – present: state attorney with the Department of Social Services Child Support Services Division. Practice limited to the establishment of paternity and the establishment, modification, and enforcement of child support obligations for both in-state orders as well as those from other states and countries. I have no involvement with the financial management of the agency, and I maintain no trust account. I have little involvement with the administration in the Division, limited to improvement or implementation of case processing for efficiency.

Mr. LeBarron further reported regarding his experience with the Family Court practice area:

Divorce and equitable division of property: Prior to joining the Child Support Division in 2000, I handled a very simple divorce where parties pretty much had all of their property divided and only wished the divorce be granted. Since then, I did assist a co-worker in her divorce where all property, custody, and support issues had already been resolved by agreement. Because child support deviations can be granted based upon equitable division, I am aware and have been exposed to hundreds of cases to review the equitable division to see if deviations would apply. This exposure to these end results has provided me an insight as to how such decisions are made, which I can apply to pursue similar results.

Child custody: The Child Support Division does not handle issues of custody or visitation, so my practice has been limited to recognizing the custody vested in unmarried mothers, or accepting and incorporating the agreement of the parties. As custody determinations primarily dictate the application of the child support guidelines, I have reviewed and applied many different custody arrangements to child support calculations, and have seen some of the factors rising to the determinations by the Court.

Adoption: As a fellow division of the Department of Social Services, I have access to Adoption Services and have addressed the related child support cases from that office's activities. I am

frequently consulted both before and after adoptive cases to address child support issues, but have never handled such a case before.

Abuse and neglect: The county Abuse and Neglect offices of DSS are separate from the Child Support Division, but there is significant overlap of Child Support in the cases pursued by County DSS. I have worked with my counterparts in the counties for literal decades, so I have been exposed to many different aspects of the cases in addition to child support. On one rare occasion, I stood in for my colleague on a simple placement case due to conflict.

Juvenile justice: I have had no direct involvement with juvenile justice, but my contested child support dockets are held along with those of the Department of Juvenile Justice, which has given me the opportunity to observe many, many juvenile hearings and the manner in which the various judges arrive at their determinations.

My background is analytical, beginning with my college degree in mathematics, continuing with my initial practice of tax and estate planning, and throughout my practice in calculating and analyzing child support issues. Presiding as a judge is an exercise in problem-solving, just with a different set of tools. Having limited or no prior experience as an advocate gives me the ability to develop these tools as a neutral, without any bias or predisposition that adversarial exposure may have given another practitioner.

Mr. LeBarron reported the frequency of his court appearances during the past five years as follows:
(a) Federal: 0%
(b) State: 100%

Mr. LeBarron reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:
(a) Civil: 0%
(b) Criminal: 0%
(c) Domestic: 99.50%;

(d) Other: 0.5%

Mr. LeBarron reported the percentage of his practice in trial court during the past five years as follows:
(a) Percentage of practice at trial court: 100%
(b) Cases that went to trial and resulted in a verdict: 0 - all in family court;
(c) Cases that went to trial and resolved after plaintiff or State's case: 0 - Other side always allowed opportunity to be heard in family court;
(d) Cases settled after a jury was selected but prior to opening statements: 0 - No juries in family court.

Mr. LeBarron provided that during the past five years he most often served as sole counsel.

The following is Mr. LeBarron's account of his five most significant litigated matters:
(a) *SCDSS v. Donellevin Polite*. Family Court. At a hearing to reduce child support brought by the Division based on emancipation of one of three children, the judge ordered the reduction retroactive to eighteen months earlier. I appealed this decision as a violation of statutory and case law. This case was significant as it provided the opportunity to properly prepare an appeal and pursue it to its conclusion. It involved not only the initial hearing, but also a lengthy reconsideration hearing in anticipation of the appeal. Without oral argument, the appellate court agreed that the retroactive application was improper. SCDSS v. Polite, 391 S.C. 275, 705 S.E.2d 78 (S.C.App. 2011).
(b) *SCDSS v. John Hicks*. Family Court. In this 2004 matter, I was seeking to register a 1992 Florida order for enforcement in South Carolina. However, in 1993, Florida sent the order with a petition to establish an order, which South Carolina established for a lesser amount. The new registration involved a significant amount of arrears that had accrued under the Florida order. At the confirmation hearing, the judge initially ruled that the South Carolina order prevailed, as Florida could not ask for something one day and then ask for something different years later when the laws changed. Upon my request, the Court allowed

briefs to be submitted. My brief summarized the changes in the interstate law while persuading the Court that the result I sought was not only correct, but intended by the changes. This matter is significant as it was the first time I was able to change a judge's mind with my argument, outside of an appeal.

(c) *In Re Sammie Webb, Debtor*. Bankruptcy Court. I joined a motion with the Trustee to have this debtor's Chapter 13 plan dismissed for failure to comply with the plan. This was the first time I had to appear and pursue relief directly with the Bankruptcy Court. Mr. Webb had several child support cases totaling several thousand dollars, and has used the bankruptcy court to stay enforcement of those arrears several times. Of his ten previous filings, this was the fifth I personally handled. This case was significant because it was the first time I argued in the Bankruptcy Court, leading to a dismissal of the filing, with prejudice, preventing further enforcement delays.

(d) *SCDSS v. Nathaniel Roberts*. Family Court. At a Rule to Show Cause in the early part of my practice with the Division, it was brought out that two of the three children under the support order had emancipated. The judge sua sponte ordered that the support obligation was to be reduced retroactively to the 18th birthday of each child. I objected and declared my intent to appeal. This case was significant to me because I failed to properly create the record with the proper arguments that the law supported. I was a hard lesson learned, and a situation I would not allow to repeat.

(e) *In Re the Estate of Henry Picard*. Probate Court. This was the only probate matter I litigated while still in private practice. I represented one of the living children, who believed is father wished only to provide for the surviving children, and not the heirs of the deceased child. The hearing was for interpretation o the will as there was no mention or other clear indication of provision for the predeceased child. I pursued a rather novel theory of determining intent through the constructed design of the will itself. It was significant to me as it was the first opportunity I had as a new lawyer to argue before a judge as well as prepare and conduct cross-examination.

The following is Mr. LeBarron's account of three civil appeals he has personally handled:

(a) *SCDSS v. Donellevin Polite*, Court of Appeals of South Carolina, January 19, 2011, 391 S.C. 275, 705 S.E.2d 78.
(b) *SCDSS v. Nathaniel Roberts*, Court of Appeals of South Carolina, June 21, 2005. Not reported.
(c) *Theon Smith v. SCDSS*, Court of Appeals of South Carolina. Still pending.

Mr. LeBarron reported that has not personally handled any criminal appeals.

Mr. LeBarron further reported the following regarding unsuccessful candidacies:

(a) Family Court At-Large seat 3, 2012, withdrew before screening completed
(b) Family Court Ninth Circuit seat 2, 2014, withdrew before screening completed
(c) Family Court Ninth Circuit seat 3, 2015, withdrew before screening completed

The Commission noted that while Mr. Lebarron has extensive experience with child support issues while working with the Department of Social Services, he lacked the necessary experience in most other areas of family law including divorce, adoption, and juvenile justice.

(9) Judicial Temperament:

The Commission believes that Mr. LeBarron's temperament would not be acceptable for a position on the bench. Mr. LeBarron demonstrated questionable judgment evidenced by his involvement in an organization and its corresponding website that publicly celebrated unsavory humor and proposals of unethical behavior that could suggest or bring disrepute upon a member of the judiciary.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualifications found Mr. LeBarron to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and experience; and "Well-Qualified" in the evaluative criteria

of ethical fitness, professional and academic ability, character, reputation, and judicial temperament. The Committee noted: "Extremely qualified in DSS Child Support, but has no experience representing clients in other family court matters. Sterling individual."

Mr. LeBarron is married to Barbara Ann Cyrek. He has three children.

Mr. LeBarron reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar
(b) North Carolina Bar (inactive)

Mr. LeBarron provided that he was not currently a member of any civic, charitable, educational, social, or fraternal organization.

Mr. LeBarron further reported:

I have been exclusively practicing establishment and enforcement of child support orders, and have been present for several hundred Rules to Show Cause. In my years, I have seen many, many individuals detained for failure to pay support obligations. I believe that there are situations where incarceration is necessary to reinforce the authority of a court, and especially the importance of complying with a support order. There have been many times that this power has been abused by payees seeking to punish individuals for reasons other than non-support. I have become very aware of the philosophy behind contempt, and the need to wield the power responsibly.

I have been privileged to have a good working relationship with the Father-to-Father program in the Charleston area. I have been educated firsthand that having a relationship with a child makes even the most deadbeat parent a responsible parent. Parents that previously had been serving a life sentence of contempt one year at a time turned themselves around and became responsible role models because of their time with their children. The benefit is mutual: children need both their parents. Although families may not share the same household, both

parents can and should remain a large part of their children's lives.

I have been a public servant for over two decades, in a capacity that is not specifically as an advocate. The Child Support Enforcement Division is able to participate in legal matters pursuant to an assignment given to us by the party entitled to receive support. In representing the State of South Carolina in these cases, I have developed a working framework where I try to find the best scenario to provide for the child or children given the resources of the parties. I aim to benefit all parties, even if it means going against the wishes of the party that granted the assignment. I look to use this neutral persona as a base upon which I'll expand to encompass all matters before me as a judge.

(11) Commission Members' Comments:

The Commission commented that Mr. LeBarron has an outstanding reputation as an attorney for the Department of Social Services in the Child Support Services Division for over 20 years. However, they noted that he lacked experience in most additional subject matters within the Family Court purview. Further, several questions arose during his screening regarding his character and temperament to be a member of the judiciary.

(12) Conclusion:

The Commission found Mr. LeBarron not qualified for election to Family Court, Ninth Judicial Circuit, Seat 4.

CONCLUSION

The Judicial Merit Screening Commission found the following candidates QUALIFIED AND NOMINATED:

SUPREME COURT

CHIEF JUSTICE The Honorable John W. Kittredge

COURT OF APPEALS

SEAT 8 The Honorable Jerry Deese Vinson Jr.
SEAT 9 Whitney B. Harrison
The Honorable Jan B. Bromell Holmes

CIRCUIT COURT

SECOND JUDICIAL CIRCUIT, SEAT 2
Grant Gibbons
David W. Miller
Martha M. Rivers Davisson
THIRD JUDICIAL CIRCUIT, SEAT 1
The Honorable S. Bryan Doby
Christopher R. DuRant
Samuel L. Floyd
THIRD JUDICIAL CIRCUIT, SEAT 2
The Honorable Kristi Fisher Curtis
FOURTH JUDICIAL CIRCUIT, SEAT 2
The Honorable Michael S. Holt
FIFTH JUDICIAL CIRCUIT, SEAT 1
James Smith
Justin T. Williams
FIFTH JUDICIAL CIRCUIT, SEAT 2
The Honorable Daniel McLeod Coble
SEVENTH JUDICIAL CIRCUIT, SEAT 1
J. Derham Cole Jr.
SEVENTH JUDICIAL CIRCUIT, SEAT 2
The Honorable Grace Gilchrist Knie
EIGHTH JUDICIAL CIRCUIT, SEAT 2
The Honorable Eugene Cannon Griffith Jr.
NINTH JUDICIAL CIRCUIT, SEAT 4
The Honorable Daniel E. Martin Jr.
Thomas J. Rode
The Honorable Dale E. Van Slambrook
TENTH JUDICIAL CIRCUIT, SEAT 2
The Honorable R. Scott Sprouse
ELEVENTH JUDICIAL CIRCUIT, SEAT 1
The Honorable William Paul Keesley
ELEVENTH JUDICIAL CIRCUIT, SEAT 2
The Honorable Walton J. McLeod IV
TWELFTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Michael G. Nettles
THIRTEENTH JUDICIAL CIRCUIT, SEAT 2
The Honorable Jessica Ann Salvini
THIRTEENTH JUDICIAL CIRCUIT, SEAT 4

Vernon F. Dunbar
Ken Gibson
Will Grove
FOURTEENTH JUDICIAL CIRCUIT, SEAT 1
The Honorable Robert Bonds
FOURTEENTH JUDICIAL CIRCUIT, SEAT 3
The Honorable Marvin Dukes III
FIFTEENTH JUDICIAL CIRCUIT, SEAT 3
David Pierce Caraker Jr.
Joshua D. Holford
Douglas M. Zayicek
AT-LARGE, SEAT 4
Daniel J. Ballou
William C. McMaster III
AT-LARGE, SEAT 8
Kimberly V. Barr
T. William "Billy" McGee III
William Vickery Meetze
AT-LARGE, SEAT 11
Joseph Bias
Russell D. Hilton
The Honorable Milton G. Kimpson
AT-LARGE, SEAT 16 Riley Maxwell
Charles J. McCutchen
Jane H. Merrill

FAMILY COURT

FIRST JUDICIAL CIRCUIT, SEAT 4
Jerrod A. Anderson
Deanne M. Gray
SEVENTH JUDICIAL CIRCUIT, SEAT 4
Pete G. Diamaduros
Jonathan W. Lounsberry
NINTH JUDICIAL CIRCUIT, SEAT 4
Blakely Copeland Cahoon
NINTH JUDICIAL CIRCUIT, SEAT 6
Gina J. McAlhany
TENTH JUDICIAL CIRCUIT, SEAT 1
David J. Brousseau
Heather Vry Scalzo

THURSDAY, JANUARY 11, 2024

SIXTEENTH JUDICIAL CIRCUIT, SEAT 1
Sammy Diamaduros
SIXTEENTH JUDICIAL CIRCUIT, SEAT 3
R. Chadwick "Chad" Smith
Erin K. Urquhart

ADMINISTRATIVE LAW COURT

SEAT 1
The Honorable Ralph K. Anderson III

Respectfully submitted,

/s/Sen. Luke A. Rankin
/s/Sen. Ronnie A. Sabb
/s/Rep. Scott Talley
/s/Ms. Hope Blackley
/s/Mr. J.P. "Pete" Strom, Jr.
/s/Rep. Micajah P. "Micah" Caskey, IV
/s/Rep. J. Todd Rutherford
/s/Rep. Wallace H. "Jay" Jordan, Jr.
/s/Mr. Andrew N. Safran
/s/Ms. Lucy Grey McIver

APPENDIX

Report from the South Carolina Bar Judicial Qualifications Committee

The Honorable John W. Kittredge
Supreme Court, Chief Justice

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable John W. Kittredge's candidacy for the Supreme Court, Chief Justice, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Jerry Deese Vinson, Jr.
Court of Appeals, Seat 8

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Jerry Deese Vinson, Jr.'s candidacy for the Court of Appeals, Seat 8, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Whitney B. Harrison
Court of Appeals, Seat 9

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Whitney B. Harrison's candidacy for the Court of Appeals, Seat 9, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Jan B. Bromell Holmes
Court of Appeals, Seat 9

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Jan B. Bromell Holmes' candidacy for the Court of Appeals, Seat 9, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Well-Qualified

Grayson Lambert
Court of Appeals, Seat 9

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Grayson Lambert's candidacy for the Court of Appeals, Seat 9, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Jason P. Luther
Court of Appeals, Seat 9

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Jason P. Luther's candidacy for the Court of Appeals, Seat 9, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Matthew Price Turner
Court of Appeals, Seat 9

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Matthew Price Turner's candidacy for the Court of Appeals, Seat 9, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Grant Gibbons
Circuit Court – 2nd Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Grant Gibbons' candidacy for the Circuit Court, 2nd Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

David W. Miller
Circuit Court – 2nd Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding David W. Miller's candidacy for the Circuit Court, 2nd Circuit, Seat 2, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

Martha Rivers Davisson
Circuit Court – 2nd Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Martha Rivers Davisson's candidacy for the Circuit Court, 2nd Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable S. Bryan Doby
Circuit Court – 3rd Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable S. Bryan Doby's candidacy for the Circuit Court, 3rd Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Christopher R. DuRant
Circuit Court – 3rd Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Christopher R. DuRant's candidacy for the Circuit Court, 3rd Circuit, Seat 1, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Samuel L. Floyd
Circuit Court – 3rd Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Samuel L. Floyd's candidacy for the Circuit Court, 3rd Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Kristi Fisher Curtis
Circuit Court – 3rd Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Kristi Fisher Curtis' candidacy for the Circuit Court, 3rd Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Michael S. Holt
Circuit Court – 4th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Michael S. Holt's candidacy for the Circuit Court, 4th Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

James Smith
Circuit Court – 5th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding James Smith's candidacy for the Circuit Court – 5th Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Justin T. Williams
Circuit Court – 5th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Justin T. Williams' candidacy for the Circuit Court – 5th Circuit, Seat 1, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

The Honorable Daniel McLeod Coble
Circuit Court – 5th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Daniel McLeod Coble's candidacy for the Circuit Court – 5th Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

J. Derham Cole Jr.
Circuit Court – 7th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding J. Derham Cole Jr.'s candidacy for the Circuit Court, 7th Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Grace Gilchrist Knie
Circuit Court – 7th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Grace Gilchrist Knie's candidacy for the Circuit Court, 7th Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Eugene Cannon Griffith Jr.
Circuit Court – 8th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Eugene Cannon Griffith Jr.'s candidacy for the Circuit Court, 8th Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Jason A. Daigle
Circuit Court – 9th Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Jason A. Daigle's candidacy for the Circuit Court, 9th Circuit, Seat 4, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Ittriss J. Jenkins
Circuit Court – 9th Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Ittriss J. Jenkins's candidacy for the Circuit Court, 9th Circuit, Seat 4, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

THURSDAY, JANUARY 11, 2024

The Honorable Daniel E. Martin Jr.
Circuit Court – 9th Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Daniel E. Martin Jr.'s candidacy for the Circuit Court, 9th Circuit, Seat 4, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Elizabeth Morrison
Circuit Court – 9th Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Elizabeth Morrison's candidacy for the Circuit Court, 9th Circuit, Seat 4, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Thomas J. Rode
Circuit Court – 9th Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Thomas J. Rode's candidacy for the Circuit Court, 9th Circuit, Seat 4, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Dale E. Van Slambrook
Circuit Court – 9th Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Dale E. Van Slambrook's candidacy for the Circuit Court, 9th Circuit, Seat 4, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable R. Scott Sprouse
Circuit Court – 10th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable R. Scott Sprouse's candidacy for Circuit Court, 10th Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable William Paul Keesley
Circuit Court – 11th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable William Paul Keesley's candidacy for the Circuit Court, 11th Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Walton J. McLeod IV
Circuit Court – 11th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Walton J. McLeod IV's candidacy for the Circuit Court, 11th Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Michael G. Nettles
Circuit Court – 12th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Michael G. Nettles' candidacy for the Circuit Court, 12th Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Jessica Ann Salvini
Circuit Court – 13th Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Jessica Ann Salvini's candidacy for the Circuit Court, 13th Circuit, Seat 2, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Vernon F. Dunbar
Circuit Court – 13th Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Vernon F. Dunbar's candidacy for the Circuit Court, 13th Circuit, Seat 4, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Ken Gibson
Circuit Court – 13th Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ken Gibson's candidacy for the Circuit Court, 13th Circuit, Seat 4, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Will Grove
Circuit Court – 13th Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Will Grove's candidacy for the Circuit Court, 13th Circuit, Seat 4, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Robert Bonds
Circuit Court – 14th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Robert Bonds' candidacy for the Circuit Court, 14th Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Marvin Dukes III
Circuit Court – 14th Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Marvin Dukes III's candidacy for the Circuit Court, 14th Circuit, Seat 3, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

David Pierce Caraker Jr.
Circuit Court - 15th Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding David Pierce Caraker Jr.'s candidacy for the Circuit Court, 15th Circuit, Seat 3, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Joshua D. Holford
Circuit Court - 15th Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Joshua D. Holford's candidacy for the Circuit Court, 15th Circuit, Seat 3, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Douglas M. Zayicek
Circuit Court - 15th Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Douglas M. Zayicek's candidacy for the Circuit Court, 15th Circuit, Seat 3, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

Daniel J. Ballou
Circuit Court – At-Large, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Daniel J. Ballou's candidacy for
Circuit Court – At-Large, Seat 4, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

William C. McMaster III
Circuit Court – At-Large, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding William C. McMaster III's candidacy for the Circuit Court, At-Large, Seat 4, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Kimberly V. Barr
Circuit Court – At-Large, Seat 8

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Kimberly V. Barr's candidacy for the Circuit Court, At-Large, Seat 8, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Maryann Blake
Circuit Court – At-Large, Seat 8

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Maryann Blake's candidacy for the Circuit Court, At-Large, Seat 8, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Well-Qualified

The Honorable Russell A. Blanchard IV
Circuit Court – At-Large, Seat 8

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Russell A. Blanchard IV's candidacy for the Circuit Court, At-Large, Seat 8, is as follows:

Overall	**Well-qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

T. William "Billy" McGee III
Circuit Court – At-Large, Seat 8

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding T. William "Billy" McGee III's candidacy for the Circuit Court – At-Large, Seat 8, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Ashley A. McMahan
Circuit Court – At-Large, Seat 8

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ashley A. McMahan's candidacy for the Circuit Court – At-Large, Seat 8, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Well-Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

William Vickery Meetze
Circuit Court – At-Large, Seat 8

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding William Vickery Meetze's candidacy for the Circuit Court, At-Large, Seat 8, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Well-Qualified

R. Bruce Wallace
Circuit Court – At-Large, Seat 8

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding R. Bruce Wallace's candidacy for the Circuit Court, At-Large, Seat 8, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Joseph Bias
Circuit Court – At-Large, Seat 11

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Joseph Bias' candidacy for the Circuit Court – At-Large, Seat 11, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Russell D. Hilton
Circuit Court – At-Large, Seat 11

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Russell D. Hilton's candidacy for the Circuit Court, At-Large, Seat 11, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Milton G. Kimpson
Circuit Court – At-Large, Seat 11

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Milton G. Kimpson's candidacy for the Circuit Court – At-Large, Seat 11, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Riley Maxwell
Circuit Court – At-Large, Seat 16

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Riley Maxwell's candidacy for the Circuit Court – At-Large, Seat 16, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Well-Qualified
Judicial Temperament	Qualified

Charles J. McCutchen
Circuit Court, At-Large, Seat 16

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Charles J. McCutchen's candidacy for the Circuit Court, At-Large, Seat 16, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Well-Qualified

Jane H. Merrill
Circuit Court, At-Large, Seat 16

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Jane H. Merrill's candidacy for the Circuit Court, At-Large, Seat 16, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Well-Qualified
Physical Health	Well-Qualified
Mental Stability	Well-Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Experience	Well-Qualified
Reputation	Qualified
Judicial Temperament	Well-Qualified

Christian G. Spradley
Circuit Court – At-Large, Seat 16

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Christian G. Spradley's candidacy for the Circuit Court, At-Large, Seat 16, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

S. Boyd Young
Circuit Court, At-Large, Seat 16

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding S. Boyd Young's candidacy for the Circuit Court, At-Large, Seat 16, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Jerrod A. Anderson
Family Court – 1st Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Jerrod A. Anderson's candidacy for the Family Court, 1st Circuit, Seat 4, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Deanne M. Gray
Family Court – 1st Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Deanne M. Gray's candidacy for the Family Court, 1st Circuit, Seat 4, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Pete G. Diamaduros
Family Court – 7th Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Pete G. Diamaduros' candidacy for the Family Court, 7th Circuit, Seat 4, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Jonathan W. Lounsberry
Family Court – 7th Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Jonathan W. Lounsberry's candidacy for the Family Court, 7th Circuit, Seat 4, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Qualified
Professional and Academic Ability	Well-Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

Blakely Copeland Cahoon
Family Court – 9th Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Blakely Copeland Cahoon's candidacy for the Family Court – 9th Circuit, Seat 4, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Well-Qualified

Paul F. LeBarron
Family Court – 9th Circuit, Seat 4

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Paul F. LeBarron's candidacy for the Family Court, 9th Circuit, Seat 4, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Gina J. McAlhany
Family Court – 9th Circuit, Seat 6

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Gina J. McAlhany's candidacy for the Family Court, 9th Circuit, Seat 6, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

David J. Brousseau
Family Court – 10th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding David J. Brousseau's candidacy for Family Court, 10th Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Heather Vry Scalzo
Family Court – 10th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Heather Vry Scalzo's candidacy for the Family Court, 10th Circuit, Seat 1, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified
Judicial Temperament	Qualified

Sammy Diamaduros
Family Court – 16th Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Sammy Diamaduros' candidacy for Family Court – 16th Circuit, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

R. Chadwick Smith
Family Court – 16th Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding R. Chadwick Smith's candidacy for Family Court – 16th Circuit, Seat 3, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

Erin K. Urquhart
Family Court – 16th Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Erin K. Urquhart's candidacy for Family Court – 16th Circuit, Seat 3, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Qualified
Reputation	Qualified*
Judicial Temperament	Qualified

** The Judicial Qualifications Committee has concerns about the candidate's reputation.*

The Honorable Ralph K. Anderson III
Administrative Law Court, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Ralph K. Anderson III's candidacy for The Administrative Law Court, Seat 1, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

***

*The Judicial Screening Report was entered into the Journal as received.

MOTION ADOPTED

On motion of Senators JACKSON, ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSEN, CASH, CLIMER, CORBIN, CROMER, DAVIS, DEVINE, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, LOFTIS, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, REICHENBACH, RICE, SABB, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TEDDER, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Barbara Morris of Columbia, S.C. Barbara was a beloved Senate staff member who led the custodial team for fifteen years. She had a great love for the Benedict College band program where she devoted countless hours of volunteer service. Barbara had an infectious personality and forever touched the lives of all she knew. Barbara was a loving mother and devoted grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Sallie Singleton Ortman of Sumter, S.C. Sallie taught physiology and anatomy at Lexington High School where she had a great commitment to and love for her students. She was an active member of the American Legion Auxiliary Palmetto Girls State program and enjoyed mentoring young people. Sallie was a loving daughter and devoted sister who will be dearly missed.

ADJOURNMENT

At 11: 58 A.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

***

~~Indicates Matter Stricken~~
Indicates New Matter

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

ADJOURNMENT

At 11:03 A.M., on motion of Senator DEVINE, the Senate adjourned to meet next Tuesday, January 16, 2024, at 12:00 Noon.

* * *

Tuesday, January 16, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Isaiah 40:31b

About those who faithfully follow the Lord, Isaiah tells us that: "They will soar on wings like eagles, they will run and not grow weak, they will walk and not be faint."

Please join me as we bow in prayer: Gracious, ever-loving God, how determined, diligent and dedicated to the work of freedom for all was Your servant, Martin Luther King, Jr. And how lovingly did he seek to work Your will on behalf of so many of our sisters and brothers across this land. How appropriate and right was it for our Nation to pause yesterday, to reflect upon how he labored for those he loved, and how much he gave on behalf of the cause of freedom. May we ourselves, O Lord, also be determined to work for the well-being of everyone around us. And so we pray that You will guide these dedicated leaders here in the Senate of South Carolina to continue doing all they can to assure that Dr. King's dream is kept alive for every woman, man and child here in this State. In Your all-encompassing love we pray this, dear Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Cash	Corbin
Cromer	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Hutto	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy

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

A quorum being present, the Senate resumed.

RECESS

At 12:08 P.M., on motion of Senator MASSEY, the Senate receded from business not to exceed 5 minutes.

At 12:21 P.M., the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2023, and to expire June 30, 2027

5th Congressional District:

Christy B. Rhyne, 726 Poston Drive, Rock Hill, SC 29732-7838

Referred to the Committee on Labor, Commerce and Industry.

Local Appointment

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Otis Prioleau, 1128 Universal Circle, Saint Stephens, SC 29479-3648

Doctor of the Day

Senator McELVEEN introduced Dr. Christopher Yeakel of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 12:22 P.M., Senator CAMPSEN was granted a leave of absence for today.

Leave of Absence

On motion of Senator SHEALY, at 12:24 P.M., Senator DAVIS was granted a leave of absence for today.

Leave of Absence

On motion of Senator GOLDFINCH, at 1:10 P.M., Senator CLIMER was granted a leave of absence until 1:30 P.M.

Expression of Personal Interest

Senator ADAMS rose for an Expression of Personal Interest.

Remarks by Senator ADAMS

Good morning, everybody. I just wanted to bring this to your attention. About thirty-four years ago, on March 3, 1989, there was a young boy, five-year-old Justin Turner, who was reported missing. During the time that the parents reported him missing, he supposedly went to school and didn't return home. The investigation was done by the Berkeley County Sheriff's Office, and approximately a few days after he was reported missing, the father found his body in a camper on the property. The case went cold and was stagnant for about twenty-seven to twenty-eight years. Then Berkeley County Sheriff's Office reopened the case. The detectives started working the cold evidence and looking for new technology to apply to their investigation. They soon found DNA evidence, which led them back to the parents. I'm mentioning this because I want to congratulate the Berkeley County Sheriff's Office and those who assisted in this investigation, Sheriff Dwayne Lewis, Detective Lewis and Detective Plitch. After thirty years, they made the arrest, and it turned out to be the parents. So, thank you to the Berkeley County Sheriff's Office.

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

CO-SPONSORS ADDED

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

S. 861 Sen. Corbin
S. 882 Sen. Cash
S. 910 Sen. K. Johnson

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 958 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AL'S UPSTAIRS UPON THE OCCASION OF ITS CLOSING, TO COMMEND THE RESTAURANT FOR ITS FORTY-FOUR YEARS OF SERVICE, AND TO WISH THE OWNER OF AL'S UPSTAIRS, AL LOFTIS, MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0476km-vc23.docx

The Senate Resolution was adopted.

S. 959 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE MARION MILHOUSE UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS THIRTY-ONE YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0470km-vc24.docx

The Senate Resolution was adopted.

S. 960 -- Senators Alexander, Peeler, Massey, Harpootlian, Grooms, Martin, Turner and Talley: A SENATE RESOLUTION TO DECLARE WEDNESDAY, FEBRUARY 28, 2024, AS "CLEMSON DAY" IN THE STATE OF SOUTH CAROLINA.
lc-0302dg-gm24.docx

The Senate Resolution was adopted.

S. 961 -- Senators Shealy, Cromer, Harpootlian, Massey and Setzler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MASTER DEPUTY JACOB ALAN SMITH OF THE LEXINGTON COUNTY SHERIFF'S OFFICE AND TO CONGRATULATE HIM ON BEING AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.
lc-0458sa-rm24.docx

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

S. 962 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-71-2330, RELATING TO DUTIES OF PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS, SO AS TO REMOVE THE REQUIREMENT THAT PHARMACY SERVICE

ADMINISTRATIVE ORGANIZATIONS MUST ACT AS FIDUCIARIES TO PHARMACIES.
lc-0558wab24.docx

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

S. 963 -- Senators Garrett and Massey: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT JOHN COKER AND DEPUTY HEATHER CAMPBELL OF THE MCCORMICK COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE THEM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2023 MEDAL OF VALOR AWARD.
lc-0348hdb-bl24.docx

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

H. 4617 -- Reps. Hixon, Davis, M. M. Smith, Bannister, Pope, Wooten, Haddon, Brewer, Burns, Thayer, Kirby, Oremus, Hager, Hyde, Sessions, Carter, McDaniel, Magnuson, Hayes, W. Newton, Bauer, Trantham, J. L. Johnson, Henegan, Guffey, Chapman, Leber, Kilmartin, Robbins, Felder, Jefferson, Caskey, Ligon and Vaughan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-230, RELATING TO SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A SCHEDULE III CONTROLLED SUBSTANCE, WITH EXCEPTIONS; AND BY ADDING SECTION 44-53-372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES.
lc-0314vr24.docx

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

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

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

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

OBJECTION

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

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

Senator MALLOY objected to consideration of the Bill.

OBJECTION

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES;

BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING

SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Senator MALLOY objected to consideration of the Bill.

AMENDED, CARRIED OVER

H. 3782 -- Reps. West, Yow, Jefferson, Ligon, Nutt, Anderson, Hardee, Bannister, Thayer, Blackwell and Oremus: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-12-300, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "VIDEO SERVICE".

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (SJ-3782.PB0012S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 58-12-300(1)(b) and inserting:

(b) For purposes of Chapter 12, Title 58 only, "cable service" does not include any video programming accessed via a service that enables

end users to access content, information, electronic mail, or other services offered over the Internet, including streaming video content, regardless of the provider of the Internet access services.

Amend the bill further, SECTION 1, by striking Section 58-12-300(10)(a) and (b) and inserting:

(10)(a) "Video service" means video programming services provided by a video service provider through wireline facilities located at least in part in the public ~~rights-of-way~~ rights of way without regard to delivery technology, including Internet protocol technology. This definition does not include any video programming provided by a commercial mobile service provider as defined in 47 U.S.C. Section 332(d), any video programming provided via a cable service, or any video programming ~~provided as part of, and~~ accessed via~~,~~ a service that enables end users to access content, information, electronic mail, or other services offered over the ~~public~~ Internet, including streaming video content, regardless of the provider of the Internet access services.

(b) For purposes of Chapter 12, Title 58 only, "video service" also means video programming services provided by a video service provider through wireline facilities located at least in part in the public rights of way without regard to delivery technology, including Internet protocol technology, and does not include any direct-to-home satellite services as defined in 47 U.S.C. Section 303(v).

Amend the bill further, SECTION 2, by striking Section 58-9-2200(2)(e) and inserting:

(e) video programming accessed via a service that enables end users to access content, information, electronic mail, or other services offered over the Internet, including streaming video content, regardless of the provider of the Internet access services; provided, however, that this exception does not include Voice over Internet Protocol service. This item (e) only applies to Article 20, Chapter 9, Title 58 of the South Carolina Code of Laws.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

READ THE SECOND TIME

H. 4120 -- Reps. Pope and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-3-80 SO AS TO CREATE THE "ILLEGAL IMMIGRATION ENFORCEMENT UNIT" WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE IT TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT AGENCY; BY REPEALING SECTION 23-6-60 AND CHAPTER 30 OF TITLE 8 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF PUBLIC SAFETY AND RECORDING AND REPORTING OF IMMIGRATION LAW VIOLATIONS; AND BY ADDING SECTION 40-1-35 SO AS TO PROVIDE CERTAIN IMMIGRANTS ARE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THIS TITLE.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Corbin
Cromer	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--40

NAYS

Total--0

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

CARRIED OVER

S. 882 -- Senators M. Johnson, Kimbrell, Gustafson, Climer, Garrett, Loftis, Adams and Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-380 SO AS TO PROVIDE THAT A PARENT OR THE LEGAL GUARDIAN OF A MINOR MUST BE NOTIFIED WHEN A HEALTHCARE PROFESSIONAL PRESCRIBES MEDICATION TO THE MINOR, TO PROVIDE THAT A PHARMACIST CANNOT FILL A PRESCRIPTION FOR A MINOR WITHOUT THE MINOR'S PARENT OR LEGAL GUARDIAN CONSENTING, TO PROVIDE THAT A PARENT OR LEGAL GUARDIAN CANNOT BE PROHIBITED FROM VIEWING HIS MINOR'S PRESCRIPTION HISTORY, AND TO PROVIDE THAT THESE PROVISIONS DO NOT APPLY TO AN EMANCIPATED MINOR OR A MARRIED MINOR.

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

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

MADE SPECIAL ORDER

S. 882 -- Senators M. Johnson, Kimbrell, Gustafson, Climer, Garrett, Loftis, Adams and Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-380 SO AS TO PROVIDE THAT A PARENT OR THE LEGAL GUARDIAN OF A MINOR MUST BE NOTIFIED WHEN A HEALTHCARE PROFESSIONAL PRESCRIBES MEDICATION TO THE MINOR, TO PROVIDE THAT A PHARMACIST CANNOT FILL A PRESCRIPTION FOR A MINOR WITHOUT THE MINOR'S PARENT OR LEGAL GUARDIAN CONSENTING, TO PROVIDE THAT A PARENT OR LEGAL GUARDIAN CANNOT BE PROHIBITED FROM VIEWING HIS MINOR'S PRESCRIPTION HISTORY, AND TO PROVIDE THAT THESE PROVISIONS DO

NOT APPLY TO AN EMANCIPATED MINOR OR A MARRIED MINOR.

Senator MASSEY moved that the Bill be made a Special Order.

The Bill was made a Special Order.

MOTION ADOPTED

At 12:51 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

CARRIED OVER

S. 418 -- Senators Hembree, Turner, Gustafson and Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-155-180, RELATING TO PRE-SERVICE AND IN-SERVICE TEACHER EDUCATION PROGRAMS, SO AS TO UPDATE THE ENDORSEMENT REQUIREMENTS OF READ TO SUCCEED.

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

CARRIED OVER

S. 557 -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477, RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE SECOND TIME

H. 3690 -- Reps. Taylor, G.M. Smith, Thayer, Bradley, Hiott, Bannister, W. Newton, Sandifer, West, Davis, Erickson, J.E. Johnson, Jordan, Whitmire, Hixon, Elliott, Forrest, Wooten, Bustos, Willis, Yow, Carter, Hartnett, Moss, McCravy, B.J. Cox, Haddon, Burns, Chumley,

Oremus, Hardee, Ligon, Long, Gilliam, Magnuson, Lawson, Nutt, Brewer, Guffey, Hager, Mitchell, Neese, Sessions, Vaughan, Robbins, Kilmartin, M.M. Smith, B. Newton, Hewitt, Leber, Pope, Blackwell, Caskey and Landing: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "ESG PENSION PROTECTION ACT"; BY AMENDING SECTION 9-16-10, RELATING TO RETIREMENT SYSTEM FUNDS DEFINITIONS SO AS TO ADD A DEFINITION OF "PECUNIARY FACTOR"; BY AMENDING SECTION 9-16-30, RELATING TO DELEGATION OF FUNCTIONS BY THE COMMISSION, SO AS TO PROVIDE THAT PROXY VOTING DECISIONS MUST BE BASED ON PECUNIARY FACTORS; BY AMENDING SECTION 9-16-50, RELATING TO INVESTMENT AND MANAGEMENT CONSIDERATIONS BY TRUSTEES, SO AS TO PROVIDE THAT THE COMMISSION MAY ONLY CONSIDER PECUNIARY FACTORS IN MAKING CERTAIN INVESTMENT DECISIONS; BY AMENDING SECTION 9-16-320, RELATING TO ANNUAL INVESTMENT PLANS SO AS TO REQUIRE CERTAIN MEETINGS; BY AMENDING SECTION 9-16-330, RELATING TO STATEMENT OF ACTUARIAL ASSUMPTIONS AND INVESTMENT OBJECTIVES, SO AS TO REQUIRE CERTAIN CERTIFICATIONS; AND BY ADDING SECTION 9-16-110 SO AS TO PROVIDE THAT THE ATTORNEY GENERAL MAY BRING AN ACTION TO ENFORCE CERTAIN PROVISIONS.

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

Senator BENNETT explained the Bill.

The question then was second reading of the Bill.

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

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Corbin
Cromer	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson

Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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

LOCAL APPOINTMENT
Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Otis Prioleau, 1128 Universal Circle, Saint Stephens, SC 29479-3648

Motion Adopted

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

MOTION ADOPTED

On motion of Senator GROOMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Pamela Gayle Lamb of Hanahan, S.C. Pamela worked for the Department of the Navy for forty-five years at the Naval Hospital and Naval Medical Clinic in Charleston. She was a member of the Berkeley County Republican Party and Berkeley County Election Commission. Pamela loved Kenny Rogers, the Allman Brothers and Cokesbury Hymnals. Pamela was a loving mother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Robert Eugene "Bobby" Thomas of Sumter, S.C. Bobby was a lover of baseball, westerns and the great outdoors. Bobby was a loving father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 1:16 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, January 17, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Matthew 6:28b

In Matthew's Gospel we find this simple statement from our Lord: " 'Consider the lilies of the field, how they grow.' "

Let us pray: South Carolina, O God, is such a richly blessed State. The resources we find virtually everywhere we turn are plentiful, the possibilities for growth and progress are seemingly endless, and our state's wealth of gifted women and men enhances the mix even more so. And so here in this New Year it is quite easy to declare that the basic elements toward a bright future are well within South Carolina's ready grasp. But we are not naive about any of this, of course. What must accompany and surely guide our state's steady development and gains for the future rests largely with these who serve our people here in this State House. To that end in particular, dear Lord, we humbly ask that You continue to inspire these Senators especially to do all they can to make certain that all of these resources are indeed employed wisely and well -- to the benefit of all. We pray this in Your wondrous name, O Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Malloy	Martin

Massey	Peeler	Rankin
Reichenbach	Rice	Setzler
Shealy	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Privilege of the Chamber

On behalf of Governor Henry D. McMaster, Senator MARTIN presented Ms. Barbara Rippy the Order of the Palmetto. Ms. Rippy is a great South Carolinian who has done so much for Union County and the State of South Carolina. The Senate wishes Ms. Rippy a happy 90th birthday and continued good health and prosperity.

Doctor of the Day

Senator McLEOD introduced Dr. A. Miles Scott of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator REICHENBACH, at 1:05 P.M., Senator FANNING was granted a leave of absence until 1:35 P.M.

Leave of Absence

At 3:04 P.M., Senator MATTHEWS requested a leave of absence for Thursday, January 18, 2024.

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:
S. 303 Sen. Cromer

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 964 -- Senator Peeler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY TYLER ATKINS, SERGEANT SARDARIUS HENDERSON, AND DEPUTY JOHN RODGERS OF THE CHEROKEE COUNTY SHERIFF'S OFFICE AND TO CONGRATULATE THEM ON BEING AWARDED THE

SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.
lc-0233ha-rm24.docx

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

S. 965 -- Senators Massey and Corbin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 83 TO TITLE 44 SO AS TO PROVIDE THAT THE STATE OR ANY POLITICAL SUBDIVISION MAY NOT ENACT A COVID 19 VACCINATION MANDATE; TO PROVIDE FOR CERTAIN UNEMPLOYMENT BENEFITS; TO PROVIDE THAT NOTHING IN THIS ACT SHALL PREVENT AN EMPLOYER FROM ENCOURAGING OR ADMINISTERING VACCINES; TO PROVIDE RESTRICTIONS FOR A PRIVATE EMPLOYER'S VACCINE MANDATE; TO PROVIDE THAT CERTAIN VACCINE EXEMPTIONS MUST BE HONORED; AND TO PROVIDE THAT NO PERSON MAY BE DISCRIMINATED AGAINST BASED ON VACCINATION STATUS.
sr-0545km24.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 966 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT INCOME DEDUCTION, SO AS TO INCLUDE A QUALIFIED RETIREMENT PLAN FROM THE UNIFORMED SERVICES IN THE DEFINITION OF "RETIREMENT INCOME".
lc-0462sa24.docx

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

S. 967 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-71-440, RELATING TO HMOS AND HEALTH BENEFIT PLANS OFFERING MEDICAL EYE CARE OR VISION CARE BENEFITS AND PROHIBITED ACTIONS, SO AS TO DEFINE TERMS AND OUTLINE ADDITIONAL PROHIBITED ACTIONS AND ALLOWABLE ACTIONS; BY ADDING SECTIONS 38-71-441 AND 38-71-442 BOTH SO AS TO PROHIBIT CERTAIN ACTIONS BETWEEN A HEALTH BENEFIT PLAN AND AN OPTOMETRIST OR THERAPEUTIC OPTOMETRIST; AND BY ADDING SECTION

38-71-443 SO AS TO PROHIBIT A VISION CARE PLAN FROM USING EXTRAPOLATION TO COMPLETE AN AUDIT.
lc-0309ph24.docx

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

S. 968 -- Senator Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-80(A)(6) AND (B), RELATING TO APPLICATIONS FOR DRIVER'S LICENSE OR PERMIT, SO AS TO ALLOW AN APPLICANT TO VOLUNTARILY DISCLOSE HIS BLOOD TYPE.
sr-0543km24.docx

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

S. 969 -- Senators Alexander and Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.
lc-0331dg24.docx

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

S. 970 -- Senator Harpootlian: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-85-10 SO AS TO PROVIDE DEFINITIONS FOR THE SOUTH CAROLINA FALSE CLAIMS ACT; BY ADDING SECTION 15-85-20 SO AS TO PROVIDE THAT ANY PERSON WHO COMMITS ANY OF THE FOLLOWING ACTS SHALL BE LIABLE TO THE STATE OR A LOCAL GOVERNMENT, AS APPLICABLE, FOR A CIVIL PENALTY OF NOT LESS THAN SIX THOUSAND DOLLARS AND NOT MORE THAN TWELVE THOUSAND DOLLARS; BY ADDING SECTION 15-85-30 SO AS TO PROVIDE THAT THE ATTORNEY GENERAL SHALL HAVE THE AUTHORITY TO INVESTIGATE VIOLATIONS AND BRING A CIVIL ACTION AND THAT ANY PERSON MAY BRING A QUI TAM CIVIL ACTION FOR A VIOLATION OF SECTION 15-85-20; BY ADDING SECTION 15-85-40 SO AS TO PROVIDE THAT ALL MONIES RECOVERED

OR OBTAINED UNDER THIS CHAPTER BY A STATE AGENCY OR STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY SHALL BE SUBJECT TO SUBDIVISION ELEVEN OF SECTION FOUR OF THIS CHAPTER; BY ADDING SECTION 15-85-50 SO AS TO PROVIDE THAT FOR PURPOSES OF THIS SECTION, A "LAWFUL ACT" SHALL INCLUDE, BUT NOT BE LIMITED TO, OBTAINING OR TRANSMITTING TO THE STATE, A LOCAL GOVERNMENT, A QUI TAM PLAINTIFF, OR PRIVATE COUNSEL SOLELY EMPLOYED TO INVESTIGATE, POTENTIALLY FILE, OR FILE A CAUSE OF ACTION UNDER THIS CHAPTER, DOCUMENTS, DATA, CORRESPONDENCE, ELECTRONIC MAIL, OR ANY OTHER INFORMATION, EVEN THOUGH SUCH ACT MAY VIOLATE A CONTRACT, EMPLOYMENT TERM, OR DUTY OWED TO THE EMPLOYER OR CONTRACTOR, SO LONG AS THE POSSESSION AND TRANSMISSION OF SUCH DOCUMENTS ARE FOR THE SOLE PURPOSE OF FURTHERING EFFORTS TO STOP ONE OR MORE VIOLATIONS OF THIS CHAPTER; BY ADDING SECTION 15-85-60 SO AS TO PROVIDE THAT A CIVIL ACTION UNDER THIS CHAPTER SHALL BE COMMENCED NO LATER THAN TEN YEARS AFTER THE DATE ON WHICH THE VIOLATION OF THIS CHAPTER IS COMMITTED; BY ADDING SECTION 15-85-70 SO AS TO PROVIDE THAT THIS CHAPTER SHALL NOT PREEMPT THE AUTHORITY OF LAW ENFORCEMENT TO INVESTIGATE VIOLATIONS OF LAW OR PREVENT A PERSON FROM DISCLOSING INFORMATION CONCERNING A VIOLATION OF THIS CHAPTER TO LAW ENFORCEMENT; BY ADDING SECTION 15-85-80 SO AS TO AUTHORIZE THE ATTORNEY GENERAL TO ADOPT SUCH RULES AND REGULATIONS AS ARE NECESSARY TO EFFECTUATE THE PURPOSES OF THIS CHAPTER.

sr-0116jg24.docx

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

S. 971 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-100, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BARNWELL COUNTY, SO AS TO IDENTIFY THE VOTING PLACE FOR CERTAIN PRECINCTS.

lc-0311hdb24.docx

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

S. 972 -- Senator Garrett: A BILL TO AMEND ACT 595 OF 1994, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES IN GREENWOOD COUNTY SCHOOL DISTRICT 50, SO AS TO REAPPORTION THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE REAPPORTIONED DISTRICTS.

lc-0340hdb24.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 4837 -- Reps. Howard, Ballentine, Bauer, Bernstein, Garvin, Hart, J. L. Johnson, McDaniel, Rose, Rutherford, Thigpen, Alexander, Anderson, Atkinson, Bailey, Bamberg, Bannister, Beach, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Hyde, Jefferson, J. E. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT KENNETH FITZSIMMONS OF THE RICHLAND COUNTY SHERIFF'S OFFICE AND TO CONGRATULATE HIM ON BEING AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

lc-0357vr-rm24.docx

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

H. 4838 -- Reps. Wheeler, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT JACK CORBETT, JR., AND CORPORAL ANDREW ARLEDGE OF THE LEE COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE THEM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2023 MEDAL OF VALOR AWARD.
lc-0323dg-gm24.docx

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

H. 4839 -- Reps. Wheeler, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus,

Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MASTER DEPUTY ALFRED J. DOCTOR OF THE LEE COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE HIM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2023 MEDAL OF VALOR AWARD.

lc-0462cm-gm24.docx

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

H. 4840 -- Reps. Bamberg, Cobb-Hunter, Hosey, Ott, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO HONOR SERGEANT DWAYNE DUCKSON OF THE BAMBERG COUNTY SHERIFF'S OFFICE AND LANCE CORPORAL BENTRICE FRAZIER OF THE SOUTH CAROLINA HIGHWAY PATROL FOR THEIR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE THEM UPON RECEIVING THE

SOUTH CAROLINA SHERIFFS' ASSOCIATION 2023 MEDAL OF VALOR AWARD.

lc-0457sa-bl24.docx

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

HOUSE CONCURRENCE

S. 948 -- Senators Grooms, Stephens, Adams, Senn, Campsen, Goldfinch, Climer and Bennett: A CONCURRENT RESOLUTION TO RECOGNIZE THE WEEK OF JANUARY 21-27, 2024, AS NATIONAL CORONER AND MEDICOLEGAL DEATH INVESTIGATOR WEEK IN HONOR OF THE PUBLIC SERVICE OF THE SOUTH CAROLINA CORONERS ASSOCIATION, CORONERS, DEPUTY CORONERS, AND MEDICOLEGAL DEATH INVESTIGATORS.

Returned with concurrence.

Received as information.

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

AMENDED, SECOND READING BILL

S. 916 -- Senator Cromer: A BILL TO AMEND SECTION 1(C) OF ACT 485 OF 1998, RELATED TO THE NEWBERRY COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE THAT ALL PERSONS DESIRING TO QUALIFY AS A CANDIDATE FOR THE BOARD OF TRUSTEES MUST FILE A STATEMENT OF INTENTION OF CANDIDACY WITH THE COUNTY ELECTION COMMISSION INSTEAD OF FILING A PETITION.

The Senate proceeded to a consideration of the Bill.

Senator CROMER proposed the following amendment (SR-916.JG0001S), which was adopted:

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

(C) Each member of the board must be elected by the qualified electors of the single-member district from which he seeks election. All persons desiring to qualify as a candidate shall file a statement of intention of candidacy with the county election commission together with ~~petition with the county election commission on forms furnished by the commission and shall pay~~ a filing fee of one hundred dollars. The filing

fee shall ~~to~~ be retained by the county election commission. ~~This petition~~ The statement of intention of candidacy must be a sworn statement stating the candidate's name, age, election district in which he resides and from which he seeks election, voting precinct, period of residence in the county and election district, and other information as the county election commission requires. ~~The petition must bear the signatures of not less than two percent of the qualified electors of the election district for which he offers as a candidate. The county election commission shall examine the petition and verify the signatures not less than thirty days before the election. The filing period opens on the first day of August at noon to run no later than September first at noon; however, if September first falls on a Sunday, not later than twelve o'clock noon on the following Monday.~~ The county election commission shall set the filing date and place an advertisement to appear two weeks before the filing period begins in a newspaper in the county at least five by seven inches in size that notifies the public of the dates of the filing periods, the office that may be filed for, the place and street address where filings may be made, and the hours that an authorized person will be present to receive filings.

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill.

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

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4120 -- Reps. Pope and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-3-80 SO AS TO CREATE THE "ILLEGAL IMMIGRATION ENFORCEMENT UNIT" WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE IT TO ENTER INTO A

MEMORANDUM OF AGREEMENT WITH THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT AGENCY; BY REPEALING SECTION 23-6-60 AND CHAPTER 30 OF TITLE 8 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF PUBLIC SAFETY AND RECORDING AND REPORTING OF IMMIGRATION LAW VIOLATIONS; AND BY ADDING SECTION 40-1-35 SO AS TO PROVIDE CERTAIN IMMIGRANTS ARE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THIS TITLE.

OBJECTION

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

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

Senator MALLOY objected to consideration of the Bill.

OBJECTION

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR

PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO

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

Senator MALLOY objected to consideration of the Bill.

READ THE SECOND TIME

H. 3782 -- Reps. West, Yow, Jefferson, Ligon, Nutt, Anderson, Hardee, Bannister, Thayer, Blackwell and Oremus: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-12-300, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF “VIDEO SERVICE”.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	Matthews
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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

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

MOTION ADOPTED

At 1:40 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

RECOMMITTED

S. 418 -- Senators Hembree, Turner, Gustafson and Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-155-180, RELATING TO PRE-SERVICE AND IN-SERVICE TEACHER EDUCATION PROGRAMS, SO AS TO UPDATE THE ENDORSEMENT REQUIREMENTS OF READ TO SUCCEED.

On motion of Senator MASSEY, the Bill was recommitted to Committee on Education.

CARRIED OVER

S. 557 -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477, RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3690 -- Reps. Taylor, G.M. Smith, Thayer, Bradley, Hiott, Bannister, W. Newton, Sandifer, West, Davis, Erickson, J.E. Johnson, Jordan, Whitmire, Hixon, Elliott, Forrest, Wooten, Bustos, Willis, Yow, Carter, Hartnett, Moss, McCravy, B.J. Cox, Haddon, Burns, Chumley, Oremus, Hardee, Ligon, Long, Gilliam, Magnuson, Lawson, Nutt, Brewer, Guffey, Hager, Mitchell, Neese, Sessions, Vaughan, Robbins, Kilmartin, M.M. Smith, B. Newton, Hewitt, Leber, Pope, Blackwell, Caskey and Landing: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "ESG PENSION PROTECTION ACT"; BY AMENDING SECTION 9-16-10, RELATING TO RETIREMENT SYSTEM FUNDS DEFINITIONS SO

AS TO ADD A DEFINITION OF "PECUNIARY FACTOR"; BY AMENDING SECTION 9-16-30, RELATING TO DELEGATION OF FUNCTIONS BY THE COMMISSION, SO AS TO PROVIDE THAT PROXY VOTING DECISIONS MUST BE BASED ON PECUNIARY FACTORS; BY AMENDING SECTION 9-16-50, RELATING TO INVESTMENT AND MANAGEMENT CONSIDERATIONS BY TRUSTEES, SO AS TO PROVIDE THAT THE COMMISSION MAY ONLY CONSIDER PECUNIARY FACTORS IN MAKING CERTAIN INVESTMENT DECISIONS; BY AMENDING SECTION 9-16-320, RELATING TO ANNUAL INVESTMENT PLANS SO AS TO REQUIRE CERTAIN MEETINGS; BY AMENDING SECTION 9-16-330, RELATING TO STATEMENT OF ACTUARIAL ASSUMPTIONS AND INVESTMENT OBJECTIVES, SO AS TO REQUIRE CERTAIN CERTIFICATIONS; AND BY ADDING SECTION 9-16-110 SO AS TO PROVIDE THAT THE ATTORNEY GENERAL MAY BRING AN ACTION TO ENFORCE CERTAIN PROVISIONS.

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

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

Ayes 45; Nays 0

AYES

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

Total--45

NAYS

Total--0

The Bill was read the third time, passed and ordered returned to the House of Representatives.

COMMITTEE AMENDMENT ADOPTED, AMENDED READ THE SECOND TIME

S. 882 -- Senators M. Johnson, Kimbrell, Gustafson, Climer, Garrett, Loftis, Adams and Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-380 SO AS TO PROVIDE THAT A PARENT OR THE LEGAL GUARDIAN OF A MINOR MUST BE NOTIFIED WHEN A HEALTHCARE PROFESSIONAL PRESCRIBES MEDICATION TO THE MINOR, TO PROVIDE THAT A PHARMACIST CANNOT FILL A PRESCRIPTION FOR A MINOR WITHOUT THE MINOR'S PARENT OR LEGAL GUARDIAN CONSENTING, TO PROVIDE THAT A PARENT OR LEGAL GUARDIAN CANNOT BE PROHIBITED FROM VIEWING HIS MINOR'S PRESCRIPTION HISTORY, AND TO PROVIDE THAT THESE PROVISIONS DO NOT APPLY TO AN EMANCIPATED MINOR OR A MARRIED MINOR.

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

The Committee on Family and Veterans' Services proposed the following amendment (SR-882.KM0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 63-5-380(A), (B), (C), (D), and (E) and inserting:

(A) A person responsible for the welfare of a minor who has not reached the age of sixteen years must provide prior consent to a medical professional for the medical professional to prescribe medication to the minor.

(B) The person responsible for the welfare of a minor to whom medication is prescribed may not be prohibited from reviewing the minor’s prescription records regardless of whether those records are maintained with the parent or legal guardian’s prescription records or are maintained separately in the minor’s name.

(C) The provisions of this section do not apply:

(1) to an emancipated minor or to a married minor;

(2) to a minor who has not reached the age of sixteen, is homeless pursuant to federal or state law, and who does not have a person responsible for the welfare of the minor;

(3) when the prescribing medical professional reports suspected child abuse or neglect pursuant to Section 63-7-310, the prescription is necessary to treat a condition arising from the suspected child abuse or neglect, and the suspected child abuse or neglect results from acts or omissions committed by the person responsible for the welfare of the minor; or

(4) when the prescribing medical professional refills a prior prescription for a minor who has not reached the age of sixteen years and the previous prescription complied with or was exempt from the provisions of this section.

(D) For the purposes of this section, "person responsible for the welfare of the minor" or "person responsible for the welfare of a minor" means a parent, the legal guardian, or a person identified on the authorization for release of health information pursuant to HIPAA maintained by the medical professional of a minor who has not reached the age of sixteen years.

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the committee amendment.

The amendment was adopted.

Amendment No. 1

Senator M. JOHNSON proposed the following amendment (SR-882.JG0006S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 63-5-380(B) and inserting:

(B) Unless otherwise prohibited by law, the person responsible for the welfare of a minor to whom medication is prescribed may not be prohibited from reviewing the minor's prescription records regardless of whether those records are maintained with the parent or legal guardian's prescription records or are maintained separately in the minor's name.

Amend the bill further, SECTION 1, by striking Section 63-5-380(C)(3) and inserting:

(3) to a minor who has been or may be abused or neglected as defined in Section 63-7-20 and such abuse or neglect has been or will be reported pursuant to Section 63-7-310, the prescription is necessary to

treat or prevent a condition arising from the suspected child abuse or neglect, and the suspected child abuse or neglect results from acts or omissions committed by the person responsible for the welfare of the minor; or

Amend the bill further, SECTION 1, by striking Section 63-5-380(D) and inserting:

(D) For the purposes of this section, "person responsible for the welfare of the minor" or "person responsible for the welfare of a minor" means a parent, the legal guardian, or a person identified on the authorization to consent to treat maintained by the medical professional of a minor who has not reached the age of sixteen years.

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

Amendment No. 2

Senator SHEALY proposed the following amendment (SR-882.JG0007S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 63-5-380(B) and inserting:

(B) The person responsible for the welfare of a minor to whom medication is prescribed may not be prohibited from reviewing the minor's prescription records regardless of whether those records are maintained with the parent or legal guardian's prescription records or are maintained separately in the minor's name.

Amend the bill further, SECTION 1, by striking Section 63-5-380(C)(1) and inserting:

(1) to an emancipated minor, a married minor, or a minor who has borne a child;

Amend the bill further, SECTION 1, by striking Section 63-5-380(C)(3) and (4) and inserting:

(3) when the prescribing medical professional reports suspected child abuse or neglect pursuant to Section 63-7-310, the prescription is necessary to treat a condition arising from the suspected child abuse or neglect, and the suspected child abuse or neglect results from acts or omissions committed by the person responsible for the welfare of the minor;

(4) when the prescribing medical professional refills a prior prescription for a minor who has not reached the age of sixteen years and the previous prescription complied with or was exempt from the provisions of this section; or

(5) when they conflict with federal law.

Renumber sections to conform.

Amend title to conform.

Senator SHEALY explained the amendment.

The amendment was adopted.

Senator CROMER spoke on the Bill.

The question then was second reading of the Bill.

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

Ayes 45; Nays 0

AYES

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

Total--45

NAYS

Total--0

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

RECESS

At 2:11 P.M., on motion of Senator MASSEY, the Senate receded from business.

At 3:03 P.M., the Senate resumed.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. James L. Moss of Blacksburg, S.C. James was a graduate of Blacksburg High School and Limestone College. He founded Moss Insurance Group in 1976. James was inducted into the Chamber of Commerce Hall of Fame in 2017 and the Blacksburg Athletic Hall of Fame in 2012. James lived a life of servanthood. He served forty-three years on the Cherokee County Development Board and served on various boards including the Chamber of Commerce, Red Cross, Spartanburg Community College and several banks to mention a few. James was a loving father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator BENNETT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Kyle Sasha Hungerford of Summerville, S.C. Kyle was a real estate agent with Caldwell Banker. Kyle was a loving husband and devoted brother who will be dearly missed.

ADJOURNMENT

At 3:05 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, January 18, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Proverbs 3:5-6

We read in Proverbs: "Trust in the Lord with all your heart and lean not on your own understanding; in all your ways acknowledge him, and he will make your paths straight."

Bow in prayer with me, please: Holy God, were we to sit down and compile a list of our state's current concerns and needs, it would surely be a lengthy list. Truly, so many issues and problems cry out to be addressed this term by these leaders. And so we fervently pray, O Lord, that you will provide strength of will and genuine courage for each of these Senators that they might look at the issues straight-on and tackle each one fearlessly and with ardent determination to do what must be done. For no matter how intimidating each task might ever appear to be, in almost all instances they simply cannot be ignored. The people of our State are counting upon these leaders and their aides to do what is right. By Your grace, Lord, inspire and lead these men and women to accomplish great good. So we pray in Your blessed name. Amen.

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

Point of Quorum

At 11:03 A.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Devine	Garrett	Goldfinch

Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Martin	Massey	McElveen
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

Initial Appointment, Juvenile Parole Board, with the term to commence June 30, 2023, and to expire June 30, 2027

At-Large, Public:

Tammy Johns, 227 Lominack Road, Prosperity, SC 29127-9140 *VICE* Suzanne Prosser

Referred to the Committee on Corrections and Penology.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5263
Agency: Clemson University
Chapter: 27
Statutory Authority: 1976 Code Section 46-13-30
SUBJECT: Pesticide
Received by President of the Senate January 18, 2024
Referred to Committee on Agriculture and Natural Resources

CO-SPONSORS ADDED

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

S. 305 Sen. Loftis
S. 967 Sen. Shealy

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 973 -- Senators Stephens, K. Johnson and McElveen: A SENATE RESOLUTION TO CONGRATULATE GABRIELLE "GABBY" MILLER FOR HER ACHIEVEMENTS AS STUDENT BODY PRESIDENT OF SUMTER HIGH SCHOOL.
sr-0550km-vc24.docx

The Senate Resolution was adopted.

S. 974 -- Senator Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 59-104-20, 59-149-10, AND 59-150-370, ALL RELATING TO THE DEFINITION OF "PUBLIC OR INDEPENDENT INSTITUTION" FOR PURPOSES OF THE PALMETTO FELLOWS SCHOLARSHIPS, THE LEGISLATIVE INCENTIVES FOR FUTURE EXCELLENCE (LIFE) SCHOLARSHIPS, AND THE SC HOPE SCHOLARSHIPS, RESPECTIVELY, SO AS TO ADD AN INSTITUTION ACCREDITED BY THE ACCREDITING COMMISSION OF CAREER SCHOOLS AND COLLEGES TO THE DEFINITION.
lc-0468sa24.docx

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

S. 975 -- Senators Martin, Corbin and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-17-780 SO AS TO PROHIBIT BUSINESSES, NON-PROFIT ORGANIZATIONS, COLLEGES, SCHOOLS, AND EMPLOYERS FROM MANDATING THAT EMPLOYEES, CONTRACTORS, STUDENTS, PATRONS, CUSTOMERS, CLIENTS, OR GUESTS MUST RECEIVE A NOVEL VACCINE OR GENE THERAPY; BY ADDING SECTION 41-1-55 SO AS TO PROHIBIT EMPLOYERS FROM TAKING ANY ADVERSE PRE-EMPLOYMENT OR EMPLOYMENT ACTION AGAINST AN INDIVIDUAL WHO DECLINES TO RECEIVE A VACCINE OR GENE THERAPY; BY AMENDING SECTION 40-43-86, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, SO AS TO PROVIDE THAT A PHARMACIST MAY REFUSE TO FILL A PRESCRIPTION DUE TO RELIGIOUS, MORAL, OR ETHICAL REASONS; BY AMENDING SECTION 44-1-100, RELATING TO ASSISTANCE FROM PEACE AND HEALTH OFFICERS, SO AS TO PROVIDE

THAT THE DIRECTOR MAY NOT REQUEST ASSISTANCE IN ENFORCING ORDERS PURSUANT TO THIS CHAPTER; BY AMENDING SECTION 44-4-130, RELATING TO DEFINITIONS FOR EMERGENCY HEALTH POWERS, SO AS TO PROVIDE DEFINITIONS; BY AMENDING SECTION 44-4-330, RELATING TO THE PURCHASE AND DISTRIBUTION OF PHARMACEUTICAL AGENTS OR MEDICAL SUPPLIES, SO AS TO PROVIDE THAT DHEC MAY PURCHASE AND DISTRIBUTE APPROVED PHARMACEUTICAL AGENTS OR MEDICAL SUPPLIES; BY AMENDING SECTION 44-4-500, RELATING TO CONTROL AND TREATMENT OF INFECTIOUS DISEASE, SO AS TO PROVIDE THAT DHEC MUST USE EVERY AVAILABLE MEANS TO PREVENT THE TRANSMISSION OF INFECTIOUS DISEASE FOR WHICH THE PUBLIC HEALTH EMERGENCY HAS BEEN CALLED; BY AMENDING SECTION 44-4-510, RELATING TO PHYSICAL EXAMINATIONS OR TESTS AND ISOLATION OR QUARANTINE OF PERSONS REFUSING EXAMINATION, SO AS TO PROVIDE THAT TESTS MUST BE FDA APPROVED FOR ACCURATE DETECTION OF THE BIOLOGICAL AGENT; BY AMENDING SECTION 44-4-520, RELATING TO VACCINATIONS AND TREATMENT, SO AS TO PROVIDE THAT DHEC MAY NOT ISOLATE AN INDIVIDUAL TO PREVENT THE SPREAD OF A POSSIBLY CONTAGIOUS DISEASE, BUT ONLY A DISEASE KNOWN TO BE CONTAGIOUS, AND TO PROVIDE THAT A VACCINE MUST NOT BE A GENE THERAPY; BY AMENDING SECTION 44-4-530, RELATING TO ISOLATION AND QUARANTINE OF INDIVIDUALS OR GROUPS AND PENALTY FOR NONCOMPLIANCE, SO AS TO PROVIDE THAT DHEC MAY ISOLATE OR QUARANTINE AN INDIVIDUAL OR GROUPS OF INDIVIDUALS WHO HAVE BEEN DIAGNOSED WITH OR EXPOSED TO THE CONTAGIOUS DISEASE FOR WHICH THE PUBLIC HEALTH EMERGENCY WAS DECLARED; BY AMENDING SECTION 44-4-540, RELATING TO ISOLATION AND QUARANTINE PROCEDURES, SO AS TO REMOVE ISOLATION PARAMETERS; AND BY AMENDING SECTION 44-4-570, RELATING TO EMERGENCY POWERS REGARDING LICENSING OF HEALTH PERSONNEL, SO AS TO REMOVE THE REQUIREMENT THAT IN-STATE HEALTH PROVIDERS MUST ASSIST IN VACCINATIONS, TREATMENTS, AND EXAMINATIONS, AND TO REMOVE THE PROVISION THAT ANY EMERGENCY ASSISTANT MEDICAL EXAMINER OR

CORONER APPOINTED PURSUANT TO THIS SECTION IS IMMUNE FROM CIVIL LIABILITY FOR DAMAGES RESULTING FROM THEIR SERVICES.

sr-0478km24.docx

Senator MARTIN spoke on the Bill.

Read the first time and referred to the Committee on Medical Affairs.

S. 976 -- Senators Gambrell and Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-23-45 SO AS TO REQUIRE ALL 911 TELECOMMUNICATORS THAT PROVIDE DISPATCH FOR EMERGENCY MEDICAL CONDITIONS TO BE TRAINED IN HIGH-QUALITY TELECOMMUNICATO CARDIOPULMONARY RESUSCITATION (T-CPR).

lc-0477cm24.docx

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

S. 977 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SMART HEART ACT" BY ADDING SECTION 59-17-165 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE FOR THE DEVELOPMENT AND IMPLEMENTATION OF A CARDIAC EMERGENCY RESPONSE PLAN IN EACH PUBLIC SCHOOL; BY ADDING SECTION 59-17-170 SO AS TO PROVIDE FOR THE DEVELOPMENT AND IMPLEMENTATION OF AN ATHLETICS EMERGENCY ACTION PLAN IN EACH PUBLIC AND PRIVATE SCHOOL; AND BY AMENDING SECTION 59-17-155, RELATING TO THE AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM IN HIGH SCHOOLS, SO AS TO PROVIDE EACH PUBLIC SCHOOL SHALL ENSURE THE PRESENCE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR ONSITE AND WITHIN CERTAIN PROXIMITY OF SCHOOL ATHLETIC VENUES, TO PROVIDE RELATED TESTING, MAINTENANCE, AND PERSONNEL TRAINING REQUIREMENTS.

lc-0572wab24.docx

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

S. 978 -- Senator McLeod: A SENATE RESOLUTION TO INVITE ALL SOUTH CAROLINIANS TO PARTICIPATE IN "NATIONAL WEAR RED DAY" ON FRIDAY, FEBRUARY 2, 2024, DURING AMERICAN HEART MONTH AND TO ENCOURAGE ALL CITIZENS OF SOUTH CAROLINA TO JOIN TOGETHER IN REAFFIRMING OUR COMMITMENT TO FIGHTING CARDIOVASCULAR DISEASE IN WOMEN THROUGHOUT THIS GREAT STATE.
lc-0366vr-rm24.docx

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

H. 4624 -- Reps. Hiott, G. M. Smith, McCravy, Davis, Vaughan, Trantham, Pope, Chapman, Taylor, Oremus, Hartnett, Leber, Long, Nutt, Haddon, Burns, Chumley, Murphy, Mitchell, Brewer, Robbins, Gatch, West, Gilliam, Cromer, Kilmartin, O'Neal, Yow, S. Jones, Landing, Ballentine, Sandifer, Crawford, Guest, Willis, Ligon, Forrest, Pace, W. Newton, Bradley, Erickson, Gibson, Blackwell and M. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 42 TO TITLE 44 SO AS TO DEFINE GENDER, SEX, AND OTHER TERMS, TO PROHIBIT THE PROVISION OF GENDER TRANSITION PROCEDURES TO A PERSON UNDER EIGHTEEN YEARS OF AGE, TO PROVIDE EXCEPTIONS, TO PROHIBIT THE USE OF PUBLIC FUNDS FOR GENDER TRANSITION PROCEDURES, AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 59-32-36 SO AS TO PROHIBIT PUBLIC SCHOOL STAFF AND OFFICIALS FROM WITHHOLDING KNOWLEDGE OF A MINOR'S PERCEPTION OF THEIR GENDER FROM THE MINOR'S PARENTS, AMONG OTHER THINGS.
lc-0490wab24.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 4849 -- Reps. Calhoon, Erickson and Bradley: A CONCURRENT RESOLUTION TO DECLARE JULY 2024 AS JUVENILE ARTHRITIS AWARENESS MONTH AND URGE CITIZENS TO BE MINDFUL OF THE CONDITION AND ITS EFFECT ON SOUTH CAROLINA'S YOUTH.
lc-0328dg-bl24.docx

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

H. 4859 -- Reps. B. Newton, Mitchell, Neese and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY THOMAS HUMANIK OF THE LANCASTER COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE HIM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR AWARD.

lc-0356vr-gm24.docx

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

H. 4860 -- Reps. Bustos, Brewer, Gatch, Gilliard, Hartnett, Hewitt, Landing, Leber, J. Moore, Pendarvis, Stavrinakis, Wetmore, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brittain, Burns, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gibson, Gilliam, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Lawson, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY EVAN CUBBAGE AND DEPUTY ALEXANDER HODGE OF THE CHARLESTON COUNTY SHERIFF'S OFFICE AND TO CONGRATULATE THEM ON BEING AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

lc-0306ph-rm24.docx

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

H. 4861 -- Rep. Hiott: A CONCURRENT RESOLUTION TO RECOGNIZE THE VITAL ROLE OF FIRST RESPONDERS THROUGHOUT OUR STATE AND TO PROCLAIM SATURDAY, AUGUST 3, 2024, AS "SOUTH CAROLINA FIRST RESPONDER PRAYER AND APPRECIATION DAY" AND THE FIRST WEEK IN AUGUST 2024 AS "SOUTH CAROLINA FIRST RESPONDER PRAYER AND APPRECIATION WEEK" IN SOUTH CAROLINA, BRINGING AWARENESS, PRAYER, AND APPRECIATION FOR THE MEN AND WOMEN AND THEIR FAMILIES WHO STAND IN THE GAP EVERY DAY PROVIDING CIVILITY AND SAFETY TO OUR COMMUNITIES.
lc-0392wab-gm24.docx

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

H. 4862 -- Reps. Lawson, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JAMES DENNIS GARDNER, FORMER CHIEF OF THE MACEDONIA FIRE DEPARTMENT, UPON THE RECENT OCCASION OF HIS RETIREMENT AS CHIEF AFTER DECADES OF DISTINGUISHED SERVICE.
lc-0482cm-gt24.docx

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

REPORTS OF STANDING COMMITTEE

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

H. 3592 -- Reps. Hyde and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO REMOVE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-43-86, RELATING TO COMPOUNDING OF MEDICATIONS BY PHARMACIES , SO AS TO REVISE REQUIREMENTS FOR COMPOUNDING PHARMACIES; BY AMENDING SECTION 40-43-87, RELATING TO NUCLEAR/RADIOLOGIC PHARMACY PRACTICES, SO AS TO REMOVE REQUIREMENTS CONCERNING NUCLEAR PHARMACY FACILITIES; AND BY AMENDING SECTION 40-43-88, RELATING TO STANDARDS FOR PREPARATION, LABELING, AND DISTRIBUTION OF STERILE PRODUCTS BY PHARMACIES, SO AS TO REMOVE CERTAIN STANDARDS.

Ordered for consideration tomorrow.

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

H. 4159 -- Reps. Herbkersman, Davis, M.M. Smith, Erickson, W. Newton, Bradley, Ballentine, Hewitt and Blackwell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA TELEHEALTH AND TELEMEDICINE MODERNIZATION ACT" BY ADDING CHAPTER 42 TO TITLE 40 SO AS TO DEFINE NECESSARY TERMS AND PROVIDE REQUIREMENTS FOR CERTAIN REGULATED HEALTH CARE PROFESSIONALS WHO PROVIDE HEALTH CARE BY MEANS OF TELEHEALTH; BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS IN THE MEDICAL PRACTICE ACT, SO AS TO DEFINE "TELEHEALTH"; AND BY AMENDING SECTION 40-47-37, RELATING TO THE PRACTICE OF TELEMEDICINE, SO AS TO REVISE REQUIREMENTS FOR THE PRACTICE OF TELEMEDICINE AND TO INCLUDE PROVISIONS CONCERNING TELEHEALTH.

Ordered for consideration tomorrow.

Appointments Reported

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

Reappointment, South Carolina State Board of Medical Examiners, with the term to commence December 31, 2022, and to expire December 31, 2026

At-Large Doctor:

Theresa Mills-Floyd, 47 Love Valley Court, Chapin, SC 29036-8591

Received as information.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2023, and to expire June 30, 2029

1st Congressional District:

Dottie Farfone, 2690 Cotton Gin Road, Johns Island, SC 29455-7412 *VICE* Lauren B. Thomas

Received as information.

HOUSE CONCURRENCES

S. 961 -- Senators Shealy, Cromer, Harpootlian, Massey and Setzler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MASTER DEPUTY JACOB ALAN SMITH OF THE LEXINGTON COUNTY SHERIFF'S OFFICE AND TO CONGRATULATE HIM ON BEING AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

Returned with concurrence.

Received as information.

S. 963 -- Senators Garrett and Massey: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT JOHN COKER AND DEPUTY HEATHER CAMPBELL OF THE MCCORMICK COUNTY SHERIFF’S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE THEM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS’ ASSOCIATION 2023 MEDAL OF VALOR AWARD.

Returned with concurrence.

Received as information.

S. 964 -- Senator Peeler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY TYLER ATKINS, SERGEANT SARDARIUS HENDERSON, AND DEPUTY JOHN RODGERS OF THE CHEROKEE COUNTY SHERIFF'S OFFICE AND TO CONGRATULATE THEM ON BEING AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

Returned with concurrence.

Received as information.

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

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 916 -- Senator Cromer: A BILL TO AMEND SECTION 1(C) OF ACT 485 OF 1998, RELATED TO THE NEWBERRY COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE THAT ALL PERSONS DESIRING TO QUALIFY AS A CANDIDATE FOR THE BOARD OF TRUSTEES MUST FILE A STATEMENT OF INTENTION OF CANDIDACY WITH THE COUNTY ELECTION COMMISSION INSTEAD OF FILING A PETITION.

On motion of Senator CROMER.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

H. 3782 -- Reps. West, Yow, Jefferson, Ligon, Nutt, Anderson, Hardee, Bannister, Thayer, Blackwell and Oremus: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-12-300, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "VIDEO SERVICE".

CARRIED OVER

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS

PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE

TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

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

CARRIED OVER

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM

CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250,

RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

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

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

MADE SPECIAL ORDER

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

Senator MASSEY moved that the Bill be made a Special Order.

The Bill was made a Special Order.

MOTION ADOPTED

At 11:24 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Expression of Personal Interest

Senator HEMBREE rose for an Expression of Personal Interest.

HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

S. 557 -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477, RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE THIRD TIME
SENT TO THE HOUSE

S. 882 -- Senators M. Johnson, Kimbrell, Gustafson, Climer, Garrett, Loftis, Adams and Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-380 SO AS TO PROVIDE THAT A PARENT OR THE LEGAL GUARDIAN OF A MINOR MUST BE NOTIFIED WHEN A HEALTHCARE PROFESSIONAL PRESCRIBES MEDICATION TO THE MINOR, TO PROVIDE THAT A PHARMACIST CANNOT FILL A PRESCRIPTION FOR A MINOR WITHOUT THE MINOR'S PARENT OR LEGAL GUARDIAN CONSENTING, TO PROVIDE THAT A PARENT OR LEGAL GUARDIAN CANNOT BE PROHIBITED FROM VIEWING HIS MINOR'S PRESCRIPTION HISTORY, AND TO PROVIDE THAT THESE PROVISIONS DO NOT APPLY TO AN EMANCIPATED MINOR OR A MARRIED MINOR.

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

The Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Oscar Macon Fuller of Gaffney, S.C. Oscar was a graduate of Cornell University with a bachelor's degree in civil engineering. He served four years in the U.S. Navy during World War II where he retired as Commander in the Civil Engineering Corp. He worked for Gaffney Board of Public Works, managed Magnolia Finishing and worked for the Spartanburg Research Center for Milliken. Oscar served First Baptist Church in many capacities and served in numerous civic organizations including the Gaffney and Union Chambers of Commerce, the Boys and Girls Club and United Way to mention a few. He was instrumental in organizing Habitat for Humanity of Cherokee County and founded KNOW2 in 2010. Oscar was a loving father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Art Baker of Sumter, S.C. Art attended Presbyterian College and served in the U.S. Army from 1952 -1954. He served as head football coach at several high schools around the State. He also worked at Clemson University, The Citadel and other colleges around the country. Art became the associate athletic director of the Gamecock Club at the University of South Carolina. He received the Order of the Palmetto and was a member of the South Carolina Athletic and Football Hall of Fame. Art was very involved in his church and enjoyed playing tennis and reading. Art was a loving father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Helen Ruth Hendrix Creech Cartee of Spartanburg, S.C. Helen was a math teacher at Dorman High School and Spartanburg Technical College before becoming an assistant principal at Dorman High. She later became the founding director of the University School for Spartanburg County. Helen enjoyed genealogy, knitting, antiquing, traveling and trips to the beach with her family. Helen was a loving wife, devoted mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 11:31 A.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, January 19, 2024
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

MOTION ADOPTED

On motion of Senators PEELER and KIMBRELL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jeffery Scott "JJ" Wallace, Jr. of Chesnee, S.C. JJ was a senior at Chesnee High School. He was respectful, thoughtful and always smiling and laughing. JJ was a loving son, brother and friend who will be dearly missed.

and

MOTION ADOPTED

On motion of Senators PEELER and KIMBRELL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Vladimir Matthew Rybinski of Chesnee, S.C. Matthew was a senior at Chesnee High School where he was a member of the school's JROTC program. He worked at the QT in Gaffney and was a member of Praise Cathedral. Matthew was a loving son, brother and friend who will be dearly missed.

and

MOTION ADOPTED

On motion of Senators PEELER and KIMBRELL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Vitaliy Gregoriy Rybinski of Chesnee, S.C. Vitaliy was a sophomore at Chesnee High School. He worked at Zaxby's in Duncan, S.C. and was a member of Praise Cathedral. Vitaliy was a loving son, brother and friend who will be dearly missed.

ADJOURNMENT

At 11:04 A.M., on motion of Senator HARPOOTLIAN, the Senate adjourned to meet next Tuesday, January 23, 2024, at 12:00 P.M.

* * *

Tuesday, January 23, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Isaiah 32:8

Isaiah, writing about the ideal servant of the Lord, tells us that: ". . .those who are noble plan noble things, and by noble things they stand."

Let us pray: Holy and loving God, we clearly are still caught in an ongoing period of "nobility deficit," and we are not addressing nobility in rank, but in character. Indeed, across our land, and surely around the globe, there continue to be far too many leaders who care not much at all about doing what is right and just -- what is noble. Yet this is during a period when our world, our Nation, our State, cries out for public servants who demonstrate moral qualities that are beyond reproach, for leaders who hold fast to highest ethical ideals, for women and men who choose to embody true "nobility" in every aspect of life. May it be, Lord, that each Senator and aide who serves here in the Senate of South Carolina will always be counted among that group of leaders who are indeed noble, giving their very best for the people they serve. In Your wondrous name we pray, O Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell

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

A quorum being present, the Senate resumed.

Doctor of the Day

Senator RICE introduced Dr. Phyllis MacGilvray, M.D. of Pickens County, S.C., Doctor of the Day.

CO-SPONSORS ADDED

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

S. 305 Sens. Garrett, Matthews and Adams
S. 953 Sens. Hutto, Senn, Kimbrell and Reichenbach
S. 976 Sen. Hutto
S. 977 Sen. Hutto

RECALLED

S. 978 -- Senator McLeod: A SENATE RESOLUTION TO INVITE ALL SOUTH CAROLINIANS TO PARTICIPATE IN "NATIONAL WEAR RED DAY" ON FRIDAY, FEBRUARY 2, 2024, DURING AMERICAN HEART MONTH AND TO ENCOURAGE ALL CITIZENS OF SOUTH CAROLINA TO JOIN TOGETHER IN REAFFIRMING OUR COMMITMENT TO FIGHTING CARDIOVASCULAR DISEASE IN WOMEN THROUGHOUT THIS GREAT STATE.

Senator VERDIN asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Medical Affairs.

The Senate Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4849 -- Reps. Calhoon, Erickson and Bradley: A CONCURRENT RESOLUTION TO DECLARE JULY 2024 AS JUVENILE ARTHRITIS AWARENESS MONTH AND URGE CITIZENS TO BE

MINDFUL OF THE CONDITION AND ITS EFFECT ON SOUTH CAROLINA'S YOUTH.

Senator VERDIN asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Medical Affairs.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 979 -- Senator Campsen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CINDERELLA SHAW OF LADY'S ISLAND ELEMENTARY SCHOOL IN BEAUFORT AND TO CONGRATULATE HER UPON BEING CHOSEN AS AN EXTRAORDINARY EDUCATOR BY CURRICULUM ASSOCIATES.

lc-0250ha-kar24.docx

The Senate Resolution was adopted.

S. 980 -- Senator Sabb: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT ADRIAN DUNMORE, DEPUTY ERIC WHETSELL, DEPUTY STEPHANIE LAW, CHIEF DEPUTY VERNEY D. CUMBEE, AND LIEUTENANT SHANNON L. COKER, ALL OF THE WILLIAMSBURG COUNTY SHERIFF'S OFFICE, FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE THEM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2023 MEDAL OF VALOR AWARD.

lc-0586wab-ar24.docx

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

S. 981 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 32-8-305, RELATING TO DEFINITIONS RELATING TO CREMATION AUTHORIZATIONS AND PROCEDURES, SO AS TO PROVIDE RELATED DEFINITIONS FOR THE ALKALINE HYDROLYSIS PROCESS AS A MEANS OF CREMATION OF HUMAN REMAINS; AND BY ADDING SECTION 32-8-347 SO AS TO PROVIDE FOR

THE USE OF ALKALINE HYDROLYSIS AS A MEANS OF CREMATION OF HUMAN REMAINS.
sr-0440km23.docx

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

S. 982 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-2297 SO AS TO PROVIDE THAT A BROADCAST ENTITY SHALL SOURCE CERTAIN GROSS RECEIPTS FROM BROADCASTING TO THIS STATE.
lc-0470sa24.docx

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

S. 983 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-750, RELATING TO MOTOR VEHICLE DRIVERS FAILING TO STOP WHEN SIGNALED BY LAW ENFORCEMENT VEHICLES, SO AS TO INCREASE THE PENALTIES FOR VIOLATIONS.
lc-0484cm24.docx

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

S. 984 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SKILLSUSA FOR ITS EFFORTS TO ENSURE THAT AMERICA HAS A SKILLED WORKFORCE AND TO DECLARE FEBRUARY 4-10, 2024, AS "SKILLSUSA WEEK" IN SOUTH CAROLINA.
sr-0552km-hw24.docx

The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 985 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE MARCH 5, 2024, AS "DISABILITY ADVOCACY DAY" IN SOUTH CAROLINA.
sr-0527km-vc24.docx

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

H. 4887 -- Reps. Lowe, Alexander, Jordan, Kirby, Williams, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Kilmartin, King, Landing, Lawson, Leber, Ligon, Long, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY CORPORAL EARL "TOMMY" RAUCH OF THE FLORENCE COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE HIM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2023 MEDAL OF VALOR AWARD.

lc-0461cm-gm24.docx

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

H. 4888 -- Reps. Lowe, Alexander, Jordan, Kirby, Williams, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Kilmartin, King, Landing, Lawson, Leber, Ligon, Long, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt,

O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY JOHN SCOTT POSTON OF THE FLORENCE COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE HIM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2023 MEDAL OF VALOR AWARD.
lc-0322dg-gm24.docx

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

H. 4889 -- Rep. Gagnon: A CONCURRENT RESOLUTION TO CONGRATULATE THURMOND BISHOP OF ABBEVILLE COUNTY ON THE OCCASION OF HIS EIGHTY-FIFTH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
lc-0369vr-kar24.docx

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

H. 4895 -- Reps. Caskey, Jordan and Rutherford: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 7, 2024, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUSTICE OF THE SUPREME COURT, UPON HIS RETIREMENT ON OR BEFORE JULY 31, 2024, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JULY 31, 2034; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 8, WHOSE TERM WILL EXPIRE JUNE, 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 9, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON

OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE, 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 2, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2030; TO ELECT A SUCCESSOR TO A

CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 4, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 8, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 11, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH EXPIRES JUNE 30, 2026; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 16, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 6, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2028;

TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 1, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE JULY 1, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024.

lc-0219ahb-ahb24.docx

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

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

SECOND READING BILL

S. 972 -- Senator Garrett: A BILL TO AMEND ACT 595 OF 1994, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES IN GREENWOOD COUNTY SCHOOL DISTRICT 50, SO AS TO REAPPORTION THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE REAPPORTIONED DISTRICTS.

On motion of Senator GARRETT.

OBJECTION

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO

REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR

VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE

PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS

TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Senator MALLOY objected to consideration of the Bill.

POINT OF ORDER

H. 3592 -- Reps. Hyde and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO REMOVE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-43-86, RELATING TO COMPOUNDING OF MEDICATIONS BY PHARMACIES , SO AS TO REVISE REQUIREMENTS FOR COMPOUNDING PHARMACIES; BY AMENDING SECTION 40-43-87, RELATING TO NUCLEAR/RADIOLOGIC PHARMACY PRACTICES, SO AS TO REMOVE REQUIREMENTS CONCERNING NUCLEAR PHARMACY FACILITIES; AND BY AMENDING SECTION 40-43-88, RELATING TO STANDARDS FOR PREPARATION, LABELING, AND DISTRIBUTION OF STERILE PRODUCTS BY PHARMACIES, SO AS TO REMOVE CERTAIN STANDARDS.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4159 -- Reps. Herbkersman, Davis, M.M. Smith, Erickson, W. Newton, Bradley, Ballentine, Hewitt and Blackwell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO

ENACT THE "SOUTH CAROLINA TELEHEALTH AND TELEMEDICINE MODERNIZATION ACT" BY ADDING CHAPTER 42 TO TITLE 40 SO AS TO DEFINE NECESSARY TERMS AND PROVIDE REQUIREMENTS FOR CERTAIN REGULATED HEALTH CARE PROFESSIONALS WHO PROVIDE HEALTH CARE BY MEANS OF TELEHEALTH; BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS IN THE MEDICAL PRACTICE ACT, SO AS TO DEFINE "TELEHEALTH"; AND BY AMENDING SECTION 40-47-37, RELATING TO THE PRACTICE OF TELEMEDICINE, SO AS TO REVISE REQUIREMENTS FOR THE PRACTICE OF TELEMEDICINE AND TO INCLUDE PROVISIONS CONCERNING TELEHEALTH.

Point of Order

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

The PRESIDENT sustained the Point of Order.

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

MADE ADJOURNED DEBATE

H. 3594 -- Reps. B.J. Cox, G.M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A.M. Morgan, T.A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M.M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B.L. Cox, Vaughan, White, Collins, J.E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT

POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION

23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN

WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM "CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR".

The Senate proceeded to a consideration of H. 3594, the question being to set the Bill in Adjourned Debate Status.

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

Ayes 27; Nays 17

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Peeler	Reichenbach	Rice
Senn	Shealy	Talley
Turner	Verdin	Young

Total--27

NAYS

Allen	Campsen	Devine
Harpootlian	Hutto	*Johnson, Kevin*
Malloy	Massey	Matthews
McElveen	McLeod	Rankin
Sabb	Setzler	Stephens
Tedder	Williams	

Total--17

The Bill was set for Adjourned Debate.

MOTION ADOPTED

At 12:28 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

CARRIED OVER

S. 557 -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477, RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

COMMITTEE AMENDMENT ADOPTED AMENDED, READ THE SECOND TIME

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

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

The Committee on Education proposed the following amendment (SEDU-305.KN0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-25-60(A), (B), and (C) and inserting:

(A) When reviewing an application by an individual for an educator certificate, the State Department of Education shall award years of experience on the initial certificate for occupational experience in, or related to, the content field of the certificate for which the individual qualifies. Years of experience shall be awarded solely for the purpose of advancement on the teacher salary schedule. To be eligible for years of experience on the educator certificate, the individual must:

(1) have completed at least five years of related occupational experience within the ten years prior to applying for an educator certificate; and

(2) complete and submit a verification of work experience form developed by the State Department of Education with the application for an educator certificate.

(B) Individuals that entered the teaching profession prior to July 1, 2023, with occupational experience in, or related to, the content field of their teaching certificate may complete and submit the verification of work experience form identified in subsection (A)(2) to the State Department of Education to have additional years of experience added to their certificate for the purposes of advancing on the teacher salary schedule. If additional years of experience are awarded, the eligible individual is entitled to have their pay adjusted for the current school year to reflect the new experience step on the employing district's salary schedule. However, the individual is not entitled to retroactive pay for the increased years of experience during prior years of teaching.

(C) Nothing in this section alters any existing requirements for receiving an educator certificate. Individuals with the work experience identified in subsection (A) must still meet all other existing requirements in order to receive an educator certificate.

(D) Nothing in this section shall be interpreted as allowing additional years of experience to be awarded for purposes other than advancement on the teacher salary schedule.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the committee amendment.

The amendment was adopted.

Amendment No. 1

Senators YOUNG, BENNETT and SETZLER proposed the following amendment (SEDU-305.DB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-25-60(A) and (B) and inserting:

(A) When reviewing an application by an individual for an educator certificate, the State Department of Education shall award years of experience on the educator certificate for occupational experience in, or related to, the content field of the certificate for which the individual qualifies. One year of experience credit may be awarded for every two

years of full-time relevant work experience completed by the individual. Years of experience shall be awarded solely for the purpose of advancement on the teacher salary schedule. To be eligible for years of experience on the educator certificate, the individual must complete and submit a verification of work experience form developed by the State Department of Education with the application for an educator certificate.

(B) Individuals that entered the teaching profession prior to July 1, 2023, with occupational experience in, or related to, the content field of their teaching certificate may complete and submit the verification of relevant work experience form to the State Department of Education to have additional years of experience added to their certificate for the purposes of advancing on the teacher salary schedule. If additional years of experience are awarded, the eligible individual is entitled to have their pay adjusted for the current school year to reflect the new experience step on the employing district's salary schedule. However, the individual is not entitled to retroactive pay for the increased years of experience during prior years of teaching or for any purpose other than advancement on the teacher salary schedule.

(C) Nothing in this section alters any existing requirements for receiving an educator certificate. Individuals with the work experience identified in subsection (A) must still meet all other existing requirements in order to receive an educator certificate.

(D) Nothing in this section shall be interpreted as allowing additional years of experience to be awarded for purposes other than advancement on the teacher salary schedule. Years of experience awarded pursuant to this section for relevant work experience are not considered service credit for the purposes of the state retirement or state health plans administered by PEBA.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

Amendment No. 3

Senator STEPHENS proposed the following amendment (SMIN-305.AA0015S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 59-25-60, by adding an item to read:

(E) For purposes of this section, “related occupational experience” includes experience as a teacher’s aide, teacher’s assistant, or other full-time experience in the classroom as a paraprofessional if that individual holds a bachelor's degree from an accredited college or university with a major in a relevant field.

Renumber sections to conform.

Amend title to conform.

Senator STEPHENS explained the amendment.

Senator FANNING spoke on the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

Ayes 45; Nays 0

AYES

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

Total--45

NAYS

Total--0

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

Motion Adopted

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

MOTION ADOPTED

On motion of Senators RICE and ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Joseph Lee "Joe" Burgess of Easley, S.C. Joe was a graduate of Pickens High School and The Citadel. In 1968, he began a long career coaching football, basketball, baseball, golf and track at various high schools. Joe later became the sports director and sales representative for WELP radio station in Easley. While Joe worked for WELP, he began a small wholesale firework business that continued to grow over the years called Carolina Fireworks in Easley. He began teaching at Liberty High School in 1987 where he later became the head football coach and was inducted into the Liberty High School Athletic Hall of Fame in 2023. Joe enjoyed gospel music concerts and spending time with friends and family. He was a member of the Easley Lions Club and taught Sunday School and sang in the choir at both Liberty First Baptist Church and Easley First Baptist Church. Joe was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator GARRETT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Abner Pierce Stockman, Jr. of Greenwood, S.C. Pierce graduated from Wofford College and retired as president of Stockman Oil Company and Stockman Lands. He was a founding member of CEF-Lakelands Good News Club. He served as a board member for The Museum and Railroad Historical Center and Greenwood Methodist Home. He was a Boy Scout leader and a life member of the National Society of the Sons of the American Revolution. He was an active member of Main Street United Methodist Church. Pierce was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 12:58 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, January 24, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Luke 15:21

In the Prodigal Son story we read: "The son said to him, 'Father, I have sinned against heaven and against you. I am no longer worthy to be called your son.' "

Bow in prayer with me, please: O loving God, I doubt that a single one of us in this Senate Chamber doesn't now and then stumble into sin. Truly, while we daily make our way through life -- no matter how diligently we strive to sidestep around sin -- we inevitably slip. And in those moments our very humanity reaches out and pulls us down. The story of the Prodigal is therefore our own story in every regard, and we must never forget that our Gracious Father is always there for us, too, ready as ever to pull us back on our feet, having taught us yet again another life lesson. May we always embrace God's unfailing love. And may our Lord guide our state's Governor, Henry McMaster, as he addresses the people of South Carolina tonight, encouraging us all to live fully and faithfully as Your children. We pray this in Your loving name, O Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell

Malloy	Martin	Massey
McElveen	Peeler	Reichenbach
Rice	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Recorded Vote

Senator FANNING desired to be recorded as present.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Local Appointment

Reappointment, Richland County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Sandra A. Sutton, 1 Richmond Lane, Blythewood, SC 29016-9088

Doctor of the Day

Senator CROMER introduced Dr. Gerald Harmon of Georgetown, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CORBIN, at 3:09 P.M., Senator LOFTIS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SETZLER, at 3:09 P.M., Senator HUTTO was granted a leave of absence for today.

RECALLED

S. 985 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE MARCH 5, 2024, AS "DISABILITY ADVOCACY DAY" IN SOUTH CAROLINA.

Senator VERDIN asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Medical Affairs.

The Senate Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 986 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 7-13-353 SO AS TO REQUIRE A DECLARATION BY A CANDIDATE OF FINES OWED TO THE STATE ETHICS COMMISSION, SENATE ETHICS COMMITTEE, OR HOUSE ETHICS COMMITTEE, AND TO FURTHER PROVIDE THAT A CANDIDATE MAY NOT BE PLACED ON A BALLOT UNLESS THE CANDIDATE IS ENROLLED IN A PAYMENT PLAN FOR THE OUTSTANDING FINES AND IS NOT IN DEFAULT; AND TO PROVIDE FOR THE ONE-TIME REDUCTION OF OUTSTANDING FINE BALANCES OVER FIVE THOUSAND DOLLARS TO BE REDUCED TO FIVE THOUSAND DOLLARS.
sedu-0061db24.docx

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

S. 987 -- Senators Fanning, Tedder, K. Johnson, Matthews, McLeod, Devine, Hutto, Sabb and Stephens: A JOINT RESOLUTION TO REQUIRE THE GOVERNOR AND THE DIRECTOR OF THE DEPARTMENT OF SOCIAL SERVICES TO FILE A NOTICE OF INTENT WITH THE U.S. DEPARTMENT OF AGRICULTURE FOR THE SUMMER ELECTRONIC BENEFIT TRANSFER PROGRAM FOR CHILDREN WITHIN FIVE DAYS AFTER THE EFFECTIVE DATE OF THIS JOINT RESOLUTION.
lc-0246ha24.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 988 -- Senator Shealy: A CONCURRENT RESOLUTION TO AUTHORIZE AMERICAN LEGION AUXILIARY PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 14, 2024.
sr-0557km-vc24.docx

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

S. 989 -- Senator Alexander: A SENATE RESOLUTION TO COMMEND TAIWAN FOR ITS RELATIONS WITH THE UNITED STATES AND THE STATE OF SOUTH CAROLINA.
sr-0547km-vc24.docx

The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 990 -- Senators Setzler, Shealy, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Stephens, Talley, Tedder, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO HONOR CANCER PATIENTS, SURVIVORS, AND THEIR FAMILIES, TO REMEMBER THOSE WHO HAVE BEEN LOST TO CANCER, AND TO RECOGNIZE JANUARY 24, 2024, AS "SUITS AND SNEAKERS DAY" IN SOUTH CAROLINA.
sr-0551km-vc24.docx

The Senate Resolution was adopted.

S. 991 -- Senators Tedder, McLeod, McElveen and Setzler: A SENATE RESOLUTION TO URGE CONGRESS TO EITHER EXTEND THE DEADLINE FOR THE NOTICE OF INTENT FOR THE 2024 SUMMER EBT PROGRAM OR WAIVE THE DEADLINE TO PERMIT STATES TO SUBMIT A NOTICE OF INTENT AFTER JANUARY 1, 2024.
lc-0256ha-ha24.docx

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

H. 4903 -- Reps. Pedalino, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber,

Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE CLARENDON HALL VARSITY SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2023 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS 2A STATE CHAMPIONSHIP TITLE.
lc-0338dg-gm24.docx

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

REPORTS OF STANDING COMMITTEES

Senator PEELER from the Committee on Finance submitted a favorable report on:

S. 577 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-8-530, SECTION 12-8-540, SECTION 12-8-570, SECTION 12-8-580, AND SECTION 12-8-595, ALL RELATING TO THE WITHHOLDING OF INCOME TAXES, SO AS TO UPDATE A REFERENCE TO THE TOP MARGINAL INCOME TAX RATE.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

S. 620 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-51-50, RELATING TO SALES OF PROPERTY BY A COUNTY RESULTING FROM DELINQUENT TAXES, SO AS TO ALLOW AN ELECTRONIC SALE AND TO PROVIDE FOR THE PROCEDURES OF AN ELECTRONIC SALE; AND BY AMENDING SECTION 12-51-60, RELATING TO PAYMENT BY THE SUCCESSFUL BIDDER IN A TAX SALE, SO AS TO PROVIDE FOR THE DISTRIBUTION OF PROCEEDS DERIVED FROM AN ELECTRONIC TAX SALE.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 708 -- Senators Young and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-11-420, RELATING TO DEFINITIONS PERTAINING TO THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM, SO AS TO DEFINE CHILD ABUSE MEDICAL SERVICES; AND BY AMENDING SECTION 63-11-430, RELATING TO PROGRAM REQUIREMENTS, SO AS TO PROVIDE FOR THE INCLUSION OF SOUTH CAROLINA NETWORK OF CHILDREN'S ADVOCACY CENTERS AND CHILDREN'S HOSPITALS IN THE PROGRAM.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 778 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING TITLE 40, CHAPTER 63, ARTICLE 5, SO AS TO CREATE THE SOCIAL WORK MEMBER STATE COMPACT, OUTLINE THE RULES OF THE COMPACT, AND DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

S. 806 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-1-180,

RELATING TO ADJOURNMENT OF GENERAL ASSEMBLY AND CONDITIONS FOR EXTENDED SESSION, SO AS TO PROVIDE THAT THE DATE FOR SINE DIE ADJOURNMENT IS AUTOMATICALLY EXTENDED IF THE HOUSE OF REPRESENTATIVES DOES NOT GIVE THIRD READING TO THE ANNUAL APPROPRIATIONS ACT ON OR BEFORE MARCH TENTH, SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY CALL THEIR RESPECTIVE BODIES INTO SESSION AFTER THE SINE DIE ADJOURNMENT DATE TO FINISH ANY UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION, AND TO PROVIDE THE TIME PERIOD DURING WHICH THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY BE CALLED BACK TO COMPLETE THE UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

H. 3116 -- Reps. Felder, Carter, Pope, Guffey, O'Neal, Gilliam, Hart, Caskey, Williams and Blackwell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-610, RELATING TO PERSONS LIABLE FOR TAXES AND ASSESSMENTS ON REAL PROPERTY, SO AS TO PROVIDE THAT CERTAIN DISABLED VETERANS OF THE ARMED FORCES OF THE UNITED STATES ARE EXEMPT FROM PROPERTY TAXES IN THE YEAR IN WHICH THE DISABILITY OCCURS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

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

ESTABLISH A COMMITTEE, AND OUTLINE PROGRAM CRITERIA, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Operations and Management polled out H. 4895 favorable:

H. 4895 -- Reps. Caskey, Jordan and Rutherford: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 7, 2024, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUSTICE OF THE SUPREME COURT, UPON HIS RETIREMENT ON OR BEFORE JULY 31, 2024, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JULY 31, 2034; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 8, WHOSE TERM WILL EXPIRE JUNE, 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 9, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE, 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH

WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 2, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 4, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 8,

AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 11, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH EXPIRES JUNE 30, 2026; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 16, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 6, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 1, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE JULY 1, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024.

Poll of the Operations and Management Committee
Polled 9; Ayes 9; Nays 0

AYES

Alexander	Peeler	Setzler
Rankin	Hutto	Malloy
Massey	Shealy	Turner

Total--9

NAYS

Total--0

Ordered for consideration tomorrow.

Appointment Reported

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2022, and to expire June 30, 2026

1st Congressional District:

John F. Seignious III, 735 Lavalier Square, Mt. Pleasant, SC 29464-7746 *VICE* Charles F. Koche

Received as information.

HOUSE CONCURRENCE

S. 980 -- Senator Sabb: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT ADRIAN DUNMORE, DEPUTY ERIC WHETSELL, DEPUTY STEPHANIE LAW, CHIEF DEPUTY VERNEY D. CUMBEE, AND LIEUTENANT SHANNON L. COKER, ALL OF THE WILLIAMSBURG COUNTY SHERIFF'S OFFICE, FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE THEM UPON RECEIVING THE SOUTH

CAROLINA SHERIFFS' ASSOCIATION 2023 MEDAL OF VALOR AWARD.

Returned with concurrence.

Received as information.

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

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 972 -- Senator Garrett: A BILL TO AMEND ACT 595 OF 1994, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES IN GREENWOOD COUNTY SCHOOL DISTRICT 50, SO AS TO REAPPORTION THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE REAPPORTIONED DISTRICTS.

On motion of Senator GARRETT.

OBJECTION

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE

PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS

MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

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

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

INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

H. 3592 -- Reps. Hyde and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO REMOVE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-43-86, RELATING TO COMPOUNDING OF MEDICATIONS BY PHARMACIES , SO AS TO REVISE REQUIREMENTS FOR COMPOUNDING PHARMACIES; BY AMENDING SECTION 40-43-87, RELATING TO NUCLEAR/RADIOLOGIC PHARMACY PRACTICES, SO AS TO REMOVE REQUIREMENTS CONCERNING NUCLEAR PHARMACY FACILITIES; AND BY AMENDING SECTION 40-43-88, RELATING TO STANDARDS FOR PREPARATION, LABELING, AND DISTRIBUTION OF STERILE PRODUCTS BY PHARMACIES, SO AS TO REMOVE CERTAIN STANDARDS.

Senator VERDIN objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4159 -- Reps. Herbkersman, Davis, M.M. Smith, Erickson, W. Newton, Bradley, Ballentine, Hewitt and Blackwell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA TELEHEALTH AND TELEMEDICINE MODERNIZATION ACT" BY ADDING CHAPTER 42 TO TITLE 40 SO AS TO DEFINE NECESSARY TERMS AND PROVIDE REQUIREMENTS FOR CERTAIN REGULATED HEALTH CARE PROFESSIONALS WHO PROVIDE HEALTH CARE BY MEANS OF TELEHEALTH; BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS IN THE MEDICAL PRACTICE ACT, SO AS TO DEFINE "TELEHEALTH"; AND BY AMENDING SECTION 40-47-37, RELATING TO THE PRACTICE OF TELEMEDICINE, SO AS TO REVISE REQUIREMENTS FOR THE PRACTICE OF TELEMEDICINE AND TO INCLUDE PROVISIONS CONCERNING TELEHEALTH.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-4159.JG0005S), which was adopted:

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

SECTION X. Section 40-33-34(I)(2) of the S.C. Code is amended to read:

(2) An APRN may perform medical acts via telemedicine and telehealth pursuant to a practice agreement as defined in Section 40-33-20(45) without having to be licensed to practice medicine in this State as otherwise required in Section 40-47-37(A)(4).

SECTION X. Section 40-47-935(A)(3) of the S.C. Code is amended to read:

(3) telemedicine and telehealth in accordance with the requirements of Section 40-47-37 including, but not limited to, Section 40-47-37(C)(6) requiring board authorization prior to prescribing Schedule II and Schedule III prescriptions; Section 40-47-113, approved written scope of practice guidelines, and pursuant to all physician supervisory requirements imposed by this chapter without having to be licensed to practice medicine in this State as otherwise required in Section 40-47-37(A)(4).

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

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

Motion Adopted

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

There was no objection.

ADOPTED

S. 978 -- Senator McLeod: A SENATE RESOLUTION TO INVITE ALL SOUTH CAROLINIANS TO PARTICIPATE IN "NATIONAL WEAR RED DAY" ON FRIDAY, FEBRUARY 2, 2024, DURING AMERICAN HEART MONTH AND TO ENCOURAGE ALL CITIZENS OF SOUTH CAROLINA TO JOIN TOGETHER IN REAFFIRMING OUR COMMITMENT TO FIGHTING CARDIOVASCULAR DISEASE IN WOMEN THROUGHOUT THIS GREAT STATE.

The Resolution was adopted.

H. 4849 -- Reps. Calhoon, Erickson and Bradley: A CONCURRENT RESOLUTION TO DECLARE JULY 2024 AS JUVENILE ARTHRITIS AWARENESS MONTH AND URGE CITIZENS TO BE MINDFUL OF THE CONDITION AND ITS EFFECT ON SOUTH CAROLINA'S YOUTH.

The Resolution was adopted, ordered returned to the House.

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

MOTION ADOPTED

At 1:51 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

CARRIED OVER

S. 557 -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477, RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.

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

WEDNESDAY, JANUARY 24, 2024

THE SENATE PROCEEDED TO THE ADJOURNED DEBATE.

AMENDMENT PROPOSED
DEBATE INTERRUPTED

H. 3594 -- Reps. B.J. Cox, G.M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A.M. Morgan, T.A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M.M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B.L. Cox, Vaughan, White, Collins, J.E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON

PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN

STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM "CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR".

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

Senator MARTIN explained the Bill.

Amendment No. 1A

Senator HARPOOTLIAN proposed the following amendment (SJ-3594.BM0074S), which was withdrawn:

Amend the bill, as and if amended, SECTION 16, by striking Section 16-23-500(A) and inserting:

(A) ~~it~~ It is unlawful for a person who has been convicted of a violent crime, as defined by Section 16-1-60, ~~that is classified as~~ or a felony offense~~,~~ as defined within Title 16, to possess a firearm or ammunition within this State. However, this section does not apply to:

(1) offenses defined by Chapters 11, 13, 14, 16, 19, and 21 of Title 16; or

(2) any crime for which the conviction has been expunged, or set aside, or for which a person has been pardoned or has had civil rights restored, unless such pardon, expungement, or restoration of civil rights expressly provides that the person may not ship, transport, possess, or receive firearms.

Amend the bill further, SECTION 16, by deleting Section 16-23-500(F).
Renumber sections to conform.
Amend title to conform.

Senator HARPOOTLIAN explained the amendment.

On motion of Senator HARPOOTLIAN, with unanimous consent, Amendment No. 1A was withdrawn.

Amendment No. 2

Senator MARTIN proposed the following amendment (SR-3594.KM0085S), which was withdrawn:

Amend the bill, as and if amended, by deleting SECTION 16.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

Senator HEMBREE spoke on the amendment.

On motion of Senator MARTIN, with unanimous consent, Amendment No. 2 was withdrawn.

Amendment No. 3

Senator HEMBREE proposed the following amendment (SEDU-3594.DB0099S), which was withdrawn:

Amend the bill, as and if amended, SECTION 19, by striking Section 23-31-245 and inserting:

Section 23-31-245. A person openly carrying a weapon in accordance with this article does not give a law enforcement officer reasonable suspicion or probable cause to search, detain, or arrest the person absent other articulable circumstances.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator HEMBREE, with unanimous consent, Amendment No. 3 was withdrawn.

Amendment No. 4

Senator GOLDFINCH proposed the following amendment (SR-3594.JG0107S), which was carried over:

Amend the bill, as and if amended, SECTION 10, by striking Section 23-31-220~~(A)~~(1) and inserting:

(A) Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a ~~public or private employer~~ public accommodations business to prohibit a person who does not hold a valid concealed weapon permit and is ~~licensed under this article~~ otherwise not prohibited by law from possessing a handgun from carrying a concealable weapon, whether concealed or openly carried, upon the premises of the business or ~~work place~~ workplace or while using any machinery, vehicle, or equipment owned or operated by the business; or

Amend the bill further, SECTION 10, by striking Section 23-31-220(B) and inserting:

(B) The posting by the employer, owner, or person in legal possession or control of a sign stating "NO CONCEALABLE WEAPONS ALLOWED UNLESS POSSESSED BY A PERSON WITH A VALID CWP" shall constitute notice to a person ~~holding a permit issued pursuant to this article~~ that the employer, owner, or person in legal possession or control requests that concealable weapons, whether concealed or openly carried, not be brought upon the premises or into the ~~work place~~workplace. A person who knowingly brings a concealable weapon, whether concealed or openly carried, onto the premises or ~~work place~~ workplace in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20~~, item~~ (B)(1).

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

SECTION X. SLED shall promulgate regulations requiring the course and qualifications for concealed weapon permits to include two

additional hours of training regarding the proper handling of firearms and two additional hours of legal training.

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

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

Amendment No. 5

Senator HARPOOTLIAN proposed the following amendment (LC-3594.WAB0105S):

Amend the bill, as and if amended, SECTION 3, Section 16-23-20, by adding an item to read:

(12) retail establishment that serves beer, wine, or other alcoholic beverages.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER spoke on the amendment.

Debate was interrupted by adjournment.

MOTION ADOPTED

On motion of Senator MASSEY, with Senator CLIMER retaining the floor on Amendment No. 5 of H. 3594, the Senate agreed that, when the Senate completed its business today, the Senate would stand in recess until 6:40 P.M. for the purpose of attending the Joint Assembly and at the conclusion of the Joint Assembly, the Senate would stand adjourned to meet at 11:00 A.M. tomorrow.

NIGHT SESSION

The Senate reassembled at 6:40 P.M. and was called to order by the PRESIDENT.

Committee to Escort

The PRESIDENT appointed Senators SETZLER, PEELER, DAVIS, ALLEN, SHEALY and REICHENBACH to escort the Honorable Henry Dargan McMaster, Governor of South Carolina, and members of his party to the House Chamber for the Joint Assembly.

At 6:55 P.M., the Senate receded for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY
Address by the Governor

At 7:00 o'clock P.M., the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

H. 4751 -- Rep. G.M. Smith: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, HENRY DARGAN MCMASTER, GOVERNOR OF THE STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 24, 2024, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

The Honorable Henry Dargan McMaster, and members of his party, were escorted to the rostrum by Senators SETZLER, PEELER, DAVIS, ALLEN, SHEALY and REICHENBACH and Representatives Connell, Cox, Hixon, McDaniel, Thayer and West.

The PRESIDENT of the Senate introduced the Honorable Henry Dargan McMaster, Governor of the State of South Carolina.

The Governor addressed the Joint Assembly as follows:

State of the State Address

Mr. Speaker, Mr. PRESIDENT, ladies and gentlemen of the General Assembly, my fellow South Carolinians:

We are here tonight to address successes, challenges and opportunities. But first, as in prior years, I'd like to recognize those in uniform whom we lost in the line of duty in 2023.

Sergeant Ricky Lydell Green, Jr. of the South Carolina Department of Corrections, Deputy Jacob Eric Salrin of the Richland County Sheriff's Department, Officer Matthew Logan Hare of the Easley Police Department, Lieutenant Michael Charles Wood, Jr. of the Newberry Police Department, Specialist Jayson Reed Haven, South Carolina National Guard, Firefighter James Michael Muller of the Irmo Fire District, and K-9 Agent Rico with the State Law Enforcement Division. To the families and loved ones of these brave South Carolinians, we offer our condolences. We are eternally grateful for their service.

I am delighted to have with us once again tonight our First Lady, my bride Peggy, our son Henry Jr., and his wife Virginia. Their sixteen-

month-old daughter, Margot Gray, is at home. And our daughter Mary Rogers, her husband Sam. Their nineteen-month-old son, James Dargan, is at home. Please stand and be recognized.

Also, our Lieutenant Governor Pamela Evette, and her husband David are here tonight and our state constitutional officeholders. Please stand and be recognized. Finally, will the members of the best cabinet in the Nation please stand and be recognized. Thank you all.

I would also like to acknowledge the members of the Supreme Court in attendance tonight, including Chief Justice Beatty, who will retire this summer after more than seven years as Chief Justice of our Supreme Court and more than thirty years of service to our State. I look forward to working with our next Chief Justice, John Kittredge.

I believe there is no higher honor on earth than being selected by the people who know you best to serve in a position like this. I thank you and I will not let you down. We will continue to act boldly, think big and continue building on our successes. My question: What are our priorities now, and what will our magnificent state look like in one hundred years?

The world knows that South Carolina has great people. Our quality of life and cultural heritage, abundant natural resources and prosperous economy make us unique and offer enormous opportunity.

Our booming economy in 2023 once again created a record budget surplus, over $1.64 billion, with over $9.21 billion in capital investment and 14,120 jobs. 2022 was equally grand with over $10 billion in capital investment. Just since 2017, we have announced over $36.4 billion in new investments and 86,378 new jobs. According to the U.S. Census Bureau, South Carolina led the Nation in population growth last year. Also, according to the U.S. Bureau of Economic Analysis, our personal income growth rate ranked 2nd in the country at 4.9% through the third quarter of 2023.

We are firing on all cylinders. South Carolina's tourism industry continued to thrive in 2023, meeting or exceeding the record-breaking tourism growth of earlier years. South Carolina was named as one of the top five golf destinations in the world and best in the country for 2023, according to the International Association of Golf Travel Operators. Ours is the only state in the United States to make this list, sharing recognition with Cyprus, Dubai, Los Cabos and Thailand. This reputation was evidenced in 2023 by the announcement of a new PGA TOUR tournament, the Myrtle Beach Classic, which will debut in May, joining the prestigious RBC Heritage tournament held the month before on Hilton Head Island.

Since 1950, Darlington Raceway, the track "Too Tough to Tame" has provided generations of NASCAR fans with spectacular memories, breathtaking finishes and a lifetime of stories to be told and retold. The Mother's Day and Labor Day NASCAR CUP races are South Carolina's largest professional sporting events, generating over $118 million in economic impact to the state. You have to see it to believe it.

Once again, Charleston was named the #1 City in the South by readers of Southern Living in 2023, and the #1 City in the United States by Travel and Leisure Readers for the 11th year in a row. Hilton Head Island was again named the #1 Island in this year's Conde Nast Traveler Readers' Choice rankings of the best islands in America. And, Greenville's Unity Park was recognized by Reader's Digest Magazine as one of the "Nicest Places in America."

I would like to recognize several of the businesses which announced their confidence in our people by their substantial capital investment in 2023. If the leaders will stand as I name your company, we will respond when all are standing.

In Richland County, Scout Motors will revitalize an iconic American brand as an all-electric, next-generation truck and rugged SUV with a $2 billion investment and 4,000 jobs. President and CEO Mr. Scott Keogh. In Chester County, Albemarle Corporation will invest $1.3 billion, with more than 300 jobs, for a lithium hydroxide processing facility. CEO Mr. Kent Masters. In Sumter County, e-VAC Magnetics' investment of more than a half a billion-dollars and creation of 300 jobs will produce rare earth permanent magnets and will help secure the United States' domestic pipeline for these rare earth magnets, the only such facility in the Western Hemisphere. CEO Mr. Erik Eschen. In Laurens County, ZF Transmissions Grey Court is expanding its operation for the growing and evolving mobility industry with a $500 million investment and 400 jobs. Vice President and Plant Manager Mr. Tobias Brugger. In York County, Pallidus is relocating its corporate headquarters and semiconductor manufacturing operations to South Carolina with a $443 million investment and 405 new jobs. Vice President of Global Facilities Mr. Gerald Knowles. In Richland County, Cirba Solutions will build a state-of-the-art flagship operation to produce lithium-ion battery materials with more than 300 new jobs and over $300 million investment. CEO Mr. David Klanecky. In Spartanburg County, Milo's Tea Company, a family-owned beverage company, will establish operations with a $130 million investment and 103 new jobs. CEO Mrs. Tricia Wallwork. And also, our Secretary of Commerce, Harry Lightsey, and his remarkable team which worked around the clock to produce these successes. Please

stand. We thank all of you. You all made the right decisions. We boomed in 2023 and will boom again in 2024.

South Carolina is a national leader in advanced manufacturing. And now we are leading the way in the new and innovative electric vehicle and battery manufacturing industry. We are home to four major electric vehicle manufacturers, major international EV battery manufacturers, the nation's largest EV battery recycling facility, and many other industries in the electric vehicle manufacturing supply chain.

Our leadership is displayed in the SC Nexus for Advanced Resilient Energy consortium developed by our Department of Commerce. This consortium was developed in collaboration with our research universities, technical colleges, state agencies, the Savannah River National Laboratory, economic development non-profits, and private businesses. It is the culmination of groundwork laid in prior years through collaborative public-private initiatives. This cooperative spirit produced our EV Working Group, a "one-stop shop" to recruit and assist with electric vehicle investment and manufacturing in the State. It also produced the PowerSC Energy Resources and Economic Development Interagency Working Group. This group leads the effort to coordinate the state's energy stakeholders to ensure that we have the energy necessary to meet the needs of our future.

We know that we will need more. The questions are: how much power will South Carolina need? And how will it be produced and transmitted? Recently SC Nexus won the U.S. Department of Commerce's Economic Development Administration's designation as one of the Regional Technology and Innovation Hubs, which allows SC Nexus to apply for federal funding. Out of over 400 applications, South Carolina was one of 31 finalists selected. As a federal Tech Hub, SC Nexus will compete for federal grant funding valued between $40-$70 million annually. My Executive Budget includes $15 million to support SC Nexus and serve as the state "match" required for this competition. We are going to win. Also, the demand for a trained EV workforce is outpacing the number of qualified applicants.

Manufacturers like BMW, Mercedes-Benz Vans, Volvo Cars, and Scout Motors will need a highly specialized and trained workforce of almost twenty thousand South Carolinians, and they will need them soon. To meet this demand, my Executive Budget recommends $50 million to create specialized "EV training institutes" at our technical college campuses.

One thing we do not need is more labor unions. We have gotten where we are without them, and we do not need them now. We are a right to work state. We have the lowest union membership in the country.
We have worked hard and carefully -- through education, training and business recruitment -- to earn our record prosperity, and we will continue to preserve and enhance it. However, our prosperity -- and that of generations of South Carolinians to come -- face a clear and present danger from the big labor unions. They have crippled and distorted the progress and prosperity of industries and cities in other states. It has taken years, but they have done it. And now, their membership is at an all-time low and falling. So now they are looking at us -- and other booming southeastern states -- none of which want or need labor unions.

In 2021, the International Longshoremen's Association sued maritime shipping carriers for calling on the Port of Charleston's state-of-the-art Leatherman Terminal. Over the past two-and-a-half years, what started as a "secondary boycott" to force the state Ports Authority to cede long-held state jobs to union labor has devolved into a broader threat to our current and future prosperity. Secondary boycotts are illegal. The ILA's secondary boycott was initially rejected but later resurrected by President Biden's appointees on the National Labor Relations Board. We have taken the fight all the way to the United States Supreme Court, which I believe will understand the dire implications of this conduct, uphold the law and rule in our favor.

Our aerospace, vehicle and tire manufacturers are no longer the sole targets for labor organizers. Our thriving hospitality and tourism industry along our coast now finds itself a target. It seems that no business or employee in South Carolina is safe from the disingenuous campaigns and destructive impacts of union infiltration. No one should bargain their prosperity under threats of union boycotts or coercive pressure campaigns. We will not let our state's economy suffer or become collateral damage as labor unions seek to consume new jobs and conscript new dues-paying members. And we will not allow the Biden administration's pro-union policies to chip away at South Carolina's sovereign interests. We will fight. All the way to the gates of hell. And we will win.

State government is in superior fiscal shape. We have the largest rainy day reserve fund balance and the lowest amount of general obligation debt -- than at any other time in recent memory. Once again, I am recommending the General Assembly put additional funds into the state's rainy day fund -- $54.3 million -- so that the fund maintains a

balance of $1.16 billion which is equal to 10% of this year's General Appropriations Act.

Until a few years ago, South Carolina had the highest personal income tax rate in the southeast and the 12th highest in the Nation -- at 7%. No more. Two years ago, I signed into law the largest income tax cut in state history, which will cut the rate to 6% in the next few years. Accordingly, my Executive Budget recognizes this year's $99 million scheduled cut to the income tax rate, dropping it from 6.4% to 6.3%. The state Board of Economic Advisors will soon issue an updated revenue forecast. If future revenues allow, I ask the General Assembly to speed up the income tax cut schedule, and let taxpayers keep even more of their own money.

As we seek prosperity through our expanding economy, we must constantly be alert to detect, avoid and remove obstacles to its health and vitality. Our laws and regulations provide guidelines to that prosperity, and our civil justice system provides enforcement of these guidelines and redress for injury. Yet, our rules on joint and several liability have introduced an element of uncertainty into our business arena and uncertainty is the enemy of sound business. We must find a common-sense formula which will provide accountability and just compensation without damaging our economy.

We must also ensure that the public has confidence in our state's judges. Circumstances and events continue to raise questions. It is past time to provide full transparency and accountability to the magisterial selection process, which provides the bulk of our judges, over 300 in number. Our constitution provides that the governor appoints magistrates, subject to the Senate's advice and consent. I have instituted a new procedure requiring magisterial candidates to complete more detailed applications and to waive confidentiality protections for -- and to authorize the release of records related to -- any attorney or judicial disciplinary proceedings. This application and screening process closely aligns with the processes used by Senate committees when scrutinizing statewide appointments submitted by the governor and also by those of the Judicial Merit Selection Commission when evaluating judicial candidates for election by the General Assembly.

As for our circuit and appellate courts, South Carolina is one of two states where the legislature chooses the judges by election. Being unique in itself signifies neither good nor bad: it is the confidence in the process that counts. The people are watching not only how the General Assembly screens and selects judges but also whom the General Assembly elects to these critical positions. The Rule of Law is a

cornerstone of our society and our constitutional republic. We need judges who understand the proper judicial role, who appreciate our constitutional structure, and who interpret the law as it is written, rather than as they wish it were written. As the U.S. Supreme Court rightly begins to return issues and authority to the States that were never granted to the federal government to begin with, it is essential that the General Assembly elect qualified, intelligent jurists who can carefully analyze the important and challenging questions that will be raised with increasing frequency in our state courts.

To properly provide for a separate and independent Judiciary, the currently unrepresented Executive Branch should play a role in selecting judicial candidates before the General Assembly exercises its constitutional authority to elect judges. I suggest that our Founding Fathers prescribed a method for judicial selection that has served our Nation well and with which our people are quite familiar. Gubernatorial appointment of all judges, with the advice and consent of the state Senate, requires no "re-invention of the wheel," will inspire the confidence of our people, and will encourage more excellent attorneys to seek public service.

Our state's roads, bridges, highways, and interstates are the arteries of our prosperity. Our rapid growth is outpacing their capacities. Continued big, bold, and transformative investments are imperative. The 2023 SCDOT Annual Accountability Report highlights the need to repair, rehabilitate, and rebuild many of the nearly 9,000 bridges on our primary and secondary roads. Some are over eighty years old and showing it. Some are in such a state of disrepair that the required restrictions render them useless for commercial trucking, school buses, or fire trucks. Accordingly, I recommend $500 million in surplus funds from the Homestead Exemption Fund be appropriated to the South Carolina Department of Transportation for emergency bridge replacement and repairs. That will keep us moving.

As you know, after nearly 30 years of service to the State of South Carolina, Christy A. Hall, the Secretary of the South Carolina Department of Transportation, has announced her retirement. Secretary Hall will be remembered as one of the greatest transportation secretaries in state history. Her unparalleled expertise and relentless work ethic has allowed the department to flourish under her leadership. Whether responding to natural disasters or spearheading transformative infrastructure projects, she has consistently delivered for the people of South Carolina. She thinks ahead and leaves a legacy of excellence. She has placed the agency in a position to continue driving our state forward

for years to come. Highlights of her career with SCDOT include restoring the agency's finances and financial reputation, developing and leading our strategic ten-year plan, and accelerating critical interstate widening projects. Secretary Hall has been recognized for her ability to work with industry partners to deliver results on major infrastructure projects. In addition, she has helped lead our state through a number of disasters including the floods of 2015, Hurricane Matthew and Hurricane Florence. Under her leadership and in partnership with law enforcement, South Carolina executed its first fully successful interstate lane reversal during a coastal evacuation. Madam Secretary, will you please stand and be recognized.

I ask again the question: What will South Carolina look like in one hundred years? South Carolina's mountains, beaches, sea islands, lakes, and marshes are among the most beautiful in the nation. This land, as noted by the explorers for kings and queens, is lush, fertile, and brimming with abundance, flora and fauna. Our incomparable cultural and environmental heritage distinguishes our state and people from others. And all possess a strength and beauty we must never lose. Fortunately, economic growth and the preservation of our shared heritage are not opposing objectives which must be balanced as in a competition, one against the other. Instead, they are complementary, intertwined, and inseparable, each dependent on the other. To strengthen one is to strengthen the other. We cannot allow our state's culturally and environmentally significant structures, monuments, lands, islands, and waters to be overcome by development, mismanagement, flooding, erosion, or storm damage. It is our duty to preserve and protect our history, our culture and our environment, and the public's access to them, before they are lost forever. We have a veritable army of people, and public and private organizations dedicated to these goals.

You may well remember the cautionary lyrics of singer and songwriter Joni Mitchell. *"Don't it always seem to go, that you don't know what you've got till it's gone. They paved paradise and put up a parking lot."* Accordingly, I am recommending that $33 million be appropriated to identify and preserve culturally or environmentally significant properties, disaster recovery and flooding mitigation efforts as well as beach renourishment projects along our coast.

Education is the universal key to a prosperous, happy future. Thus, working together, we must continue to invest in public education; the positive impact of these investments is growing. Enrollment in our full-day, four-year-old kindergarten program for children in poverty continues to grow with 17,437 children now enrolled in a public school,

private school, or childcare center. For the next school year, an additional 2,500 children are expected to enroll in the program. My Executive Budget includes $21.1 million to meet this increase in enrollment. This program is increasing the number of children who enter kindergarten ready to learn. Approximately 41% of children who participate in a full-day, four-year-old kindergarten program are ready for kindergarten as compared to 27% of children in poverty who do not participate in the program. In September of 2023, the South Carolina Department of Education released the results of the South Carolina College-and Career-Ready Assessments in reading and mathematics for school year 2022-23. For the first time in recent history, at least half of students in grades three through eight met or exceeded grade level standards in reading. This is good news, but it's not nearly enough. We must continue to invest in early literacy and professional development in the science of reading. This will ensure that all children can be reading on grade level by the end of third grade. We know that students who cannot read proficiently by third grade are four times more likely to drop out of high school.

Unfortunately, the assessment results revealed that only 41% of students in grades three through eight in school year 2022-23 met or exceeded grade level standards in mathematics. Therefore, my Executive Budget recommends an additional $10 million to improve the teaching and learning of mathematics. In addition, this Executive Budget provides $30 million for the Education Scholarship Trust Fund. Starting this year, these funds will allow low-income parents to choose the type of education environment and instruction that best suits their child's unique needs.

Regarding teachers, we must continue our remarkable progress to raise teacher pay. In school year 2017-18, the minimum starting salary of a teacher in South Carolina was $30,113. Today, it is $42,500. My Executive Budget increases the starting pay for teachers to $45,000 for the next school year. My goal is that by 2026 the minimum starting salary of a teacher will be at least - at least - $50,000. In school year 2017-18, the average teacher salary was $50,182, well below the southeastern average. In school year 2022-23, the average teacher salary was $57,737, exceeding the southeastern average and a fifteen percent increase over five years. That is good news.

South Carolina is also making significant progress in providing school-based mental health services to school-aged children. In January of 2022, I directed the Department of Health and Human Services to perform a comprehensive review and analysis of the school mental

health services program at the Department of Mental Health. Within four months, HHS produced a review of the program and seven recommendations for removing barriers that existed to accessing quality mental health services in our schools. These recommendations were enacted on July 1, 2022, and produced a public-private partnership that offered schools more choice and control in accessing school-based mental health services for their students. Health and Human Services also conducted a survey at the start of the current school year to determine the availability of school-based mental health services in South Carolina. The survey showed that the number of school-based mental health counselors available for public schools has doubled from 600 in January of 2022 to 1,209 in September 2023. The ratio was one counselor for 1,300 students then, to one for 653 now. The survey also showed that students at more than 200 additional schools now have access to mental health counseling and that all 73 of our traditional school districts now have access to mental health counseling.

We also know that access and affordability to higher education for every South Carolinian is essential to ensuring that we have the trained and skilled workforce to successfully compete for jobs and investment in the future and meet all economic challenges. Therefore, this marks the fifth year in a row that I have asked the General Assembly to freeze college tuition for in-state students, with an appropriation to our institutions of higher education of $49.8 million. This represents a 4.5 percent increase as defined by the Higher Education Price Index. I am also requesting $95 million in lottery funds to South Carolina Workforce Industry Needs Scholarships through the South Carolina Technical College System.

Despite the high demand for skills, training, and knowledge, many institutions across the nation are seeing declining enrollments. To address these challenges, I have proposed funding for the Education Oversight Committee -- a nonpartisan committee composed of legislators, educators, and business representatives -- to oversee a systemic review of our state's 33 public institutions of higher education. This study will provide a systemic review, including an assessment of any advantages that are offered in consolidating schools or programs, or re-evaluate the courses, degrees and certificates that are offered at our public colleges and universities. The goal is to make sure we are meeting our state's future workforce needs.

Also, I propose providing $80 million so that every South Carolinian who qualifies for federal need-based financial aid as measured by federal Pell Grants -- has sufficient state financial assistance to attend any in-

state public college, university, or technical college. Students at private, independent, and historically black colleges and universities will receive an additional $20 million for tuition grants and assistance. Recently we learned that the Commission on Higher Education had approximately $151.7 million in surplus lottery funds that had not been used for college scholarships. My Executive Budget recommends allocating those excess funds for additional need-based grants or to pay for an extra semester of LIFE, HOPE or Palmetto Fellow scholarships. These one-time funds should incentivize students to complete their undergraduate degree and enter the workforce sooner.

My Executive Budget also provides $44 million for deferred maintenance and health and safety upgrades at our four-year comprehensive institutions, two-year branch campuses of the University of South Carolina, and our technical colleges. In addition, I am proposing a $34 million appropriation for campus infrastructure resiliency at the Medical University of South Carolina, a second $70 million installment for the College of Veterinary Medicine at Clemson University, and a $35 million investment for the Health Sciences Campus at the University of South Carolina. My Executive Budget also proposes $1 million for operations and security for the Anne Frank Center and $1 million for the Center for Civil Rights History and Research, both at USC. And finally for education, I propose continued funding of $20 million for the Battelle Alliance, a collaborative nuclear sciences research partnership between the University of South Carolina, Clemson University, South Carolina State University, and the Savannah River National Laboratory. Truly, we must have the strongest focus on education we can muster if we are going to succeed.

Our COVID-19 experience revealed that a mental health crisis existed in South Carolina. What wasn't clear was just how bad it was. That's why two years ago, I directed Health and Human Services Director Robby Kerr to initiate an immediate review of our State's behavioral health funding and delivery system. It became clear from Director Kerr's efforts that the time had come to modernize and restructure South Carolina's siloed healthcare delivery agencies: the Department of Mental Health, the Department of Health and Human Services, the Department of Health and Environmental Control, among others. The restructuring of these agencies is and will continue to be a complicated legal and financial endeavor, involving billions of dollars in federal funding that flow through these agencies for a myriad of services and programs such as Medicaid.

Last year, my Executive Budget and the General Appropriations Act directed the Department of Administration to procure the professional expertise necessary to analyze and provide the General Assembly with a comprehensive plan to restructure these agencies, consolidating and privatizing services where possible.

The prestigious Boston Consulting Group was hired and has provided their initial report. Unfortunately, their analysis confirmed what many of us had feared -- and much worse. According to their report, South Carolina has the most fragmented health and human service delivery system in the nation. As a result, 77% of our state's young people with major depressive episodes do not receive mental health treatment, according to Mental Health America. This ranks lowest in the country. Our citizens and families are suffering as a result of this dysfunction. With little to no coordination between the relevant agencies, South Carolinians seeking assistance are forced to navigate through a confusing landscape of offices, agencies, and officials as they seek help for a loved one or dependent. Too often they fall through the cracks of a system that does not coordinate, communicate or collaborate. The time has come for dramatic restructuring: for the consolidation and streamlining of these agencies into one single cabinet agency. One that will develop a strategic plan and operational approach to improve the quality, accountability and delivery of health and human services to the citizens of our state – as the Boston Consulting Group has recommended. This will require us to reimagine how the state provides access to crisis mental health care, physical health care, substance abuse services, disability and special needs services and assistance to the elderly and at-risk. I implore you: Let this legislative session be remembered for the creation of the most effective, efficient and professional health and human service delivery system in our history.

Our state law enforcement and criminal justice agencies have begun to stem the tide of personnel loss with recruitment and retention pay raises provided in the previous two General Appropriations Acts. I propose that we build on this success, by providing an additional $17.8 million for recruitment and retention pay raises in FY 2024-2025. Invaluable experience should not be allowed to walk out the door. I am also once again proposing a $2,000 state income tax credit for every active-duty law enforcement officer, firefighter, first responder, and emergency medical technician employed by a public entity. Additionally, this budget maintains a proviso suspending the $10,000 retirement cap for anyone enrolled in the Police Officer Retirement

System. This will allow retired officers to return to work and fill existing vacancies.

Placing an armed, certified school resource officer in every school, in every county, all day, every day, has been one of my top priorities. At my request, the General Assembly began providing funds to hire more resource officers for our state's 1,284 public schools. The grant program has been very successful and has more than doubled the number of officers assigned to a school, going from 406 in 2018 to 1,109 in 2023. I am recommending an additional $13.4 million to add officers in each of the remaining 175 schools currently without an assigned SRO.

Animal fighting, especially dog fighting, is one of the cruelest criminal activities in our society. Law officers estimate that most of the people participating in this barbaric activity have long criminal records. In September 2022, a SLED agent was dedicated to combating animal fighting and working in collaboration with other law enforcement agencies. Shortly thereafter, the agent helped execute one of the "biggest takedowns of a dogfighting operation in South Carolina history," according to the U.S. Attorney's Office. This Executive Budget expands upon this success by recommending $566,000 to hire three additional SLED agents dedicated to animal fighting.

In July 2023, the South Carolina Department of Corrections began utilizing a process that allows mobile phone providers to permanently disable contraband phones and devices. They are detected by a certified contraband interdiction system approved by the Federal Communications Commission. To date, over 875 phones and devices have been disabled at Lee Correctional Institution. My Executive Budget recommends $23 million to expand this valuable program to each prison in our State. Our law enforcement officers know who the repeat criminals are. They commit over eighty percent of the crimes. Unfortunately, this is happening every day. How long are we going to let this happen?

Law enforcement needs our help. They need stronger laws to keep illegal guns out of the hands of criminals and juveniles, and they need new laws to "close the revolving door" and keep career criminals behind bars and not out on bond. Currently, there are no graduated criminal penalties for illegal gun possession in state law. That means the penalty is the same – small – no matter how many times the criminal gets caught. This provides no deterrent. Graduated felony penalties, with no bond, will help keep repeat criminals behind bars and not out on bail where they can -- and will -- commit more crimes. During the last year, I have continually called on this General Assembly to act, to simply take a vote,

and pass graduated criminal penalties for illegal gun possession so that I can sign it into law. And during this last year, it has become an almost daily occurrence for innocent South Carolinians to be shot or shot at by a career criminal who should be behind bars instead of roaming our streets with virtual impunity.

Ladies and Gentlemen, this new law will require no appropriation -- no money -- except whatever it costs to feed these killers while they rest peacefully behind bars. Joining us today is South Carolina Highway Patrol Lance Corporal B.A. Frazier. Around 3:30 am on April 16, 2023, Trooper Frazier was on duty and initiated a traffic stop after witnessing a vehicle traveling at high speed on U.S. Highway 78 in Bamberg County. As a Bamberg County Sheriff's Deputy arrived to assist, Trooper Frazier was shot by the suspect. Both officers returned fire as the suspect sped away. Following a long chase, the suspect crashed into a home in Branchville. Video from the body and dash cameras of the incident is hard to watch. Trooper Frazier's professionalism and composure while under fire and getting shot in the face -- was remarkable. He embodies the best of the Highway Patrol, and South Carolina law enforcement. The gun that was used to shoot Trooper Frazier? According to the State Law Enforcement Division, it was a stolen gun. The assailant? Derrick Edwards Gathers, according to SLED, was a 22-year repeat offender who was out on bond on charges in the state of Georgia. Gathers long rap sheet includes numerous charges and convictions for trespass, robbery, assault and battery, dealing drugs, rape, criminal sexual conduct, and seven charges for criminal possession of a firearm. This career criminal should have been behind bars and not behind the wheel of a car in South Carolina. Trooper Frazier is here with us this evening. Trooper Frazier please stand so that we may recognize you.

So, I ask you, again, send me a bill with graduated criminal penalties for illegal gun possession. I will sign it into law. Let's get these career criminals behind bars and save the lives of our people. When our people are safe -- they thrive.

In closing, to the members of the General Assembly, I say let us continue our successful partnership, one that has been based on communication, collaboration, and cooperation. Let us embrace civility and comity through our thoughts, our deeds, and our words -- and urge our people, especially the young people, to be proud of their State. And let us set our State on a course that will provide the opportunity for prosperity, success, and happiness for generations of South Carolinians.

The best is yet to come. May God continue to bless America, and our Great State of South Carolina.

***

The purpose of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Reappointment, Richland County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Sandra A. Sutton, 1 Richmond Lane, Blythewood, SC 29016-9088

Motion Adopted

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

MOTION ADOPTED

On motion of Senators MASSEY, SETZLER and GARRETT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Jennifer Brooke Wingate of Lexington, S.C. Jennifer graduated from Newberry College and was a well-loved band director and girls' soccer coach at Saluda County High School. Jennifer genuinely touched the lives of everyone she knew and will forever be remembered.

and

MOTION ADOPTED

On motion of Senator STEPHENS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Daisy Brown of St. George, S.C. Daisy was a faithful member of the Greater Bush Grove M.B. Church where she sang in the choir, was an usher and cooked. She enjoyed Sunday School and Bible study. Daisy was a loving mother and doting grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator STEPHENS, with unanimous consent, the Senate stood adjourned out of respect to the memory of McKinley Brown of Saint George, S.C. McKinley was a beloved member of his family and community who will be dearly missed.

ADJOURNMENT

At 8:03 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, January 25, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Zechariah 2:1

Zechariah the prophet tells us: "Then I looked up -- and there before me was a man with a measuring line in his hand."

Good friends, let us pray: It is inevitable, O God, that we find ourselves pausing now and then here in this place and wondering: How is the work of this legislature so far "measuring up"? Are we truly working together as effectively as we know we must? Are the issues we're addressing in this Senate genuinely for the betterment of all? Are there fresh initiatives and new developments awaiting action? Will South Carolina really be a stronger and more resilient State as a result of our efforts? By Your Spirit's grace, Lord, grant to every woman and man serving in this Senate the wisdom and the courage to do everything they must to make life for all of our citizens safer, healthier and more filled with rich opportunity and hopefulness. And as always, to You be the glory, O Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Martin
Massey	McElveen	Peeler

Reichenbach	Rice	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Recorded Vote

Senator LOFTIS desired to be recorded as present.

Doctor of the Day

Senator GARRETT introduced Dr. Gregory Tarasidis, MD of Greenwood, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CLIMER, at 11:46 A.M., Senator HARPOOTLIAN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator GARRETT, at 11:30 A.M., Senator KIMBRELL was granted a leave of absence until 11:40 A.M.

CO-SPONSORS ADDED

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

S. 556 Sen. Senn
S. 558 Sen. Senn
S. 621 Sens. Shealy, Rice, Williams and Allen
S. 950 Sen. Cromer
S. 967 Sens. Fanning and Kimbrell

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 992 -- Senator Turner: A SENATE RESOLUTION TO COMMEMORATE THE FIFTIETH ANNIVERSARY OF THE F-16 FIGHTING FALCON, TO CELEBRATE SOUTH CAROLINA AS THE GLOBAL HOME OF THE F-16, AND TO RECOGNIZE

JANUARY 30, 2024, AS "F-16 FIGHTING FALCON DAY" IN SOUTH CAROLINA.
sr-0563km-vc24.docx

The Senate Resolution was adopted.

S. 993 -- Senators Setzler, Cromer, Young, McElveen, Williams, Talley, Alexander, K. Johnson, Shealy, Gambrell, Turner, Hutto, Jackson, Fanning, Harpootlian and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC

CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LICENSE ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LICENSING AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

lc-0592wab24.docx

Senator SETZLER spoke on the Bill.

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

S. 994 -- Senators Alexander, Hutto, Verdin, Grooms, Kimbrell, Gambrell, Shealy, Hembree, McElveen, Davis and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-65 SO AS TO PROVIDE REGULATIONS FOR THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND

TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION.
sr-0525km24.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 995 -- Senators Hutto, Shealy and Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO SECTIONS 16-15-385 THROUGH 16-15-425, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE; BY AMENDING SECTION 16-15-395, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-405, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-410, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER.
sr-0558km24.docx

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

S. 996 -- Senators Hutto, Shealy and Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY.
sr-0556km24.docx

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

S. 997 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE MRS. BETTY CORLEY UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER MANY YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0560km-hw24.docx

The Senate Resolution was adopted.

S. 998 -- Senator Gambrell: A SENATE RESOLUTION TO RECOGNIZE THE FIRST ANNUAL ANDERSON FIRE DEPARTMENT AWARDS AND PROMOTION CEREMONY AND TO CONGRATULATE LT. ANTHONY RAGSDALE FOR BEING AWARDED THE MERITORIUS ACTION AWARD.
lc-0345dg-bl24.docx

The Senate Resolution was adopted.

S. 999 -- Senators Shealy and McElveen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-1-91 SO AS TO REQUIRE ANY PERSON POSSESSING A NPDES PERMIT WHICH ALLOWS THE DISCHARGE OF EFFLUENT INTO STATE WATERS TO POST A SIGN, TO PROVIDE FOR THE REQUIREMENTS OF THAT SIGN, AND TO ESTABLISH CERTAIN EXEMPTIONS AND CIRCUMSTANCES TO WAIVE THE REQUIREMENTS OF THIS SECTION.
sr-0565km24.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 1000 -- Senators Climer, Peeler, Kimbrell, Corbin, Reichenbach, Adams, Rice, Garrett, Hembree, Cash, Harpootlian, Martin, M. Johnson, Bennett, Turner, Goldfinch, Gambrell, Shealy, Davis, Cromer, Grooms, Verdin, Gustafson and Loftis: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 7, 2024, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUSTICE OF THE SUPREME COURT, UPON HIS RETIREMENT ON OR BEFORE JULY 31, 2024, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JULY 31, 2034.
sr-0564km-vc24.docx

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

H. 4909 -- Reps. B. Newton, Neese, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-350, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO REMOVE ONE PRECINCT AND REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.
lc-0364hdb24.docx

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

REPORT OF STANDING COMMITTEES

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

S. 621 -- Senators Reichenbach, Stephens, Cromer, Kimbrell, M. Johnson, Fanning, Setzler, Bennett, Shealy, Rice, Williams and Allen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 79 TO TITLE 39 SO AS TO CREATE THE "SOUTH CAROLINA-IRELAND TRADE COMMISSION", TO PROVIDE FOR THE MEMBERS OF THE TRADE COMMISSION, AND TO ESTABLISH THE DUTIES OF THE COMMISSION.

Ordered for consideration tomorrow.

Appointments Reported

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

Statewide Appointments

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2021, and to expire June 30, 2025

Massage/Bodywork Therapist:

Bailey B. R. Maddox, LMT, CLT, 1898 Calhoun Street, Suite 8, Columbia, SC 29201-2650 *VICE* Jenny Vaught

Received as information.

Initial Appointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2022, and to expire November 27, 2026

Independent Social Worker:

Jeffery Cameron, 403 Meadow Hill Way, Greer, SC 29650-5104 *VICE* Jane A. Anker

Received as information.

Initial Appointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2022, and to expire November 27, 2026

Independent Social Worker:

Dell Lancaster, 107 Crestland Dr., Columbia, SC 29210-4021 *VICE* Harold Patrick, Jr.

Received as information.

Motion to Ratify Adopted

At 11:29 A.M., Senator PEELER asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., January 24, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3782 -- Reps. West, Yow, Jefferson, Ligon, Nutt, Anderson, Hardee, Bannister, Thayer, Blackwell and Oremus: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-12-300, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "VIDEO SERVICE".

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., January 25, 2024

Mr. President and Senators:

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

S. 738 -- Senator K. Johnson: A BILL TO DELINEATE THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE CLARENDON COUNTY SCHOOL BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2024 GENERAL ELECTION, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE DISTRICTS.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

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

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

H. 4159 -- Reps. Herbkersman, Davis, M.M. Smith, Erickson, W. Newton, Bradley, Ballentine, Hewitt and Blackwell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA TELEHEALTH AND TELEMEDICINE MODERNIZATION ACT" BY ADDING CHAPTER 42 TO TITLE 40 SO AS TO DEFINE NECESSARY TERMS AND PROVIDE REQUIREMENTS FOR CERTAIN REGULATED HEALTH CARE PROFESSIONALS WHO PROVIDE HEALTH CARE BY MEANS OF TELEHEALTH; BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS IN THE MEDICAL PRACTICE ACT, SO AS TO DEFINE "TELEHEALTH"; AND BY AMENDING SECTION 40-47-37, RELATING TO THE PRACTICE OF TELEMEDICINE, SO AS TO REVISE REQUIREMENTS FOR THE PRACTICE OF TELEMEDICINE AND TO INCLUDE PROVISIONS CONCERNING TELEHEALTH.

The Senate proceeded to a consideration of the Bill.

The question being the third reading of the Bill.

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

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the third time and ordered returned to the House.

Statement from Senators KIMBRELL and GROOMS

We were out of the Chamber attending a meeting and missed the third reading vote of H. 4159. Had we been in the Chamber, we would have voted in favor of the Bill.

OBJECTION

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS

IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO

PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

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

TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY

AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Senator MALLOY objected to consideration of the Bill.

POINT OF ORDER

S. 577 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-8-530, SECTION 12-8-540, SECTION 12-8-570, SECTION 12-8-580, AND SECTION 12-8-595, ALL RELATING TO THE WITHHOLDING OF INCOME TAXES, SO AS TO UPDATE A REFERENCE TO THE TOP MARGINAL INCOME TAX RATE.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 620 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-51-50, RELATING TO SALES OF PROPERTY BY A COUNTY RESULTING FROM DELINQUENT TAXES, SO AS TO ALLOW AN ELECTRONIC SALE AND TO PROVIDE FOR THE PROCEDURES OF AN ELECTRONIC SALE; AND BY AMENDING SECTION 12-51-60, RELATING TO PAYMENT BY THE SUCCESSFUL BIDDER IN A TAX SALE, SO AS TO PROVIDE FOR THE DISTRIBUTION OF PROCEEDS DERIVED FROM AN ELECTRONIC TAX SALE.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 708 -- Senators Young and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-11-420, RELATING TO DEFINITIONS PERTAINING TO THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM, SO AS TO DEFINE CHILD ABUSE MEDICAL SERVICES; AND BY AMENDING SECTION 63-11-430, RELATING TO PROGRAM REQUIREMENTS, SO AS TO PROVIDE FOR THE INCLUSION OF SOUTH CAROLINA NETWORK OF CHILDREN'S ADVOCACY CENTERS AND CHILDREN'S HOSPITALS IN THE PROGRAM.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 778 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING TITLE 40, CHAPTER 63, ARTICLE 5, SO AS TO CREATE THE SOCIAL WORK

MEMBER STATE COMPACT, OUTLINE THE RULES OF THE COMPACT, AND DEFINE NECESSARY TERMS.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 806 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-1-180, RELATING TO ADJOURNMENT OF GENERAL ASSEMBLY AND CONDITIONS FOR EXTENDED SESSION, SO AS TO PROVIDE THAT THE DATE FOR SINE DIE ADJOURNMENT IS AUTOMATICALLY EXTENDED IF THE HOUSE OF REPRESENTATIVES DOES NOT GIVE THIRD READING TO THE ANNUAL APPROPRIATIONS ACT ON OR BEFORE MARCH TENTH, SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY CALL THEIR RESPECTIVE BODIES INTO SESSION AFTER THE SINE DIE ADJOURNMENT DATE TO FINISH ANY UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION, AND TO PROVIDE THE TIME PERIOD DURING WHICH THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY BE CALLED BACK TO COMPLETE THE UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3116 -- Reps. Felder, Carter, Pope, Guffey, O'Neal, Gilliam, Hart, Caskey, Williams and Blackwell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-610,

RELATING TO PERSONS LIABLE FOR TAXES AND ASSESSMENTS ON REAL PROPERTY, SO AS TO PROVIDE THAT CERTAIN DISABLED VETERANS OF THE ARMED FORCES OF THE UNITED STATES ARE EXEMPT FROM PROPERTY TAXES IN THE YEAR IN WHICH THE DISABILITY OCCURS.

Point of Order

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

The PRESIDENT sustained the Point of Order.

CARRIED OVER

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

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

ADOPTED

S. 985 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE MARCH 5, 2024, AS "DISABILITY ADVOCACY DAY" IN SOUTH CAROLINA.

The Resolution was adopted.

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

MOTION ADOPTED

At 11:44 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

CARRIED OVER

S. 557 -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477, RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.

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

Motion Adopted

On motion of Senator MATTHEWS, with unanimous consent, Senators SENN, McLEOD, GUSTAFSON, DEVINE, SHEALY and MATTHEWS were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

DEBATE INTERRUPTED

H. 3594 -- Reps. B.J. Cox, G.M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A.M. Morgan, T.A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M.M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B.L. Cox, Vaughan, White, Collins, J.E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON

WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO

REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM “CRIME

PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR".

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

Amendment No. 5

Senator HARPOOTLIAN proposed the following amendment (LC-3594.WAB0105S), which was carried over:

Amend the bill, as and if amended, SECTION 3, Section 16-23-20, by adding an item to read:

(12) retail establishment that serves beer, wine, or other alcoholic beverages.

Renumber sections to conform.

Amend title to conform.

On motion of Senator CLIMER, with unanimous consent, the amendment was carried over.

Amendment No. 6

Senator HEMBREE proposed the following amendment (SEDU-3594.DB0097S), which was carried over:

Amend the bill, as and if amended, SECTION 16, Section 16-23-500, by adding a subsection to read:

(G) Notwithstanding this section, a court may make a specific finding on record as part of a sentencing proceeding, a person adjudicated guilty for an offense listed in subsection (F)(1) or (2), may not possess a firearm for a period not to exceed five years.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator CLIMER, with unanimous consent, the amendment was carried over.

Amendment No. 7

Senator MALLOY proposed the following amendment (SJ-3594.BM0100S), which was carried over:

Amend the bill, as and if amended, SECTION 18, Section 23-31-240(13), by adding an item to read:

(14) active members of the General Assembly;

Amend the bill further, SECTION 18, by striking Section 23-31-240(14) and (15) and inserting:

(15) active county clerks of court; and

(16) active public defenders and assistant public defenders.

(B) Notwithstanding the provisions of subsection (A), public defenders and assistant public defenders may not carry a concealable weapon into a local or state correctional facility.

Renumber sections to conform.

Amend title to conform.

On motion of Senator MARTIN, with unanimous consent, the amendment was carried over.

Amendment No. 8

Senator HEMBREE proposed the following amendment (SEDU-3594.DB0114S), which was carried over:

Amend the bill, as and if amended, SECTION 19, by striking Section 23-31-245 and inserting:

Section 23-31-245. A person openly carrying a weapon in accordance with this article does not give a law enforcement officer reasonable suspicion or probable cause to search, detain, or arrest the person absent reasonable and articulable suspicion.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator HEMBREE, with unanimous consent, the amendment was carried over.

Debate was interrupted by adjournment.

Motion Adopted

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

MOTION ADOPTED

On motion of Senators ALEXANDER, ADAMS, ALLEN, BENNETT, CAMPSEN, CASH, CLIMER, CORBIN, CROMER, DAVIS, DEVINE, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, LOFTIS, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, REICHENBACH, RICE, SABB, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TEDDER, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Thomas Harrison "Tommy" Bell of North Augusta, S.C. Tommy was a native of Walhalla, S.C. and a longtime resident of Hilton Head. He graduated from the University of South Carolina where he played football, lettered and set records as a kicker. Tommy was an avid Gamecock fan who worked as a sportswriter with The State Newspaper before becoming a freelance writer. Tommy worked as an estate planner and an insurance agent for many years. He was a member of Christ Lutheran Church. Tommy was a voracious reader who enjoyed traveling and loved animals. Tommy was a loving partner, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator GUSTAFSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. John Carmichael, Jr. of Kershaw County. John was a giving man who always put others above himself and devoted his life to good deeds. He was known for producing and installing hundreds of wood duck boxes in ponds and streams across Kershaw County and was awarded the Wildlife Conservationist Award by the South Carolina and National Wildlife Federations in 1988. John led the Jackleg Club and the Parallax Club where he enjoyed the camaraderie of others. John was a graduate of the University of South Carolina and worked for nearly forty years with the South Carolina Department of Corrections as warden of the Wateree River Correctional Institution in Boykin. John was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 1:17 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

~~Indicates Matter Stricken~~
Indicates New Matter

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

MOTION ADOPTED

On motion of Senator BENNETT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Eunice Carmichael Stephens of Dillon, S.C. Eunice was a graduate of Newbery College where she received her degree in education. She taught English at Lake View and Dillon High Schools for thirty-four years and received numerous awards. She was a tremendous influence on her students, friends, family and community. Eunice was a loving wife, devoted mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 11:05 A.M., on motion of Senator JACKSON, the Senate adjourned to meet next Tuesday, January 30, 2024, at 12:00 P.M.

* * *

Tuesday, January 30, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Genesis 1:1

As we all doubtless recall, the beginning of Genesis reads: "In the beginning God created the heavens and the earth."

Please bow with me as we pray: O gracious God, Creator Supreme, we pray today that You will hold fast to and lead these Senators and their hard-working staff members. Give each of these servants the zeal and the wisdom to honor You through every aspect of the work they do here in this place. Especially, may they be unfailingly open to Your guidance and to Your will as they strive to create and accomplish what is the very best for every South Carolinian. And as always, we call upon You to be with our women and men in uniform serving in so many places, those close to home and those far away. Indeed, dear Lord, may all of us, whatever our role, be known as those who do our very best to honor You in every task we undertake. All this we pray in Your loving name, O Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Malloy
Martin	Massey	McElveen
Peeler	Reichenbach	Rice

Sabb	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Reappointment, Director of Department of Public Safety, with the term to commence February 1, 2024, and to expire February 1, 2028

Robert G. Woods IV, Director, South Carolina Department of Public Safety, PO Box 1993, Blythewood, SC 29016-1993

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina Department of Transportation Commission, with the term to commence February 15, 2020, and to expire February 15, 2024

5th Congressional District:

Curtis M. Spencer, American Forest Management / AMF Real Estate 732 Mattison Ave., Sumter, SC 29150-3108 *VICE* David Branham, Sr.

Referred to the Committee on Transportation.

Statewide Appointment

The following appointment was transmitted by the South Carolina Department of Transportation Commission:

Initial Appointment, Secretary of Department of Transportation

Justin P. Powell, 508 Carole Lane, Lexington, SC 29072 *VICE* Christy A. Hall

Referred to the Committee on Transportation.

Local Appointments

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Kenneth Wayne Luther, Jr., 570 Water Turkey Retreat, Charleston, SC 29412-9047 *VICE* Thomas E. Lynn

Initial Appointment, Kershaw County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Herbert Clay Carruth III, 304 B Kirkwood Lane, Camden, SC 29020 *VICE* Donnie Alan Trapp

Doctor of the Day

Senator MALLOY introduced Dr. Gerald Wilson of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator WILLIAMS, at 12:05 P.M., Senator ALLEN was granted a leave of absence until 1:00 P.M.

Leave of Absence

On motion of Senator McELVEEN, at 12:05 P.M., Senator TEDDER was granted a leave of absence until 1:30 P.M.

Leave of Absence

At 12:22 P.M., Senator GROOMS requested a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator MATTHEWS, at 3:47 P.M., Senator STEPHENS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator McLEOD, at 3:47 P.M., Senator FANNING was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator K. JOHNSON, at 4:02 P.M., Senator McELVEEN was granted a leave of absence for the balance of the day.

CO-SPONSORS ADDED

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

S. 538 Sen. Grooms
S. 708 Sen. Senn
S. 806 Sen. Malloy
S. 915 Sens. Young and Senn
S. 967 Sen. M. Johnson
S. 995 Sen. Devine

RECALLED

H. 4278 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME WOODVILLE ROAD IN FLORENCE COUNTY "BISHOP DONALD HYMAN ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS ROAD CONTAINING THESE WORDS.

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

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

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

sr-0120jg24.docx

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

S. 1002 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE MAY 5-11, 2024, AS "TARDIVE DYSKINESIA AWARENESS WEEK" IN SOUTH CAROLINA.
sr-0531km-vc24.docx

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

S. 1003 -- Senator Devine: A SENATE RESOLUTION TO HONOR BISHOP SIMEON A. MOULTRIE ON THE OCCASION OF HIS ELEVATION AND TO RECOGNIZE WEDNESDAY, JANUARY 31, 2024, AS "BISHOP SIMEON A. MOULTRIE DAY" IN SOUTH CAROLINA.
sr-0567km-hw24.docx

The Senate Resolution was adopted.

S. 1004 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR REVEREND AARON T. BROWN, SR., AS HE IS INSTALLED AS THE PASTOR OF THE REEDY RIVER MISSIONARY BAPTIST CHURCH IN GREENVILLE AND TO WISH HIM GOD'S BLESSING AS HE MINISTERS TO GOD'S PEOPLE AND TO THE GREENVILLE COMMUNITY.
lc-0351dg-gm24.docx

The Senate Resolution was adopted.

H. 4967 -- Reps. Erickson, McGinnis, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A

CONCURRENT RESOLUTION TO CONGRATULATE THE FIFTY SOUTH CAROLINA TECHNICAL COLLEGE STUDENTS NAMED TO SOUTH CAROLINA'S 2024 ALL-STATE ACADEMIC TEAM BY THE PHI THETA KAPPA HONOR SOCIETY IN RECOGNITION OF THEIR SCHOLARLY ACCOMPLISHMENTS AND SERVICE TO THEIR COMMUNITIES.

lc-0585wab-wab24.docx

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

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Thursday, February 1, 2024 - 8:00 a.m. - 10:00 a.m.
Members, Breakfast, 112 Blatt Building, hosted by the **ASSOCIATION OF PUBLIC SAFETY COMMUNICATIONS (APCO) AND THE NATIONAL EMERGENCY NUMBER ASSOCIATION (NENA)**

Tuesday, February 6, 2024 - 5:30 p.m. - 7:00 p.m.
Members, Reception, Columbia Marriott, 1200 Hampton Street, hosted by the **MUNICIPAL ASSOCIATION OF SOUTH CAROLINA**

Tuesday, February 6, 2024 - 5:30 p.m. - 8:00 p.m.
Members and Staff, Reception, 701 Whaley Street, hosted by the **SOUTH CAROLINA CONSERVATION COALITION**

Wednesday, February 7, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by the **AAA AUTO CLUB GROUP**

Wednesday, February 7, 2024 - 11:30 a.m. - 2:00 p.m.
Members and Staff, Luncheon, 112 Blatt Building, hosted by the **UNITED WAY ASSOCIATION OF SOUTH CAROLINA**

Thursday, February 8, 2024 - 8:00 a.m. - 10:00 a.m.
Members, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA HISTORICAL SOCIETY**

Thursday, February 8, 2024 - 11:30 a.m. - 2:00 p.m.
Members and Staff, Luncheon, State House Grounds, hosted by **THE ELECTRIC COOPERATIVES OF SOUTH CAROLINA, INC.**

Tuesday, February 13, 2024 - 5:30 p.m. - 7:30 p.m.
Members and Staff, Reception, University of South Carolina Alumni Center, hosted by the **UNIVERSITY OF SOUTH CAROLINA AND THE UNIVERSITY OF SOUTH CAROLINA ALUMNI ASSOCIATION**

Wednesday, February 14, 2024 - 8:00 a.m. - 10:00 p.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by **SOUTH CAROLINA FIRST STEPS**

Wednesday, February 14, 2024 - 11:30 a.m. - 2:00 p.m.
Members, Luncheon, 112 Blatt Building, hosted by the **WIL LOU GRAY OPPORTUNITY SCHOOL**

Thursday, February 15, 2024 - 8:00 a.m. - 10:00 a.m.
Members, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA ARTS ALLIANCE**

Tuesday, February 20, 2024 - 5:00 p.m. - 7:00 p.m.
Members, Reception, Halls Chophouse, hosted by the **NATIONAL ASSOCIATION OF INSURANCE AND FINANCIAL ADVISORS**

Tuesday, February 20, 2024 - 5:00 p.m. - 7:00 p.m.
Members and Staff, Reception, The Palmetto Club, hosted by the **SOUTH CAROLINA ASSOCIATION OF COUNTIES**

Tuesday, February 20, 2024 - 5:30 p.m. - 7:30 p.m.
Members, Reception, Hunter Gatherer Brewery/Hangar, 1402 Jim Hamilton Boulevard, hosted by **THE NATURE CONSERVANCY**

Wednesday, February 21, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SC ASSOCIATION OF MUNICIPAL POWER SYSTEMS/ PIEDMONT MUNICIPAL POWER AGENCY**

Wednesday, February 21, 2024 - 5:00 p.m. - 7:30 p.m.
Members and Staff, Reception, 1208 Washington Place, hosted by the **ASSOCIATION OF ABC STORES OF SOUTH CAROLINA**

Wednesday, February 21, 2024 - 6:00 p.m. - 8:00 p.m.
Members and Staff, Reception, The Palmetto Club, hosted by the **SOUTH CAROLINA CRAFT DISTILLERS GUILD**

Tuesday, February 27, 2024 - 6:00 p.m. - 9:00 p.m.
Members and Staff, Reception, Columbia Convention Center, hosted by the **MYRTLE BEACH AREA CHAMBER OF COMMERCE**

Wednesday, February 28, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by **THE SALVATION ARMY OF THE MIDLANDS**

Wednesday, February 28, 2024 - 11:30 a.m. - 2:00 p.m.
Members, Luncheon, 112 Blatt Building, hosted by the **INDEPENDENT BANKS OF SOUTH CAROLINA**

Wednesday, February 28, 2024 - 6:00 p.m. - 8:00 p.m.
Members and Staff, Reception, The Hall at Senate's End, 320 Senate Street, hosted by **CLEMSON UNIVERSITY, CLEMSON UNIVERSITY ALUMNI ASSOCIATION AND THE CLEMSON UNIVERSITY FOUNDATION**

Thursday, February 29, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by the **NATIONAL FEDERATION OF THE BLIND OF SOUTH CAROLINA, INC.**

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

CARRIED OVER

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE

DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT

FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

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

CARRIED OVER

S. 700 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 8 TO CHAPTER 5, TITLE 39 TO ESTABLISH THE "SOUTH CAROLINA EARNED WAGE ACCESS SERVICES ACT", SO AS TO PROVIDE FOR REQUIREMENTS FOR EARNED WAGE ACCESS SERVICES PROVIDERS, AND TO PROVIDE FOR CERTAIN EXEMPTIONS AND LIMITATIONS.

The Senate proceeded to a consideration of the Bill.

Senator CLIMER explained the Bill.

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

OBJECTION

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED

PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH

THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Senator MALLOY objected to consideration of the Bill.

READ THE SECOND TIME

S. 577 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-8-530, SECTION 12-8-540, SECTION 12-8-570, SECTION 12-8-580, AND SECTION 12-8-595, ALL RELATING TO THE WITHHOLDING OF INCOME TAXES, SO AS TO UPDATE A REFERENCE TO THE TOP MARGINAL INCOME TAX RATE.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

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

Ayes 45; Nays 0

AYES

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

Total--45

NAYS

Total--0

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

CARRIED OVER

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

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (LC-578.DG0003S):

Amend the bill, as and if amended, SECTION 1, by striking Section 12-54-240(B)(23) and inserting:

(23) disclosure of any information on any return that has been filed with the Department of Revenue to the Department of Health and Human

Services or the Attorney General for the purpose of verifying Medicaid eligibility or investigating Medicaid fraud;

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

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

CARRIED OVER

S. 620 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-51-50, RELATING TO SALES OF PROPERTY BY A COUNTY RESULTING FROM DELINQUENT TAXES, SO AS TO ALLOW AN ELECTRONIC SALE AND TO PROVIDE FOR THE PROCEDURES OF AN ELECTRONIC SALE; AND BY AMENDING SECTION 12-51-60, RELATING TO PAYMENT BY THE SUCCESSFUL BIDDER IN A TAX SALE, SO AS TO PROVIDE FOR THE DISTRIBUTION OF PROCEEDS DERIVED FROM AN ELECTRONIC TAX SALE.

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

READ THE SECOND TIME

S. 708 -- Senators Young, Shealy and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-11-420, RELATING TO DEFINITIONS PERTAINING TO THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM, SO AS TO DEFINE CHILD ABUSE MEDICAL SERVICES; AND BY AMENDING SECTION 63-11-430, RELATING TO PROGRAM REQUIREMENTS, SO AS TO PROVIDE FOR THE INCLUSION OF SOUTH CAROLINA NETWORK OF CHILDREN'S ADVOCACY CENTERS AND CHILDREN'S HOSPITALS IN THE PROGRAM.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

Ayes 46; Nays 0

AYES

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

Total--46

NAYS

Total--0

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

AMENDED, CARRIED OVER

S. 778 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING TITLE 40, CHAPTER 63, ARTICLE 5, SO AS TO CREATE THE SOCIAL WORK MEMBER STATE COMPACT, OUTLINE THE RULES OF THE COMPACT, AND DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG proposed the following amendment (SR-778.KM0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 40-63-500(1) and inserting:

(1) “Active military member” means any individual in full-time duty status in the active armed forces of the United States, including members of the National Guard and Reserve.

Amend the bill further, SECTION 1, by striking Section 40-63-510(A) and inserting:

Section 40-63-510. (A) To be eligible to participate in the compact, a potential member state must currently meet all of the following:

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

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

CARRIED OVER

S. 806 -- Senators Alexander and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-1-180, RELATING TO ADJOURNMENT OF GENERAL ASSEMBLY AND CONDITIONS FOR EXTENDED SESSION, SO AS TO PROVIDE THAT THE DATE FOR SINE DIE ADJOURNMENT IS AUTOMATICALLY EXTENDED IF THE HOUSE OF REPRESENTATIVES DOES NOT GIVE THIRD READING TO THE ANNUAL APPROPRIATIONS ACT ON OR BEFORE MARCH TENTH, SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY CALL THEIR RESPECTIVE BODIES INTO SESSION AFTER THE SINE DIE ADJOURNMENT DATE TO FINISH ANY UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION, AND TO PROVIDE THE TIME PERIOD DURING WHICH THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY BE CALLED BACK TO COMPLETE THE UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION.

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

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

H. 3116 -- Reps. Felder, Carter, Pope, Guffey, O'Neal, Gilliam, Hart, Caskey, Williams and Blackwell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-610, RELATING TO PERSONS LIABLE FOR TAXES AND ASSESSMENTS ON REAL PROPERTY, SO AS TO PROVIDE THAT CERTAIN DISABLED VETERANS OF THE ARMED FORCES OF THE UNITED STATES ARE EXEMPT FROM PROPERTY TAXES IN THE YEAR IN WHICH THE DISABILITY OCCURS.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (LC-3116.DG0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 12-37-610(B) and inserting:

(B) Notwithstanding any other provision of law, a veteran of the Armed Forces of the United States, who is permanently and totally disabled as a result of a service-connected disability and who files with the department a certificate signed by the county service officer certifying this disability, and who otherwise meets the requirements of Section 12-37-220(B)(1) may immediately claim the exemption for the entire year in which the disability occurs. A surviving spouse may immediately claim the exemption for the entire year in the same manner as the veteran regardless of whether the veteran applied, filed for, or claimed the exemption. Additionally, a veteran who is permanently and totally disabled for any part of the year, or surviving spouse thereof, is entitled to the exemption for the entire year. In a year in which a disabled veteran, or surviving spouse thereof, owns a property for less than a year, any other owner, who is not a disabled veteran, or otherwise entitled to an exemption, is responsible for the property tax accrued on the property for the time in which he owned the property.

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

SECTION X. Section 12-37-220(B)(1)(f)(iii) of the S.C. Code is amended to read:

(iii) "qualified surviving spouse" means the surviving spouse of an individual described in subsubitem (i) while remaining unmarried, who resides in the house, and who owns the house in fee or for life. Qualified surviving spouse also means the surviving spouse of an individual described in subsubitem (i) whose deceased spouse met the requirements

to obtain the exemption allowed by this item regardless of whether the deceased spouse applied, filed for, or claimed the exemption, while remaining unmarried, who resides in the house, and who owns the house in fee or for life. Qualified surviving spouse also means the surviving spouse of a member of the Armed Forces of the United States who was killed in action, or the surviving spouse of a law enforcement officer or firefighter who died in the line of duty as a law enforcement officer or firefighter, as these terms are further defined in Section 23-23-10 and Chapter 80, Title 40, if the surviving spouse remains unmarried, resides in the house, and has acquired ownership of the house in fee or for life;

SECTION X.A. Section 12-37-220(B)(3) of the S.C. Code is amended to read:

(3) two private passenger vehicles owned or leased by any disabled veteran designated by the veteran for which special license tags have been issued by the Department of Motor Vehicles under the provisions of Sections 56-3-1110 to 56-3-1130 or, in lieu of the license, if the veteran has a certificate signed by the county service officer or the Veterans Administration of the total and permanent disability which must be filed with the Department of Motor Vehicles. The exemption extends to the surviving spouse of the person on one private passenger vehicle owned or leased by the spouse for their lifetime or until the remarriage of the surviving spouse. If a trustee holds legal title to a vehicle and the beneficiary is a person who qualifies otherwise for the exemption provided and the beneficiary uses the vehicle, then the vehicle is exempt from property taxation in the same amount and manner;

B. This SECTION takes effect upon approval by the Governor and applies to tax years beginning after 2023.

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

SECTION 2. This act takes effect upon approval by the Governor and applies to tax years beginning after 2023 and any open period less than three years.

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

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

COMMITTEE AMENDMENT TABLED
COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

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

The Senate proceeded to a consideration of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (SFGF-3951.BC0017S), which was tabled:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

SECTION X.A. Section 12-24-90(B) of the S.C. Code is amended to read:

(B) The state fee must be credited as follows:

(1) ten cents of each one dollar thirty cents into the Heritage Land Trust Fund;

(2) twenty cents of each one dollar thirty cents into the South Carolina Housing Trust Fund; ~~and~~

(3) twenty-five cents of each one dollar thirty cents into the South Carolina Conservation Bank Trust Fund; and

(4) ~~one dollar~~seventy-five cents of each one dollar thirty cents into the general fund of the State.

B. This section takes effect July 1, 2024.

SECTION X. Section 48-59-40(A) and (B) of the S.C. Code is amended to read:

(A) There is established the South Carolina Conservation Bank. The bank is governed by a ~~fourteen-member~~seventeen-member board selected as follows:

(1) the Chairman of the Board for the Department of Natural Resources, the Chairman of the South Carolina Forestry Commission, the Commissioner of Agriculture, the Secretary of Commerce, the Secretary of Transportation, and the Director of the South Carolina Department of Parks, Recreation and Tourism, or their designees, all of whom shall serve ex officio and without voting privileges;

(2) three members appointed by the Governor from the State at large;

(3) four members appointed by the Speaker of the House of Representatives, one each from the Third, Fourth, and Sixth Congressional Districts and one member from the State at large; and

(4) four members appointed by the President of the Senate, one each from the First, Second, Fifth, and Seventh Congressional Districts.

(B)(1) In making their respective appointments to the board, the Governor, Speaker of the House of Representatives, and President ~~Pro Tempore~~ of the Senate shall take all reasonable steps to ensure that the members of the board reflect the state's racial and gender diversity.

(2) Each member of the board must possess experience in the areas of natural resources, land development, farming, forestry, finance, land conservation, real estate, or law.

SECTION X. Chapter 59, Title 48 of the S.C. Code is amended by adding:

Section 48-59-150. (A) There is established in the State Treasury the Working Farmland Protection Fund for the purpose of providing permanent protection to working farmland properties whose continued availability to commercial agricultural businesses is essential to the long-term future of the economic sector. Balances in the fund must be retained and carried forward annually and interest earned on balances in the fund must be credited to the fund.

(B) In a fiscal year in which the bank receives the amount provided for under Section 12-24-90, the General Assembly may appropriate funds to the Working Farmland Protection Fund.

(C) The Working Farmland Protection Fund must be used by the bank only for the purpose of awarding grants to eligible trust fund recipients for the purchase of interests in farmland in which a landowner derives at least fifty percent of his income.

(D) When evaluating applications for grants under this section, the bank must use the criteria set forth in Section 48-59-70(D), except for Section 48-59-70(D)(9) and Section 48-59-70(D)(13), along with the following criteria:

(1) the authority of the owner of the working farmland property to make the subject farmland available via lease or transfer of the protected property to another farmer or other farmers so as to advance the goal of preserving and increasing access to farmland for new and expanding farms;

(2) the threat of conversion of the working farmland property such that it would become unavailable for commercial production of agricultural products;

(3) the percentage of soils classified by the United States Department of Agriculture as prime farmland, unique farmland, farmland of statewide importance, and farmland of local importance;

(4) the agricultural structures and improvements associated with the working farmland property;

(5) the economic viability of the working farmland property in terms of current and potential future commercial agricultural activities in local, regional, and statewide markets; connection of the working farmland property to agricultural services including processors, aggregators, and distributors; and the number of on-farm jobs supported by the working farmland property;

(6) the multiple natural resources values associated with the working farmland property, including open space land, forested land and wetlands, riparian buffers, wildlife habitat, and freshwater aquifers; and

(7) whether the working farmland is located or serving in an underserved or underprivileged community.

SECTION 6. Unless otherwise provided, this act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

Senator CLIMER moved to lay the amendment on the table.

The amendment was laid on the table.

The Committee on Finance proposed the following amendment (SR-3951.KM0022S), which was adopted:

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

SECTION 1. Section 48-59-40(A) and (B) of the S.C. Code is amended to read:

Section 48-59-40. (A) There is established the South Carolina Conservation Bank. The bank is governed by a ~~fourteen-member~~seventeen-member board selected as follows:

(1) the Chairman of the Board for the Department of Natural Resources, the Chairman of the South Carolina Forestry Commission,

the Commissioner of Agriculture, the Secretary of Commerce, the Secretary of Transportation, and the Director of the South Carolina Department of Parks, Recreation and Tourism, or their designees, all of whom shall serve ex officio and without voting privileges;

(2) three members appointed by the Governor from the State at large;

(3) four members appointed by the Speaker of the House of Representatives, one each from the Third, Fourth, and Sixth Congressional Districts and one member from the State at large; and

(4) four members appointed by the President of the Senate, one each from the First, Second, Fifth, and Seventh Congressional Districts.

(B)(1) In making their respective appointments to the board, the Governor, Speaker of the House of Representatives, and President ~~Pro Tempore~~ of the Senate shall take all reasonable steps to ensure that the members of the board reflect the state's racial and gender diversity.

(2) Each member of the board must possess experience in the areas of natural resources, land development, forestry, farming, finance, land conservation, real estate, or law.

SECTION 2. Chapter 59, Title 48 of the S.C. Code is amended by adding:

Section 48-59-150. (A) There is established in the State Treasury the Working Farmland Protection Fund for the purpose of providing permanent protection to working farmland properties whose continued availability to commercial agricultural businesses is essential to the long-term future of the economic sector. Balances in the fund must be retained and carried forward annually and interest earned on balances in the fund must be credited to the fund.

(B) The Working Farmland Protection Fund must be used by the bank only for the purpose of awarding grants to eligible trust fund recipients for the purchase of interests in farmland in which a landowner derives at least fifty percent of his income.

(C) When evaluating applications for grants under this section, the bank must use the criteria set forth in Section 48-59-70(D), except for Section 48-59-70(D)(9) and Section 48-59-70(D)(13), along with the following criteria:

(1) the authority of the owner of the working farmland property to make the subject farmland available via lease or transfer of the protected property to another farmer or other farmers so as to advance the goal of preserving and increasing access to farmland for new and expanding farms;

(2) the threat of conversion of the working farmland property such that it would become unavailable for commercial production of agricultural products;

(3) the percentage of soils classified by the United States Department of Agriculture as prime farmland, unique farmland, farmland of statewide importance, and farmland of local importance;

(4) the agricultural structures and improvements associated with the working farmland property;

(5) the economic viability of the working farmland property in terms of current and potential future commercial agricultural activities in local, regional, and statewide markets; connection of the working farmland property to agricultural services including processors, aggregators, and distributors; and the number of on-farm jobs supported by the working farmland property;

(6) the multiple natural resources values associated with the working farmland property, including open space land, forested land and wetlands, riparian buffers, wildlife habitat, and freshwater aquifers; and

(7) whether the working farmland is located or serving in an underserved or underprivileged community.

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell

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

Total--46

NAYS

Total--0

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

POINT OF ORDER

S. 621 -- Senators Reichenbach, Stephens, Cromer, Kimbrell, M. Johnson, Fanning, Setzler, Bennett, Shealy, Rice, Williams and Allen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 79 TO TITLE 39 SO AS TO CREATE THE "SOUTH CAROLINA-IRELAND TRADE COMMISSION", TO PROVIDE FOR THE MEMBERS OF THE TRADE COMMISSION, AND TO ESTABLISH THE DUTIES OF THE COMMISSION.

Point of Order

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

The PRESIDENT sustained the Point of Order.

Expression of Personal Interest

Senator SENN rose for an Expression of Personal Interest.

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

MOTION ADOPTED

At 1:30 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

CARRIED OVER

S. 557 -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477, RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.

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

CONCURRENCE

S. 738 -- Senator K. Johnson: A BILL TO DELINEATE THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE CLARENDON COUNTY SCHOOL BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2024 GENERAL ELECTION, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE DISTRICTS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator K. JOHNSON explained the amendments.

On motion of Senator K. JOHNSON, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

H. 3594 -- Reps. B.J. Cox, G.M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe,

McCravy, A.M. Morgan, T.A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M.M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B.L. Cox, Vaughan, White, Collins, J.E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE

ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE

WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM "CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR".

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

Amendment No. 9

Senator JACKSON proposed the following amendment (SMIN-3594.MW0116S), which was carried over:

Amend the bill, as and if amended, SECTION 3, by striking Section 16-23-20~~(4)~~(9) and inserting:

(9) medical clinic, doctor's office, any office that provides counseling services or therapy to individuals or a family, or any other facility where medical services or procedures are performed, unless expressly authorized by the employer;

Renumber sections to conform.

Amend title to conform.

Senator JACKSON explained the amendment.

On motion of Senator JACKSON, with unanimous consent, the amendment was carried over.

Amendment No. 10

Senator GOLDFINCH proposed the following amendment (SR-3594.JG0117S), which was tabled:

Amend the bill, as and if amended, SECTION 10, by striking Section 23-31-220~~(A)~~(1) and inserting:

(A) Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer, except a public accommodations business, to prohibit a person who is ~~licensed under this article~~ licensed under this article from carrying a concealable weapon, whether concealed or openly carried, upon the premises of the business or ~~work place~~ workplace or while using any machinery, vehicle, or equipment owned or operated by the business; or

(2) the right of a public accommodations business to prohibit a person who does not hold a valid concealed weapon permit and is otherwise not prohibited by law from possessing a handgun from carrying a concealable weapon, whether concealed or openly carried, upon the premises of the business or workplace or while using any machinery, vehicle, or equipment owned or operated by the business; or

Amend the bill further, SECTION 10, by striking Section 23-31-220(B) and inserting:

(2) the right of a public accommodations business to prohibit a person who does not hold a valid concealed weapon permit and is otherwise not prohibited by law from possessing a handgun from carrying a concealable weapon, whether concealed or openly carried, upon the premises of the business or workplace or while using any machinery, vehicle, or equipment owned or operated by the business; or

~~(2)~~(3) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable weapon, whether concealed or openly carried, upon his premises.

(B) The posting by the employer, owner, or person in legal possession or control of a sign stating "NO CONCEALABLE WEAPONS ALLOWED", or in the case of a public accommodations business, "NO CONCEALABLE WEAPONS ALLOWED UNLESS POSSESSED BY A PERSON WITH A VALID CWP" shall constitute notice to a person ~~holding a permit issued pursuant to this article~~ that the employer, owner, or person in legal possession or control requests that concealable weapons, whether concealed or openly carried, not be brought upon the premises or into the ~~work place~~workplace. A person who knowingly brings a concealable weapon, whether concealed or openly carried, onto the premises or ~~work place~~ workplace in violation of the provisions of

this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20~~, item~~ (B)(1).

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

SECTION X. SLED shall promulgate regulations requiring the course and qualifications for concealed weapon permits to include two additional hours of training regarding the proper handling of firearms and two additional hours of legal training.

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

Senator HEMBREE explained the amendment.

Senator MALLOY explained the amendment.

Senator MARTIN moved to lay the amendment on the table.

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

Ayes 34; Nays 8

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Gambrell	Garrett
Gustafson	Hembree	Hutto
Jackson	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	Peeler	Reichenbach
Rice	Senn	Setzler
Shealy	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--34

NAYS

Allen	Goldfinch	Harpootlian
Johnson, Kevin	Loftis	McElveen
McLeod	Sabb	

Total--8

The amendment was laid on the table.

Recorded Vote

Senator GROOMS desired to be recorded as voting in favor of the motion to table the amendment.

Amendment No. 11

Senators SABB and K. JOHNSON proposed the following amendment (SMIN-3594.MW0083S), which was tabled:

Amend the bill, as and if amended, SECTION 3, by striking Section 16-23-20~~(4)~~(3) and inserting:

(3) within a hundred feet of any building in which a polling location is located, as publicly posted by the designated election official, on the day of any election or during the time when voting is permitted for any election;

Renumber sections to conform.

Amend title to conform.

Senator SABB explained the amendment.

Senator MARTIN moved to lay the amendment on the table.

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

Ayes 24; Nays 18

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Gambrell	Garrett
Gustafson	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
Peeler	Reichenbach	Rice

Senn	Shealy	Talley
Turner	Verdin	Young

Total--24

NAYS

Allen	Campsen	Davis
Devine	Goldfinch	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	Malloy	Matthews
McLeod	Rankin	Sabb
Setzler	Tedder	Williams

Total--18

The amendment was laid on the table.

Recorded Vote

Senator GROOMS desired to be recorded as voting in favor of the motion to table the amendment.

Amendment No. 12

Senator HEMBREE proposed the following amendment (SEDU-3594.DB0126S), which was adopted:

Amend the bill, as and if amended, SECTION 19, by striking Section 23-31-245 and inserting:

Section 23-31-245. This article does not prevent a law enforcement officer from searching, detaining, or arresting a person when he has a particularized and objective basis for suspecting the particular person stopped of criminal activity. A person merely carrying a weapon in accordance with this article is not sufficient to justify a search, detention, or arrest.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 13

Senator MASSEY proposed the following amendment (SR-3594.JG0112S), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 16-23-20~~(4)~~(11) and inserting:

(11) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises in compliance with Section 23-31-235.

Amend the bill further, SECTION 4, by striking Section 16-23-50(2) and inserting:

(2) A person violating the provisions of Section 16-23-20 is guilty of ~~a misdemeanor and, upon conviction, must be~~:

(1) a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both~~.~~, for a first offense;

(2) a misdemeanor and, upon conviction, must be imprisoned not more than three years for a second offense; or

(3) a felony and, upon conviction, must be imprisoned not more than five years for a third or subsequent offense.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Objection

Senator MARTIN asked unanimous consent, with Senator MASSEY retaining the floor, to stand in recess for five minutes.

Senator MATTHEWS objected.

Senator MASSEY resumed speaking on the amendment.

The question then was the adoption of the amendment.

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

Ayes 22; Nays 20

AYES

Allen	Bennett	Campsen
Davis	Devine	Goldfinch
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	Malloy

Massey	Matthews	McLeod
Rankin	Sabb	Senn
Setzler	Talley	Tedder
Williams		

Total--22

NAYS

Adams	Alexander	Cash
Climer	Corbin	Cromer
Gambrell	Garrett	Gustafson
Johnson, Michael	Kimbrell	Loftis
Martin	Peeler	Reichenbach
Rice	Shealy	Turner
Verdin	Young	

Total--20

The amendment was adopted.

Recorded Vote

Senator GROOMS desired to be recorded as voting against the adoption of the amendment.

RECESS

At 4:59 P.M., on motion of Senator MARTIN, the Senate receded from business not to exceed 5 minutes.

At 5:47 P.M., the Senate resumed.

Motion Adopted

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

There was no objection.

Debate was interrupted by adjournment.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on January 30, 2024, at 2:00 P.M. and the following Acts were ratified:

(R104, H. 3690) -- Reps. Taylor, G.M. Smith, Thayer, Bradley, Hiott, Bannister, W. Newton, Sandifer, West, Davis, Erickson, J.E. Johnson, Jordan, Whitmire, Hixon, Elliott, Forrest, Wooten, Bustos, Willis, Yow, Carter, Hartnett, Moss, McCravy, B.J. Cox, Haddon, Burns, Chumley, Oremus, Hardee, Ligon, Long, Gilliam, Magnuson, Lawson, Nutt, Brewer, Guffey, Hager, Mitchell, Neese, Sessions, Vaughan, Robbins, Kilmartin, M.M. Smith, B. Newton, Hewitt, Leber, Pope, Blackwell, Caskey and Landing: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "ESG PENSION PROTECTION ACT" BY AMENDING SECTION 9-16-10, RELATING TO RETIREMENT SYSTEM FUNDS DEFINITIONS, SO AS TO ADD A DEFINITION OF "PECUNIARY FACTOR"; BY AMENDING SECTION 9-16-30, RELATING TO DELEGATION OF FUNCTIONS BY THE COMMISSION, SO AS TO PROVIDE THAT PROXY VOTING DECISIONS MUST BE BASED ON PECUNIARY FACTORS; BY AMENDING SECTION 9-16-50, RELATING TO INVESTMENT AND MANAGEMENT CONSIDERATIONS BY TRUSTEES, SO AS TO PROVIDE THAT THE COMMISSION MAY ONLY CONSIDER PECUNIARY FACTORS IN MAKING CERTAIN INVESTMENT DECISIONS; BY AMENDING SECTION 9-16-320, RELATING TO ANNUAL INVESTMENT PLANS, SO AS TO REQUIRE CERTAIN MEETINGS; BY AMENDING SECTION 9-16-330, RELATING TO STATEMENT OF ACTUARIAL ASSUMPTIONS AND INVESTMENT OBJECTIVES, SO AS TO REQUIRE CERTAIN CERTIFICATIONS; AND BY ADDING SECTION 9-16-110 SO AS TO PROVIDE THAT THE ATTORNEY GENERAL MAY BRING AN ACTION TO ENFORCE CERTAIN PROVISIONS.
L:\COUNCIL\ACTS\3690SA125.DOCX

(R105, H. 3782) -- Reps. West, Yow, Jefferson, Ligon, Nutt, Anderson, Hardee, Bannister, Thayer, Blackwell and Oremus: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-12-300, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "CABLE SERVICE"AND "VIDEO SERVICE"; AND BY AMENDING SECTION 58-9-2200,

RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "RETAIL TELECOMMUNICATIONS SERVICE".
L:\COUNCIL\ACTS\3782HA125.DOCX

(R106, H. 3799) -- Reps. Hyde and Nutt: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 53-3-270 SO AS TO DECLARE THE FIRST MONDAY OF MARCH OF EACH YEAR AS “WATER PROFESSIONALS DAY”.
L:\COUNCIL\ACTS\3799SA125.DOCX

(R107, H. 3872) -- Reps. Murphy, Caskey, B. Newton, Brewer, Robbins, Sandifer, Herbkersman, Rutherford, Wooten, Connell, Mitchell and Hager: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-150-145 SO AS TO EXEMPT CERTAIN PERSONALLY IDENTIFIABLE INFORMATION CONCERNING LOTTERY CLAIMS FROM NONCONSENSUAL DISCLOSURE OR RELEASE UNDER THE FREEDOM OF INFORMATION ACT, TO PROVIDE THE LOTTERY COMMISSION MAY DISCLOSE CERTAIN INFORMATION CONCERNING LOTTERY CLAIMS WITHOUT CONSENT, AND TO PROVIDE AN EXCEPTION FOR PARTICIPANTS IN CERTAIN PROMOTIONS; AND BY AMENDING SECTION 30-4-40, RELATING TO MATTERS EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO MAKE A CONFORMING CHANGE.
L:\COUNCIL\ACTS\3872WAB125.DOCX

(R108, H. 3960) -- Rep. Forrest: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-686 SO AS TO DESIGNATE THE SOUTH CAROLINA POULTRY FESTIVAL IN LEXINGTON COUNTY AS THE OFFICIAL STATE POULTRY FESTIVAL.
L:\COUNCIL\ACTS\3960SA125.DOCX

(R109, H. 3977) -- Reps. Sandifer, Hardee and Anderson: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-55-730 SO AS TO ALLOW INSURERS TO POST AN INSURANCE POLICY OR ENDORSEMENT ON THEIR WEBSITE IF CERTAIN CONDITIONS ARE MET.
L:\COUNCIL\ACTS\3977PH125.DOCX

(R110, H. 4120) -- Reps. Pope and Long: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-3-80 SO AS TO CREATE THE "ILLEGAL IMMIGRATION ENFORCEMENT UNIT" WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE IT TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT AGENCY; AND BY REPEALING SECTION 23-6-60 AND CHAPTER 30 OF TITLE 8 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF PUBLIC SAFETY AND THE RECORDING AND REPORTING OF IMMIGRATION LAW VIOLATIONS.
L:\COUNCIL\ACTS\4120CM125.DOCX

(R111, H. 4352) -- Reps. Calhoon and Felder: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 53-3-270 SO AS TO DESIGNATE THE MONTH OF MARCH OF EACH YEAR AS "MIDDLE LEVEL EDUCATION MONTH".
L:\COUNCIL\ACTS\4352SA125.DOCX

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Kershaw County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Herbert Clay Carruth III, 304 B Kirkwood Lane, Camden, SC 29020 *VICE* Donnie Alan Trapp

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Kenneth Wayne Luther, Jr., 570 Water Turkey Retreat, Charleston, SC 29412-9047 *VICE* Thomas E. Lynn

Motion Adopted

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

MOTION ADOPTED

On motion of Senator CROMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. George "Smokey" H. Davis of Lexington, S.C. Smokey graduated from Auburn University before enlisting in the U.S. Marine Corps. He earned a master's degree from George Washington University. He worked for Junior Achievement, C&S Bank, Capital Lighting and Solomon Smith Barney. He enjoyed his weekly column "Signals from Smokey". Smokey was involved in many clubs and served on many boards including the Jaycees, Rotary Club of Lexington, the Arts Association Follies, Lexington One School Board, Commissioner of Midlands Technical College, Lexington County Council, Lexington County Development Corporation, Central Midlands Council of Governments, Midlands and Central Midlands Workforce Development Corporation and Lexington Medical Center Board to mention a few. He was a Stephen Minister at Saxe Gotha Presbyterian Church and was active at Northside Baptist Church. Smokey was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator RANKIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. John Calvin Griggs, Jr. of Columbia, S.C. John was a graduate of Conway High School and the University of South Carolina. He worked for First Citizens Bank in the Grand Strand area for nearly forty years. He served on the Board of Advisors for the Grand Strand Water and Sewer Authority, the Board of Visitors for the Wall School of Business at Coastal Carolina University and other nonprofit organizations. Before joining Shandon United Methodist Church, he was a member of Trinity United Methodist Church in Conway, S.C. John enjoyed hunting, golfing, fishing, gardening, cheering on the Gamecocks and spending time with family and friends. John was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 5:49 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, January 31, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Psalm 133:1

The Psalmist proclaims: "How good and pleasant it is when brothers live together in unity."

Let us pray: Truly, O God, how blessedly wonderful it would be if only brothers and sisters worldwide could live in absolute unity. Yet that is not the reality of our world today, not at all. One needs only to scan the news and be reminded of what is unfolding still in Ukraine, Israel and Gaza, attacks in the Red Sea, not to mention artificial intelligence issues and so much more. So we fervently pray for You, dear Lord, to bind us all together in peaceful unity -- here in South Carolina as well as around the globe. And bless each of these Senators as they strive to provide the leadership we desperately need in this day and time while they honorably serve the good people of our State. So we humbly pray in Your merciful name, dear Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	*Johnson, Kevin*
Kimbrell	Loftis	Massey
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy

Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Doctor of the Day

Senator McELVEEN introduced Dr. Gary Culbertson of Sumter, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator MASSEY, at 1:28 P.M., Senator MARTIN was granted a leave of absence until 3:25 P.M.

Leave of Absence

On motion of Senator FANNING, at 1:30 P.M., Senator MATTHEWS was granted a leave of absence until 2:20 P.M.

Leave of Absence

At 5:26 P.M., Senator DAVIS requested a leave of absence until 7:00 P.M.

Leave of Absence

On motion of Senator YOUNG, at 5:38 P.M., Senator TALLEY was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator HEMBREE, at 5:38 P.M., Senator TURNER was granted a leave of absence until 7:00 P.M.

Leave of Absence

On motion of Senator ALLEN, at 5:38 P.M., Senator FANNING was granted a leave of absence until 7:00 P.M.

Leave of Absence

On motion of Senator HUTTO, at 10:05 P.M., Senators JACKSON, HARPOOTLIAN and K. JOHNSON were granted a leave of absence for the balance of the day.

CO-SPONSORS ADDED

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

S. 143 Sen. Gustafson
S. 305 Sen. Gustafson
S. 806 Sen. Setzler
S. 953 Sen. Talley

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1005 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1320, RELATING TO MOTOR RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROVIDE THAT A BOAT, WATERCRAFT, OR OTHER TYPE OF VESSEL POWERED BY AN OUTDRIVE OR INBOARD MOTOR HAVING AN ENGINE AUTOMOTIVE HORSEPOWER RATING IN EXCESS OF TWO HUNDRED HORSEPOWER IS PERMITTED AND THAT PERSONAL WATERCRAFT MAY NOT EXCEED ONE HUNDRED NINETY HORSEPOWER; AND BY AMENDING SECTION 50-25-1350, RELATING TO WATER SKIING AND TOWING RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROHIBIT THE OPERATION OF PERSONAL WATERCRAFT, SPECIALTY PROPCRAFT, OR VESSELS IN EXCESS OF IDLE SPEED WITHIN ONE HUNDRED FEET OF A WHARF, DOCK, BULKHEAD, OR PIER OR WITHIN FIFTY FEET OF A MOORED OR ANCHORED VESSEL OR PERSON IN THE WATER.
sr-0574km24.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 1006 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 9-11-95 SO AS TO ALLOW A RETIRED POLICE OFFICER WHO MAINTAINS A CONSTABLE CERTIFICATION AFTER HE IS CERTIFIED PURSUANT TO SECTION 23-23-70 TO BE EMPLOYED BY ONE OR MORE LAW ENFORCEMENT AGENCIES WITHOUT BEING SUBJECT TO THE EARNINGS LIMITATION IN SECTION 9-11-90(4).
sr-0566km24.docx

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

S. 1007 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-23-60, RELATING TO CERTIFICATES OF COMPLIANCE, INFORMATION TO BE SUBMITTED RELATING TO QUALIFICATION OF CANDIDATES FOR CERTIFICATION, AND EXPIRATION OF CERTIFICATES FOR LAW ENFORCEMENT OFFICERS SO AS TO PERMIT SLED TO CONDUCT STATE- AND FEDERAL-LEVEL CRIMINAL RECORDS CHECKS ON INDIVIDUALS SEEKING CERTIFICATION.
sr-0121jg24.docx

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

S. 1008 -- Senators Kimbrell, M. Johnson, Rice, Reichenbach, Adams, Corbin, Gambrell, Climer, Cash, Verdin and Garrett: A SENATE RESOLUTION TO RECOGNIZE AND HONOR GOVERNOR GREG ABBOTT FOR HIS LEADERSHIP AND FORTITUDE AND ENCOURAGE HIM TO PERSEVERE IN HIS FIGHT TO SECURE THE TEXAS-MEXICO BORDER.
sr-0571km-hw24.docx

The Senate Resolution was introduced and referred to the Committee on Judiciary.

S. 1009 -- Senator McElveen: A CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 2024 AS "WORLD CHOLANGIOCARCINOMA MONTH" IN SOUTH CAROLINA.
sr-0549km-vc24.docx

Senator MCELVEEN spoke on the Resolution.

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

S. 1010 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 2024 AS "AMERICAN HEART MONTH" IN SOUTH CAROLINA.
sr-0575km-vc24.docx

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

S. 1011 -- Senators Setzler, Malloy, Hutto, Jackson, McElveen, Goldfinch, Hembree, Young, Garrett, Talley, Gambrell, K. Johnson, Allen, McLeod, Tedder, Turner, Gustafson, Alexander, Kimbrell, Adams, Rice, Campsen, Senn, Shealy, Verdin, Cromer, Matthews, Loftis, Corbin, Williams, Rankin, Peeler, Reichenbach, Sabb and

Fanning: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE UNIVERSITY OF SOUTH CAROLINA AND THE ENTIRE USC SYSTEM FOR ITS MANY AND SIGNIFICANT CONTRIBUTIONS TO THE EDUCATION AND CULTURE OF OUR CITIZENS AND TO DECLARE TUESDAY, FEBRUARY 13, 2024, "CAROLINA DAY" AT THE STATE HOUSE.
lc-0324hdb-gm24.docx

The Senate Resolution was adopted.

H. 3309 -- Reps. Gilliam, Pope, Erickson, Bradley, Davis, Caskey and M. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SEIZURE SAFE SCHOOLS ACT" BY ADDING SECTION 59-63-97 SO AS TO REQUIRE THE ESTABLISHMENT OF SEIZURE ACTION PLANS IN PUBLIC SCHOOLS, AND TO PROVIDE REQUIREMENTS FOR SUCH PLANS AND THEIR IMPLEMENTATION, AMONG OTHER THINGS.
lc-0010wab23.docx

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

H. 3523 -- Reps. McCravy, Lawson, Yow, Leber, Bailey, Brittain, Robbins, Sessions, Mitchell, Wheeler, Schuessler, B. Newton, Erickson, Bradley, Oremus, Cromer, Chapman, Gagnon, Gilliam and Gibson: A BILL TO AMEND SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 8 TO CHAPTER 11, TITLE 1 SO AS TO CREATE THE "FALLEN FIRST RESPONDER SURVIVOR ADVOCATE" POSITION WITHIN THE DEPARTMENT OF ADMINISTRATION AND PROVIDE ITS DUTIES AND RESPONSIBILITIES.
lc-0161cm23.docx

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

H. 4029 -- Reps. Dillard, Hyde, Bailey, Brittain, Weeks and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.
lc-0203ph23.docx

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

H. 4608 -- Reps. Hayes and Atkinson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE LUMBER RIVER ALONG UNITED STATES HIGHWAY 76 AND SOUTH CAROLINA HIGHWAY 9 AT THE BORDER OF MARION AND HORRY COUNTIES "PLAN LANNEAU ELVINGTON, SR. MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.
lc-0417cm-gt24.docx

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

H. 4632 -- Rep. J. E. Johnson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF CULTRA ROAD AND OAK STREET IN THE CITY OF CONWAY IN HORRY COUNTY "JAMES ODELL COCHRAN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.
lc-0420cm-cm24

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

H. 4674 -- Rep. Erickson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1240, RELATING TO THE DISPLAY OF LICENSE PLATES, SO AS TO PROVIDE THE CIRCUMSTANCES IN WHICH THE PROVISIONS OF THIS SECTION APPLY, TO PROVIDE HOW LICENSE PLATES MUST BE FASTENED TO VEHICLES, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE FOR THE DISPLAY OF TEMPORARY LICENSE PLATES ON LARGE COMMERCIAL MOTOR VEHICLES.
lc-0444cm24.docx

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

H. 4806 -- Reps. Rivers and Gilliard: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF THE SEA ISLAND PARKWAY IN BEAUFORT COUNTY FROM ITS INTERSECTION WITH COWEN CREEK BLUFF TO ITS INTERSECTION WITH COWEN CREEK BRIDGE "MONTFORD POINT MARINES WAY"

AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.
lc-0452cm-gt24.docx

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

H. 4810 -- Reps. Bannister and G. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS, SO AS TO PROVIDE FOR A SALES TAX EXEMPTION FOR CERTAIN CLOTHING REQUIRED FOR USE IN PERISHABLE PREPARED FOOD MANUFACTURING FACILITIES.
lc-0452sa24.docx

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

H. 4825 -- Reps. Hewitt, Murphy, W. Newton, Brewer, Gatch, Robbins, Kirby, Mitchell, Crawford, Yow, Bailey, Pope, Guest, Hartnett, West, Oremus, Leber, Williams, Jefferson, Gilliard, Schuessler, Landing, Bustos, Calhoon, Gilliam, Gibson, M. M. Smith, B. Newton and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-910, RELATING TO OFFENSES INVOLVING KIDNAPPING, SO AS TO INCLUDE UNLAWFULLY LURING ANOTHER PERSON, TO PROVIDE FOR A SENTENCING ENHANCEMENT WHEN THE VICTIM IS A MINOR, TO SPECIFICALLY PROVIDE FOR PUNISHMENT FOR ATTEMPTED KIDNAPPING OFFENSES, AND TO DEFINE THE TERM "MINOR".
lc-0217ahb24.docx

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

H. 4833 -- Rep. Burns: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION PLACE APPROPRIATE MARKERS OR SIGNS AT THE STATE-MAINTAINED ROAD ENTRANCES TO THE TOWN OF SLATER-MARRIETTA IN GREENVILLE COUNTY CONTAINING THE WORDS "HOME OF THE SLATER-MARIETTA HIGH SCHOOL GREEN WAVE FIVE-TIME SOUTH CAROLINA BOYS STATE BASKETBALL CHAMPIONS: 1953, 1962, 1964, 1966, AND 1971".
lc-0463cm-gt24.docx

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

H. 4841 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF FRIENDSHIP ROAD IN DILLON COUNTY FROM STATE ROAD 308 (LESTER ROAD) TO STATE ROAD 71 (JUDGE ROAD) "JACKSON RYAN WINKELER MEMORIAL ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS DESIGNATION CONTAINING THESE WORDS.
lc-0472cm-gt24.docx

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

H. 4863 -- Reps. Anderson and Hewitt: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF EXODUS DRIVE IN GEORGETOWN COUNTY (SOUTH CAROLINA HIGHWAY #S-264), BEGINNING WITH ITS INTERSECTION AT NORTH FRASER STREET (UNITED STATES HIGHWAY 701), SPANNING APPROXIMATELY 7.97 MILES, AND ENDING AT A SECOND INTERSECTION WITH UNITED STATES HIGHWAY 701 "JOHNNY MORANT HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.
lc-0457cm-gt24.docx

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

H. 4878 -- Rep. Ott: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 6 IN LEXINGTON COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 TO ITS INTERSECTION WITH TICKLE WEED ROAD "STANLEY MYERS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.
lc-0475cm-gt24.docx

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

H. 4892 -- Reps. Thayer, West, Chapman, Beach, Cromer and Gagnon: A BILL TO AMEND ACT 510 OF 1982, AS AMENDED, RELATING TO THE ANDERSON COUNTY BOARD OF EDUCATION, SO AS TO REAPPORTION THE DISTRICTS FROM WHICH BOARD MEMBERS ARE ELECTED; AND TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES OF ANDERSON COUNTY SCHOOL DISTRICT 1, SO AS TO REAPPORTION THESE DISTRICTS.
lc-0347hdb24.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 4937 -- Reps. Collins, Hiott and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-450, RELATING TO DESIGNATION OF VOTING PRECINCTS IN PICKENS COUNTY, SO AS TO AUTHORIZE THE PICKENS COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS, WITH APPROVAL FROM A MAJORITY OF THE PICKENS COUNTY LEGISLATIVE DELEGATION, TO LOCATE A POLLING PLACE WITHIN FIVE MILES OF A PRECINCT'S BOUNDARIES IF NO SUITABLE LOCATION EXISTS WITHIN THE PRECINCT.
lc-0365hdb24.docx

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

H. 4978 -- Reps. Hixon, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A

CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE MEMBERS OF SOUTH CAROLINA'S FFA, FORMERLY KNOWN AS THE FUTURE FARMERS OF AMERICA, AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN OBSERVANCE OF NATIONAL FFA WEEK FROM FEBRUARY 17 THROUGH 24, 2024.
lc-0595wab-gm24.docx

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

REPORT OF STANDING COMMITTEE

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

S. 843 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-56-120, RELATING TO MISREPRESENTATIONS PROHIBITED, SO AS TO PROHIBIT A SOLICITATION FROM A PERSON OR GROUP REPRESENTING ITSELF AS A SOUTH CAROLINA-BASED NATIVE AMERICAN INDIAN TRIBE OR SOUTH CAROLINA-BASED NATIVE AMERICAN ENTITY UNLESS THE GROUP HAS BEEN FEDERALLY ACKNOWLEDGED AS A TRIBE, OR DESIGNATED AS A TRIBE, GROUP, OR SPECIAL INTEREST ORGANIZATION BY THE BOARD OF THE STATE COMMISSION FOR MINORITY AFFAIRS.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., January 31, 2024

Mr. President and Senators:

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

S. 782 -- Senators Matthews and Davis: A BILL TO DELINEATE THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE JASPER COUNTY SCHOOL BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2024 GENERAL ELECTION, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE DISTRICTS, AND TO REPEAL SECTION 2 OF ACT 476 OF 1998 RELATING TO THE

ESTABLISHMENT OF SINGLE-MEMBER DISTRICTS OF THE JASPER COUNTY SCHOOL DISTRICT.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., January 31, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4159 -- Reps. Herbkersman, Davis, M.M. Smith, Erickson, W. Newton, Bradley, Ballentine, Hewitt and Blackwell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA TELEHEALTH AND TELEMEDICINE MODERNIZATION ACT" BY ADDING CHAPTER 42 TO TITLE 40 SO AS TO DEFINE NECESSARY TERMS AND PROVIDE REQUIREMENTS FOR CERTAIN REGULATED HEALTH CARE PROFESSIONALS WHO PROVIDE HEALTH CARE BY MEANS OF TELEHEALTH; BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS IN THE MEDICAL PRACTICE ACT, SO AS TO DEFINE "TELEHEALTH"; AND BY AMENDING SECTION 40-47-37, RELATING TO THE PRACTICE OF TELEMEDICINE, SO AS TO REVISE REQUIREMENTS FOR THE PRACTICE OF TELEMEDICINE AND TO INCLUDE PROVISIONS CONCERNING TELEHEALTH.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

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

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 577 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-8-530, SECTION 12-8-540, SECTION 12-8-570, SECTION 12-8-580, AND SECTION 12-8-595, ALL RELATING TO THE WITHHOLDING OF INCOME TAXES, SO AS TO UPDATE A REFERENCE TO THE TOP MARGINAL INCOME TAX RATE.

OBJECTION

S. 708 -- Senators Young and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-11-420, RELATING TO DEFINITIONS PERTAINING TO THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM, SO AS TO DEFINE CHILD ABUSE MEDICAL SERVICES; AND BY AMENDING SECTION 63-11-430, RELATING TO PROGRAM REQUIREMENTS, SO AS TO PROVIDE FOR THE INCLUSION OF SOUTH CAROLINA NETWORK OF CHILDREN'S ADVOCACY CENTERS AND CHILDREN'S HOSPITALS IN THE PROGRAM.

Senator DAVIS objected to consideration of the Bill.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

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

OBJECTION

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO

PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST

FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

Senator MALLOY objected to consideration of the Bill.

READ THE SECOND TIME

S. 700 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 8 TO CHAPTER 5, TITLE 39 TO ESTABLISH THE “SOUTH CAROLINA EARNED WAGE ACCESS SERVICES ACT” SO AS TO PROVIDE FOR REQUIREMENTS FOR EARNED WAGE ACCESS SERVICES PROVIDERS, AND TO PROVIDE FOR CERTAIN EXEMPTIONS AND LIMITATIONS.

The Senate proceeded to a consideration of the Bill.

Senator CLIMER explained the Bill.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

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

Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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

OBJECTION

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF

VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET

UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

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

Senator MALLOY objected to consideration of the Bill.

CARRIED OVER

S. 620 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-51-50, RELATING TO SALES OF PROPERTY BY A COUNTY RESULTING FROM DELINQUENT TAXES, SO AS TO ALLOW AN ELECTRONIC SALE AND TO PROVIDE FOR THE PROCEDURES OF AN ELECTRONIC SALE; AND BY AMENDING SECTION 12-51-60, RELATING TO PAYMENT BY THE SUCCESSFUL BIDDER IN A TAX SALE, SO AS TO PROVIDE FOR THE DISTRIBUTION OF PROCEEDS DERIVED FROM AN ELECTRONIC TAX SALE.

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

CARRIED OVER

S. 778 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING TITLE 40, CHAPTER 63, ARTICLE 5 SO AS TO CREATE THE SOCIAL WORK MEMBER STATE COMPACT, OUTLINE THE RULES OF THE COMPACT, AND DEFINE NECESSARY TERMS.

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

AMENDED, READ THE SECOND TIME

S. 806 -- Senators Alexander, Malloy and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-1-180, RELATING TO ADJOURNMENT OF GENERAL ASSEMBLY AND CONDITIONS FOR EXTENDED SESSION, SO AS TO PROVIDE THAT THE DATE FOR SINE DIE ADJOURNMENT IS AUTOMATICALLY EXTENDED IF THE HOUSE OF REPRESENTATIVES DOES NOT GIVE THIRD READING TO THE ANNUAL APPROPRIATIONS ACT ON OR BEFORE MARCH TENTH, SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY CALL THEIR RESPECTIVE BODIES INTO SESSION AFTER THE SINE DIE ADJOURNMENT DATE TO FINISH ANY UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION, AND TO PROVIDE THE TIME PERIOD DURING WHICH THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY BE CALLED BACK TO COMPLETE THE UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION.

The Senate proceeded to a consideration of the Bill.

Senator ALEXANDER proposed the following amendment (SR-806.JG0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 2-1-180(a), (b), ~~(b)~~(c), and ~~(c)~~(d) and inserting:

~~(a) if the House of Representatives fails to give a third reading to the annual general appropriations bill by March thirty-first, the date of sine die adjournment is extended by one statewide day for each statewide day after March thirty-first that the House of Representatives fails to give the bill third reading; or~~

(a) if the general appropriations bill or Capital Reserve Fund resolution is not completed by the sine die adjournment date, the President of the Senate and the Speaker of the House of Representatives may call their respective bodies into session at any time after the date of sine die adjournment and until the first Thursday in June to complete those matters;

(b) if a forecast reduction is submitted by the Board of Economic Advisors pursuant to Section 11-9-880 after April tenth for the next fiscal year, the adjournment date for the General Assembly may be extended up to two weeks with the agreement of the Speaker of the House and the President of the Senate; or

(c) if a concurrent resolution is adopted by a two-thirds vote of both the Senate and House of Representatives not later than five o'clock p.m. on the second Thursday in May. During the time between five o'clock p.m. on the second Thursday in May and the extended sine die adjournment date, as set forth herein, no legislation or other business may be considered except ~~the general appropriations bill and~~ any matters approved for consideration by a concurrent resolution adopted by two-thirds vote in both houses.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

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

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

Total--43

NAYS

Total--0

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

CARRIED OVER

H. 3116 -- Reps. Felder, Carter, Pope, Guffey, O'Neal, Hart, Caskey, Williams, Blackwell and Gilliam: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-610, RELATING TO PERSONS LIABLE FOR TAXES AND ASSESSMENTS ON REAL PROPERTY, SO AS TO PROVIDE THAT CERTAIN DISABLED VETERANS OF THE ARMED FORCES OF THE UNITED STATES ARE EXEMPT FROM PROPERTY TAXES IN THE YEAR IN WHICH THE DISABILITY OCCURS.

The Senate proceeded to a consideration of the Bill.

Senator VERDIN explained the Bill.

The question being the second reading of the Bill.

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

CARRIED OVER

S. 621 -- Senators Reichenbach, Stephens, Cromer, Kimbrell, M. Johnson, Fanning, Setzler, Bennett, Shealy, Rice, Williams and Allen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 79 TO TITLE 39 SO AS TO CREATE THE “SOUTH CAROLINA-IRELAND TRADE COMMISSION”, TO

PROVIDE FOR THE MEMBERS OF THE TRADE COMMISSION, AND TO ESTABLISH THE DUTIES OF THE COMMISSION.

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

ADOPTED

H. 4278 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME WOODVILLE ROAD IN FLORENCE COUNTY "BISHOP DONALD HYMAN ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS ROAD CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

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

MOTION ADOPTED

At 1:44 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

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

CARRIED OVER

S. 557 -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477, RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.

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

THE SENATE PROCEEDED TO THE ADJOURNED DEBATE.

AMENDED, DEBATE INTERRUPTED

H. 3594 -- Reps. B.J. Cox, G.M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A.M. Morgan, T.A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M.M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B.L. Cox, Vaughan, White, Collins, J.E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING

WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO

PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM "CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR".

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

Motion Adopted

Senator MASSEY asked unanimous consent to proceed to Amendment No. 20.

There was no objection.

Amendment No. 20

Senator MASSEY proposed the following amendment (SR-3594.JG0138S), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 16-23-20(11) and inserting:

(11) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises in compliance with Section 23-31-235. A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section

16-11-620 and must not be charged with or penalized for a violation of this subsection.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 14

Senator McLEOD proposed the following amendment (SMIN-3594.MW0135S), which was not adopted:

Amend the bill, as and if amended, SECTION 19, by striking Section 23-31-245 and inserting:

Section 23-31-245. This article does not prevent a law enforcement officer from searching, detaining or arresting a person when he has a particularized and objective basis for suspecting the particular person stopped of criminal activity. A person merely carrying a weapon in accordance with this article is not sufficient to justify a search, detention, or arrest. In enforcing the provisions contained in this article, an officer may not consider, race, color, or national origin except to the extent permitted by the United States and South Carolina Constitution.

Renumber sections to conform.

Amend title to conform.

Senator McLEOD explained the amendment.

Senator HEMBREE spoke on the amendment.

The question then was the adoption of the amendment.

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

Ayes 15; Nays 28

AYES

Allen	Devine	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Malloy	Matthews	McElveen
McLeod	Sabb	Setzler
Stephens	Tedder	Williams

Total--15

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Massey	Peeler	Reichenbach
Rice	Senn	Shealy
Talley	Turner	Verdin
Young		

Total--28

Having failed to receive the necessary vote, the amendment was not adopted.

Amendment No. 15B

Senator MASSEY proposed the following amendment (SR-3594.JG0143S), which was tabled:

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

SECTION X. Chapter 31, Title 23 of the S.C. Code is amended by adding:

Section 23-31-246. (1) When carrying a firearm, a person must inform a law enforcement officer of the fact that he is carrying a firearm when the officer is conducting an otherwise lawful stop, detention, or investigation.

(2) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or be imprisoned for not more than thirty days, or both.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Senator SHEALY moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 18

Senator CAMPSEN proposed the following amendment (SR-3594.JG0133S), which was carried over and subsequently adopted:

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

SECTION X. Section 56-1-140 of the S.C. Code is amended by adding:

(E)(1) An applicant for a new, renewed, or replacement driver's license may apply to the department to obtain a concealed weapons permit holder designation on the front of his driver's license by submitting an application to the department. The application form shall require an applicant to:

(a) provide a copy of the applicant's valid concealed weapon permit issued pursuant to Section 23-31-215;

(b) certify that the license containing the concealed weapons permit holder designation will be surrendered immediately to SLED if the permit holder becomes a person prohibited under state law from possessing a weapon; and

(c) authorize SLED to conduct or facilitate a state and federal background check every five years.

(2) Prior to issuing a license containing a concealed weapons permit holder designation, the department must provide a copy of the application to SLED, and SLED must certify in writing that:

(a) the applicant's permit is valid; and

(b) if the concealed weapon permit was issued more than sixty days prior to the date of the application, SLED conducted or facilitated a state and federal background check, and the results were favorable.

(3) For every applicant approved for the concealed weapon permit holder license designation pursuant to this section:

(a) SLED must conduct or facilitate a state and federal background check of the permit holder every five years;

(b) if the background check is favorable, SLED must renew the permit free of charge; and

(c) no application shall be required for the background check or renewal of the permit.

(4) A license containing a concealed weapons permit holder designation may be presented in lieu of presenting a permit when required by law.

(5) A license containing the concealed weapons permit holder designation must be surrendered immediately to SLED if the permit holder becomes a person prohibited under state law from possessing a weapon or obtaining a permit, or if the permit is not renewed by SLED.

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

(P) Upon renewal, a permit issued pursuant to this article is valid for five years. Subject to subsection (Q), SLED shall automatically renew a currently valid permit ~~upon:~~ without application.

(1) Upon SLED's receipt of current picture identification or facsimile copy thereof, the renewal permit shall be issued to the permit holder. SLED shall not charge more than the cost to renew a South Carolina driver's license to renew a permit under this section.

(2) A permit holder who has a concealed weapons permit holder designation on the front of his driver's license does not have to provide current picture identification pursuant to this subsection.

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

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

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

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

On motion of Senator CAMPSEN, with unanimous consent, the amendment was carried over.

Amendment No. 19

Senators GOLDFINCH and CAMPSEN proposed the following amendment (SR-3594.JG0136S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, SECTION 10, by striking Section 23-31-220~~(U)~~(1) and (2) and inserting:

(1) the right of a public or private employer to prohibit a person who is ~~licensed under this article~~ otherwise not prohibited by law from possessing a handgun from carrying a concealable weapon, whether concealed or openly carried, upon the premises of the business or ~~work place~~ workplace or while using any machinery, vehicle, or equipment owned or operated by the business;

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable weapon, whether concealed or openly carried, upon his premises; or

(3) the right of a public or private employer to allow the carrying of a concealable weapon by a person licensed under this article upon his premises.

Amend the bill further, SECTION 10, by striking Section 23-31-220(B) and inserting:

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable weapon, whether concealed or openly carried, upon his premises; or

(3) the right of a public or private employer to allow the carrying of a concealable weapon by a person licensed under this article upon his premises.

(B)(1) The posting by the employer, owner, or person in legal possession or control of a sign stating "NO CONCEALABLE WEAPONS ALLOWED" shall constitute notice to a person ~~holding a permit issued pursuant to this article~~ that the employer, owner, or person in legal possession or control requests that concealable weapons, whether concealed or openly carried, not be brought upon the premises or into the ~~work place~~workplace. A person who knowingly brings a concealable weapon, whether concealed or openly carried, onto the premises or ~~work place~~ workplace in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20~~, item~~ (B)(1).

(2) The posting by the employer, owner, or person in legal possession or control of a sign stating "NO CONCEALABLE WEAPONS ALLOWED UNLESS POSSESSED BY A PERSON WITH A VALID CWP" shall constitute notice to a person that the employer, owner, or person in legal possession or control requests that no concealable weapons, whether concealed or openly carried, be brought upon the premises or into the workplace by anyone who does not hold a permit issued pursuant to this article. A person who knowingly brings a concealable weapon, whether concealed or openly carried, onto the premises or workplace in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this

section does not apply to persons specified in Section 16-23-20, item (B)(1).

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

On motion of Senator GOLDFINCH, with unanimous consent, the amendment was carried over.

Amendment No. 21

Senator MASSEY proposed the following amendment (SR-3594.JG0139S), which was withdrawn:

Amend the bill, as and if amended, SECTION 3, by deleting Section 16-23-20(6).

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

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

Amendment No. 22

Senator MARTIN proposed the following amendment (SJ-3594.BM0145S), which was adopted:

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

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

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The question then was the adoption of the amendment.

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

Ayes 36; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Reichenbach
Rice	Sabb	Senn
Shealy	Stephens	Tedder
Verdin	Williams	Young

Total--36

NAYS

Devine	Matthews	McLeod

Total--3

The amendment was adopted.

Amendment No. 24

Senator MATTHEWS proposed the following amendment (SMIN-3594.AA0146S), which was tabled:

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

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

Section 17-1-65. All prior convictions for unlawful carry shall be retroactively expunged. Expungement shall be upon application by the previously convicted defendant. There shall be no cost to the applicant for expungement. All applications for such expungements shall be made within five years of the enactment of this section.

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS explained the amendment.

Senator CASH moved to lay the amendment on the table.

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

Ayes 27; Nays 15

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Senn
Shealy	Verdin	Young

Total--27

NAYS

Allen	Devine	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Malloy	Matthews	McElveen
McLeod	Sabb	Setzler
Stephens	Tedder	Williams

Total--15

The amendment was laid on the table.

Amendment No. 25

Senator CAMPSEN proposed the following amendment (SR-3594.KM0111S), which was tabled:

Amend the bill, as and if amended, by striking SECTIONS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 and inserting:

SECTION X. Section 23-31-205 of the S.C. Code is amended to read:

Section 23-31-205. This article may be cited as the "~~Law Abiding Citizens Self-Defense Act of 1996~~Constitutional Carry Act".

Amend the bill further, by deleting SECTIONS 17, 18, 19, and 20.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

Senator MARTIN moved to lay the amendment on the table.

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

Ayes 24; Nays 19

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Gambrell	Garrett
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Peeler	Reichenbach
Rice	Senn	Shealy
Turner	Verdin	Young

Total--24

NAYS

Allen	Campsen	Devine
Goldfinch	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	Malloy
Massey	Matthews	McElveen
McLeod	Rankin	Sabb
Setzler	Stephens	Tedder
Williams		

Total--19

The amendment was laid on the table.

Amendment No. 26

Senators SETZLER and CROMER proposed the following amendment (SR-3594.KM0148S), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 16-23-20(9) and inserting:

(9) hospital, medical clinic, doctor's office, or any other facility where medical services or procedures are performed, unless expressly authorized by the employer;

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Amendment No. 4

Senator GOLDFINCH proposed the following amendment (SR-3594.JG0107S), which was withdrawn:

Amend the bill, as and if amended, SECTION 10, by striking Section 23-31-220~~(A)~~(1) and inserting:

(A) Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a ~~public or private employer~~ public accommodations business to prohibit a person who does not hold a valid concealed weapon permit and is ~~licensed under this article~~ otherwise not prohibited by law from possessing a handgun from carrying a concealable weapon, whether concealed or openly carried, upon the premises of the business or ~~work place~~ workplace or while using any machinery, vehicle, or equipment owned or operated by the business; or

Amend the bill further, SECTION 10, by striking Section 23-31-220(B) and inserting:

(B) The posting by the employer, owner, or person in legal possession or control of a sign stating "NO CONCEALABLE WEAPONS ALLOWED UNLESS POSSESSED BY A PERSON WITH A VALID CWP" shall constitute notice to a person ~~holding a permit issued pursuant to this article~~ that the employer, owner, or person in legal possession or control requests that concealable weapons, whether concealed or openly carried, not be brought upon the premises or into the ~~work place~~workplace. A person who knowingly brings a concealable weapon, whether concealed or openly carried, onto the premises or ~~work place~~ workplace in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in

this section does not apply to persons specified in Section 16-23-20~~, item~~ (B)(1).

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

SECTION X. SLED shall promulgate regulations requiring the course and qualifications for concealed weapon permits to include two additional hours of training regarding the proper handling of firearms and two additional hours of legal training.

Renumber sections to conform.

Amend title to conform.

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

Amendment No. 5

Senator HARPOOTLIAN proposed the following amendment (LC-3594.WAB0105S), which was withdrawn:

Amend the bill, as and if amended, SECTION 3, Section 16-23-20, by adding an item to read:

(12) retail establishment that serves beer, wine, or other alcoholic beverages.

Renumber sections to conform.

Amend title to conform.

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

Amendment No. 6

Senator HEMBREE proposed the following amendment (SEDU-3594.DB0097S), which was withdrawn:

Amend the bill, as and if amended, SECTION 16, Section 16-23-500, by adding a subsection to read:

(G) Notwithstanding this section, a court may make a specific finding on record as part of a sentencing proceeding, a person adjudicated guilty for an offense listed in subsection (F)(1) or (2), may not possess a firearm for a period not to exceed five years.

Renumber sections to conform.

Amend title to conform.

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

Amendment No. 7

Senator MALLOY proposed the following amendment (SJ-3594.BM0100S), which was adopted:

Amend the bill, as and if amended, SECTION 18, Section 23-31-240(13), by adding an item to read:

(14) active members of the General Assembly;

Amend the bill further, SECTION 18, by striking Section 23-31-240(14) and (15) and inserting:

(15) active county clerks of court; and

(16) active public defenders and assistant public defenders.

(B) Notwithstanding the provisions of subsection (A), public defenders and assistant public defenders may not carry a concealable weapon into a local or state correctional facility.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Recorded Vote

Senators CORBIN, CLIMER, YOUNG and KIMBRELL desired to be recorded as voting against the adoption of the amendment.

Statement by Senators MASSEY, M. JOHNSON, ADAMS CLIMER, BENNETT, ALEXANDER and TURNER

Today the Senate voted on Amendment 7 to H. 3594 to exempt members of the General Assembly from all restrictions on the carrying of a handgun. While the vote was a voice vote, we voted no.

When members of the General Assembly create laws and then exempt themselves from those laws, we believe we lose sight of our role in this process. Members of the General Assembly should not believe they are above the laws of this State, especially when the laws of this State pertain to a fundamental right such as the Second Amendment. That type of hubris leads to bad laws and treats members of the General Assembly as if we are somehow superior to those we serve. It is for that reason that we voted no.

Statement by Senator YOUNG

Amendment 7 to H. 3494 as adopted exempts members of the General Assembly from all restrictions as to the carrying of a handgun. The amendment was adopted as a voice vote and I voted "No". I do not support this.

Statement by Senator KIMBRELL

I believe members of the General Assembly should be bound by the laws that we impose on our fellow citizens. As such, I oppose any effort to exempt any of us from laws that apply to the public.

Amendment No. 8

Senator HEMBREE proposed the following amendment (SEDU-3594.DB0114S), which was withdrawn:

Amend the bill, as and if amended, SECTION 19, by striking Section 23-31-245 and inserting:

Section 23-31-245. A person openly carrying a weapon in accordance with this article does not give a law enforcement officer reasonable suspicion or probable cause to search, detain, or arrest the person absent reasonable and articulable suspicion.

Renumber sections to conform.

Amend title to conform.

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

Amendment No. 17

Senator HARPOOTLIAN proposed the following amendment (LC-3594.WAB0110S), which was withdrawn:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

SECTION X. Article 3, Chapter 11, Title 10 of the S.C. Code is amended by adding:

Section 10-11-321. Notwithstanding the provisions of Section 10-11-320, it is lawful for a person to carry a firearm on the capitol grounds and in the capitol building, including the public galleries in each chamber.

Renumber sections to conform.

Amend title to conform.

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

Amendment No. 18

Senator CAMPSEN proposed the following amendment (SR-3594.JG0133S), which was adopted:

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

SECTION X. Section 56-1-140 of the S.C. Code is amended by adding:

(E)(1) An applicant for a new, renewed, or replacement driver's license may apply to the department to obtain a concealed weapons permit holder designation on the front of his driver's license by submitting an application to the department. The application form shall require an applicant to:

(a) provide a copy of the applicant's valid concealed weapon permit issued pursuant to Section 23-31-215;

(b) certify that the license containing the concealed weapons permit holder designation will be surrendered immediately to SLED if the permit holder becomes a person prohibited under state law from possessing a weapon; and

(c) authorize SLED to conduct or facilitate a state and federal background check every five years.

(2) Prior to issuing a license containing a concealed weapons permit holder designation, the department must provide a copy of the application to SLED, and SLED must certify in writing that:

(a) the applicant's permit is valid; and

(b) if the concealed weapon permit was issued more than sixty days prior to the date of the application, SLED conducted or facilitated a state and federal background check, and the results were favorable.

(3) For every applicant approved for the concealed weapon permit holder license designation pursuant to this section:

(a) SLED must conduct or facilitate a state and federal background check of the permit holder every five years;

(b) if the background check is favorable, SLED must renew the permit free of charge; and

(c) no application shall be required for the background check or renewal of the permit.

(4) A license containing a concealed weapons permit holder designation may be presented in lieu of presenting a permit when required by law.

(5) A license containing the concealed weapons permit holder designation must be surrendered immediately to SLED if the permit holder becomes a person prohibited under state law from possessing a weapon or obtaining a permit, or if the permit is not renewed by SLED.

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

(P) Upon renewal, a permit issued pursuant to this article is valid for five years. Subject to subsection (Q), SLED shall automatically renew a currently valid permit ~~upon:~~ without application.

(1) Upon SLED's receipt of current picture identification or facsimile copy thereof, the renewal permit shall be issued to the permit holder. SLED shall not charge more than the cost to renew a South Carolina driver's license to renew a permit under this section.

(2) A permit holder who has a concealed weapons permit holder designation on the front of his driver's license does not have to provide current picture identification pursuant to this subsection.

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

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

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

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

Point of Order

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

Senator CAMPSEN spoke on the Point of Order.
Senator HARPOOTLIAN spoke on the Point of Order.
Senator CAMPSEN spoke on the Point of Order.
Senator McELVEEN spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 19

Senators GOLDFINCH and CAMPSEN proposed the following amendment (SR-3594.JG0136S), which was withdrawn:

Amend the bill, as and if amended, SECTION 10, by striking Section 23-31-220~~(U)~~(1) and (2) and inserting:

(1) the right of a public or private employer to prohibit a person who is~~ licensed under this article~~ otherwise not prohibited by law from possessing a handgun from carrying a concealable weapon, whether concealed or openly carried, upon the premises of the business or~~ work place~~ workplace or while using any machinery, vehicle, or equipment owned or operated by the business;

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable weapon, whether concealed or openly carried, upon his premises; or

(3) the right of a public or private employer to allow the carrying of a concealable weapon by a person licensed under this article upon his premises.

Amend the bill further, SECTION 10, by striking Section 23-31-220(B) and inserting:

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable weapon, whether concealed or openly carried, upon his premises; or

(3) the right of a public or private employer to allow the carrying of a concealable weapon by a person licensed under this article upon his premises.

(B)(1) The posting by the employer, owner, or person in legal possession or control of a sign stating "NO CONCEALABLE WEAPONS ALLOWED" shall constitute notice to a person~~ holding a permit issued pursuant to this article~~ that the employer, owner, or person in legal possession or control requests that concealable weapons, whether concealed or openly carried, not be brought upon the premises or into the ~~work place~~workplace. A person who knowingly brings a concealable weapon, whether concealed or openly carried, onto the premises or~~ work place~~ workplace in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20~~, item~~ (B)(1).

(2) The posting by the employer, owner, or person in legal possession or control of a sign stating "NO CONCEALABLE WEAPONS ALLOWED UNLESS POSSESSED BY A PERSON WITH A VALID CWP" shall constitute notice to a person that the employer, owner, or person in legal possession or control requests that no concealable weapons, whether concealed or openly carried, be brought upon the premises or into the workplace by anyone who does not hold a permit issued pursuant to this article. A person who knowingly brings a concealable weapon, whether concealed or openly carried, onto the premises or workplace in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20, item (B)(1).

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

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

Amendment No. 23

Senator HUTTO proposed the following amendment (SR-3594.KM0147S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, SECTION 3, by striking Section 16-23-20(2) and inserting:

(2) courthouse or courtroom or a public building owned by the State, a county, a municipality, or other political subdivision;

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

On motion of Senator HUTTO, with unanimous consent, the amendment was carried over.

Amendment No. 27

Senator DEVINE proposed the following amendment (SMIN-3594.MW0088S), which was adopted:

Amend the bill, as and if amended, SECTION 9, Section 23-31-215(K), by striking and inserting:

~~(K) A permit holder must have his permit identification card in his possession whenever he carries a concealable weapon. When carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, a permit holder must inform a law enforcement officer of the fact that he is a permit holder and present the permit identification card when an officer:~~

~~(1) identifies himself as a law enforcement officer; and~~

~~(2) requests identification or a driver's license from a permit holder.~~

A permit holder ~~immediately~~ must report the loss or theft of a permit identification card to SLED headquarters within forty-eight hours of the time the permit holder knew or reasonably should have known of the loss or theft. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty-five dollars.

An owner or other person who is lawfully in possession of a firearm, rifle, or shotgun in this State who suffers the loss or theft of such weapon shall report, within ten days of discovery, the loss or theft of each weapon to the appropriate local law enforcement agency, whether local police department or county sheriff's office, which would have appropriate jurisdiction where the weapon is located. In addition, the facts and circumstances of the loss or theft also must be reported to the appropriate law enforcement agency to which the report is made.

Renumber sections to conform.

Amend title to conform.

Senator DEVINE explained the amendment.

The amendment was adopted.

Amendment No. 28

Senators MASSEY and CAMPSEN proposed the following amendment (SR-3594.JG0149S), which was withdrawn:

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

SECTION X. Chapter 31, Title 23 of the S.C. Code is amended by adding:

Section 23-31-246. (1)(a) When a person knowingly possesses or carries a firearm, and a law enforcement officer initiates an otherwise lawful stop, detention, or investigation, including but not limited to a traffic stop, upon the request of the officer, the person must inform the officer of the fact that he is carrying or is in possession of a firearm, whether concealed or otherwise.

(b) When a person knowingly possesses or carries a firearm, that person does not have a duty to inform a law enforcement officer of the fact that he is carrying or is in possession of a firearm unless and until the officer requests such information.

(2) A person who violates this section is:

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

(b) for a second offense, guilty of a misdemeanor and, upon conviction, must be imprisoned not more than three years, or both; or

(c) for a third or subsequent offense, guilty of a felony and, upon conviction, must be imprisoned not more than five years, or both.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

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

Amendment No. 29

Senators MALLOY and SABB proposed the following amendment (SMIN-3594.MW0144S), which was withdrawn:

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

SECTION X. Article 4, Chapter 31, Title 23 of the S.C. Code is amended by adding:

Section 21-31-260. (A) Any time a person is stopped by a state or local law enforcement officer without a citation being issued or an arrest being made, the officer who initiated the stop must complete a data collection form designed by the Department of Public Safety that must include information regarding the age, gender, and race or ethnicity of the person. This information must be gathered and transmitted electronically under the supervision of the department which shall develop and maintain a database storing the information collected. The department

must promulgate rules and regulations with regard to the collection and submission of the information gathered.

(B) The Department of Public Safety shall develop and maintain a database for the information submitted to the department under subsection (A) and prepare a report to be posted on the department's website regarding motor vehicle stops using the collected information.

(C) The General Assembly shall have the authority to withhold any state funds or federal pass-through funds from any state or local law enforcement agency that fails to comply with the requirements of this section.

Renumber sections to conform.

Amend title to conform.

Senator SABB explained the amendment.

Point of Order

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

Senator SABB spoke on the Point of Order.

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

Amendment No. 30

Senator SABB proposed the following amendment (SMIN-3594.MW0152S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, SECTION 3, by striking Section 16-23-20(5) and inserting:

(5) school or college athletic event not related to firearms, or a youth athletic event operated by a county, municipality, or special purpose district not related to firearms;

Amend the bill further, SECTION 3, by striking Section 16-23-20(11) and inserting:

(11) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises in compliance with Section 23-31-235;

(12) public park or recreation center operated by a county, municipality, or special purpose district.

Renumber sections to conform.

Amend title to conform.

Senator SABB explained the amendment.

On motion of Senator SABB, with unanimous consent, the amendment was carried over.

Amendment No. 31

Senator HUTTO proposed the following amendment (SR-3594.KM0155S), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 16-23-20(2) and inserting:

(2) courthouse, courtroom, or other publicly owned building, whether owned by the State, a county, a municipality, or other political subdivision, where court is held during the time that court is in session;

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

On motion of Senator HUTTO, with unanimous consent, Amendment No. 23 was withdrawn.

RECESS

At 7:40 P.M., on motion of Senator MARTIN, the Senate receded from business for 30 minutes.

At 9:53 P.M., the Senate resumed.

Amendment No. 34

Senator MASSEY proposed the following amendment (SJ-3594.BM0153S), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 16-23-20(3) and (4) and inserting:

(3) polling place on election days;

(4) office of or business meeting of the governing body of a county, public school district, municipality, or special purpose district;

Amend the bill further, SECTION 3, by striking Section 16-23-20(8), (9), (10), and (11) and inserting:

(8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;

(9) hospital, medical clinic, doctor's office, or any other facility where medical services or procedures are performed, unless expressly authorized by the appropriate entity;

(10) residence or dwelling place of another person without the express permission of the owner or person in legal control or possession of the residence or dwelling place, as appropriate; or

(11) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises pursuant to Section 23-31-235. A person who violates a provision of this item, whether the violation is willful or not, may only be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.

(B) The provisions of subsection (A) do not apply to:

Amend the bill further, SECTION 3, by striking Section 16-23-20(4), (5), and (6) and inserting:

(4) subject to the limitations of Section 23-31-600(D), persons who meet the definition of "qualified retired law enforcement officer" contained in Section 23-31-600; or

(5) a person carrying as authorized by Section 23-31-240.

(C) Nothing contained in this section may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-30, 16-23-420, 16-23-430, 16-23-465, 44-23-1080, 44-52-165, and 51-3-145, or the ability for a person to obtain a concealed weapon permit as provided for in Section 23-31-215.

(D) Notwithstanding any provision in this section, a person who is not otherwise prohibited by law from carrying a firearm may lawfully store a firearm anywhere in a vehicle whether occupied or unoccupied.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

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

Ayes 34; Nays 7

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree

Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Turner	Verdin	Williams
Young		

Total--34

NAYS

Allen	Devine	Hutto
McLeod	Sabb	Stephens
Tedder		

Total--7

The amendment was adopted.

Amendment No. 35

Senator MASSEY proposed the following amendment (SR-3594.JG0166S), which was withdrawn:

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

SECTION X. Section 23-31-215 of the S.C. Code is amended by adding:

(V)(1) The State Law Enforcement Division shall provide a state-wide concealed weapon permit training course that satisfies the proof of training requirement for the issuance of a concealed weapon permit. SLED may not charge participants a fee of any kind for the concealed weapon permit training course provided for in this subsection. SLED may contract with private certified concealed weapon permit training class instructors or local law enforcement to provide the course or SLED itself may provide the course.

(2) The training course must be offered in every county in South Carolina at least twice per month. If demand exceeds the capacity of the training course in any county, SLED shall provide additional classes until there exists a sufficient number of classes offered at least twice a month to meet the demand for training in each respective county. If SLED is unable to contract with a certified concealed weapon permit

training class instructor or local law enforcement in any county, SLED must conduct the training class for that county.

(3) This program does not prohibit any certified concealed weapon permit training class instructors from providing their own training classes and charging participants a fee.

SECTION X. Chapter 23, Title 16 of the S.C. Code is amended by adding:

Section 16-23-495. (A) A person convicted of committing or attempting to commit a crime involving a concealable weapon as defined by 23-31-210(5) in violation of an offense listed in Chapter 23, Title 16, or a violation of Section 10-11-320, must be imprisoned for a consecutive sentence of up to three in addition to the sentence imposed for the underlying offense, but this sentence may not exceed the actual sentence imposed for the underlying offense.

(B) This section does not apply to a person with a valid permit to carry a concealable weapon issued pursuant to Article 4, Chapter 31, Title 23, provided that the permit was valid at the time the crime was committed.

(C) The additional punishment may not be imposed unless the indictment alleged as a separate count that the person was in possession of a concealable weapon without a valid concealed weapon permit during the commission of the crime and conviction was had upon this count in the indictment. The penalties prescribed in this section may not be imposed unless the person convicted was at the same time indicted and convicted of the underlying crime.

(D) The State Law Enforcement Division shall develop a document and distribute it to retailers that are federally licensed to engage in the business of dealing in or selling firearms in South Carolina. Such retailers shall provide the document to gun purchasers in South Carolina to inform them that South Carolina law provides a process for gun owners to obtain a concealed weapon permit and allows law-abiding gun owners to carry their weapons without a permit. The document must inform gun purchasers that if a gun owner commits a crime involving a concealable weapon, and the owner does not have a valid concealed weapon permit, then there may be an additional criminal penalty for the underlying offense.

(E) The State Law Enforcement Division must conduct a regular, statewide marketing campaign to inform South Carolinians that South Carolina law provides a process for gun owners to obtain a concealed weapon permit and allows law-abiding gun owners to carry their weapons without a permit. The campaign must inform gun purchasers that if a gun owner commits a crime involving a concealable weapon,

and the owner does not have a valid concealed weapon permit, then there may be an additional criminal penalty for the underlying offense.

Renumber sections to conform.

Amend title to conform.

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

Amendment No. 9

Senator JACKSON proposed the following amendment (SMIN-3594.MW0116S), which was carried over:

Amend the bill, as and if amended, SECTION 3, by striking Section 16-23-20~~(4)~~(9) and inserting:

(9) medical clinic, doctor's office, any office that provides counseling services or therapy to individuals or a family, or any other facility where medical services or procedures are performed, unless expressly authorized by the employer;

Renumber sections to conform.

Amend title to conform.

On motion of Senator HUTTO, with unanimous consent, the amendment was carried over.

On motion of Senator SABB, with unanimous consent, Amendment No. 30 was withdrawn.

Amendment No. 32

Senator MATTHEWS proposed the following amendment (SMIN-3594.AA0164S), which was tabled:

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

SECTION X. Upon the effective date of this act, all pending charges of unlawful carry must be dismissed.

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS explained the amendment.

Senator CASH moved to lay the amendment on the table.

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

Ayes 30; Nays 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Shealy
Turner	Verdin	Young

Total--30

NAYS

Allen	Devine	Hutto
Malloy	Matthews	McElveen
McLeod	Setzler	Stephens
Tedder	Williams	

Total--11

The amendment was laid on the table.

Senator MATTHEWS moved that the Senate stand adjourned.

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

Ayes 8; Nays 34

AYES

Devine	Fanning	Hutto
Matthews	McLeod	Sabb
Stephens	Williams	

Total--8

NAYS

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Tedder	Turner	Verdin
Young		

Total--34

Having failed to receive the necessary vote, the Senate refused to adjourn.

Amendment No. 33

Senator MATTHEWS proposed the following amendment (SMIN-3594.AA0163S), which was tabled:

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

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

Section 17-1-65. All prior convictions for unlawful carry shall be retroactively expunged upon application by the previously convicted defendant. All applications for such expungements shall be made within five years of the enactment of this section.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator CASH spoke on the amendment.

Senator CASH moved to lay the amendment on the table.

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

Ayes 25; Nays 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Grooms
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Peeler	Reichenbach	Rice
Shealy	Turner	Verdin
Young		

Total--25

NAYS

Allen	Devine	Goldfinch
Hutto	Matthews	McElveen
McLeod	Rankin	Sabb
Setzler	Stephens	Tedder
Williams		

Total--13

The amendment was laid on the table.

Amendment No. 36

Senators MASSEY and CAMPSEN proposed the following amendment (SR-3594.JG0169S), which was adopted:

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

SECTION X. Section 23-31-215 of the S.C. Code is amended by adding:

(V) (1) The State Law Enforcement Division shall provide a statewide concealed weapon permit training course that satisfies the proof of training requirement for the issuance of a concealed weapon permit. SLED may not charge participants a fee of any kind for the concealed weapon permit training course provided for in this subsection. SLED may contract with private certified concealed weapon permit training class instructors or local law enforcement to provide the course or SLED itself may provide the course.

(2) The training course must be offered in every county in South Carolina at least twice per month. If demand exceeds the capacity of the

training course in any county, SLED shall provide additional classes until there exists a sufficient number of classes offered at least twice a month to meet the demand for training in each respective county. If SLED is unable to contract with a certified concealed weapon permit training class instructor or local law enforcement in any county, SLED must conduct the training class for that county.

(3) This program does not prohibit any certified concealed weapon permit training class instructors from providing their own training classes and charging participants a fee.

SECTION X. Chapter 23, Title 16 of the S.C. Code is amended by adding:

Section 16-23-495. (A) A person convicted of committing or attempting to commit a crime involving a concealable weapon as defined by 23-31-210(5) in violation of an offense listed in Chapter 23, Title 16, or a violation of Section 10-11-320, must be imprisoned not to exceed three years. A term of imprisonment imposed for violating this section must be served consecutively to any term of imprisonment imposed for the underlying offense, and may not exceed the actual sentence imposed for the underlying offense.

(B) This section does not apply to a person with a valid permit to carry a concealable weapon issued pursuant to Article 4, Chapter 31, Title 23, provided that the permit was valid at the time the crime was committed.

(C) The additional punishment may not be imposed unless the indictment alleged as a separate count that the person was in possession of a concealable weapon without a valid concealed weapon permit during the commission of the crime and conviction was had upon this count in the indictment. The penalties prescribed in this section may not be imposed unless the person convicted was at the same time indicted and convicted of the underlying crime.

(D) The State Law Enforcement Division shall develop a document and distribute it to retailers that are federally licensed to engage in the business of dealing in or selling firearms in South Carolina. Such retailers shall provide the document to gun purchasers in South Carolina to inform them that South Carolina law provides a process for gun owners to obtain a concealed weapon permit and allows law-abiding gun owners to carry their weapons without a permit. The document must inform gun purchasers that if a gun owner commits a crime involving a concealable weapon, and the owner does not have a valid concealed weapon permit, then there may be an additional criminal penalty for the underlying offense.

(E) The State Law Enforcement Division must conduct a regular, statewide marketing campaign to inform South Carolinians that South Carolina law provides a process for gun owners to obtain a concealed weapon permit and allows law-abiding gun owners to carry their weapons without a permit. The campaign must inform gun purchasers that if a gun owner commits a crime involving a concealable weapon, and the owner does not have a valid concealed weapon permit, then there may be an additional criminal penalty for the underlying offense.

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

(A) Notwithstanding any other provision of law, except subject to subsection (B), SLED must issue a permit, which is no larger than three and one-half inches by three inches in size, to carry a concealable weapon to a resident or qualified nonresident who is at least ~~twenty-one~~ eighteen years of age and who is not prohibited by state law from possessing the weapon upon submission of:

(1) a completed application signed by the person;

(2) a photocopy of a driver's license or photographic identification card;

(3) proof of residence or if the person is a qualified nonresident, proof of ownership of real property in this State;

(4) proof of actual or corrected vision rated at within six months of the date of application or, in the case of a person licensed to operate a motor vehicle in this State, presentation of a valid driver's license;

(5) proof of training; and

(6) a complete set of fingerprints unless, because of a medical condition verified in writing by a licensed medical doctor, a complete set of fingerprints is impossible to submit. In lieu of the submission of fingerprints, the applicant must submit the written statement from a licensed medical doctor specifying the reason or reasons why the applicant's fingerprints may not be taken. If all other qualifications are met, the Chief of SLED may waive the fingerprint requirements of this item. The statement of medical limitation must be attached to the copy of the application retained by SLED. A law enforcement agency may charge a fee not to exceed five dollars for fingerprinting an applicant.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Senator HUTTO spoke on the amendment.

Remarks by Senator HUTTO

Over 70% of people in this State believe if you are going to carry a gun on the street you should have training. This Bill does not do that. This Bill says we are going to put guns on the street with no required training.

This legislation criminalizes rather than protects. It provides for enhanced penalties for making a mistake. If you make a mistake, we are going to put you in jail. For example, if you did not see the placard announcing no guns allowed in the store and you walk in with your gun, you then have up to three years in jail. If you drive onto the campus of a school -- did not know your wife had put your gun in your car -- you will be charged with not only a violation but will also be charged an extra penalty. People that make mistakes, must be penalized -- that is exactly what this legislation says.

I am against this Bill. I am not opposed to people carrying a weapon if they have training. A majority of South Carolinians think if you are going to carry a gun on the street, you need to have training. I am not talking about people being in their house with a gun. Everybody has a right to defend their house. I am not talking about hunters. I believe probably everyone in this room owns guns, probably multiple guns. I have about a dozen guns myself. This is not whether you like guns, but it is a question whether you want safe streets. Not only is this Bill saying we want guns on the street, but it is also saying we want guns without training.

This is one of the biggest anti-law enforcement Bills we have passed since I have been here. We used to have protections for officers by requiring that a gun in a vehicle be transported in the glove box, console or trunk. Now, under this Bill, the gun can be right there in your lap and ready to fire if you get mad in a road rage situation. When a law enforcement officer walks up and there is a gun right there, it will not go well. Bad things are going to happen.

By passing this legislation, you are telling people that if you commit a crime you better have a gun. If you have a gun, you are not able to be charged for a crime. Why? We put up an amendment that says if you are carrying a gun, that is not grounds for a search. When the officer walks up and sees the gun, that is the best ticket to get your charges suppressed because the officer cannot use the fact that you have a gun to follow up with a search. The officer has no grounds to search your car, cannot make a seizure and cannot do an investigation. A gun will immunize you from half the crimes going on.

We have needs in South Carolina that have gone unmet for years. We have needs for people who battle mental health issues, needs for families and children and needs for teachers that do not have enough supplies in the classroom. We have needs that could be addressed, but we are going to spend taxpayer's money to the tune of millions of dollars to try and incentivize training that is not required. We are going to pay for free background checks, free use of a gun, free ammunition and free training for those that choose to get trained. Two classes in every forty-six counties -- that will require a total of ninety-two SLED officers on the weekends to teach the training class -- meanwhile small businesses who have traditionally provided concealed weapons permit training will be put out of business. We are putting a hole in the state's budget for no reason, as I submit to you that anyone who wants training already has received it.

The members of the House of Representatives who voted for constitutional carry -- they wanted constitutional carry, not constitutional carry lite. I do not know exactly what to call this, but I want you to be aware that instead of constitutional carry what you are getting is enhanced penalties and coercion to take training you do not want.

We are hamstringing law enforcement on the one side and creating danger for law enforcement officers on the other side. We are doing nothing for everybody who came in here at the beginning of this debate who stated they would only vote in favor of a Bill that requires training. If you vote for this Bill, you caved. For those of you who said I only want constitutional carry and nothing else, you caved too.

This is awful. This is probably the worst piece of legislation we have debated in some time. It unnecessarily spends taxpayer money. It puts guns on the street without required training. It handcuffs law enforcement and endangers their lives. It empowers criminals and creates a "get out of jail free" card for criminals. And it puts small business people, who now teach training classes, out of business. This is a flawed law and should not be passed.

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

Senator HUTTO moved to lay the amendment on the table.

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

Ayes 13; Nays 28

AYES

Allen	Devine	Hutto
Malloy	Matthews	McElveen
McLeod	Sabb	Senn
Setzler	Stephens	Tedder
Williams		

Total--13

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Shealy	Turner	Verdin
Young		

Total--28

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

RECESS

At 11:34 P.M., on motion of Senator HUTTO, the Senate receded from business not to exceed 5 minutes.

At 11:44 P.M., the Senate resumed.

The question then was the adoption of the amendment.

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

Ayes 28; Nays 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree

Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Shealy	Turner	Verdin
Young		

Total--28

NAYS

Allen	Devine	Hutto
Malloy	Matthews	McElveen
McLeod	Sabb	Senn
Setzler	Stephens	Tedder
Williams		

Total--13

The amendment was adopted.

Debate was interrupted by adjournment.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator K. JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of the Honorable Tony Junious of Summerton, S.C. Mayor Junious served on the Clarendon School Board for more than twenty years before being elected as Summerton's first black mayor in 2022. Mayor Junious had many accomplishments in his short time as mayor including receiving a $25,000 hometown grant, a $12 million dollar infrastructure grant, passing an ordinance on firearms, providing studies on flood zones and broadband internet access to mention a few. Mayor Junious was a loving family man and community member that will be dearly missed.

and

MOTION ADOPTED

On motion of Senator SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Kathryn Durst of Lexington, S.C. Kathryn was a member of First Baptist Church of Batesburg and retired from BellSouth/AT&T. Kathryn was a loving mother and devoted grandmother who will be dearly missed.

ADJOURNMENT

At 11:49 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Ezekiel 37:7b

Finding himself in a valley full of bones, Ezekiel declared: ". . . as I was prophesying, there was a noise, a rattling sound, and the bones came together, bone to bone."

Friends, join me as we bow in prayer: O blessed, most Holy God, we cannot help but be struck by Ezekiel's spirit of faithfulness as he was facing what appeared to be overwhelming tasks. Yet as we recall, in spite of challenges, Your servant steeled himself and he did what was he was supposed to do. Today, Lord, in the face of their weariness and likely even exasperation, these Senators and their dedicated staff members are also facing formidable challenges. So we pray, Lord, that You will lead these modern-day servants as they work together to resolve a number of major issues. And by Your grace may their decisions ultimately enrich the lives of everyone in our State. This we pray in Your loving name, O Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	Matthews

McElveen	Peeler	Reichenbach
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Reappointment, Chief of the South Carolina Law Enforcement Division, with the term to commence January 31, 2018, and to expire January 31, 2024

Mark A. Keel, 440 Broad River Road, Columbia, SC 29210-4012

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2024, and to expire June 30, 2030

At-Large:

R. Michael Campbell II, 131 High Knoll Road, Columbia, SC 29223-3276

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2024, and to expire June 30, 2030

At-Large:

Henry Gene McCaskill, 604 Kirkwood Circle, Camden, SC 29020

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission Chairman, with the term to commence June 30, 2024, and to expire June 30, 2026

T. Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

Referred to the Committee on Judiciary.

Initial Appointment, State Board for Technical and Comprehensive Education, with the term to commence July 1, 2020, and to expire July 1, 2026

6th Congressional District:

Rachel Turner Gainey, 5091 Hwy. 301, Alcolu, SC 29001-8630 *VICE* Gregory Askins

Referred to the Committee on Education.

Doctor of the Day

Senator DEVINE introduced Dr. Ada Stewart of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator MATTHEWS, at 11:35 A.M., Senator McLEOD was granted a leave of absence until 12:35 P.M.

Leave of Absence

On motion of Senator SABB, at 3:06 P.M., Senator HUTTO was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator HEMBREE, at 3:06 P.M., Senator CAMPSEN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator TURNER, at 3:06 P.M., Senator TALLEY was granted a leave of absence for the balance of the day.

CO-SPONSORS ADDED

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

S. 148 Sen. Tedder
S. 621 Sens. Loftis, Sabb, Gustafson and Garrett
S. 994 Sen. Loftis

RECALLED AND ADOPTED

S. 984 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SKILLSUSA FOR ITS EFFORTS TO ENSURE THAT AMERICA HAS A SKILLED WORKFORCE AND TO DECLARE FEBRUARY 4-10, 2024, AS “SKILLSUSA WEEK” IN SOUTH CAROLINA.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

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

There was no objection.

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

On motion of Senator DAVIS, the Resolution was adopted.

RECALLED

H. 4841 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF FRIENDSHIP ROAD IN DILLON COUNTY FROM STATE ROAD 308 (LESTER ROAD) TO STATE ROAD 71 (JUDGE ROAD) "JACKSON RYAN WINKELER MEMORIAL ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS DESIGNATION CONTAINING THESE WORDS.

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

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

RECALLED

H. 4878 -- Rep. Ott: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 6 IN LEXINGTON COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 TO ITS INTERSECTION WITH TICKLE WEED ROAD "STANLEY MYERS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1012 -- Senator Corbin: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR COACH DAVID SMITH OF GREER MIDDLE COLLEGE CHARTER HIGH SCHOOL FOR BEING NAMED 2023 CROSS COUNTRY COACH OF THE YEAR FOR BOTH THE SOUTH CAROLINA TRACK AND CROSS COUNTRY COACHES ASSOCIATION AND THE UNITED STATES TRACK AND FIELD CROSS COUNTRY COACHES ASSOCIATION.
lc-0499sa-bl24.docx

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

S. 1013 -- Senator Corbin: A CONCURRENT RESOLUTION TO CONGRATULATE THE GREER MIDDLE COLLEGE CHARTER HIGH SCHOOL BOYS CROSS COUNTRY AND TRACK AND FIELD TEAMS FOR WINNING THEIR RESPECTIVE CLASS AA BOYS STATE CHAMPIONSHIP TITLES.
lc-0390vr-bl24.docx

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

S. 1014 -- Senators Kimbrell, Garrett, Rice, Corbin, Campsen, Adams and Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 35-1-502, RELATING TO PROHIBITED CONDUCT IN PROVIDING INVESTMENT ADVICE REGARDING SECURITIES, SO AS TO SET DISCLOSURE STANDARDS FOR INVESTMENT ADVISERS WHO RENDER SERVICES BASED ON SOCIAL OR NONFINANCIAL FACTORS.
lc-0502sa24.docx

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

S. 1015 -- Senators Goldfinch, Hembree and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-3-462, RELATING TO THE TERMINATION OF SEX OFFENDER REGISTRATION REQUIREMENTS, SO AS TO PROVIDE TERMINATION FOR TIER

1 AND TIER 2 OFFENDERS AFTER A SPECIFIED PERIOD OF TIME FOLLOWING THE COMPLETION OF THE ENTIRE ORIGINAL SENTENCE.
sedu-0062db24.docx

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

S. 1016 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-3-16000 SO AS TO CREATE A SPECIAL LICENSE PLATE FOR MEMBERS OF THE SOUTH CAROLINA EQUINE INDUSTRY.
sr-0546km24.docx

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

S. 1017 -- Senators M. Johnson, Peeler and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS; AND BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY ASSESSED AS AGRICULTURAL OR RELATED THERETO MAY NOT BE ANNEXED BY A MUNICIPALITY.
lc-0353dg24.docx

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

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

UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL CREATE CERTAIN PROCEDURES, AND TO PROVIDE FOR A PRIVATE RIGHT OF ACTION.
lc-0013sa23.docx

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

H. 4700 -- Reps. W. Newton, Pope, Guffey, Chapman, Leber, Beach, Kilmartin, Cromer, Oremus, Vaughan, Nutt, Haddon, Burns, Chumley, West, Felder, Guest, McCravy, Bailey, Brittain, Robbins, Sessions, Bradley, Mitchell, Yow, Hiott, Erickson, Hager, Wheeler, Weeks, Ballentine, Wooten, Calhoon, M. M. Smith, Davis, McGinnis, Gagnon, B. Newton, Schuessler, Elliott, Forrest, Willis, Ligon, Hixon and Taylor: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 5, TITLE 39 SO AS TO PROVIDE DEFINITIONS; TO PROVIDE THAT A SOCIAL MEDIA COMPANY MAY NOT PERMIT CERTAIN MINORS TO BE ACCOUNT HOLDERS; TO PROVIDE REQUIREMENTS FOR SOCIAL MEDIA COMPANIES; TO PROVIDE THAT A SOCIAL MEDIA COMPANY SHALL PROVIDE CERTAIN PARENTS OR GUARDIANS WITH CERTAIN INFORMATION; TO PROVIDE THAT A SOCIAL MEDIA COMPANY SHALL RESTRICT SOCIAL MEDIA ACCESS TO MINORS DURING CERTAIN HOURS; TO PROVIDE FOR CONSUMER COMPLAINTS; TO PROVIDE THAT THE CONSUMER SERVICES DIVISION HAS AUTHORITY TO ADMINISTER AND ENFORCE CERTAIN REQUIREMENTS; TO PROVIDE FOR AN ANNUAL REPORT; TO PROVIDE FOR A CAUSE OF ACTION; AND TO PROVIDE THAT CERTAIN WAIVERS AND LIMITATIONS ARE VOID.
lc-0416sa24.docx

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

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

MEMBERS MUST BE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

lc-0345hdb24.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

REPORTS OF STANDING COMMITTEE

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

S. 408 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-75-250, RELATING TO ISSUANCE OF LICENSE, DISPLAY, AND RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT; AND BY AMENDING SECTION 40-75-540, RELATING TO REGULATIONS FOR CONTINUING EDUCATION AND LICENSE RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT.

Ordered for consideration tomorrow.

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

S. 558 -- Senators Verdin and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-31-40 SO AS TO PROVIDE THE PROCEDURE FOR THE TUBERCULOSIS TESTING OF APPLICANT RESIDENTS AND NEWLY ADMITTED RESIDENTS OF NURSING HOMES IN THIS STATE.

Ordered for consideration tomorrow.

Appointments Reported

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

Statewide Appointments

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2022, and to expire June 9, 2025

Residential Care Administrator:

Sarah D. Doctor-Greenwade, PO Box 23328, Columbia, SC 29224

Received as information.

Reappointment, South Carolina Mental Health Commission, with the term to commence July 31, 2023, and to expire July 31, 2028

5th Congressional District:

Crystal A. Maxwell, 2021 Bridgemill Drive, Suite 102, Fort Mill, SC 29707-9211

Received as information.

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

Dietician, Clinical:

Robert Duffell Hoffman, 501 Gillsbrook Road, Lancaster, SC 29720-1915

Received as information.

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

6th Congressional District, Registered Nurse:

Bridget J. Holder, Manager of Medical-Surgical and Telemetry, Summerville Medical Center, 1581 Sebago Dr., Charleston, SC 29414-7922 *VICE* Sonya Kay Ehrhardt

Received as information.

Message from the House

Columbia, S.C., January 1, 2024

Mr. President and Senators:

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

S. 298 -- Senators Bennett, Turner, Kimbrell, Campsen and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-2320, RELATING TO ALTERNATE METHODS FOR THE ALLOCATION AND APPORTIONMENT OF INCOME FOR STATE INCOME TAX PURPOSES, SO AS TO SET FORTH A PROCESS FOR THE DEPARTMENT OF REVENUE AND TAXPAYERS TO ACCURATELY DETERMINE NET INCOME.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

HOUSE CONCURRENCE

S. 1009 -- Senator McElveen: A CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 2024 AS "WORLD CHOLANGIOCARCINOMA MONTH" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

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

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

S. 700 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 8 TO CHAPTER 5, TITLE 39 TO ESTABLISH THE "SOUTH CAROLINA EARNED WAGE ACCESS SERVICES ACT", SO AS TO PROVIDE FOR REQUIREMENTS FOR EARNED WAGE ACCESS SERVICES PROVIDERS, AND TO PROVIDE FOR CERTAIN EXEMPTIONS AND LIMITATIONS.

S. 806 -- Senators Alexander, Malloy and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-1-180, RELATING TO ADJOURNMENT OF GENERAL ASSEMBLY AND CONDITIONS FOR EXTENDED SESSION, SO AS TO PROVIDE THAT THE DATE FOR SINE DIE

ADJOURNMENT IS AUTOMATICALLY EXTENDED IF THE HOUSE OF REPRESENTATIVES DOES NOT GIVE THIRD READING TO THE ANNUAL APPROPRIATIONS ACT ON OR BEFORE MARCH TENTH, SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY CALL THEIR RESPECTIVE BODIES INTO SESSION AFTER THE SINE DIE ADJOURNMENT DATE TO FINISH ANY UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION, AND TO PROVIDE THE TIME PERIOD DURING WHICH THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY BE CALLED BACK TO COMPLETE THE UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION.

OBJECTION

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

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

Senator MALLOY objected to consideration of the Bill.

OBJECTION

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

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

Senator MALLOY objected to consideration of the Bill.

CARRIED OVER

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

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

CARRIED OVER

S. 620 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-51-50, RELATING TO SALES OF PROPERTY BY A COUNTY RESULTING FROM DELINQUENT TAXES, SO AS TO ALLOW AN ELECTRONIC SALE AND TO PROVIDE FOR THE PROCEDURES OF AN ELECTRONIC SALE; AND BY AMENDING SECTION 12-51-60, RELATING TO PAYMENT BY THE SUCCESSFUL BIDDER IN A TAX SALE, SO AS TO PROVIDE FOR THE DISTRIBUTION OF PROCEEDS DERIVED FROM AN ELECTRONIC TAX SALE.

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

READ THE SECOND TIME

S. 778 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING TITLE 40, CHAPTER 63, ARTICLE 5 SO AS TO CREATE THE SOCIAL WORK MEMBER STATE COMPACT, OUTLINE THE RULES OF THE COMPACT, AND DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the Bill.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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

AMENDED, READ THE SECOND TIME

H. 3116 -- Reps. Felder, Carter, Pope, Guffey, O'Neal, Hart, Caskey, Williams, Blackwell and Gilliam: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-610, RELATING TO PERSONS LIABLE FOR TAXES AND ASSESSMENTS ON REAL PROPERTY, SO AS TO PROVIDE THAT CERTAIN DISABLED VETERANS OF THE ARMED FORCES OF THE UNITED STATES ARE EXEMPT FROM PROPERTY TAXES IN THE YEAR IN WHICH THE DISABILITY OCCURS.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT proposed the following amendment (LC-3116.DG0003S), which was adopted:

Amend the bill, as and if amended, SECTION 3.A., by striking Section 12-37-220(3) and inserting:

(3) two private passenger vehicles owned or leased by any disabled veteran, or the spouse of the disabled veteran if the spouse resides with the veteran and the vehicle is registered at that same address, designated by the veteran for which special license tags have been issued by the

Department of Motor Vehicles under the provisions of Sections 56-3-1110 to 56-3-1130 or, in lieu of the license, if the veteran has a certificate signed by the county service officer or the Veterans Administration of the total and permanent disability which must be filed with the Department of Motor Vehicles. The exemption extends to the surviving spouse of the person on one private passenger vehicle owned or leased by the spouse for their lifetime or until the remarriage of the surviving spouse. If a trustee holds legal title to a vehicle and the beneficiary is a person who qualifies otherwise for the exemption provided and the beneficiary uses the vehicle, then the vehicle is exempt from property taxation in the same amount and manner;

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 45; Nays 0

AYES

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

Total--45

NAYS

Total--0

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

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

S. 621 -- Senators Reichenbach, Stephens, Cromer, Kimbrell, M. Johnson, Fanning, Setzler, Bennett, Shealy, Rice, Williams, Allen, Garrett, Loftis, Sabb and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 79 TO TITLE 39 SO AS TO CREATE THE "SOUTH CAROLINA-IRELAND TRADE COMMISSION", TO PROVIDE FOR THE MEMBERS OF THE TRADE COMMISSION, AND TO ESTABLISH THE DUTIES OF THE COMMISSION.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (SR-621.JG0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 39-79-100(A)(2) and (3) and inserting:

(2) four members appointed by the President of the Senate, two of whom must be members of the Senate; and

(3) seven members appointed by the Governor:

(a) the Secretary of the Department of Commerce or his designee;

(b) the Commissioner of Agriculture or his designee;

(c) two representatives of state institutions of higher education;

(d) two members representing Irish Americans in South Carolina or Irish-American communities; and

(e) one representative of the South Carolina Chamber of Commerce or a trade organization.

Amend the bill further, SECTION 1, by striking Section 39-79-100(G)(3) and inserting:

(3) The South Carolina-Ireland Trade Commission is authorized to raise funds, through direct solicitation or other fundraising events, alone, or with other groups, and accept gifts, grants, and bequests from individuals, corporations, foundations, governmental agencies, and public and private organizations and institutions, to defray the commission's administrative expenses and to carry out its purposes as

set forth in this chapter. The funds, gifts, grants, or bequests received pursuant to this section must be deposited in an account with the State Treasurer and allocated and annually appropriated to the Department of Commerce to defray the commission's administrative expenses and carry out its purposes. The Department of Commerce may use funds appropriated for Foreign Operations to fund the administrative expenses and carry out the purposes of the commission to the extent that sufficient non-appropriated funds are not available. Foreign Operations appropriations may also be used for any non-administrative expenses of the commission with approval of the Secretary of Commerce. Expenditures made for the purposes of administering the commission and fulfilling its purposes shall be exempt from the provisions of Title 11, Chapter 35 of the S.C. Code.

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Senator ALEXANDER proposed the following amendment (SR-621.KM0005S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 39-79-100(A)(3)(e) and inserting:

(e) one representative of a South Carolina business organization or a trade organization.

Amend the bill further, SECTION 1, by striking Section 39-79-100(B)(5) and inserting:

(5) one representative of a South Carolina business organization or a trade organization.

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 45; Nays 0

AYES

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

Total--45

NAYS

Total--0

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

S. 621--Ordered to a Third Reading

On motion of Senator SETZLER, S. 621 was ordered to receive a third reading on Friday, February 2, 2024.

POINT OF ORDER

S. 843 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-56-120, RELATING TO MISREPRESENTATIONS PROHIBITED, SO AS TO PROHIBIT A SOLICITATION FROM A PERSON OR GROUP REPRESENTING ITSELF AS A SOUTH CAROLINA-BASED NATIVE AMERICAN INDIAN TRIBE OR SOUTH CAROLINA-BASED NATIVE AMERICAN ENTITY UNLESS THE

GROUP HAS BEEN FEDERALLY ACKNOWLEDGED AS A TRIBE, OR DESIGNATED AS A TRIBE, GROUP, OR SPECIAL INTEREST ORGANIZATION BY THE BOARD OF THE STATE COMMISSION FOR MINORITY AFFAIRS.

Point of Order

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

The PRESIDENT sustained the Point of Order.

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

MOTION FOR SPECIAL ORDER FAILED

S. 423 -- Senators Davis, Hutto, Grooms, Kimpson, Malloy, McLeod, Verdin, Fanning, Goldfinch, Gustafson and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; BY AMENDING CHAPTER 53, TITLE 44 OF THE S.C. CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20 SO AS TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; BY ADDING SECTION 56-5-3910 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A DRIVER OF A MOTOR VEHICLE TO VAPORIZE CANNABIS PRODUCTS AS DEFINED IN SECTION 44-53-2010 WHILE OPERATING THE MOTOR VEHICLE AND TO PROVIDE PENALTIES; BY REPEALING ARTICLE 4, CHAPTER 53, TITLE 44, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

Senator MASSEY moved that the Bill be made a Special Order.

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

Ayes 25; Nays 16

AYES

Adams	Allen	Bennett
Climer	Cromer	Davis
Gambrell	Goldfinch	Grooms
Gustafson	Hutto	Jackson
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	Rankin
Reichenbach	Shealy	Talley
Tedder	Turner	Verdin
Williams		

Total--25

NAYS

Alexander	Cash	Corbin
Devine	Garrett	Harpootlian
Hembree	*Johnson, Kevin*	Loftis
Matthews	Peeler	Rice
Sabb	Senn	Stephens
Young		

Total--16

Having failed to receive the necessary vote, the motion to make the Bill a Special Order failed.

Senator MASSEY moved to close the Motion Period.

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

Ayes 31; Nays 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
McElveen	Peeler	Reichenbach
Rice	Shealy	Talley

Turner	Verdin	Williams
Young		

Total--31

NAYS

Allen	Devine	Fanning
Harpootlian	Hutto	*Johnson, Kevin*
Malloy	Matthews	Sabb
Senn	Setzler	Stephens
Tedder		

Total--13

The motion was adopted.

MOTION ADOPTED

At 11:58 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

OBJECTION

H. 3014 -- Reps. Gilliard, Henegan, Ott, Collins, Carter, Murphy, Robbins, Brewer, Gatch, Kirby, Anderson, Rivers, Howard, King, McDaniel, Hosey, Clyburn, Cobb-Hunter, Bamberg, Williams, Bernstein, W. Newton, Herbkersman, Hyde, Brittain, Guest, Erickson, Bradley, Hager, Connell, Hewitt, Rutherford, Thigpen, B. Newton, McGinnis, Hardee, Hixon, Taylor, Sandifer, M.M. Smith, Wetmore, Bustos, Landing, Elliott, Pope, Felder, Stavrinakis, Rose, Neese, Davis, Wooten, Bannister, Wheeler, Bailey, Schuessler, Blackwell, W. Jones, Dillard, Bauer, Sessions, T. Moore, J.L. Johnson, Jefferson, B.J. Cox, Garvin, B.L. Cox, Tedder and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "CLEMENTA C. PINCKNEY HATE CRIMES ACT"; BY ADDING ARTICLE 22 TO CHAPTER 3, TITLE 16 SO AS TO ENTITLE THE ARTICLE "PENALTY ENHANCEMENTS FOR CERTAIN CRIMES", TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS, AND TO PROVIDE VICTIMS OF A

VIOLATION OF THE ARTICLE MAY BRING A CIVIL ACTION FOR DAMAGES SUSTAINED.

Senator MATTHEWS asked unanimous consent to make a motion that the Bill be made a Special Order.

Senator MASSEY objected.

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

CARRIED OVER

S. 557 -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477, RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.

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

CARRIED OVER

S. 782 -- Senators Matthews and Davis: A BILL TO DELINEATE THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE JASPER COUNTY SCHOOL BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2024 GENERAL ELECTION, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE DISTRICTS, AND TO REPEAL SECTION 2 OF ACT 476 OF 1998 RELATING TO THE ESTABLISHMENT OF SINGLE-MEMBER DISTRICTS OF THE JASPER COUNTY SCHOOL DISTRICT.

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

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE

H. 3594 -- Reps. B.J. Cox, G.M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A.M. Morgan, T.A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M.M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris,

O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B.L. Cox, Vaughan, White, Collins, J.E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR

ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED;

BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM “CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR”.

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

Amendment No. 37

Senator MATTHEWS proposed the following amendment (SMIN-3594.AA0171S), which was tabled:

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

SECTION X. Upon the effective date of this act, all pending charges of unlawful carry must be dismissed for persons that would have been deemed carrying a firearm legally under the Constitutional Carry Act.

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS explained the amendment.

Senator CASH moved to lay the amendment on the table.

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

Ayes 30; Nays 12

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer

Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Peeler	Rankin	Reichenbach
Rice	Shealy	Talley
Turner	Verdin	Young

Total--30

NAYS

Allen	Devine	Harpootlian
Hutto	*Johnson, Kevin*	Matthews
McElveen	Sabb	Setzler
Stephens	Tedder	Williams

Total--12

The amendment was laid on the table.

Amendment No. 40

Senators HEMBREE, HUTTO, TEDDER and MATTHEWS proposed the following amendment (SEDU-3594.DB0175S), which was carried over and subsequently adopted:

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

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

Section 17-1-65. A person may apply for an expungement of one conviction for unlawful possession of a handgun as provided in Section 16-23-20, if the conviction occurred prior to the enactment of the S.C. Constitutional Carry/Second Amendment Preservation Act of 2023. An application under this section must be made within five years of the enactment of this section.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator CLIMER, with unanimous consent, the amendment was carried over and subsequently adopted.

Amendment No. 41

Senator MASSEY proposed the following amendment (SR-3594.JG0178S), which was tabled:

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

SECTION X. Chapter 31, Title 23 of the S.C. Code is amended by adding:

Section 23-31-246. (1)(a) When a person knowingly possesses or carries a firearm, and a law enforcement officer initiates an otherwise lawful stop, detention, or investigation, including but not limited to a traffic stop, upon the request of the officer, the person must inform the officer of the fact that he is carrying or is in possession of a firearm, whether concealed or otherwise.

(b) When a person knowingly possesses or carries a firearm, that person does not have a duty to inform a law enforcement officer of the fact that he is carrying or is in possession of a firearm unless and until the officer requests such information.

(2) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for not more than thirty days, or both.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Senator MALLOY spoke on the amendment.

Senator ADAMS spoke on the amendment.

Senator MALLOY moved to lay the amendment on the table.

The amendment was laid on the table.

On motion of Senator JACKSON, with unanimous consent, Amendment No. 9 was withdrawn.

Motion Adopted

On motion of Senator GROOMS, with unanimous consent, Senators YOUNG, McELVEEN, FANNING, GOLDFINCH, MATTHEWS and GROOMS were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Amendment No. 43

Senator TEDDER proposed the following amendment (SMIN-3594.MW0141S), with was ruled out of order:

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

SECTION X. Chapter 23, Title 16 of the S.C. Code is amended by adding:

ARTICLE 2

Background Checks for Firearm Sales and Transfers

Section 16 23-100. As used in this article:

(1) "Firearm" means a weapon, including a starter gun, that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of such a weapon, a firearm muffler or firearm silencer, or a destructive device. The term does not include an antique firearm.

(2) "Licensed dealer" means the holder of any federal firearms licensed under 18 U.S.C. Section 923(a).

(3) "Transfer" means to sell, furnish, give, lend, deliver, or otherwise provide, with or without consideration.

(4) "Transferee" means a person who receives or intends to receive a firearm in a sale or transfer.

Section 16-23-110. For any sale or transfer of a firearm for which a licensed dealer contacts the National Instant Criminal Background Check System (NICS) to conduct a background check, the licensed dealer may not deliver a firearm to any transferee unless:

(1) the NICS provides the licensed dealer with a unique identification number; or

(2) if the NICS has not notified the licensed dealer that a sale or transfer to the person would violate state or federal law within ten business days, in order to continue the purchase or transfer, the licensed dealer must again recontact the NICS to conduct a background check. If another ten business days have elapsed from the date of the second application and the NICS has not notified the licensed dealer that a sale or transfer to the person would violate state or federal law, then the sale or transfer of the firearm may then proceed.

Section 16-23-120. A person who violates the provisions of this article is guilty of a Class A misdemeanor and, upon conviction, must be imprisoned not more than three years, fined not more than one thousand dollars, or both.

Renumber sections to conform.

Amend title to conform.

Senator TEDDER explained the amendment.

Point of Order

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

Senator TEDDER spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 44

Senator McLEOD proposed the following amendment (LC-3594.CM0084S), with was ruled out of order:

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

SECTION X. Chapter 31, Title 23 of the S.C. Code is amended by adding:

Article 9

Firearm Liability Insurance

Section 23-31-9010. (A) A resident of this State who owns or possesses a firearm shall obtain and continuously maintain in full force and effect a homeowner's, renter's, or gun liability insurance policy that covers losses or damages resulting from any negligent or accidental use of the firearm including, but not limited to, death, injury, and property damage. Proof of insurance must be displayed upon demand by a law enforcement officer.

(B) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be sentenced not more than thirty days, fined one thousand dollars, or both.

Renumber sections to conform.

Amend title to conform.

Senator McLEOD explained the amendment.

Point of Order

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

Senator McLEOD spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator RANKIN spoke on the Bill.

Remarks by Senator RANKIN

Thank you, ladies and gentlemen of the Senate. Yesterday might have been the longest day we've had here in quite a while, and I'll assure you my intention is not to belabor this day longer than it takes me to share a few comments with you about this Bill. I want to commend Senator MARTIN on his persistence and the pressing and the persuading, and it's about to create policy -- at least of this Senate. I want to go back just a moment with you all as the chair of the committee that was blessed to have this Bill -- rest in it, and the efforts by Senator MARTIN to dislodge this Bill from that committee over the last year or two. Senator MARTIN said he's been working on this for fifteen years. I started paying attention to this Bill when it became a Judiciary Committee assignment, and lo those many years ago Senator GOLDFINCH was the subcommittee chairman within the Judiciary Committee itself that was going to have a subcommittee meeting the very next day. By persuasion -- I'll call it pouncing -- at a perfect opportunity with my absence by going to see my daughter in Greenville at the Governor's School -- sensing she needed a parent -- I leave and roll to Greenville and I'm listening to the Senate as the weird folk in this Body do when we're not here and if you say you don't do it, you are not being honest. But I hear the effort to dislodge and recall that Bill from the full Judiciary Committee that passed narrowly, and it thus did not have a subcommittee hearing that next day. Again, that was within his right to do; so, I compliment him for that persistence. We'll talk here in a moment about what we have done thereafter and given it our due diligence and tried to hear from folks as best we could.

But that was then, and we come to another session where Senator MARTIN, to his credit -- he dutifully writes to all as we all do to those that chair committees and he requests to have the Bill assigned and considered. So, we did that last year -- those of you recall who served on that subcommittee. And Senator M. JOHNSON conducted a

wonderfully balanced and fair hearing of this Bill. I will point out to you all that there was another Bill assigned to that subcommittee, which was the stand-alone Bill, now Senator CAMPSEN'S amendment which we rejected 24 to 19. And that Bill was to give us what we have uniformly heard from law enforcement, that which they wanted and that which they asked for -- **enhanced penalties on gun law violations**. That Bill last year in that subcommittee, in the discretion of the subcommittee itself, and I'm not assailing their work, but they did not take that Bill up. They focused solely on the Bill that we have before us, and that being the grand bargain that includes something that no one in law enforcement has asked for and no one in law enforcement wants. That is this permitless carry Bill. And so, we have labored these last few days, hours and hours and hours, talking about the balance between our state's current law and where some wanted to take us, and some did not. But we have heard from lobbying groups how we are an outlier in the country, how we are trading on the rights of our law-abiding citizens, and we are sacrificing our people compared to other states. I have heard from several of you -- you've all gotten door hangers -- perhaps, saying, "I am a gun rights sellout." Perhaps some of you other Senators are too. "I am one who is against the Constitution because of my position. I am against your God-given and inalienable rights given to you at birth because I support **not** their politics but our **police**. So, forgive me for not standing with those who are from Austin, Texas. I don't think I have any constituents in Austin, Texas. This leaflet last year from the Young Americans for Liberty, 32 Brody, Suite 107-65 -- I've never been to Austin. I don't think I've ever met a Young American for Liberty. No offense to anybody else, Senator M. JOHNSON, that's got the liberty placard or lapel pin. I've never met anybody from Austin, Texas.

I wonder whether just like the dark money mailers that you've all gotten -- I know of a few, where one was addressed from a place in the upstate. When we sent somebody to find out what was at that address, it was an empty building beside a pawn shop. We found out through the owner of that strip shopping center he had never heard of and had never rented to that group mailing out things to my area saying "Rankin is the worst thing since COVID. Rankin caused the pandemic. Rankin is standing in your way of freedom.' That's fine, folks. I'm not assailing our first amendment rights to do or say about anybody -- whatever you want to do or say but be a little more honest about it. But you don't have to be because you get to hide behind the dark money and the group efforts that come to push and pull us to do what they want us to do. That's fine. I'm a big boy. I can withstand the assaults, and I have been there, done

that before. Perhaps this will be my last stand, and perhaps this time the dark money will win and perhaps this time the outside politics of pushing us to do something will work. But I rest easy. I rest comfortably, and I rest at night knowing that I am standing **not** with the persuaders, **not** with the pushers, but I'm standing with the **police officers** in this State who to a person, to an agency, to a department within this State has said to me uniformly -- today included after what we adopted last night -- and I voted for the amendment, trying to make a better Bill in hopes of giving the police officers cover -- to say Rankin, we're for it, today with these enhancements that we have tried to make. I haven't heard a police officer say to me yet, Luke, we want it. We're asking for it. My point being even today -- concerns, concerns, concerns, concerns. We're muddying the water. We're not clarifying for them. Same thing with the former police officer retired now -- our brother in the Senate and others today, the former solicitor -- we are not creating clarity. We are creating uncertainty. We are creating more of a morass of who knows what you can do, and to accomplish what? To make us like the other states who the proponents say, we want to be just like.

So, I'm up here again just to talk a little bit about this, and if I can, Mr. Clerk, Mr. PRESIDENT, I want to just show four folks that I want you to be reminded of. Let me start with Conway City Police Chief. That is Chief Long of Conway. I'm not going to read verbatim their testimonies. We can't under our rules play their testimony, but I want you just to see their face and not mine. I don't want my face to be the voice of the opposition that I've heard from and I daresay the faceless people in Austin, Texas, that aren't going to come here to tell you what the people that we have hired and entrusted to carry out the laws that **we** pass have said. First voice -- again, the face belongs to Chief Long. He's been in law enforcement since 1986. He respects our State. He's a product of our State, born and raised here and prides himself on being a South Carolinian. He points to that balance between our laws, our rights and law abiding gun ownership and gun safety for their families. His belief, and this was a pretty key term, I thought, that I had never heard before: "my belief is that in our community we all operate under a guideline of **social contracts**". Y'all on that subcommittee, you've heard this and again, and you're not going to hear a total regurgitation. He analogized that social contract to the driver's license that we have, and we're tested to see whether we have safe driving proficiency -- hunter safety as well. The goal being what the Senator from Charleston talked about the other day with the quail hunter, the dove shoot, loading the gun, where do you aim the gun? All folks within the hunting world, the driving world and

now the boating world have to have training and operate under the same guidelines. So, his point, again, was the benefit of and the necessity of the requirement of minimum standard training. Again, I'm not going to talk about all these things we talked about but again the law. What is the law? Where can you possess? Where can you present? When do you have to stand down? When under the castle doctrine, when under the various other iterations of "stand your ground", but more importantly, what training do they have to safely operate that gun? So, his point -- without training, people will take for granted, I'm allowed, I can do what I want to do and so that social contract whether hunting, boating, driving, pick your other example -- that's our obligation.

The next picture is Chief Prock from the City of Myrtle Beach. Again, very forceful personality, very forceful statements she made -- that public safety is a **shared responsibility**, and that our role, just like theirs in our communities -- our entrusting them, charging them to carry it out -- it is a shared responsibility, and her position on this Bill was that the training that they pursued, and y'all heard it -- we've heard it over and over again in here: train, train, train, four times a year. SLED talked about the various guns that they use, and how they train. So, we are effectively, with the passage of this Bill, holding our lay folk, our everyday folk to a totally different standard than we expect out of our law enforcement officers. Her point is, we are asking that the public no longer to be required to train, yet we will expect the same result out of them. They aren't going to train. They don't have to train -- and so, her view, again, the City of Myrtle Beach's Police Chief is the rights and freedoms of everyone are supported but the safety of our communities needs to be at the forefront.

The next face that I want you just to momentarily focus on, this is Chief Stewart, representing the South Carolina Police Chiefs Association, and focus on what I've heard and you all have heard, that our SLED Director Chief Keel has said, "We are the envy of the country with the law that we currently have, and the ability to protect not only the public but to protect law enforcement." But they train. He references the four types of weapons they train with and that they train day and night. And the shots fired discussion -- I had not heard of that before that subcommittee hearing in Anderson, I believe. They've got that program. Technology, again, the area where the shots were fired -- they key in on it with other technology cameras. Again, the ability to try to get to an area quicker -- that are enhancements to the safety of our communities. And not just them but the safety of the police officers as well. So, his point, again, in unison with the other two chiefs of police, is that we need

to be able to expect the same out of our law-abiding citizens -- the proficiency in how to handle a gun.

And then finally, last picture. That is Skip Holbrook, Columbia Police Chief. Very briefly, the takeaway from him -- uncharted and unclear territory if we pass this law -- personal concern as a citizen and concern from a police chief's perspective. No training requirement, no minimum standard will do nothing but lead to chaos, and increased danger to them. That's all from the slides, Mr. PRESIDENT. Thank you for displaying those.

So, who are we listening to and what is our goal? I'm not saying the word "cave", Senator HUTTO. That's an adjective. Perhaps it applies, but just like these officers have said, we are coming at this with the best of intentions. I don't malign the proponents of this Bill. I don't malign the folks from Austin, Texas. Your desire was to come into South Carolina and do successfully what you have done with money in other states. But who are we to hear from and who are we to believe if we don't believe these faces, these voices? And dare I say a few more because in Horry County, as I referenced the other day, a letter from the Law Enforcement Officers Association dated December 5th -- and I can't read it here but let me just highlight: the repeal would remove the very standard we have in this State to keep our community and visitors safe. Requirements for training and background checks alone provide a framework to assist in the lawful use of weapons and their purchase and possession. They oppose in the strongest possible terms, for reasons of public safety -- our doing away with required training in this Bill. I have said it from my desk. I won't read every name, but I dare say to anyone who would like to see -- not one of the misguided, misinformed but duly elected, duly appointed, duly hired and continuing in service with their own training officers from Horry and Georgetown Counties who have said, "Folks, keep the minimum standards". That's the law enforcement world.

Again, who do I hear? Who do I listen to? Who do you hear? Who should you listen to? That's your own walk. That's up to you. I dare say I don't intend to or believe that I'm going to persuade one vote different than has been cast thus far, but I think we owe it to the people outside in our homes, in the balcony, and those listening -- perhaps the twelve of you that are listening to us right now -- we owe the honest truth to them about what we're about to do and what it's going to do and own it.

Now, the reverse of that is, "Rankin, it isn't going to be that bad. It ain't going to be that bad. Pay no attention to them." The reference to the Wizard of Oz the other day, "Pay no attention to the man behind the

curtain. Listen to the big bad wolf out there. The big bad Oz out there. Pay attention to him, so that the big bad wolf out there tells us it ain't going to be that bad. They're not that many. It's not going to be that big of a problem. Law enforcement will get over it. They'll work it through. It will work out. It ain't that big of a deal."

And this is not Luke Rankin, anti-second amendment right. I believe in it. I don't but my wife does have a CWP. Any of you who know Lindsay would not be any more surprised to know that. Not Annie get your gun; Lindsay get your gun. Lindsey doesn't need a gun -- but I hunt, my brother hunts. I love the right to bear arms. But to the point that -- I'm not going to go through this ad nauseam but the point that the reality of this Bill being called something suggesting that anyone daring to say or question or pause in the adoption of it -- that it is a constitutional right that we are infringing upon by insisting on law enforcement being given the tools that they so deathly and fatally and desperately are calling for is not an abridgment of the Constitution. Chief Justice Massey from Edgefield quoted, Chief Justice Harpootlian from Richland, again, discussing the very case perhaps -- I don't know if it was this one with Anthony Scalia, but the Supreme Court says, you have a right -- effectively like Chief Long said, a social contract. The law requires certain things out of you. The Constitution requires the allowance of certain things. But they are not mutually exclusive, and so the Supreme Court has defined with precedent the right to do what we have done before. So, the law doesn't say it's unconstitutional to keep South Carolina's existing CWP. If that were so, folks, if this were the unconstitutional carry Bill, why hasn't it been overturned since we passed it twenty some years ago? Why hasn't someone from Texas come down here to challenge the constitutional veracity of that law twenty years ago? It is because it isn't unconstitutional. And so, no aspersions to those who believe this is a constitutional right. Some of you know better that the Constitution doesn't say -- "no states, you don't have a social contract and no states you can't require."

I'm going to wrap up here in just a second. I want to harken back to an exchange with Senator MASSEY and my sincere endorsement of -- I stated from my desk as I was asking him, the laudable goal of training and the laudable goal of giving the officers the ability to assess before they get into a mess with someone bearing -- and that is the topic of training. So, we are undoing the requirement. We're going from twenty-one to eighteen. Some are offended by that on its face. Perhaps that's not as bad as the fearful folk would suspect. The federal government allows twenty-one so there's a little difference -- excuse me eighteen versus

twenty-one. I don't see that as a big problem. But what is the biggest offense here and the biggest problem that officers tell me -- will mean they will suffer loss of lives -- is the lack of mandatory training. So my exchange with the Senator from Edgefield, I will remind y'all, after doing away with their laws, just like we are on the cusp of doing here, despite our effort to incentivize with a carrot or a stick -- the real reality will be you will see a dramatic decline in those who will say, "the law doesn't require me to do it but I'm going to do it any way." I'm not assailing those who will hereafter not want to do it under the belief that that's not the law, therefore they don't have to abide by it. Good people, smart people, will do it any way. Smart, good people already, with their families, have great training. I'm sure.

But when passed in other states, folks in terms of those seeking training: Georgia drops off 60%, Oklahoma 54%, Texas 43%, Florida 64%, Ohio 71% and Tennessee 53%. I voted for that amendment because I think that makes this Bill better, but it does not speak to the minimum requirements being a requirement. We are hoping that people will be their best. We are hoping that people will be as trained as our law enforcement officers are, but that's a big hope, folks. It's a big bet. Perhaps time will prove that there will be no problems with a lack of training, but you can't ignore in those states that have passed this and the incidents -- increased incidents of homicide and gun-related violence and gun-related injury; you cannot escape the trajectory of those statistics. Look around. Has it worked? Where do you look to determine how has it worked? So, either the stats are wrong -- in Indiana where press coverage says, "over the stern objections of law enforcement," and that is the statement in the press release -- stern objections, stern criticism from their state Police Superintendent, they did it anyway. And in Indiana handgun licenses and training dropped.

So, "Rankin, you're ignoring half of the gain here. You're ignoring the win here." The Governor, again, in the State of the State last week asked for what? Enhanced penalties -- he didn't ask for open carry without permit. Senator CAMPSEN asked this Body for enhanced penalties of repeat offenders with gun violations. Twenty-four of you said no, nineteen said yes. So, we've got now effectively, respectfully, but honestly a gun to our heads to pass a Bill to give law enforcement something they **don't want, haven't asked for** in exchange for something they **desperately need**. That is a prerogative of a legislative body. Give them not what **they want**; give them what **we want**.

So, when we pass this Bill and go to our homes and talk to neighbors -- brothers and sisters in churches, in our home communities, but more

importantly is that police view, the sheriffs' offices -- ask them where were they? Why didn't they come to Columbia when hearings were taking place. Why didn't they come tell you that they were for it? But more important to me in Horry County, why didn't you come tell me why you were for it. Where were you? By default, the only four cases I've got, two in my area, one in Anderson and one in Columbia, took the time and took it upon themselves to say what you know in your heart of hearts is the truth – "You are jeopardizing us, hamstringing us, cramming something down our throats legally that we don't know how to enforce. You have not clarified anything. You're muddying the water, and now asking me, Mr. and Mrs. law enforcement officer to step into a situation where I don't know who is on my side and put myself at risk of harm, injury or death" and expect what the chief said -- the same results of their training, their expert repetitive, continuing good education out of somebody that from now on won't have one iota -- nothing other than their self-motivation to learn to do and be safe. God, I pray that everyone who picks up a gun will do just that. To the CWP holders, forty some odd thousand, God bless you for the training. I hope I'm wrong, and the stats in South Carolina prove differently, that we have truly incentivized. But I will be shocked if it is the case.

So, folks, I'm going to wrap up and urge you, not to vote the way Luke Rankin votes, but talk to your officers. Again, I make the point about every law enforcement officer I saw come to Columbia to testify. I don't know whether they were under oath or not. Would their testimony be any different? Are they recognizing the political expediency and is it going to jeopardize them? If they'll tell you straight, like the sheriffs have done and the police chiefs have done, Senators, you know they are not going to be happy, because what we've done is not listened to them. We are going to stand with our men in blue, stand with our women in blue. Folks, we stand with them **only** when it is convenient. We listen to them **only** when it is convenient. That is a travesty in our State. We want to hear from you when it is convenient. We don't want to give you what you want unless it is convenient. Folks, we are putting our best in blue in harm's way and making them take something they don't want and have not asked for. That is our choice. We all get a vote.

God bless this country and God bless my ability to come speak to each of y'all. God bless those who we are here to reward and to stand by. To me, that is **my law enforcement**, that is **my police chief** and that is my **sheriff** from Horry County -- not from Texas.

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

Senator MALLOY spoke on the Bill.

Senator McLEOD spoke on the Bill.

Remarks by Senator McLEOD

Thank you, Mr. PRESIDENT. Well, we knew this day was coming -- still doesn't make it any easier. I think what we are doing today is going to turn our State into the wild, wild west -- no license, no training and inadequate background checks. We can assume the average gun owner will have no knowledge of current gun laws since CWPs and the training that comes with it are optional. We can also assume that gun owners will have very little, if any knowledge or understanding about where they can and cannot carry.

There is no language that expressly prohibits racial profiling, although I fought to have that language included yesterday. That is going to be a problem. It is going to be a problem for citizens of our State, for law enforcement as well as citizen vigilantes. I think about what happened in Georgia to Ahmaud Arbery. There will be no gun liability insurance that will require gun owners to assume some semblance of responsibility for properly and safely handling and storing their gun. Yet we talk about everybody practically being a responsible gun owner. There is no protection or consideration for law enforcement officers who, in most cases, won't be able to tell the good guys from the bad guys.

We just debated an amendment that proposed sending between five and twenty million dollars to the South Carolina Law Enforcement Division to help cover the costs of CWPs and to launch a statewide permitless carry campaign. Meanwhile at SLED, rape kits of South Carolina women and girls sit and continue to sit -- some for years, some for decades -- they will continue to sit in our cold case files while our women and girls get no justice because their rape kits are unprocessed, not investigated, forgotten. Five to twenty million dollars to SLED is what we took all that time discussing and debating. While many of the proponents of this Bill are co-signing and celebrating denying our state's most vulnerable children food during the summer months -- five to twenty million dollars for SLED. I couldn't believe it!

When we consistently dismantle public education as we frantically try to find skilled, educated workers to fill the high-paying jobs at Boeing, BMW and now Scout Motors in my area -- five to twenty million dollars for SLED. We actually spent a lot of time on that yesterday. At the same time, we have consistently refused to expand Medicaid in this State. We intentionally make working people poorer by paying them wages we

know they can't live on. Yet even as we debate this Bill we are also attempting, some are attempting, to cut unemployment pay for those who need and deserve every penny of it. We have listened to colleagues propose enhanced penalty amendments to this Bill while some of our colleagues continue to block us from even debating the Bill that would enhance penalties for those who would commit hate crimes in the State.

I'm going to close by just reminding all of you, not that you need to be reminded, that this Bill is anti-law enforcement. I think that Senator STEPHENS said it best last night. It is very much anti-law enforcement -- anti-law-abiding citizens, especially law-abiding citizens of color. When my son moved back, when my baby boy graduated from Colorado State University and came home for a while -- just long enough for me to get used to him being here -- but told me last year that he just can't stay here. I hated to see him go but today I'm so glad he went because this Bill will make it extremely dangerous for him to live here. It will give law-abiding citizens and ruthless criminals equal access to guns without a license or training especially at a time when gun violence is already wreaking havoc across our State and Nation -- is senseless, reckless and quite frankly the beginning of the end of any decent quality of life we once knew and enjoyed here in South Carolina. For those reasons, and many others, I will definitely be voting against this Bill. Thank you, Mr. PRESIDENT.

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

Senator K. JOHNSON spoke on the Bill.

Remarks by Senator K. JOHNSON

Members, you all have probably realized that I have been extremely quiet as we debated this Constitutional Carry Bill. I have been listening and just making some mental notes in my head and came up with a few things I want to emphasize.

I want to begin by saying that it has been noted on multiple occasions and highly recognized that the State of South Carolina has the best concealed weapon permit statute in the country, and I agree with that. I do support the Second Amendment. My family and I are all concealed weapon permit holders -- we all went through the classes together. I feel comfortable knowing that not only do we have guns, but we have the training, and we have the knowledge for these guns.

Now we are moving toward a free-for-all where people can have guns permit less and without training. I think that is a recipe for disaster for the State of South Carolina, especially when we have such a strong CWP statute in South Carolina. We are going to have people who don't understand guns, don't know how to store guns or how to be responsible with guns, and I'm not just referring to young adults. We have older adults who will not have the knowledge of how to be responsible gun owners because they won't be required to have the CWP training certification.

As Senator McLEOD said, I'm not in support of spending five to ten million dollars so people can go get training if they want it -- I think it should be required. I'm not a constitutional scholar but I believe we have constitutional rights that we are guaranteed, but also have strings attached to them. We have the right to vote but we have voter identification laws. I could say, "Hey, I have a constitutional right. I don't have to give you an I.D. I want to vote." We have the constitutional right to freedom of speech, but I was taught in high school that I can't go into a theater and yell "fire!" There are other constitutional rights where strings are attached. I heard someone ask, what about the other twenty-seven states? That argument doesn't move me because when I say I want to be like the other forty-eight states that have hate crime legislation, it doesn't influence many people.

I was talking to folks the other day, and I told them, "I don't like the fact that our CWP statute says you must be twenty-one years old to get a CWP. But with this law passing, you can be eighteen years old." Someone said back to me, "You can go in the army at eighteen years old, look at all the weapons they have." I told them, "When you go into the military, the first thing you are going to have is basic training, then you are going to have advanced training, and then throughout your whole military career you are going to be training on multiple different levels." I followed up by saying, "The weapons that eighteen-year-olds have in the military are in a controlled environment. The military doesn't give them weapons and allow them to move freely with those weapons." So, in my opinion, the argument of allowing an eighteen-year-old in the military to possess a weapon does not justify this legislation.

Senator MALLOY talked about our experience one homecoming weekend when I was a freshman at the University of South Carolina, he mentioned David Simmons. If I'm correct, David Simmons is still walking around with a bullet in his neck. I know people who were shot and killed, who were not even the intended targets -- they just happened to be nearby. Innocent people dying because you have folks who can't

utilize the gun properly. They have a gun, an issue arises, they pull it out, and just start aimlessly shooting. So innocent people and their families' lives have been ruined due to improper usage and training of guns.

I keep hearing that our biggest industry in South Carolina is tourism. I think that if this Bill passes, it is going to be detrimental to our tourism industry. I don't know that many tourists are going to want to come to Myrtle Beach, Charleston or Hilton Head Island to vacation while we have people walking around with guns, and on top of that, having guns with no training or understanding of how the guns work. I'm not casting aspersions onto anyone but some of us know this is a bad Bill. I have heard some pretty good amendments that would strengthen the Bill, but just as soon as the amendment is explained by the author the amendment is voted down. We know this Bill is not necessary nor good for South Carolina, but I think that some of you believe that you don't have to worry about the pitfalls because it is not going to happen to you. I say that because I know there have been several Bills that have passed in South Carolina because they hit home to one of us, then we want to react rather than having been proactive. So, for those reasons and others that have been articulated, I look forward to voting against the Bill. Thank you, Mr. PRESIDENT.

On motion of Senator McLEOD, with unanimous consent, the remarks of Senator K. JOHNSON were ordered printed in the Journal.

Senator DEVINE spoke on the Bill.

Remarks by Senator DEVINE

Thank you, Mr. PRESIDENT and to ladies and gentlemen of the Senate. I'm not going to be up here long. I echo many of the September sentiments from Senator McLEOD. I was going to say as I was campaigning and getting ready to join the Senate, the biggest issue in my community -- my district -- was about guns. I didn't have people asking me for Constitutional Carry. I had people asking me, "How are you going to make our communities safer." Just in 2022, one zip code in my district -- there were 75 shootings. In 2023 there were 107 shootings. I mentioned earlier I have communities that utilize technology called shot-spotter. Sometimes shot-spotter is the only thing that alerts law enforcement that there's been a shooting. Because some of those communities are so immune to hearing gunshots, they don't call the police anymore. We talk about law-abiding, responsible gun owners --

to me that is such an oxymoron. This Bill takes away law enforcement's ability to see if those carrying guns are law-abiding.

When we talk about responsible gun owners -- responsible gun owners want and need training. I appreciate all of the amendments that have been put up by my colleagues, especially all those who sat here at the well and admitted that training is a good thing but we certainly need to make sure that we don't wait for the will of people to get training, then spend state-paying dollars to give people training. We should be mandating training. If someone wants a gun in this State, they need to know the gun laws. We'll have 18-year-olds carrying guns, not knowing whether or not they have the ability to protect themselves in certain situations. When I took the training, I learned things. Law enforcement gets training to make sure they understand what the laws are in the State. Now we are asking citizens, starting as young as eighteen, to just know what the laws are and to be able to carry guns with no ability or no demand that they get training. We talk about people wanting this Bill. But as I get people and -- I'm an elected official who no matter if I agree with you or not, when you call me or email, I'm going to talk to you about what your position is. When I talk to citizens about what this Bill is and we use the terms Constitutional Carry, yes, people believe in their right to carry arms. I believe in the Second Amendment. But when you tell people that this gun Bill does not require training, does not require a permit, does not require a background check -- people are mortified. They do not understand that this is what is going to pass today. And what will happen is, we will give people the expectation of yes, I have a right to carry a gun but all the other things that go along with it, they are not going to know.

We are setting our citizens and State up for failure. We are setting ourselves up for a more dangerous community. When I think about citizens of District 19 as they call me and say Senator, make my community safer, I'm going to go back to them today and tell them, not only have I not been able to make your community safer today but we, the Senate today, have now made your community less safe. It's made our children less safe. I have sat with moms who have lost children due to gun violence. I'm going to have to sit with them and tell them that now we have taken away law enforcement's ability to keep their communities safer.

I want to thank the members of Mom Demand Action for being here every single day. You all have fought -- have been here and I appreciate you all being here -- Safer Communities of the Midlands, a very new organization within my district, because of the gun violence in my

district, I thank you for being here. I just hope that we all will look at this Bill as it passes and then continue to advocate because our work is cut out for us. Not only has the work we have done up to this point been ignored, but now we have more things to do. We have to educate our communities, mobilize our communities and make sure people understand what this law says. Hopefully the members of this Senate after some time, once this passes, will realize what we have done and come back and fix it. For those reasons, I will not be voting for this Bill.

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

Senator STEPHENS spoke on the Bill.

Remarks by Senator STEPHENS

Thank you, Mr. PRESIDENT. Thanks to my colleagues who over the past week, have sat and deliberated this Bill. I cannot sit back any longer and not express myself concerning open carry, the Constitutional Carry Act. My hometown of Bowman has a population of just under a thousand people. In May of 2020, we lost three high school students and five others. Three of them died, five were injured and all three that died were high school students. On April 4, 2022, there was a Bowman woman shot to death and a Bowman man injured. On February 3, 2022, a forty-two-year-old Bowman man was shot to death. On August 23, 2023, a forty-two-year-old man was shot to death. On October 20, 2023, a Bowman man was critically injured. Those are a few shooting incidents that occurred in that small town in the last three years. There were many other shootings, but by God's grace those individuals survived.

I have no disregard for anyone's Second Amendment Rights. I too have guns which are in my possession at home, safely stored away and I have been trained. However, my feelings today are that there are major disadvantages to open carry that may lead to a higher risk of accidental death. I believe also that when guns are being displayed the possibility of stress by someone else in proximity of that gun -- strange things can happen. Strange things happen in the lives of children wanting to play with guns, because mom and dad are now allowed to have guns readily available. To my colleagues KEVIN JOHNSON, I truly believe that a couple seconds makes a lot of difference in whether a person lives or dies. I believe that if a gun is in a glove compartment that is locked, or in a console that may be locked -- those couple of seconds could prove fatal. Those couple of seconds could be just enough to calm that

individual down who want to go and get that gun and probably take someone's life. Everybody is not comfortable carrying a gun. Everybody is not trained to carry a gun or to use a gun. If the gun is mishandled or misused, it could result in the life of someone innocently ending.

Open carry, I believe, makes you a target. As mentioned earlier, it makes it seem like this is the wild, wild west. I heard Senator ADAMS mention that when he was at the ATM machine, a couple guys came running up. He pulled up his shirt or his jacket and saw his gun. There is a flip side to that story, as I believe, it could have been the other two people that had guns as well. Therefore, it could have been exchange of gunfire with multiple persons injured or even killed. The accessibility of guns is dangerous. The inability to understand and to use guns properly is dangerous. I don't believe in this State that we should go down this road. I believe if you listen to the masses of citizens of the State of South Carolina they will tell you. They will tell you that I want my Second Amendment Rights, but I want to make sure that the other person understands as well as I do, that I need to be very careful in the brandishing of my gun. Brandishing is no more than standing there with your gun on your side, careful use of the gun and understanding the effects. It is a sad day for me in this State. May not be for a lot of you, but it is a sad day for me when we legislate such topics that will put many others in harm's way, and we are saying we are doing right by our people or by our citizens. I think just the opposite. It is time that we come to the realization that some of what we are doing is not the best interest of the citizens of South Carolina. I don't want to bring racism into the scenario, but it is here. I believe our police should be protectors. I believe what we had earlier will do just that, but now we are opening up where they feel insecure. Yes, I have had the opportunity to speak with police chiefs, county sheriffs as well as deputies and they all fear this piece of legislation. These are the people who are out there on a day-to-day basis. They know what is going on, but are we listening to a great degree? No. So, then are we advocating for those individuals who sent us here to voice their concerns? I would answer that question and say no. It is high time, ladies and gentlemen, that we do just that. With that being said, I cannot in my right mind go back to my community and say that I voted yes for this piece of legislation. Thank you, Mr. PRESIDENT.

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

The question then was third reading of the Bill.

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

Ayes 28; Nays 15

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Reichenbach	Rice	Senn
Shealy	Turner	Verdin
Young		

Total--28

NAYS

Allen	Devine	Harpootlian
Jackson	*Johnson, Kevin*	Malloy
Matthews	McElveen	McLeod
Rankin	Sabb	Setzler
Stephens	Tedder	Williams

Total--15

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

Motion Adopted

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

MOTION ADOPTED

On motion of Senator K. JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William "Bill" Emerson Fenters, Jr. of Manning, S.C. Bill was a graduate of Wofford College where he played football. He was a past Master of St. Peter's Masonic Lodge #54, past Potentate of Omar Shrine Temple and served on the Board of Governors for the Greenville Shriners Hospital for Children. Bill owned and operated W. E. Fenters Insurance Agency in Manning and was a member of Emmanuel Baptist Church. Bill was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 3:12 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

***

~~Indicates Matter Stricken~~
Indicates New Matter

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

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 621 -- Senators Reichenbach, Stephens, Cromer, Kimbrell, M. Johnson, Fanning, Setzler, Bennett, Shealy, Rice, Williams, Allen, Garrett, Loftis, Sabb and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 79 TO TITLE 39 SO AS TO CREATE THE "SOUTH CAROLINA-IRELAND TRADE COMMISSION", TO PROVIDE FOR THE MEMBERS OF THE TRADE COMMISSION, AND TO ESTABLISH THE DUTIES OF THE COMMISSION.

On motion of Senator SETZLER.

ADJOURNMENT

At 11:05 A.M., on motion of Senator MASSEY, the Senate adjourned to meet next Tuesday, February 6, 2024, at 12:00 Noon.

* * *

Tuesday, February 6, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Joshua 6:20a

Turning again to the Book of Joshua, we read: "When the trumpets sounded, the people shouted, and at the sound of the trumpets, when the people shouted, the wall collapsed."

Good people, let us pray: Surely, Lord God, we remember how it is told that Joshua's forces overwhelmed all opposition and took the city of Jericho, giving You great glory. If only, Lord, the leaders here in this place could so readily resolve all of the challenges facing South Carolina at this time in our history. To that end, dear Lord, knowing that we cannot count on blaring trumpets nor the shouts of people, we ask You to touch the heart of each Senator serving in this place. Give to every one of these leaders the wisdom and the courage to pursue those goals that will truly benefit the people they have been called to serve. And may these leaders always act with genuine, heartfelt concern for the well-being of all of our citizens. We so pray in Your all-powerful name, O Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews

McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:
Document No. 5266
Agency: South Carolina Workers' Compensation Commission
Chapter: 67
Statutory Authority: 1976 Code Section 42-3-30
SUBJECT: Payment of Compensation
Received by President of the Senate February 1, 2024
Referred to Committee on Judiciary

Doctor of the Day

Senator HARPOOTLIAN introduced Dr. Mark Humphrey of Columbia, S.C., Doctor of the Day.

Expression of Personal Interest

Senator KIMBRELL rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 21	Sen. Senn
S. 305	Sen. Sabb
S. 414	Sen. Loftis
S. 423	Sen. Tedder
S. 425	Sen. Gustafson
S. 557	Sen. Gustafson
S. 834	Sen. Loftis
S. 861	Sens. Rice and Loftis
S. 910	Sen. Allen
S. 975	Sen. Kimbrell
S. 994	Sen. K. Johnson
S. 1000	Sen. Young

RECALLED

S. 1010 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 2024 AS "AMERICAN HEART MONTH" IN SOUTH CAROLINA.

Senator VERDIN asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Medical Affairs.

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1018 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE JOSEPH H. POPE, JR. AND CHARLES A. SEGARS III FOR THEIR HEROIC ACTIONS IN SAVING THE LIVES OF THEIR FELLOW STUDENTS AND FOR RECEIVING THE CITIZEN AWARD FROM THE CLEMSON UNIVERSITY POLICE DEPARTMENT.

sr-0573km-vc24.docx

The Senate Resolution was adopted.

S. 1019 -- Senator McLeod: A SENATE RESOLUTION TO CONGRATULATE THE ZETA THETA CHAPTER OF SIGMA GAMMA RHO SORORITY, INC. UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE ZETA THETA CHAPTER FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE UNIVERSITY OF SOUTH CAROLINA COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0576km-hw24.docx

The Senate Resolution was adopted.

S. 1020 -- Senator Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-11-705 SO AS TO PROVIDE FOR THE CRIME OF ILLEGAL TIRE DUMPING, TO DEFINE RELEVANT TERMS, AND TO SET FORTH CRIMINAL PENALTIES AND FINES.

sr-0109jg24.docx

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

S. 1021 -- Senator Davis: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT TO 2035; AND TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-67-140, RELATING TO THE ABANDONED BUILDINGS TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE MAXIMUM TAX CREDIT THAT MAY BE EARNED.
lc-0320dg24.docx

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

S. 1022 -- Senators M. Johnson, Fanning and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-7340, RELATING TO NATIVE AMERICAN SPECIAL LICENSE PLATES, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "CATAWBA INDIAN NATION" SPECIAL LICENSE PLATES TO OWNERS OF PRIVATE PASSENGER MOTOR VEHICLES REGISTERED IN THEIR NAMES.
sr-0516km24.docx

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

S. 1023 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 40-13-20, 40-13-110, 40-13-230, AND 40-13-240, ALL RELATING TO THE LICENSURE OF COSMETOLOGISTS, SO AS TO ADD REFERENCES TO ADVANCED ESTHETICIANS.
lc-0344ph24.docx

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

S. 1024 -- Senator Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTIONS 38-71-292 AND 38-71-820 SO AS TO DEFINE TERMS AND OUTLINE THE APPLICABILITY AND REQUIREMENTS FOR COST SHARING FOR INSURERS; BY ADDING SECTION 38-71-2270 SO AS TO DEFINE TERMS AND OUTLINE THE APPLICABILITY AND REQUIREMENTS FOR COST SHARING FOR PHARMACY BENEFIT MANAGERS; AND BY AMENDING SECTION 38-71-

2200, RELATING TO DEFINITIONS, SO AS TO MAKE CONFORMING CHANGES.
smin-0058mw24.docx

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

S. 1025 -- Senators Young, Massey, Setzler and Hutto: A BILL TO AMEND ACT 588 OF 1986, AS AMENDED, RELATING TO THE ESTABLISHMENT OF SINGLE-MEMBER ELECTION DISTRICTS FOR THE SCHOOL BOARD OF AIKEN COUNTY, SO AS TO REAPPORTION THE DISTRICTS BEGINNING WITH THE SCHOOL BOARD ELECTIONS IN 2024, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS MAY BE FOUND, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REAPPORTIONED ELECTION DISTRICTS.
lc-0383hdb24.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1026 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO PHARMACY SERVICES ADMINISTRATIVE ORGANIZATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5241, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0606wab-rt24.docx

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

S. 1027 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO PHARMACY BENEFITS MANAGERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5240, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0608wab-dbs24.docx

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

S. 1028 -- Senator McLeod: A SENATE RESOLUTION TO ENCOURAGE PUBLIC AWARENESS ABOUT THE CONTINUING BENEFITS AND VALUE OF MEDITATION, INTEGRATIVE OCCUPATIONAL THERAPY, AND SELF-CARE AND TO DECLARE APRIL 9, 2024, AS "PEACE, HARMONY, WELLNESS, AND OCCUPATIONAL THERAPY DAY" IN SOUTH CAROLINA.
sr-0578km-vc24.docx

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

REPORTS OF STANDING COMMITTEE

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

S. 32 -- Senators Hutto and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-77-170, RELATING TO THE REQUIRED CONDITIONS TO SUE OR RECOVER UNDER THE UNINSURED MOTORIST PROVISION WHEN THE OWNER OR OPERATOR OF THE MOTOR VEHICLE CAUSING INJURY OR DAMAGE IS UNKNOWN, SO AS TO ALLOW AN INSURED TO SEEK A COURT ORDER FOR A PRESUIT DEPOSITION WHEN THE INSURED IS UNABLE TO OBTAIN AN AFFIDAVIT FROM A WITNESS TO THE ACCIDENT AND TO ALLOW AN INSURED TO SUBMIT ELECTRONIC OR OTHER RECORDING OF THE ACCIDENT TO MEET THE REQUIRED CONDITIONS OF THE UNINSURED MOTORIST PROVISION.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

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

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 957 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200, RELATING TO CONDITIONS FOR ALLOWING REINSURANCE CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY AMENDING SECTION 38-13-10, RELATING TO INSURER EXAMINATIONS, SO AS TO PROVIDE SUCH EXAMINATIONS ARE FINANCIAL EXAMINATIONS, TO APPLY THE PROVISIONS TO HEALTH MAINTENANCE ORGANIZATIONS AND OTHER LICENSEES OF THE DEPARTMENT, TO PROVIDE MARKET CONDUCT EXAMINATIONS, AND TO REMOVE OBSOLETE PROVISIONS, AMONG OTHER THINGS; BY AMENDING SECTION 38-13-70, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DIRECTOR OR HIS DESIGNEES MAY CONDUCT INVESTIGATIONS, TO PROVIDE FOR THE CONFIDENTIALITY OF INVESTIGATIONS, AND TO PROVIDE FINAL ORDERS DISCIPLINING LICENSEES ARE PUBLIC INFORMATION, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-57-130, RELATING TO INSURANCE TRADE PRACTICES, SO AS TO PROVIDE REVISED EXEMPTIONS FROM PROVISIONS PROHIBITING MISREPRESENTATIONS, SPECIAL INDUCEMENTS, AND REBATES IN INSURANCE CONTRACTS.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

S. 962 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-71-2330, RELATING TO DUTIES OF PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS, SO AS TO REMOVE THE REQUIREMENT THAT PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS MUST ACT AS FIDUCIARIES TO PHARMACIES.

Ordered for consideration tomorrow.

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

SECOND READING BILL

H. 4892 -- Reps. Thayer, West, Chapman, Beach, Cromer and Gagnon: A BILL TO AMEND ACT 510 OF 1982, AS AMENDED, RELATING TO THE ANDERSON COUNTY BOARD OF EDUCATION, SO AS TO REAPPORTION THE DISTRICTS FROM WHICH BOARD MEMBERS ARE ELECTED; AND TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES OF ANDERSON COUNTY SCHOOL DISTRICT 1, SO AS TO REAPPORTION THESE DISTRICTS.

On motion of Senator GAMBRELL.

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 778 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING TITLE 40, CHAPTER 63, ARTICLE 5 SO AS TO CREATE THE SOCIAL WORK MEMBER STATE COMPACT, OUTLINE THE RULES OF THE COMPACT, AND DEFINE NECESSARY TERMS.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

H. 3116 -- Reps. Felder, Carter, Pope, Guffey, O'Neal, Hart, Caskey, Williams, Blackwell and Gilliam: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-610, RELATING TO PERSONS LIABLE FOR TAXES AND ASSESSMENTS ON REAL PROPERTY, SO AS TO PROVIDE THAT CERTAIN DISABLED VETERANS OF THE ARMED FORCES OF THE UNITED STATES ARE EXEMPT FROM PROPERTY TAXES IN THE YEAR IN WHICH THE DISABILITY OCCURS.

OBJECTION

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO

PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST

FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES

EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO

THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

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

Senator MALLOY objected to consideration of the Bill.

POINT OF ORDER

S. 408 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-75-250, RELATING TO ISSUANCE OF LICENSE, DISPLAY, AND RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT; AND BY AMENDING SECTION 40-75-540, RELATING TO REGULATIONS FOR CONTINUING EDUCATION AND LICENSE RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 558 -- Senators Verdin and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-31-40 SO AS TO PROVIDE THE PROCEDURE FOR THE TUBERCULOSIS TESTING OF APPLICANT RESIDENTS AND NEWLY ADMITTED RESIDENTS OF NURSING HOMES IN THIS STATE.

Point of Order

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

The PRESIDENT sustained the Point of Order.

ADOPTED

H. 4841 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF FRIENDSHIP ROAD IN DILLON COUNTY FROM STATE ROAD 308 (LESTER ROAD) TO STATE ROAD 71 (JUDGE ROAD) "JACKSON RYAN WINKELER MEMORIAL ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS DESIGNATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

ADOPTED

H. 4878 -- Rep. Ott: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 6 IN LEXINGTON COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 TO ITS INTERSECTION WITH TICKLE WEED ROAD "STANLEY MYERS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Senate proceeded to a consideration of the Resolution.

Senator HUTTO spoke on the Resolution.
Senator MALLOY spoke on the Resolution.

The Resolution was adopted, ordered returned to the House.

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

MADE SPECIAL ORDER

S. 423 -- Senators Davis, Hutto, Grooms, Kimpson, Malloy, McLeod, Verdin, Fanning, Goldfinch, Gustafson and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; BY AMENDING CHAPTER 53, TITLE 44 OF THE S.C. CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, SO AS TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; BY ADDING SECTION 56-5-3910, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A DRIVER OF A MOTOR VEHICLE TO VAPORIZE CANNABIS PRODUCTS AS DEFINED IN SECTION 44-53-2010 WHILE OPERATING THE MOTOR VEHICLE AND TO PROVIDE PENALTIES; BY REPEALING ARTICLE 4, CHAPTER 53, TITLE 44, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

Senator MASSEY moved that the Bill be made a Special Order.

Senator MALLOY argued in favor of the motion.
Senator MATTHEWS argued in opposition of the motion.

The question then was the motion to make the Bill a Special Order.

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

Ayes 26; Nays 13

AYES

Adams	Allen	Bennett
Climer	Cromer	Davis

Devine	Gambrell	Goldfinch
Grooms	Gustafson	Harpootlian
Hutto	Jackson	*Johnson, Michael*
Kimbrell	Malloy	Martin
Massey	Rankin	Reichenbach
Shealy	Talley	Tedder
Turner	Verdin	

Total--26

NAYS

Alexander	Cash	Corbin
Garrett	Hembree	Loftis
Matthews	McElveen	McLeod
Peeler	Rice	Senn
Young		

Total--13

The Bill was made a Special Order.

MOTION ADOPTED

At 12:47 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 557 -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander, Campsen and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477, RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.

The House returned the Bill with amendments.

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

Senator M. JOHNSON explained the House amendments.

Senator M. JOHNSON proposed the following amendment (SR-557.JG0006S), which was adopted:

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

SECTION 1. Section 12-6-3477 of the S.C. Code is amended to read:

Section 12-6-3477. A taxpayer who employs an apprentice pursuant to an apprentice agreement registered with the Office of Apprenticeship of the Employment and Training Administration of the United States Department of Labor is allowed a credit against an income tax imposed pursuant to this chapter equal to the greater of the cost of the apprenticeship or one thousand dollars for each apprentice employed, but not to exceed four thousand dollars for an apprentice, or six thousand dollars for the youth apprenticeship program. A credit is not allowed unless the apprentice was in the employ of the taxpayer for at least seven full months of the taxable year and a credit is not allowed for an individual apprentice for more than four taxable years; however, if the apprentice completes the apprenticeship and remains an employee of the taxpayer, the taxpayer may claim the one thousand dollar credit for up to three additional taxable years. Notwithstanding any other provision of this section, the maximum aggregate credit for all taxpayers may not exceed five million dollars in any one tax year. The General Assembly, in the annual general appropriations act, may increase or decrease the maximum aggregate credit amount. The department shall prescribe a form to claim this credit that provides information to the department sufficient for the proper administration of this credit. Any unused credit may be carried forward for three years.

SECTION 2. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The question then was the adoption of the amendment.

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

Ayes 45; Nays 0

AYES

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

Total--45

NAYS

Total--0

The amendment was adopted.

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

CONCURRENCE

S. 782 -- Senators Matthews and Davis: A BILL TO DELINEATE THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE JASPER COUNTY SCHOOL BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2024 GENERAL ELECTION, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE DISTRICTS, AND TO REPEAL SECTION 2 OF ACT 476 OF 1998 RELATING TO THE ESTABLISHMENT OF SINGLE-MEMBER DISTRICTS OF THE JASPER COUNTY SCHOOL DISTRICT.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MATTHEWS explained the amendments.

On motion of Senator MATTHEWS, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

CARRIED OVER

S. 298 -- Senators Bennett, Turner, Kimbrell, Campsen and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-2320, RELATING TO ALTERNATE METHODS FOR THE ALLOCATION AND APPORTIONMENT OF INCOME FOR STATE INCOME TAX PURPOSES, SO AS TO SET FORTH A PROCESS FOR THE DEPARTMENT OF REVENUE AND TAXPAYERS TO ACCURATELY DETERMINE NET INCOME.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

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

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

Amendment No. 4

Senator HEMBREE proposed the following amendment (SEDU-305.KG0016S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by deleting Section 59-25-60(E).

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Motion Adopted

On motion of Senator HEMBREE, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

The amendment was adopted.

The question then was third reading of the Bill.

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

Ayes 44; Nays 0

AYES

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

Total--44

NAYS

Total--0

The Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

Motion Failed

Senator MALLOY moved to revert to the Motion Period.

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

Ayes 12; Nays 30

AYES

Allen	Devine	Fanning
Harpootlian	Malloy	Matthews
McElveen	McLeod	Sabb
Stephens	Tedder	Williams

Total--12

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Setzler	Shealy	Talley
Turner	Verdin	Young

Total--30

The motion failed.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Family and Veterans' Services Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Foster Care Review Board, with the term to commence June 30, 2022, and to expire June 30, 2026

1st Congressional District:

John F. Seignious III, 735 Lavalier Square, Mt. Pleasant, SC 29464-7746 *VICE* Charles F. Koche

On motion of Senator SHEALY, the question was confirmation of John F. Seignious III.

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

Ayes 45; Nays 0

AYES

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

Total--45

NAYS

Total--0

The appointment of John F. Seignious III was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2022, and to expire November 27, 2026

Independent Social Worker:

Jeffery Cameron, 403 Meadow Hill Way, Greer, SC 29650-5104 *VICE* Jane A. Anker

On motion of Senator DAVIS, the question was confirmation of Jeffery Cameron.

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

Ayes 45; Nays 0

AYES

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

Total--45

NAYS

Total--0

The appointment of Jeffery Cameron was confirmed.

Initial Appointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2022, and to expire November 27, 2026

Independent Social Worker:

Dell Lancaster, 107 Crestland Dr., Columbia, SC 29210-4021 *VICE* Harold Patrick, Jr.

On motion of Senator DAVIS, the question was confirmation of Dell Lancaster.

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

Ayes 45; Nays 0

AYES

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

Total--45

NAYS

Total--0

The appointment of Dell Lancaster was confirmed.

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2021, and to expire June 30, 2025

Massage/Bodywork Therapist:

Bailey B. R. Maddox, LMT, CLT, 1898 Calhoun Street, Suite 8, Columbia, SC 29201-2650 *VICE* Jenny Vaught

On motion of Senator DAVIS, the question was confirmation of Bailey B. R. Maddox, LMT, CLT.

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

Ayes 45; Nays 0

AYES

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

Total--45

NAYS

Total--0

The appointment of Bailey B. R. Maddox, LMT, CLT was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2022, and to expire June 9, 2025

Residential Care Administrator:

Sarah D. Doctor-Greenwade, PO Box 23328, Columbia, SC 29224

On motion of Senator VERDIN, the question was confirmation of Sarah D. Doctor-Greenwade.

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

Ayes 45; Nays 0

AYES

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

Total--45

NAYS

Total--0

The appointment of Sarah D. Doctor-Greenwade was confirmed.

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

1st Congressional District, Registered Nurse:

Bridget J. Holder, Manager of Medical-Surgical and Telemetry

Summerville Medical Center, 1581 Sebago Dr., Charleston, SC 29414-7922 *VICE* Sonya Kay Ehrhardt

On motion of Senator VERDIN, the question was confirmation of Bridget J. Holder.

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

Ayes 44; Nays 0; Abstain 1

AYES

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

Total--44

NAYS

Total--0

ABSTAIN

Malloy

Total--1

The appointment of Bridget J. Holder was confirmed.

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

Dietician, Clinical:

Robert Duffell Hoffman, 501 Gillsbrook Road, Lancaster, SC 29720-1915

On motion of Senator VERDIN, the question was confirmation of Robert Duffell Hoffman.

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

Ayes 45; Nays 0

AYES

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

Total--45

NAYS

Total--0

The appointment of Robert Duffell Hoffman was confirmed.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2023, and to expire June 30, 2029

1st Congressional District:

Dottie Farfone, 2690 Cotton Gin Road, Johns Island, SC 29455-7412 *VICE* Lauren B. Thomas

On motion of Senator VERDIN, the question was confirmation of Dottie Farfone.

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

Ayes 43; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

ABSTAIN

Cromer	Malloy

Total--2

The appointment of Dottie Farfone was confirmed.

Reappointment, South Carolina State Board of Medical Examiners, with the term to commence December 31, 2022, and to expire December 31, 2026

At-Large Doctor:

Theresa Mills-Floyd, 47 Love Valley Court, Chapin, SC 29036-8591

On motion of Senator VERDIN, the question was confirmation of Theresa Mills-Floyd.

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

Ayes 44; Nays 0; Abstain 1

AYES

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

Total--44

NAYS

Total--0

ABSTAIN

Young

Total--1

The appointment of Theresa Mills-Floyd was confirmed.

Reappointment, South Carolina Mental Health Commission, with the term to commence July 31, 2023, and to expire July 31, 2028

5th Congressional District:

Crystal A. Maxwell, 2021 Bridgemill Drive, Suite 102, Fort Mill, SC 29707-9211

On motion of Senator VERDIN, the question was confirmation of Crystal A. Maxwell.

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

Ayes 44; Nays 0; Abstain 1

AYES

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

Total--44

NAYS

Total--0

ABSTAIN

Allen

Total--1

The appointment of Crystal A. Maxwell was confirmed.

Motion Adopted

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

MOTION ADOPTED

On motion of Senators ALEXANDER, ADAMS, ALLEN, BENNETT, CAMPSEN, CASH, CLIMER, CORBIN, CROMER, DAVIS, DEVINE, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, LOFTIS, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, REICHENBACH, RICE, SABB, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TEDDER, TURNER, VERDIN, WILLIAMS and YOUNG with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Nancy Howard Frick of Irmo, S.C. Nancy was born and raised in Monetta, S.C. and graduated from Ridge Spring-Monetta High School. She enjoyed playing the piano, traveling with family and participating in pageants. Nancy earned a degree in music from Columbia College, gave private piano lessons, was a music teacher, a coloratura soprano, played the organ and participated in musical theater and opera performances in every community in which she lived. Countless people were inspired and impacted by her musical gifts as a teacher, leader, accompanist or performer. Nancy's community, dogs, friends and family were tremendously important to her. Nancy was a loving mother and devoted grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. John Caughman of Sumter, S.C. John was the Director of Elections for Kershaw County Voters Registration. He was a faithful member of St. Andrews Church of God where he previously taught children's Sunday School, children's church and drove the church bus. John enjoyed reading science fiction and computers. John was a loving son and devoted brother who will be dearly missed.

ADJOURNMENT

At 1:45 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, February 7, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Exodus 4:13

There was a time when even the very humanness of Moses led him to call out to God, saying: " 'O Lord, please send someone else to do it.' "

Let us pray: I daresay, O God, that each one of us is quite aware that serving here in this Senate are some of the very individuals Moses called "someone else." For the fact is clear that these women and men have indeed been sent here by the people of South Carolina to serve, to stand for what is right and to use their gifts to accomplish great good. May it indeed be, Lord, that these Senators -- as well as their aides -- truly do just that. And here in this unsettled and even perilous world of ours, we call on You, O God, not only to strengthen and guide these who do serve here in this place, but also to keep safe our women and men in uniform laboring to protect the causes of freedom all around the globe. In Your loving name we pray all of this, O Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Reichenbach

Rice	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

Doctor of the Day

Senator SHEALY introduced Dr. Jennifer Root of Lexington, S.C., Doctor of the Day.

Leave of Absence

At 1:47 P.M., Senator SETZLER requested a leave of absence until 3:00 P.M.

Leave of Absence

On motion of Senator K. JOHNSON, at 2:04 P.M., Senator SABB was granted a leave of absence for today.

Leave of Absence

On motion of Senator McLEOD, at 2:06 P.M., Senator MATTHEWS was granted a leave of absence for today.

Leave of Absence

On motion of Senator HUTTO, at 4:34 P.M., Senator HARPOOTLIAN was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 235 Sen. Senn
S. 839 Sen. Senn
S. 861 Sen. Kimbrell
S. 947 Sen. Senn
S. 954 Sen. Senn
S. 994 Sen. McLeod
S. 995 Sen. Senn

S. 996 Sen. Senn
S. 999 Sen. Fanning

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1029 -- Senators Devine, Jackson and McLeod: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR KAREN ALEXANDER-BANKS, FOUNDER AND CEO OF THE AUNTIE KAREN FOUNDATION, FOR HER TWENTIETH LEGENDS OF CONCERT SERIES.
sr-0581km-vc24.docx

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

S. 1030 -- Senator Turner: A SENATE RESOLUTION TO CONGRATULATE GREENVILLE CHARTER TECHNICAL HIGH SCHOOL UPON THE OCCASION OF ITS TWENTY-FIFTH ANNIVERSARY AND TO COMMEND ITS ADMINISTRATORS AND STAFF FOR THEIR MANY YEARS OF DEDICATED SERVICE TO THE GREENVILLE COUNTY COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
sr-0582km-hw24.docx

The Senate Resolution was adopted.

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.
lc-0473sa24.docx

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

S. 1032 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING CHAPTER 47 OF TITLE 38 RELATING TO INSURANCE ADJUSTERS; BY REPEALING CHAPTER 48 OF TITLE 38 ENTITLED "INSURANCE ADJUSTERS" RELATING TO PUBLIC INSURANCE ADJUSTERS; BY ADDING CHAPTER 91 TO TITLE 38 ENTITLED "INSURANCE ADJUSTERS" SO AS TO DEFINE TERMS, OUTLINE LICENSURE REQUIREMENTS, ALLOW FOR NONRESIDENT LICENSES, REQUIRE AN EXAMINATION AND CONTINUING EDUCATION FOR LICENSURE, STATE STANDARDS OF CONDUCT, AND PROVIDE FOR THE DENIAL, PROBATION, REVOCATION, AND SUSPENSION OF A LICENSE, AMONG OTHER THINGS; BY ADDING CHAPTER 92 TO TITLE 38 ENTITLED "PUBLIC INSURANCE ADJUSTERS" SO AS TO DEFINE TERMS, OUTLINE LICENSURE REQUIREMENTS, REQUIRE EXAMINATION, PROVIDE FOR RECIPROCITY, ADDRESS LICENSE RENEWAL, REINSTATEMENT, DENIAL, NONRENEWAL, AND REVOCATION, AND TO REQUIRE A BOND, CONTINUING EDUCATION, AND FEES, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-1-20, RELATING TO DEFINITIONS, SO AS TO MAKE A CONFORMING CHANGE.

lc-0320ph24.docx

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

S. 1033 -- Senator Tedder: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE VIII-A OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO THE POWERS OF GENERAL ASSEMBLY PERTAINING TO ALCOHOLIC LIQUORS AND BEVERAGES, SO AS TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES BETWEEN 7:00 PM AND 9:00 AM.

smin-0104aa24.docx

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

S. 1034 -- Senator M. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 30-2-500, RELATING TO DEFINITIONS, SO AS TO INCLUDE NAME AND PROPERTY TAX NUMBER IN THE DEFINITION OF "PERSONAL CONTACT INFORMATION" AN ELIGIBLE REQUESTING PARTY MAY REQUEST TO BE REMOVED OR REDACTED FROM A

DATABASE OR AN IMAGE OR A COPY OF AN OFFICIAL DOCUMENT POSTED ON A PUBLICLY AVAILABLE STATE OR LOCAL GOVERNMENT AGENCY WEBSITE; BY AMENDING SECTION 30-2-510, RELATING TO OPTION FOR LAW ENFORCEMENT OFFICERS TO MAKE PERSONAL CONTACT INFORMATION CONFIDENTIAL, EXCEPTIONS, AND PROCEDURES, SO AS TO REQUIRE THE LAW ENFORCEMENT OFFICER'S CHOICE TO REMOVE OR REDACT PERSONAL CONTACT INFORMATION FROM A DATABASE OR FROM AN IMAGE OR A COPY OF AN OFFICIAL RECORD THAT IS PLACED OR WILL BE PLACED ON A PUBLICLY AVAILABLE INTERNET WEBSITE MAINTAINED OR OPERATED ON BEHALF OF A STATE OR LOCAL GOVERNMENT AGENCY; BY ADDING SECTION 30-2-515 SO AS TO ALLOW AN ELIGIBLE REQUESTING PARTY TO PETITION THE COURT FOR AN ORDER THAT DIRECTLY COMPLIES WITH THIS ARTICLE AND TO PROHIBIT LIABILITY FROM ACCRUING TO A STATE OR LOCAL GOVERNMENT EMPLOYEE FOR CLAIMS OR DAMAGES THAT ARISE FROM PERSONAL CONTACT INFORMATION ON THE PUBLIC RECORD; TO DIRECT THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY TO CREATE FORMS IN COLLABORATION WITH SOUTH CAROLINA COURT ADMINISTRATION FOR LAW ENFORCEMENT TO USE TO REQUEST PROTECTION OF THEIR PERSONAL CONTACT INFORMATION AND TO PROVIDE INFORMATION THE FORMS SHOULD INCLUDE; BY AMENDING SECTION 30-2-700, RELATING TO DEFINITIONS, SO AS TO INCLUDE NAME AND PROPERTY TAX NUMBER IN THE DEFINITION OF "PERSONAL CONTACT INFORMATION" AN ELIGIBLE REQUESTING PARTY MAY REQUEST TO BE REMOVED OR REDACTED FROM A DATABASE OR AN IMAGE OR A COPY OF AN OFFICIAL DOCUMENT POSTED ON A PUBLICLY AVAILABLE STATE OR LOCAL GOVERNMENT AGENCY WEBSITE; BY AMENDING SECTION 30-2-710, RELATING TO AN OPTION FOR JUDGES TO MAKE PERSONAL CONTACT INFORMATION CONFIDENTIAL, EXCEPTIONS, AND PROCEDURES, SO AS TO REQUIRE THE JUDGE'S CHOICE TO REMOVE OR REDACT PERSONAL CONTACT INFORMATION FROM A DATABASE OR FROM AN IMAGE OR A COPY OF AN OFFICIAL RECORD THAT IS PLACED OR WILL BE PLACED ON A PUBLICLY AVAILABLE INTERNET WEBSITE MAINTAINED OR OPERATED ON BEHALF OF A

STATE OR LOCAL GOVERNMENT AGENCY; BY ADDING SECTION 30-2-715 SO AS TO ALLOW AN ELIGIBLE REQUESTING PARTY TO PETITION THE COURT FOR AN ORDER THAT DIRECTLY COMPLIES WITH THIS ARTICLE AND TO PROHIBIT LIABILITY FROM ACCRUING TO A STATE OR LOCAL GOVERNMENT EMPLOYEE FOR CLAIMS OR DAMAGES THAT ARISE FROM PERSONAL CONTACT INFORMATION ON THE PUBLIC RECORD; AND TO DIRECT THE SOUTH CAROLINA COURT ADMINISTRATION TO CREATE FORMS IN COLLABORATION WITH THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY FOR JUDGES TO USE TO REQUEST PROTECTION OF THEIR PERSONAL CONTACT INFORMATION AND TO PROVIDE INFORMATION THE FORMS SHOULD INCLUDE.
sj-0039mb24.docx

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

S. 1035 -- Senator Rankin: A BILL TO ADOPT REVISED CODE VOLUME 17A OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2024.
lc-0240ahb24.docx

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

S. 1036 -- Senator Fanning: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CLIFTON RUBIN HENDRIX, A DEACON OF GETHSEMANE BAPTIST CHURCH, AND TO REJOICE WITH HIM AND THE CONGREGATION AS HE IS NAMED A DEACON EMERITUS.
lc-0396vr-gm24.docx

The Senate Resolution was adopted.

H. 3278 -- Reps. West, Ligon and Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 40-60-30, 40-60-31, AND 40-60-33, ALL RELATING TO REAL ESTATE APPRAISER LICENSURE REQUIREMENTS, SO AS TO MODIFY EXEMPTIONS, REVISE AND PROVIDE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS; AND TO REVISE REQUIREMENTS AND QUALIFICATIONS FOR

LICENSED MASS APPRAISERS; BY AMENDING SECTION 40-60-34, RELATING TO REQUIREMENTS RELATING TO APPRENTICE APPRAISERS AND APPRAISER SUPERVISING APPRENTICES, SO AS TO REVISE REQUIREMENTS; BY AMENDING SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE REPORTING REQUIREMENTS UPON LICENSEES; BY ADDING SECTION 40-60-36 SO AS TO IMPOSE REPORTING REQUIREMENTS UPON PROVIDERS; BY AMENDING SECTION 40-60-37, RELATING TO RECIPROCAL APPLICATIONS FROM APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; BY AMENDING SECTION 40-60-40, RELATING TO REQUIRED APPRAISER CONTACT INFORMATION, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; BY AMENDING SECTION 40-60-320, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF APPRAISAL PANEL; BY AMENDING SECTION 40-60-330, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; BY AMENDING SECTION 40-60-360, RELATING TO PROMULGATION OF REGULATIONS, SO AS TO SPECIFY REQUIRED REGULATIONS; BY AMENDING SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND BY AMENDING SECTION 40-60-450, RELATING TO COMPENSATION, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.
lc-0041ph23.docx

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

H. 3992 -- Reps. Blackwell, McGinnis, Sandifer, Ligon, Cromer, Magnuson, White, Pace and Burns: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-31-60, RELATING TO DELINQUENT UNEMPLOYMENT COMPENSATION TAX RATES, SO AS TO PERMIT EMPLOYERS WITH INSTALLMENT PAYMENT AGREEMENTS APPROVED BY THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO PAY THE TAX AT A REDUCED RATE, AND TO PROVIDE FOR

THE AUTOMATIC REVERSION OF THIS RATE UPON FAILURE TO TIMELY COMPLY WITH THE PAYMENT AGREEMENT.
lc-0228wab23.docx

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

H. 4376 -- Reps. B. J. Cox, M. M. Smith, Caskey, T. Moore, Wooten, J. L. Johnson, Davis, Sessions, Guffey, Ligon, O'Neal, Pope, Hart and J. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 25-12-10, 25-12-30, AND 25-12-50, ALL RELATING TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN, SO AS TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ALSO APPLY TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN AND TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ARE MANDATORY UNDER CERTAIN CIRCUMSTANCES; AND BY AMENDING SECTION 17-5-590, RELATING TO THE DISPOSITION OF REMAINS OF UNIDENTIFIED DEAD BODIES, SO AS TO REQUIRE CORONERS TO RELEASE CERTAIN HUMAN REMAINS THAT HAVE BEEN DETERMINED TO BE THOSE OF AN UNCLAIMED DECEASED VETERAN TO A FUNERAL HOME, FUNERAL ESTABLISHMENT, OR MORTUARY FOR DISPOSITION PURSUANT TO CHAPTER 12, TITLE 25.
lc-0278ph23.docx

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

H. 4869 -- Reps. Sandifer, Hardee, Ligon and Jefferson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200, RELATING TO CONDITIONS FOR ALLOWING REINSURANCE CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY AMENDING SECTION 38-13-10, RELATING TO INSURER EXAMINATIONS, SO AS TO PROVIDE SUCH EXAMINATIONS ARE FINANCIAL EXAMINATIONS, TO APPLY THE PROVISIONS

TO HEALTH MAINTENANCE ORGANIZATIONS AND OTHER LICENSEES OF THE DEPARTMENT, TO PROVIDE MARKET CONDUCT EXAMINATIONS, AND TO REMOVE OBSOLETE PROVISIONS, AMONG OTHER THINGS; BY AMENDING SECTION 38-13-70, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DIRECTOR OR HIS DESIGNEES MAY CONDUCT INVESTIGATIONS, TO PROVIDE FOR THE CONFIDENTIALITY OF INVESTIGATIONS, AND TO PROVIDE FINAL ORDERS DISCIPLINING LICENSEES ARE PUBLIC INFORMATION, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-57-130, RELATING TO INSURANCE TRADE PRACTICES, SO AS TO PROVIDE REVISED EXEMPTIONS FROM PROVISIONS PROHIBITING MISREPRESENTATIONS, SPECIAL INDUCEMENTS, AND REBATES IN INSURANCE CONTRACTS.
lc-0576wab24.docx

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

H. 4928 -- Reps. Davis, B. J. Cox, Hart, Jefferson, J. Moore, Caskey and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-21-10, RELATING TO THE ESTABLISHMENT OF VETERANS' TRUST FUND, SO AS TO PROVIDE FOR FUNDRAISING; AND BY AMENDING SECTION 25-21-30, RELATING TO THE DUTIES AND FUNCTIONS OF THE VETERANS' TRUST FUND BOARD OF TRUSTEES, SO AS TO PROVIDE FOR THE ABILITY TO FUNDRAISE.
lc-0471sa24.docx

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

H. 5008 -- Rep. W. Newton: A BILL TO ADOPT REVISED CODE VOLUME 17A OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2024.
lc-0239ahb24.docx

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

H. 5015 -- Rep. Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-7-68, RELATING TO FORMAT OF THE GENERAL APPROPRIATIONS BILL, SO AS TO PROVIDE NEW PROVISOS TO BE UNDERLINED INSTEAD OF ITALICIZED.
lc-0347dg24.docx

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

H. 5036 -- Reps. Cobb-Hunter, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE APRIL 28, 2024, AS "WORKERS' MEMORIAL DAY" IN SOUTH CAROLINA AS TRIBUTE TO THE WORKING MEN AND WOMEN WHO HAVE LOST THEIR LIVES BECAUSE OF WORKPLACE INJURIES AND ILLNESSES.
lc-0506cm-bl24.docx

The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

H. 5050 -- Rep. Erickson: A CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 7, 2024, AS "ADVANCED PLACEMENT DAY" AT THE STATE HOUSE.
lc-0388hdb-rm24.docx

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

H. 5058 -- Reps. Wheeler, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR GEE WHETSEL FOR NEARLY FORTY YEARS OF DEDICATED SERVICE IN THE FIELD OF NEWSPAPER JOURNALISM, MOST HAVING BEEN SPENT AT THE LEE COUNTY OBSERVER IN BISHOPVILLE, AND FOR HER COMMITMENT TO THE BISHOPVILLE COMMUNITY.

lc-0380vr-rm24.docx

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

Message from the House

Columbia, S.C., February 6, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

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

And has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., February 6, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it continued the veto message on R. 102, H. 4300.

(R102, H4300) -- Ways and Means Committee: AN ACT TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very respectfully,
Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 1012 -- Senator Corbin: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR COACH DAVID SMITH OF GREER MIDDLE COLLEGE CHARTER HIGH SCHOOL FOR BEING NAMED 2023 CROSS COUNTRY COACH OF THE YEAR FOR BOTH THE SOUTH CAROLINA TRACK AND CROSS COUNTRY COACHES ASSOCIATION AND THE UNITED STATES TRACK AND FIELD CROSS COUNTRY COACHES ASSOCIATION.

Returned with concurrence.

Received as information.

S. 1013 -- Senator Corbin: A CONCURRENT RESOLUTION TO CONGRATULATE THE GREER MIDDLE COLLEGE CHARTER HIGH SCHOOL BOYS CROSS COUNTRY AND TRACK AND FIELD TEAMS FOR WINNING THEIR RESPECTIVE CLASS AA BOYS STATE CHAMPIONSHIP TITLES.

Returned with concurrence.

Received as information.

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

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4892 -- Reps. Thayer, West, Chapman, Beach, Cromer and Gagnon: A BILL TO AMEND ACT 510 OF 1982, AS AMENDED, RELATING TO THE ANDERSON COUNTY BOARD OF EDUCATION, SO AS TO REAPPORTION THE DISTRICTS FROM WHICH BOARD MEMBERS ARE ELECTED; AND TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES OF ANDERSON COUNTY SCHOOL DISTRICT 1, SO AS TO REAPPORTION THESE DISTRICTS.

On motion of Senator GAMBRELL.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

OBJECTION

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS;

BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

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

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

Senator MALLOY objected to consideration of the Bill.

CARRIED OVER

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

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (LC-578.DG0003S):

Amend the bill, as and if amended, SECTION 1, by striking Section 12-54-240(B)(23) and inserting:

(23) disclosure of any information on any return that has been filed with the Department of Revenue to the Department of Health and Human Services or the Attorney General for the purpose of verifying Medicaid eligibility or investigating Medicaid fraud;

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Senator MALLOY spoke on the amendment.

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

ACTING PRESIDENT PRESIDES

Senator CAMPSEN assumed the Chair.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 408 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-75-250, RELATING TO ISSUANCE OF LICENSE, DISPLAY, AND RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT; AND BY AMENDING SECTION 40-75-540, RELATING TO REGULATIONS FOR CONTINUING EDUCATION AND LICENSE RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION

TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-408.JG0001S), which was adopted:

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

SECTION X. Section 40-63-250 of the S.C. Code is amended to read:

Section 40-63-250. (A) If an applicant satisfies all licensure requirements required in this chapter, the board may issue a license to the applicant. A license is a personal right and not transferable, and the issuance of a license is evidence that the person is entitled to all rights and privileges of a licensed social worker while the license remains current and unrestricted. However, the license is the property of the State and upon suspension or revocation immediately must be returned to the board.

(B) A licensee under this chapter must display the license in a prominent and conspicuous place in the primary place of practice.

(C) A licensee under this chapter must indicate his or her category of licensure following his or her name or signature on all professional documents.

(D) Licenses issued under this chapter must be renewed every two years upon the payment of a renewal fee and upon the fulfillment of continuing education as determined by the board in regulation.

(E) A person licensed under this chapter must receive at least one contact hour of continuing education in suicide assessment, treatment, and management treatment as a portion of the total continuing education requirement for license renewal as determined by the board in regulation.

~~(E)~~(F) Any licensee who allows his license to lapse by failing to renew the license as provided in this section may be reinstated by the board upon satisfactory explanation by the licensee of his failure to renew his license and upon payment of a reinstatement fee and the current renewal fee to be determined by the board. If a license has lapsed for more than one year, the board may impose further educational requirements for reinstatement. If a license has lapsed for more than two years, the person must reapply for licensure. Any person practicing as a social worker during the time that his license has lapsed has engaged in unlicensed practice and is subject to penalties provided for in Section 40-63-30.

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Senn	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 558 -- Senators Verdin and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION

44-31-40 SO AS TO PROVIDE THE PROCEDURE FOR THE TUBERCULOSIS TESTING OF APPLICANT RESIDENTS AND NEWLY ADMITTED RESIDENTS OF NURSING HOMES IN THIS STATE.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-558.JG0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-31-40 and inserting:

Section 44-31-40. (A) A nursing home or community residential care facility as defined in Section 44-7-130 shall:

(1) prior to the admission of a new resident, request and receive a written declaration from an authorized healthcare provider that, based upon medical examination of the applicant resident, the applicant resident has no signs or symptoms of active tuberculosis;

(2) within three days of a resident's admission to the nursing home or community residential care facility from a hospital, as defined in Section 44-7-130, administer the first step of the two-step tuberculin skin test to the resident; and

(3) within fourteen days of that resident's admission, administer the second step of the tuberculin skin test to the resident.

Amend the bill further, SECTION 1, by striking Section 44-31-40(B)(1) and (2) and inserting:

(B)(1) The nursing home or community residential care facility may substitute a single blood assay for mycobacterium tuberculosis for a two-step tuberculin skin test; or

(2) administer a single tuberculin skin test or single blood assay for mycobacterium tuberculosis within fourteen days of the resident's admission from a hospital if the nursing home or community residential care facility has documentation that within the twelve-month period prior to admission, the resident obtained a negative tuberculin skin test or a negative single blood assay for mycobacterium tuberculosis.

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Senn	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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

POINT OF ORDER

S. 32 -- Senators Hutto and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-77-170, RELATING TO THE REQUIRED CONDITIONS TO SUE OR RECOVER UNDER THE UNINSURED MOTORIST PROVISION WHEN THE OWNER OR OPERATOR OF THE MOTOR VEHICLE CAUSING INJURY OR DAMAGE IS UNKNOWN, SO AS TO ALLOW AN INSURED TO SEEK A COURT ORDER FOR A PRESUIT DEPOSITION WHEN THE INSURED IS UNABLE TO OBTAIN AN AFFIDAVIT FROM A WITNESS TO THE ACCIDENT AND TO ALLOW AN INSURED TO SUBMIT ELECTRONIC OR OTHER RECORDING OF THE ACCIDENT TO MEET THE

REQUIRED CONDITIONS OF THE UNINSURED MOTORIST PROVISION.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 957 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200, RELATING TO CONDITIONS FOR ALLOWING REINSURANCE CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY AMENDING SECTION 38-13-10, RELATING TO INSURER EXAMINATIONS, SO AS TO PROVIDE SUCH EXAMINATIONS ARE FINANCIAL EXAMINATIONS, TO APPLY THE PROVISIONS TO HEALTH MAINTENANCE ORGANIZATIONS AND OTHER LICENSEES OF THE DEPARTMENT, TO PROVIDE MARKET CONDUCT EXAMINATIONS, AND TO REMOVE OBSOLETE PROVISIONS, AMONG OTHER THINGS; BY AMENDING

SECTION 38-13-70, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DIRECTOR OR HIS DESIGNEES MAY CONDUCT INVESTIGATIONS, TO PROVIDE FOR THE CONFIDENTIALITY OF INVESTIGATIONS, AND TO PROVIDE FINAL ORDERS DISCIPLINING LICENSEES ARE PUBLIC INFORMATION, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-57-130, RELATING TO INSURANCE TRADE PRACTICES, SO AS TO PROVIDE REVISED EXEMPTIONS FROM PROVISIONS PROHIBITING MISREPRESENTATIONS, SPECIAL INDUCEMENTS, AND REBATES IN INSURANCE CONTRACTS.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 962 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-71-2330, RELATING TO DUTIES OF PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS, SO AS TO REMOVE THE REQUIREMENT THAT PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS MUST ACT AS FIDUCIARIES TO PHARMACIES.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 1010 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 2024 AS "AMERICAN HEART MONTH" IN SOUTH CAROLINA.

The Resolution was adopted, ordered sent to the House.

Expression of Personal Interest

Senator ALEXANDER rose for an Expression of Personal Interest.

Remarks by PRESIDENT ALEXANDER

The Speaker of the House took to the floor today to attack the Senate for several issues that he claims we are solely responsible for. Let me set the record straight with the whole story.

The reason that there was no Comptroller General election last year is because the House was only interested in giving a former member a job rather than selecting someone who could handle the constitutional role.

I can understand why the House would want to have judicial elections now and that is they want to elect judges so that they can remove the only leverage that those who want judicial reform have and that is the judicial elections. What we learned in the testimony from some of the

presenters at the House Speaker's own Special Committee on Judicial Reform is that it was House members who used their status as House members or House JMSC members to exert leverage or exact revenge on judges they elect. And make no mistake they believe with every fiber of their collective being that they alone elect judges. In fact, at the Bar Convention last year, the House's Minority leader told a packed room of lawyers there -- to learn about the process of becoming a judge -- that he didn't understand why anyone would waste their time coming to the Senate because they didn't elect judges; the House did.

He also spoke to his body about all that his body has done for law enforcement -- listing off subjects like fentanyl trafficking, bond reform, etc. Those are important issues and they are law but not because of the House alone but because the Senate also adopted them. However, he left out one tool that law enforcement desperately wants S.1, the Fentanyl Murder Bill, that passed this Body unanimously but that the House has sat on for nearly a year.

If the Speaker of the House wants to accomplish what he says he wants to accomplish, then his time might be better spent working with his colleagues in the Senate rather than demagoguing them. He should talk with us instead of at us.

Mr. House Speaker, the Senate as always stands ready to work with you, but we do not work for you.

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

PRESIDENT PRESIDES

At 2:19 P.M., the PRESIDENT assumed the Chair.

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

MOTION ADOPTED

At 2:20 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

CARRIED OVER

S. 298 -- Senators Bennett, Turner, Kimbrell, Campsen and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-2320, RELATING TO ALTERNATE METHODS FOR THE ALLOCATION AND APPORTIONMENT OF INCOME FOR STATE INCOME TAX PURPOSES, SO AS TO SET FORTH A PROCESS FOR THE DEPARTMENT OF REVENUE AND TAXPAYERS TO ACCURATELY DETERMINE NET INCOME.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, DEBATE INTERRUPTED

S. 423 -- Senators Davis, Hutto, Grooms, Kimpson, Malloy, McLeod, Verdin, Fanning, Goldfinch, Gustafson, Shealy and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; BY AMENDING CHAPTER 53, TITLE 44 OF THE S.C. CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, SO AS TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; BY ADDING SECTION 56-5-3910 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A DRIVER OF A MOTOR VEHICLE TO VAPORIZE CANNABIS PRODUCTS AS DEFINED IN SECTION 44-53-2010 WHILE OPERATING THE MOTOR VEHICLE AND TO PROVIDE PENALTIES; BY REPEALING ARTICLE 4, CHAPTER 53, TITLE 44 RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

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

Senator DAVIS explained the Bill.

Amendment No. 1

Senator CORBIN proposed the following amendment (LC-423.DG0002S), which was adopted:

Amend the bill, as and if amended, SECTION 4, by striking Section 44-53-2260(E) and inserting:

(E) Except as otherwise provided by this section, the provisions of this article do not require any person, corporation, landlord, or other entity that occupies, owns, or controls a property to allow the vaporization of cannabis products on that property.

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The question then was the adoption of the amendment.

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

Ayes 30; Nays 12

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Garrett	Goldfinch	Hembree
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Talley	Turner
Verdin	Williams	Young

Total--30

NAYS

Allen	Davis	Devine
Fanning	Gustafson	Hutto
Jackson	Malloy	McLeod
Shealy	Stephens	Tedder

Total--12

The amendment was adopted.

Senator K. JOHNSON spoke on the Bill.

Debate was interrupted by adjournment.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Bethel Davis of Williamsburg, S.C. Bethel attended school in the Williamsburg County School system and worked for Bruce-Parker and MeadWestvaco Corporation. Bethel was very loved and will be dearly missed.

and

MOTION ADOPTED

On motion of Senators HUTTO and MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Stanley L. Myers of Lexington, S.C. Stanley was a four-year starting quarterback for the Bulldogs while he attended The Citadel. He was later elected to The Citadel Board of Visitors, served on the Lexington Medical Center Board of Visitors, founded Swansea Mentoring Program, opened Countryside BBQ and hosted the Town of Swansea's Bike Bonanza every Christmas. He was a managing partner at Moore Bradley Myers. Stanley served as Captain with the 218th Infantry Brigade in Afghanistan, was a Lieutenant Colonel and served as Staff Judge Advocate for the 59th Troop Command at McEntire Joint National Guard Base. Stanley was a loving husband, devoted father and dedicated community member who will be dearly missed.

ADJOURNMENT

At 5:07 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 8, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

John 15:12

Our Lord himself declared: " 'This is my commandment, that you love one another as I have loved you.' "

Bow with me as we pray, please: O Holy God, how challenging, how difficult, how close to impossible it may well be for many of us to comprehend the fullness of Your love. For indeed, dear Lord, as we are reminded, the depth and power of Your unfailing embrace never stops, and at every turn we discover afresh how it is that we ourselves are expected to live: as women and men who care deeply for others, as servants here in this Senate who more than anything else want loving hopefulness to be experienced by those we serve. And even when disagreements might arise occasionally, or when viewpoints simply vary, may these Senators and staff members hold fast to Your gifts of love and caring, and grant that the women, men and children of South Carolina are greatly blessed as a result. In Your loving name do we humbly pray, O Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Bennett
Campsen	Cash	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Hutto	Jackson	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	McElveen	Peeler

Reichenbach	Rice	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Local Appointment

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

John M. Rollins, Jr., 150 Motlow Creek Road, Campobello, SC 29322-9615 *VICE* Teresa Ledbetter

Leave of Absence

On motion of Senator RICE, at 11:05 A.M., Senator SENN was granted a leave of absence for today.

Leave of Absence

On motion of Senator SHEALY, at 11:08 A.M., Senator MATTHEWS was granted a leave of absence for today.

Expression of Personal Interest

Senator HUTTO rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 481 Sen. Reichenbach
S. 910 Sen. Devine
S. 994 Sen. Martin
S. 999 Sen. Devine

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1037 -- Senators Adams and Grooms: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF ROYLE ROAD IN

BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 17A/NORTH MAIN STREET TO ITS INTERSECTION WITH TREELAND DRIVE "WADE ARNETTE ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF ROADWAY CONTAINING THESE WORDS.

sr-0577km-vc24.docx

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

S. 1038 -- Senators Corbin, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Cromer, Davis, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Tedder, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE GREER CHAMBER OF COMMERCE AND ITS MISSION TO CONNECT, ENGAGE, PROVIDE OPPORTUNITIES, AND ADVOCATE FOR THE GREATER GREER BUSINESS COMMUNITY; TO COMMEND LEADERSHIP GREER AS A DISTINGUISHED PROFESSIONAL DEVELOPMENT PROGRAM AND HONOR ITS GOALS OF INCREASING COMMUNITY ACTIVISM, PRODUCING COMMUNITY LEADERS, AND ENHANCING BUSINESS-TO-BUSINESS CONNECTIONS; AND TO PROCLAIM TUESDAY, FEBRUARY 13, 2024, AS "LEADERSHIP GREER DAY" IN SOUTH CAROLINA.

lc-0363dg-gm24.docx

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

S. 1039 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 34-47-10 SO AS TO PROVIDE DEFINITIONS RELATED TO CRYPTOCURRENCY; BY ADDING SECTION 34-47-20 SO AS TO PERMIT AN INDIVIDUAL TO USE DIGITAL ASSETS AND TO PROHIBIT ADDITIONAL TAXATION OF DIGITAL ASSETS; BY ADDING SECTION 34-47-30 SO AS TO PERMIT AN INDIVIDUAL TO PARTICIPATE IN HOME DIGITAL ASSET MINING; BY ADDING SECTION 34-47-40 SO AS TO PROVIDE THAT AN INDIVIDUAL ENGAGED IN HOME DIGITAL ASSET MINING OR

A DIGITAL ASSET MINING BUSINESS SHALL NOT BE REQUIRED TO OBTAIN A MONEY TRANSMITTER LICENSE, AND TO PERMIT THE USE OF NODES FOR THE PURPOSE OF CONNECTING TO A BLOCKCHAIN PROTOCOL AND TRANSFERRING DIGITAL ASSETS.
sr-0529km24.docx

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

H. 4832 -- Reps. Hardee, Sandifer, Anderson, Ligon and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PAID FAMILY LEAVE INSURANCE ACT" BY ADDING CHAPTER 103 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH FAMILY LEAVE BENEFITS, OUTLINE REQUIREMENTS OF FAMILY LEAVE INSURANCE POLICIES, AND TO PROVIDE EXCLUSIONS, AMONG OTHER THINGS.
lc-0307ph24.docx

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

H. 4876 -- Reps. Jefferson, Cobb-Hunter, Robbins, Gatch, Murphy and Brewer: A BILL TO CHANGE THE CANDIDATE FILING METHOD FOR THE BOARD OF TRUSTEES OF DORCHESTER COUNTY SCHOOL DISTRICT 4 FROM THE PETITION METHOD TO THE FILING OF A STATEMENT OF INTENTION OF CANDIDACY WITH THE DORCHESTER COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS.
lc-0357hdb24.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 5067 -- Reps. Jordan, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon,

Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF DR. JOSEPH M. "JAY" PEARSON, JR., OF FLORENCE, TO CELEBRATE HIS LIFE, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

lc-0590wab-rm24.docx

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

REPORTS OF STANDING COMMITTEE

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

S. 697 -- Senators Goldfinch and Campsen: A CONCURRENT RESOLUTION TO ENCOURAGE THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES TO DEVELOP A MARINE RECREATIONAL OFFSHORE HARVEST DATA COLLECTION PROGRAM TO CONSERVE MARINE FISHERIES WHILE ENSURING SOUTH CAROLINIANS AND THOSE WHO VISIT OUR COAST EACH YEAR HAVE ACCESS TO OUR PUBLIC TRUST RESOURCES.

Ordered for consideration tomorrow.

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

S. 903 -- Senator Campsen: A BILL TO AMEND SECTION 5 OF ACT 91 OF 2021, RELATING TO FLOUNDER CATCH LIMITS, SO AS TO REPEAL THE SUNSET CLAUSE.

Ordered for consideration tomorrow.

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

H. 3993 -- Reps. Brewer, West, Lawson, Mitchell, Yow, Sessions, Leber, Ott, Guffey, Atkinson, B.L. Cox, Forrest, B. Newton, Gatch,

Hager, Hixon, Murphy and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-1920, RELATING TO THE SALE OF EXOTIC FARM-RAISED VENISON, SO AS TO PROVIDE AN EXCEPTION.

Ordered for consideration tomorrow.

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

H. 4047 -- Rep. Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-15-100 SO AS TO PROHIBIT THE RELEASE OF RECORDS REGARDING THE OCCURRENCE OF RARE, THREATENED, ENDANGERED, OR IMPERILED PLANT AND ANIMAL SPECIES BY THE DEPARTMENT OF NATURAL RESOURCES.

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

S. 1029 -- Senators Devine, Jackson and McLeod: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR KAREN ALEXANDER-BANKS, FOUNDER AND CEO OF THE AUNTIE KAREN FOUNDATION, FOR HER TWENTIETH LEGENDS OF CONCERT SERIES.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

DEBATE INTERRUPTED

S. 423 -- Senators Davis, Hutto, Grooms, Kimpson, Malloy, McLeod, Verdin, Fanning, Goldfinch, Gustafson, Shealy and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; BY AMENDING CHAPTER 53, TITLE 44 OF THE S.C. CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20 SO AS TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; BY ADDING SECTION 56-5-3910 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A DRIVER OF A MOTOR VEHICLE TO VAPORIZE CANNABIS PRODUCTS AS DEFINED IN SECTION 44-53-2010 WHILE OPERATING THE MOTOR

VEHICLE AND TO PROVIDE PENALTIES; BY REPEALING ARTICLE 4, CHAPTER 53, TITLE 44 RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

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

Amendment No. 2

Senator SENN proposed the following amendment (SR-423.JG0004S), which was carried over:

Amend the bill, as and if amended, SECTION 4, by striking Section 44-53-2410(A)(4) and inserting:

(4) no more than three therapeutic cannabis pharmacy licenses in any single county;

Renumber sections to conform.

Amend title to conform.

On motion of Senator RICE, the amendment was carried over.

Senator HEMBREE spoke on the Bill.

Motion Adopted

On motion of Senator PEELER, with unanimous consent, Senator PEELER was granted leave to attend a meeting and was granted leave to vote from the balcony.

Senator HEMBREE continued speaking on the Bill.

Senator DAVIS spoke on the Bill.

Motion Adopted

On motion of Senator MASSEY, with Senator DAVIS retaining the floor on S. 423, the Senate agreed to stand adjourned.

Debate was interrupted by adjournment.

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

John M. Rollins, Jr., 150 Motlow Creek Road, Campobello, SC 29322-9615 *VICE* Teresa Ledbetter

Motion Adopted

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

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. William "Billy" Strother Darby, Jr. of Walhalla, S.C. Billy graduated from Walhalla High School where he excelled in sports resulting in having his football jersey retired. He held the state record for the long jump, played baseball, basketball and enjoyed competitive water skiing. He graduated from the University of Georgia, where he played football, and received his doctorate from MUSC Medical School before returning home to practice medicine at Oconee Medical Center for forty years. Billy was an avid bird hunter who opened Whitetail Kennels thirty-five years ago and started the Palmetto Pointing Breed Club where he trained AKC and NSTRA field champions. Billy was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator VERDIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Melva M. Heintz of Greenville, S.C. Melva earned her bachelor's degree from Bob Jones University and a master's in science from Case Western Reserve University. She taught elementary school and served as principal in several schools in northern Ohio and faithfully served in many capacities at First Baptist Church in Willowick, Ohio. In 1970, Melva became the first principal at Bob Jones Elementary School where she built the school into a model institution. Melva was awarded the Order of the Palmetto and was listed several times in Who's Who Among Educators in the United States. She sang in the University Concert Chorale, summertime church choirs and was a member of Faith Free Presbyterian Church where she supported many missionaries. Melva's high standards of excellence, genuine love for children and concern for their spiritual and academic advancement made her a special lady that will be dearly missed.

ADJOURNMENT

At 2:06 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, February 9, 2024
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

ADJOURNMENT

At 11:05 A.M., on motion of Senator McELVEEN, the Senate adjourned to meet next Tuesday, February 13, 2024, at 12:00 Noon.

* * *

Tuesday, February 13, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Micah 6:8

We likely all recall the powerful text from the prophet, Micah, how he stated: "He has told you, O mortal, what is good; and what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God."

Please bow with me as we pray: Truly, O loving God, the simple elegance of the text before us today moves us in such meaningful fashion. And as we all affirm in so many ways, each of us knows well, dear God, what You expect of us, not only in our personal lives but also in our service to others. Yet we further know how many times we fail to be the emissaries of Your love and concern that You desire us all to be. Forgive us for those frequent moments when we clearly must disappoint You, O Lord. Rather, help us all by Your Spirit's grace to be more than ever the Senators, the aides, the citizens who cherish Micah's words and who strive to live by them. And may the good people of South Carolina forever be blessed as we do so. In Your wondrous name we pray, Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Devine
Fanning	Gambrell	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis

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

A quorum being present, the Senate resumed.

Doctor of the Day

Senator GUSTAFSON introduced Dr. Vincent Degenhart of Kiawah, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 12:17 P.M., Senator CAMPSEN was granted a leave of absence for today.

Leave of Absence

On motion of Senator ADAMS, at 12:18 P.M., Senator GARRETT was granted a leave of absence for today.

Expression of Personal Interest

Senator KIMBRELL rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 408 Sen. McLeod
S. 852 Sen. M. Johnson
S. 944 Sen. Fanning

RECALLED AND ADOPTED

H. 4978 -- Reps. Hixon, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B.J. Cox, B.L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hosey, Howard, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, S. Jones, W. Jones,

Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A.M. Morgan, T.A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G.M. Smith, M.M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE MEMBERS OF SOUTH CAROLINA'S FFA, FORMERLY KNOWN AS THE FUTURE FARMERS OF AMERICA, AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN OBSERVANCE OF NATIONAL FFA WEEK FROM FEBRUARY 17 THROUGH 24, 2024.

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

The Resolution was recalled from the Committee on Agriculture and Natural Resources.

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

There was no objection.

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

On motion of Senator CLIMER, the Resolution was adopted and ordered returned to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1040 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 48-52-870, RELATING TO THE ENERGY EFFICIENT MANUFACTURED HOMES INCENTIVE PROGRAM, SO AS TO EXTEND THE PROGRAM FOR FIVE MORE YEARS; AND BY AMENDING SECTION 12-36-2110, RELATING TO MAXIMUM TAX ON SALE

OR LEASE OF CERTAIN ENERGY EFFICIENT MANUFACTURED HOMES, SO AS TO EXTEND THE PROVISION FOR FIVE MORE YEARS.
lc-0362dg24.docx

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

S. 1041 -- Senator Grooms: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF US HIGHWAY 17A IN BERKELEY COUNTY FROM ITS INTERSECTION WITH HARRISTOWN ROAD TO ITS INTERSECTION WITH HOODTOWN ROAD "REV. LARRY A. BRADBERRY HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
sr-0584km-vc24.docx

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

S. 1042 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE SOUTH CAROLINA SECTION OF THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS FOR ITS NEARLY SEVENTY YEARS OF SERVING AS A TRUSTED RESOURCE FOR MEDICAL INFORMATION RELATING TO WOMEN'S HEALTH AND TO DECLARE WEDNESDAY, FEBRUARY 21, 2024, AS ACOG DAY IN SOUTH CAROLINA.
lc-0517cm-bl24.docx

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

H. 3608 -- Reps. Hixon, Bailey and Brittain: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-39-260, RELATING TO RECORDS OF SALES OR CONVEYANCES AND RESULTING CHANGES IN DUPLICATES AND ENDORSEMENT OF DEEDS BY AUDITORS, SO AS TO PROVIDE GUIDELINES FOR THE RECORDS OF COUNTY REAL PROPERTY SALES AND TO REMOVE COUNTY AUDITOR FEES; BY AMENDING SECTION 30-5-120, RELATING TO THE VALIDATION OF CERTAIN CONVEYANCES NOT ENDORSED BY A COUNTY AUDITOR, SO AS TO PROVIDE THAT ANY CONVEYANCE MEETING THE STATUTORY PREREQUISITES

FOR RECORDING ARE VALID AND BINDING; BY REPEALING SECTION 30-5-80 RELATING TO THE REQUIREMENT OF THE AUDITOR'S ENDORSEMENT BEFORE THE RECORDATION OF DEEDS; AND BY REPEALING SECTION 8-21-130 RELATING TO FEES COLLECTED BY COUNTY AUDITORS FOR AN ENDORSEMENT ON A DEED.

lc-0093dg23.docx

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

H. 4364 -- Reps. W. Newton, Davis, Rutherford, Bernstein, M. M. Smith, Ott, Brittain, Guest, Hewitt, Elliott, Stavrinakis, Bradley, Wooten, Murphy, Herbkersman, Leber, Sessions, Caskey, Rose, Mitchell, Brewer, Guffey, Hardee, Collins, Gatch, B. Newton, Pace, Bauer, Bailey, Erickson, Schuessler and Hart: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-2-170, RELATING TO DRIVE-THROUGH OR CURBSIDE SERVICE OF ALCOHOLIC BEVERAGES, SO AS TO PROVIDE CERTAIN EXCEPTIONS; BY ADDING SECTION 61-4-45 SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISSUE CERTAIN LICENSES OR PERMITS ALLOWING A RETAILER TO OFFER CERTAIN CURBSIDE DELIVERY OR PICK UP; BY ADDING SECTION 61-4-280 SO AS TO PROVIDE THAT A RETAIL DEALER MAY HIRE A DELIVERY SERVICE TO DELIVER CERTAIN BEER AND WINE AND TO PROVIDE FOR REQUIREMENTS; BY ADDING SECTION 61-6-1570 SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISSUE CERTAIN LICENSES OR PERMITS ALLOWING A RETAILER TO OFFER CERTAIN CURBSIDE DELIVERY OR PICK UP; AND BY ADDING SECTION 61-6-1580 SO AS TO PROVIDE THAT A RETAIL DEALER MAY HIRE A DELIVERY SERVICE TO DELIVER CERTAIN ALCOHOLIC LIQUORS AND TO PROVIDE FOR REQUIREMENTS.

lc-0304sa23.docx

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

H. 4710 -- Reps. West, G. M. Smith, Bannister, Davis, Guest, Forrest, Hewitt, M. M. Smith, Long, B. Newton, Thayer, Hager, Leber, Mitchell, Brittain, Gatch, Hixon, Pope, Chapman, Murphy, Brewer, Robbins, Caskey, T. Moore, Hardee, Erickson, Bradley and Blackwell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-35-50, RELATING TO MAXIMUM

UNEMPLOYMENT INSURANCE BENEFITS ALLOWED, SO AS TO SET THE DURATION OF UNEMPLOYMENT BENEFITS BASED ON SEASONAL ADJUSTED STATEWIDE UNEMPLOYMENT RATES.
lc-0524wab24.docx

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

REPORT OF STANDING COMMITTEE

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

S. 915 -- Senators Peeler, Alexander, Setzler, Verdin, Davis, Hutto, Kimbrell, Young and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO CREATE THE EXECUTIVE OFFICE OF HEALTH AND POLICY AND PROVIDE FOR THE DUTIES OF THE SECRETARY OF THE AGENCY; BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DISSOLVE SEVERAL DEPARTMENTS AND CREATE THE STATE OFFICE OF THE SECRETARY OF PUBLIC HEALTH AND POLICY; BY AMENDING SECTION 8-17-370, RELATING TO THE MEDIATION OF GRIEVANCES BY THE STATE HUMAN RESOURCES DIRECTOR SO AS TO ADD THE SECRETARY OF HEALTH AND POLICY, THE DIRECTORS OF THE COMPONENT DEPARTMENTS OF THE EXECUTIVE OFFICE OF HEALTH AND POLICY, AND ALL DIRECT REPORTS TO THE SECRETARY AND TO DIRECTORS OF THE COMPONENT DEPARTMENTS; BY AMENDING SECTION 43-21-70, RELATING TO THE EMPLOYMENT OF THE DIRECTOR OF THE DEPARTMENT AND ADVISORY COUNCIL ON AGING, SO AS TO PROVIDE THAT THE SECRETARY OF HEALTH AND POLICY SHALL APPOINT A DIRECTOR TO BE THE ADMINISTRATIVE OFFICER OF THE DEPARTMENT ON AGING; AND TO REPEAL TITLE 44, CHAPTER 9 RELATING TO THE STATE DEPARTMENT OF MENTAL HEALTH.

Ordered for consideration tomorrow.

Appointment Reported

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

Statewide Appointment

Initial Appointment, Secretary of Department of Transportation, with term coterminous with Governor

Justin P. Powell, 508 Carole Lane, Lexington, SC 29072 *VICE* Christy A. Hall

Received as information.

Message from the House

Columbia, S.C., February 8, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3116 -- Reps. Felder, Carter, Pope, Guffey, O'Neal, Hart, Caskey, Williams, Blackwell and Gilliam: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-610, RELATING TO PERSONS LIABLE FOR TAXES AND ASSESSMENTS ON REAL PROPERTY, SO AS TO PROVIDE THAT CERTAIN DISABLED VETERANS OF THE ARMED FORCES OF THE UNITED STATES ARE EXEMPT FROM PROPERTY TAXES IN THE YEAR IN WHICH THE DISABILITY OCCURS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., February 13, 2024

Mr. President and Senators:

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

S. 245 -- Senators Kimbrell and Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-17-170 SO AS TO PROVIDE THAT A PERSON WITH CERTAIN CRIMINAL CONVICTIONS IS PROHIBITED FROM SERVING AS

THE TREASURER OF A BOOSTER CLUB, TO PROVIDE THAT EACH BOOSTER CLUB WITHIN A SCHOOL DISTRICT SHALL ANNUALLY REGISTER WITH THE SCHOOL BOARD, TO PROVIDE THAT THE SCHOOL BOARD MUST RUN A CRIMINAL BACKGROUND CHECK TO DETERMINE IF THE TREASURER OF A BOOSTER CLUB IS PROHIBITED FROM SERVING IN THAT ROLE DUE TO A CRIMINAL CONVICTION, AND TO DEFINE NECESSARY TERMS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

HOUSE CONCURRENCE

S. 1038 -- Senators Corbin, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Cromer, Davis, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Tedder, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE GREER CHAMBER OF COMMERCE AND ITS MISSION TO CONNECT, ENGAGE, PROVIDE OPPORTUNITIES, AND ADVOCATE FOR THE GREATER GREER BUSINESS COMMUNITY; TO COMMEND LEADERSHIP GREER AS A DISTINGUISHED PROFESSIONAL DEVELOPMENT PROGRAM AND HONOR ITS GOALS OF INCREASING COMMUNITY ACTIVISM, PRODUCING COMMUNITY LEADERS, AND ENHANCING BUSINESS-TO-BUSINESS CONNECTIONS; AND TO PROCLAIM TUESDAY, FEBRUARY 13, 2024, AS "LEADERSHIP GREER DAY" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

MOTION ADOPTED

Senator MASSEY asked unanimous consent to proceed to the Uncontested Local and Statewide Calendar and at the completion of the Second Reading Calendar, the Senate would revert to the Interrupted Debate.

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

SECOND READING BILL

H. 4876 -- Reps. Jefferson, Cobb-Hunter, Robbins, Gatch, Murphy and Brewer: A BILL TO CHANGE THE CANDIDATE FILING METHOD FOR THE BOARD OF TRUSTEES OF DORCHESTER COUNTY SCHOOL DISTRICT 4 FROM THE PETITION METHOD TO THE FILING OF A STATEMENT OF INTENTION OF CANDIDACY WITH THE DORCHESTER COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS.

On motion of Senator STEPHENS.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

S. 408 -- Senators Shealy and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-75-250, RELATING TO ISSUANCE OF LICENSE, DISPLAY, AND RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT; AND BY AMENDING SECTION 40-75-540, RELATING TO REGULATIONS FOR CONTINUING EDUCATION AND LICENSE RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT.

S. 558 -- Senators Verdin and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-31-40 SO AS TO PROVIDE THE PROCEDURE FOR THE TUBERCULOSIS TESTING OF APPLICANT RESIDENTS AND NEWLY ADMITTED RESIDENTS OF NURSING HOMES IN THIS STATE.

CARRIED OVER

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO

PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST

FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

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

CARRIED OVER

H. 3866 -- Rep. Rutherford: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-7-95 SO AS TO CLARIFY THAT, WHEN THE ATTORNEY GENERAL PROCEEDS IN THE PUBLIC INTEREST, THE ATTORNEY GENERAL DOES NOT UNDERTAKE REPRESENTATION OF STATE AGENCIES AND CANNOT BE CONSIDERED TO HAVE POSSESSION, CUSTODY, OR CONTROL OVER STATE AGENCY DOCUMENTS OR ELECTRONICALLY STORED INFORMATION; AND BY ADDING SECTION 39-5-55 SO AS TO SPECIFY THAT THE ATTORNEY GENERAL IS ACTING IN THE PUBLIC INTEREST OF THE STATE IN UNFAIR TRADE PRACTICE PROCEEDINGS, AND TO PROVIDE AN EXCEPTION.

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

OBJECTION

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING

SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND

FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

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

Senator MALLOY objected to consideration of the Bill.

OBJECTION

S. 32 -- Senators Hutto and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-77-170, RELATING TO THE REQUIRED CONDITIONS TO SUE OR RECOVER UNDER THE UNINSURED MOTORIST PROVISION WHEN THE OWNER OR OPERATOR OF THE MOTOR VEHICLE CAUSING INJURY OR DAMAGE IS UNKNOWN, SO AS TO ALLOW AN INSURED TO SEEK A COURT ORDER FOR A PRESUIT DEPOSITION WHEN THE INSURED IS UNABLE TO OBTAIN AN AFFIDAVIT FROM A WITNESS TO THE ACCIDENT AND TO ALLOW AN INSURED TO SUBMIT ELECTRONIC OR OTHER RECORDING OF THE ACCIDENT TO MEET THE REQUIRED CONDITIONS OF THE UNINSURED MOTORIST PROVISION.

Senator MASSEY objected to consideration of the Bill.

CARRIED OVER

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

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

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

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 957 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200, RELATING TO CONDITIONS FOR ALLOWING REINSURANCE CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY

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

The Senate proceeded to a consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (LC-957.PH0002S), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 38-13-10(B) and inserting:

(B) <u>The director or his examiners may conduct a market conduct examination whenever the director considers it appropriate based on the market analysis or practices of the insurer or HMO or other licensee as authorized by this title. The director or his designee has the discretion to conduct full scope or targeted, on-site market conduct examinations in accordance with the NAIC Market Regulation Handbook and other market analysis tools. The director is authorized to determine the frequency, depth and timing of market conduct examinations and may schedule and coordinate multiple examinations simultaneously or participate in multistate examinations.</u>

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

OBJECTION

S. 962 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-71-2330, RELATING TO DUTIES OF PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS, SO AS TO REMOVE THE REQUIREMENT THAT PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS MUST ACT AS FIDUCIARIES TO PHARMACIES.

The Senate proceeded to a consideration of the Bill.

Senator CROMER explained the Bill.

The question being the second reading of the Bill.

Senator RANKIN objected to consideration of the Bill.

OBJECTION

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

Senator ALEXANDER objected to consideration of the Resolution.

OBJECTION

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

Senator ALEXANDER objected to consideration of the Resolution.

POINT OF ORDER

S. 903 -- Senator Campsen: A BILL TO AMEND SECTION 5 OF ACT 91 OF 2021, RELATING TO FLOUNDER CATCH LIMITS, SO AS TO REPEAL THE SUNSET CLAUSE.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3993 -- Reps. Brewer, West, Lawson, Mitchell, Yow, Sessions, Leber, Ott, Guffey, Atkinson, B.L. Cox, Forrest, B. Newton, Gatch, Hager, Hixon, Murphy and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-1920, RELATING TO THE SALE OF EXOTIC FARM-RAISED VENISON, SO AS TO PROVIDE AN EXCEPTION.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4047 -- Rep. Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-15-100 SO AS TO PROHIBIT THE RELEASE OF RECORDS REGARDING THE OCCURRENCE OF RARE, THREATENED, ENDANGERED, OR IMPERILED PLANT AND ANIMAL SPECIES BY THE DEPARTMENT OF NATURAL RESOURCES.

Point of Order

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

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 697 -- Senators Goldfinch and Campsen: A CONCURRENT RESOLUTION TO ENCOURAGE THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES TO DEVELOP A MARINE RECREATIONAL OFFSHORE HARVEST DATA COLLECTION PROGRAM TO CONSERVE MARINE FISHERIES WHILE ENSURING SOUTH CAROLINIANS AND THOSE WHO VISIT OUR COAST EACH YEAR HAVE ACCESS TO OUR PUBLIC TRUST RESOURCES.

The Resolution was adopted, ordered sent to the House.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

S. 423 -- Senators Davis, Hutto, Grooms, Kimpson, Malloy, McLeod, Verdin, Fanning, Goldfinch, Gustafson, Shealy and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; BY AMENDING CHAPTER 53, TITLE 44 OF THE S.C. CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20 SO AS TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; BY ADDING SECTION 56-5-3910 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A DRIVER OF A MOTOR VEHICLE TO VAPORIZE CANNABIS PRODUCTS AS DEFINED IN SECTION 44-53-2010 WHILE OPERATING THE MOTOR VEHICLE AND TO PROVIDE PENALTIES; BY REPEALING ARTICLE 4, CHAPTER 53, TITLE 44 RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

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

Senator DAVIS explained the Bill.

Objection

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

Senator MATTHEWS objected.

Amendment No. 2

Senator SENN proposed the following amendment (SR-423.JG0004S), which was adopted:

Amend the bill, as and if amended, SECTION 4, by striking Section 44-53-2410(A)(4) and inserting:

(4) no more than three therapeutic cannabis pharmacy licenses in any single county;

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Senator MATTHEWS moved to lay the amendment on the table.

The motion failed.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 13

Senator TEDDER proposed the following amendment (SMIN-423.AA0025S), which was adopted:

Amend the bill, as and if amended, SECTION 4, Section 44-53-2370, by adding a subsection to read:

(E) The department shall not prohibit the accurate listing of ingredients on a cannabis product that is a beverage.

Renumber sections to conform.

Amend title to conform.

Senator TEDDER explained the amendment.

The amendment was adopted.

Senator MALLOY spoke on the Bill.

Objection

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

Senator MATTHEWS objected.

The question then was second reading of the Bill.

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

Ayes 26; Nays 17; Abstain 1

AYES

Allen	Cash	Climer
Davis	Devine	Fanning
Goldfinch	Grooms	Gustafson
Harpootlian	Hutto	Jackson
Johnson, Michael	Kimbrell	Malloy
Martin	Matthews	McLeod
Rankin	Sabb	Shealy
Stephens	Talley	Tedder
Turner	Verdin	

Total--26

NAYS

Adams	Alexander	Bennett
Campsen	Corbin	Gambrell
Hembree	*Johnson, Kevin*	Loftis
Massey	McElveen	Peeler
Reichenbach	Rice	Setzler
Williams	Young	

Total--17

ABSTAIN

Cromer

Total--1

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

Motion Adopted

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

MOTION ADOPTED

On motion of Senators CAMPSEN, ALEXANDER, ADAMS, ALLEN, BENNETT, CASH, CLIMER, CORBIN, CROMER, DAVIS, DEVINE, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, LOFTIS, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, REICHENBACH, RICE, SABB, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TEDDER, TURNER, VERDIN, WILLIAMS and YOUNG with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Charles Pinckney Darby, Jr. of Charleston, S.C. Charles was a pediatrician and philanthropist who dedicated his life to the welfare of children. He attended The Citadel and the Medical University of South Carolina. Charles later did a pediatric residency at Duke University before opening a pediatric practice in Mt. Pleasant. He completed a microbiology and infectious disease fellowship in London, England before being recruited to join the MUSC faculty where he became Chairman of Pediatrics in 1982. He founded MUSC Children's Hospital, established the MUSC Children's Fund, The Charles P. Darby Children's Research Institute, the Ronald McDonald House Charities of Charleston and was involved in HALOS and the local United Way chapter. Charles enjoyed the outdoors, physical fitness and spending time with his family. Charles was a loving father, devoted grandfather and dedicated community member who will be dearly missed.

ADJOURNMENT

At 3:43 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, February 14, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Psalm 52:1-2

Hear the Psalmist as he writes: "Have mercy on me, O God, according to your unfailing love; according to your great compassion blot out my transgressions. Wash away all my iniquity and cleanse me from my sin."

Let us pray: Holy God, here on this Ash Wednesday how right it is for us to take a few moments and to think about how we live out our days, about how we doubtless disappoint You often through what we do and say, and perhaps even more so about what we frequently *fail* to do and say. And so today, O Lord, here in the Senate of South Carolina we pointedly acknowledge our personal and our collective sinfulness. We pray that You will indeed embrace us afresh in Your love, forgiving us for our many failures to live and serve as the women and men You would have us be. Rather, give all of us in this Senate fresh opportunities to serve others more lovingly and faithfully than ever before. And may the glory be Yours. So we pray in Your blessed name, dear Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
McElveen	Peeler	Reichenbach

Rice	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Local Appointment

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Shelia Davis, 109 Williston Way, Moore, SC 29369-9374 *VICE* Jackie Moss

Doctor of the Day

Senator MARTIN introduced Dr. Fritz Butehorn of Spartanburg, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator FANNING, at 1:40 P.M., Senator MATTHEWS was granted a leave of absence for the day.

Leave of Absence

On motion of Senator FANNING, at 1:40 P.M., Senator McLEOD was granted a leave of absence until 2:00 P.M.

Leave of Absence

On motion of Senator SHEALY, at 3:56 P.M., Senator MARTIN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator K. JOHNSON, at 3:56 P.M., Senator McELVEEN was granted a leave of absence for the day.

CO-SPONSORS ADDED

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

S. 481 Sen. Climer
S. 862 Sen. Gustafson

S. 994 Sen. Senn
S. 1048 Sen. Adams

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1043 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE WEST-OAK HIGH SCHOOL WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS 3A WRESTLING STATE CHAMPIONSHIP.
sr-0587km-vc24.docx

The Senate Resolution was adopted.

S. 1044 -- Senator Young: A SENATE RESOLUTION TO CONGRATULATE DAVID JAMESON UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS FIFTY YEARS OF DEDICATED WORK, INCLUDING HIS EIGHTEEN YEARS OF SERVICE TO THE GREATER AIKEN CHAMBER OF COMMERCE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0569km-hw24.docx

The Senate Resolution was adopted.

S. 1045 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 7-13-1625 SO AS TO PROVIDE THAT ANY VOTING SYSTEM PURCHASED FOR USE IN SOUTH CAROLINA MUST UTILIZE HAND-MARKED PAPER BALLOTS THAT ARE COUNTED BY HAND.
lc-0360ph24.docx

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

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT

SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS

FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.
sedu-0063db24.docx

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

S. 1047 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-610, RELATING TO DENMARK TECHNICAL COLLEGE AREA COMMISSION MEMBERS, SO AS TO PROVIDE THAT THE MANNER BY WHICH COMMISSIONERS ARE APPOINTED SHALL BE BY APPOINTMENT OF THE GOVERNOR UPON THE RECOMMENDATION OF A MAJORITY OF THE MEMBERS OF THE GENERAL ASSEMBLY REPRESENTING ALLENDALE, BAMBERG, AND BARNWELL COUNTIES.
smin-0108aa24.docx

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

S. 1048 -- Senators M. Johnson, Young, Malloy, Setzler, Rankin, Talley, Hembree, Gustafson, Davis and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-3-710 SO AS TO PROVIDE THE BASIS FOR LIABILITY FOR A PERSON OR ESTABLISHMENT WHO ILLEGALLY FURNISHES ALCOHOL TO AN INDIVIDUAL WHO INJURES A THIRD PARTY BASED UPON WHAT THE FURNISHER KNEW OR SHOULD HAVE KNOWN UNDER THE CIRCUMSTANCES; TO SPECIFY WHEN THE RIGHT OF ACTION IS NOT AVAILABLE; AND TO PROVIDE THE EVIDENTIARY STANDARD FOR THE VISIBLE INTOXICATION.
sr-0118jg24.docx

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

S. 1049 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS, SO AS TO REVISE VARIOUS DEFINITIONS; BY AMENDING SECTION 40-2-30, RELATING TO SERVICES THAT MAY BE PROVIDED BY ACCOUNTING FIRMS USING CERTAIN TITLES, SO AS TO INCLUDE THE PROVISION OF COMPILATION SERVICES; BY AMENDING SECTION 40-2-35, RELATING TO EDUCATION AND TESTING REQUIREMENTS

FOR CERTIFIED PUBLIC ACCOUNTANTS, SO AS TO REVISE THE REQUIREMENTS; BY AMENDING SECTION 40-2-40, RELATING TO REGISTRATION REQUIREMENTS FOR FIRMS PROVIDING CERTAIN SERVICES REGULATED BY THE BOARD OF ACCOUNTANCY, SO AS TO INCLUDE FIRMS PROVIDING COMPILATION SERVICES, AMONG OTHER THINGS; BY AMENDING SECTION 40-2-80, RELATING TO COMPLAINT INVESTIGATIONS BY THE BOARD, SO AS TO REMOVE THE REQUIREMENT THAT INSPECTOR-INVESTIGATORS MUST BE LICENSED CERTIFIED PUBLIC ACCOUNTANTS IN THIS STATE; BY AMENDING SECTION 40-2-240, RELATING TO LICENSING OF ACCOUNTANTS LICENSED IN ANOTHER STATE, SO AS TO REVISE LICENSING REQUIREMENTS; AND BY AMENDING SECTION 40-2-245, RELATING TO ADDITIONAL REQUIREMENTS OF ACCOUNTANTS LICENSED IN ANOTHER STATE, SO AS TO REVISE THE REQUIREMENTS.
lc-0621wab24.docx

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

S. 1050 -- Senators Garrett, M. Johnson, Harpootlian, Senn, Malloy, Hutto, Kimbrell and McElveen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-1-20, RELATING TO DEFINITIONS, SO AS TO EXCLUDE LIQUOR LIABILITY POLICIES OR GENERAL LIABILITY INSURANCE POLICIES WITH A LIQUOR LIABILITY ENDORSEMENT FROM THE DEFINITION OF EXEMPT COMMERCIAL POLICIES.
sr-0122jg24.docx

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

S. 1051 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1330, RELATING TO WATERCRAFT RESTRICTIONS ON LAKE H. TAYLOR BLALOCK, SO AS TO EXTEND THE HUNTING OF WATERFOWL FOR FIVE YEARS.
sr-0126jg24.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 1052 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5251, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0614wab-dbs24.docx

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

S. 1053 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF REGISTRATION FOR FORESTERS, RELATING TO QUORUM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5187, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0611wab-dbs24.docx

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

S. 1054 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 5231, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0625wab-rt24.docx

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

S. 1055 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF SOCIAL WORK EXAMINERS, RELATING TO STATE BOARD OF SOCIAL WORK EXAMINERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5252, PURSUANT TO

THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0626wab-dbs24.docx

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

S. 1056 -- Senator Devine: A CONCURRENT RESOLUTION TO COMMEND THE RICHLAND COUNTY ALUMNAE CHAPTER OF DELTA SIGMA THETA SORORITY, INCORPORATED, FOR THIRTY YEARS OF OUTSTANDING PUBLIC SERVICE TO THE COMMUNITY, TO WISH ITS MEMBERS MANY YEARS OF CONTINUED GROWTH AND DEDICATION, AND TO DESIGNATE APRIL 27, 2024, AS RICHLAND COUNTY ALUMNAE CHAPTER, DELTA SIGMA THETA INCORPORATED DAY IN SOUTH CAROLINA.
lc-0518cm-gt24.docx

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

S. 1057 -- Senator Allen: A SENATE RESOLUTION TO HONOR DR. TONY BOYCE, PASTOR OF MT. EMMANUEL MISSIONARY BAPTIST CHURCH IN GREENVILLE, ON THE OCCASION OF HIS FIFTEENTH ANNIVERSARY OF GOSPEL MINISTRY AT MT. EMMANUEL AND TO WISH HIM GOD'S RICHEST BLESSINGS AS HE CONTINUES TO SERVE THE LORD.
lc-0403vr-rm24.docx

The Senate Resolution was adopted.

H. 5093 -- Reps. Herbkersman, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford,

Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO EXPRESS APPRECIATION TO PROFESSIONALS WHO ADVOCATE ON BEHALF OF THOSE SUFFERING FROM MENTAL ILLNESS, AS WELL AS TO THE VOLUNTEERS WHO ASSIST THEM, AND TO DECLARE WEDNESDAY, MARCH 6, 2024, AS "MENTAL HEALTH ADVOCACY DAY" IN SOUTH CAROLINA.
lc-0376dg-rm24.docx

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

REPORTS OF STANDING COMMITTEES

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 418 -- Senators Hembree, Turner, Gustafson and Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-155-180, RELATING TO PRE-SERVICE AND IN-SERVICE TEACHER EDUCATION PROGRAMS, SO AS TO UPDATE THE ENDORSEMENT REQUIREMENTS OF READ TO SUCCEED.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 538 -- Senators Kimbrell, M. Johnson, Adams, Reichenbach, Rice, Verdin and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-101-15 SO AS TO LIMIT TENURE AND TO PROVIDE THAT INSTITUTIONS OF HIGHER LEARNING MUST CREATE A TENURE REVIEW PROCESS.

Ordered for consideration tomorrow.

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

S. 846 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-31-401, RELATING TO CORPORATE NAME, SO AS TO PROHIBIT THE USE OF CERTAIN INDIAN DESCRIPTIONS AS PART OF A NONPROFIT CORPORATION’S CORPORATE NAME UNLESS

THE ENTITY IS A FEDERALLY ACKNOWLEDGED TRIBE OR A STATE DESIGNATED TRIBE, GROUP, OR SPECIAL INTEREST ORGANIZATION.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 862 -- Senators Shealy and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-30, RELATING TO CAREGIVER REQUIREMENTS, SO AS TO PROVIDE FOR EDUCATIONAL AND PRE-SERVICE TRAINING REQUIREMENTS.

Ordered for consideration tomorrow.

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

S. 910 -- Senators Davis, Shealy, Gambrell, Hutto, K. Johnson, Allen and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-5-30 SO AS TO PROHIBIT AND DEFINE CERTAIN PREDATORY LOAN PRACTICES AS UNLAWFUL, TO PROVIDE THAT BANKS AND CREDIT UNIONS ARE EXEMPT, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL ENFORCE VIOLATIONS OF THIS CODE SECTION, AND TO PROVIDE THAT INDIVIDUALS AGGRIEVED BY ACTIONS PROHIBITED BY THIS CODE SECTION MAY PURSUE ALL REMEDIES AVAILABLE UNDER THE LAWS OF THIS STATE.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 946 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-1210, RELATING TO THE STATE ADVISORY COMMITTEE ON THE REGULATION OF CHILDCARE FACILITIES, SO AS TO CHANGE THE ORGANIZATION OF THE MEMBERS; AND BY AMENDING SECTION 63-13-1220, RELATING TO COMMITTEE DUTIES, SO AS TO CHANGE THE QUORUM OF MEMBERS REQUIRED TO VOTE FROM EIGHT TO SIX.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 974 -- Senator Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 59-104-20, 59-149-10, AND 59-150-370, ALL RELATING TO THE DEFINITION OF "PUBLIC OR INDEPENDENT INSTITUTION" FOR PURPOSES OF THE PALMETTO FELLOWS SCHOLARSHIPS, THE LEGISLATIVE INCENTIVES FOR FUTURE EXCELLENCE (LIFE) SCHOLARSHIPS, AND THE SC HOPE SCHOLARSHIPS, RESPECTIVELY, SO AS TO ADD AN INSTITUTION ACCREDITED BY THE ACCREDITING COMMISSION OF CAREER SCHOOLS AND COLLEGES TO THE DEFINITION.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., February 14, 2024

Mr. President and Senators:

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

H. 3594 -- Reps. B.J. Cox, G.M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A.M. Morgan, T.A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M.M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B.L. Cox, Vaughan, White, Collins, J.E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20,

RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE

CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH

VIOLATIONS, AND TO DEFINE THE TERM "CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR".

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar, proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

NONCONCURRENCE

H. 3594 -- Reps. B.J. Cox, G.M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A.M. Morgan, T.A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M.M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B.L. Cox, Vaughan, White, Collins, J.E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS

TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO

REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM “CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR”.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

HOUSE CONCURRENCE

S. 1010 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 2024 AS "AMERICAN HEART MONTH" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

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

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4876 -- Reps. Jefferson, Cobb-Hunter, Robbins, Gatch, Murphy and Brewer: A BILL TO CHANGE THE CANDIDATE FILING METHOD FOR THE BOARD OF TRUSTEES OF DORCHESTER COUNTY SCHOOL DISTRICT 4 FROM THE PETITION METHOD TO THE FILING OF A STATEMENT OF INTENTION OF CANDIDACY WITH THE DORCHESTER COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS.

On motion of Senator STEPHENS.

OBJECTION

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED

AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION

CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

Senator MALLOY objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
AMENDMENT PROPOSED, CARRIED OVER

H. 3866 -- Rep. Rutherford: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-7-95 SO AS TO CLARIFY THAT, WHEN THE ATTORNEY GENERAL PROCEEDS IN THE PUBLIC INTEREST, THE ATTORNEY GENERAL DOES NOT UNDERTAKE REPRESENTATION OF STATE AGENCIES AND CANNOT BE CONSIDERED TO HAVE POSSESSION, CUSTODY, OR CONTROL OVER STATE AGENCY DOCUMENTS OR ELECTRONICALLY STORED INFORMATION; AND BY ADDING SECTION 39-5-55 SO AS TO SPECIFY THAT THE ATTORNEY GENERAL IS ACTING IN THE PUBLIC INTEREST OF THE STATE IN UNFAIR TRADE PRACTICE PROCEEDINGS, AND TO PROVIDE AN EXCEPTION.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-3866.PB0004S), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 3.

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

Senator KIMBRELL proposed the following amendment (SR-3866.KM0006S):

Amend the bill, as and if amended, SECTION 1, by striking Section 1-7-95(B) and inserting:

(B)(1) This section does not affect the ability of the Attorney General to bring or defend an action in a proprietary capacity on behalf of and representing any such department, agency, or board.

(2) This section does not affect the Attorney General's duty to represent an officer or employee of the State, or any of the state's political subdivisions, pursuant to Section 1-7-50.

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The question being the adoption of the amendment.

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

OBJECTION

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE

PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS

TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

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

Senator MALLOY objected to consideration of the Bill.

CARRIED OVER

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

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

READ THE SECOND TIME

S. 957 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY

OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200, RELATING TO CONDITIONS FOR ALLOWING REINSURANCE CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY AMENDING SECTION 38-13-10, RELATING TO INSURER EXAMINATIONS, SO AS TO PROVIDE SUCH EXAMINATIONS ARE FINANCIAL EXAMINATIONS, TO APPLY THE PROVISIONS TO HEALTH MAINTENANCE ORGANIZATIONS AND OTHER LICENSEES OF THE DEPARTMENT, TO PROVIDE MARKET CONDUCT EXAMINATIONS, AND TO REMOVE OBSOLETE PROVISIONS, AMONG OTHER THINGS; BY AMENDING SECTION 38-13-70, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DIRECTOR OR HIS DESIGNEES MAY CONDUCT INVESTIGATIONS, TO PROVIDE FOR THE CONFIDENTIALITY OF INVESTIGATIONS, AND TO PROVIDE FINAL ORDERS DISCIPLINING LICENSEES ARE PUBLIC INFORMATION, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-57-130, RELATING TO INSURANCE TRADE PRACTICES, SO AS TO PROVIDE REVISED EXEMPTIONS FROM PROVISIONS PROHIBITING MISREPRESENTATIONS, SPECIAL INDUCEMENTS, AND REBATES IN INSURANCE CONTRACTS.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

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

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	Peeler

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

Total--44

NAYS

Total--0

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

CARRIED OVER

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

The Senate proceeded to a consideration of the Resolution.

The question being the second reading of the Resolution.

Senator BENNETT explained the Resolution.

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

CARRIED OVER

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

The Senate proceeded to a consideration of the Resolution.

The question being the second reading of the Resolution.

Senator BENNETT explained the Resolution.

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

READ THE SECOND TIME

S. 903 -- Senator Campsen: A BILL TO AMEND SECTION 5 OF ACT 91 OF 2021, RELATING TO FLOUNDER CATCH LIMITS, SO AS TO REPEAL THE SUNSET CLAUSE.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

Motion Adopted

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

There was no objection.

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

READ THE SECOND TIME

H. 3993 -- Reps. Brewer, West, Lawson, Mitchell, Yow, Sessions, Leber, Ott, Guffey, Atkinson, B.L. Cox, Forrest, B. Newton, Gatch, Hager, Hixon, Murphy and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-1920, RELATING TO THE SALE OF EXOTIC FARM-RAISED VENISON, SO AS TO PROVIDE AN EXCEPTION.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

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

Ayes 43; Nays 1

AYES

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

Total--43

NAYS

Massey

Total--1

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

READ THE SECOND TIME

H. 4047 -- Rep. Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-15-100 SO AS TO PROHIBIT THE RELEASE OF RECORDS REGARDING THE OCCURRENCE OF RARE, THREATENED, ENDANGERED, OR IMPERILED PLANT AND ANIMAL SPECIES BY THE DEPARTMENT OF NATURAL RESOURCES.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

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

Ayes 44; Nays 0

AYES

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

Total--44

NAYS

Total--0

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

POINT OF ORDER

S. 915 -- Senators Peeler, Alexander, Setzler, Verdin, Davis, Hutto, Kimbrell, Young and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO CREATE THE EXECUTIVE OFFICE OF HEALTH AND POLICY AND PROVIDE FOR THE DUTIES OF THE SECRETARY OF THE AGENCY; BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DISSOLVE SEVERAL DEPARTMENTS AND CREATE THE STATE OFFICE OF THE SECRETARY OF PUBLIC HEALTH AND POLICY; BY

AMENDING SECTION 8-17-370, RELATING TO THE MEDIATION OF GRIEVANCES BY THE STATE HUMAN RESOURCES DIRECTOR SO AS TO ADD THE SECRETARY OF HEALTH AND POLICY, THE DIRECTORS OF THE COMPONENT DEPARTMENTS OF THE EXECUTIVE OFFICE OF HEALTH AND POLICY, AND ALL DIRECT REPORTS TO THE SECRETARY AND TO DIRECTORS OF THE COMPONENT DEPARTMENTS; BY AMENDING SECTION 43-21-70, RELATING TO THE EMPLOYMENT OF THE DIRECTOR OF THE DEPARTMENT AND ADVISORY COUNCIL ON AGING, SO AS TO PROVIDE THAT THE SECRETARY OF HEALTH AND POLICY SHALL APPOINT A DIRECTOR TO BE THE ADMINISTRATIVE OFFICER OF THE DEPARTMENT ON AGING; AND TO REPEAL TITLE 44, CHAPTER 9 RELATING TO THE STATE DEPARTMENT OF MENTAL HEALTH.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

Point of Order

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

The PRESIDENT sustained the Point of Order.

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

MADE SPECIAL ORDER

S. 915 -- Senators Peeler, Alexander, Setzler, Verdin, Davis, Hutto, Kimbrell, Young and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO CREATE THE EXECUTIVE OFFICE OF HEALTH AND POLICY AND PROVIDE FOR THE DUTIES OF THE SECRETARY OF THE AGENCY; BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DISSOLVE SEVERAL DEPARTMENTS AND CREATE THE STATE OFFICE OF THE SECRETARY OF PUBLIC HEALTH AND POLICY; BY

AMENDING SECTION 8-17-370, RELATING TO THE MEDIATION OF GRIEVANCES BY THE STATE HUMAN RESOURCES DIRECTOR SO AS TO ADD THE SECRETARY OF HEALTH AND POLICY, THE DIRECTORS OF THE COMPONENT DEPARTMENTS OF THE EXECUTIVE OFFICE OF HEALTH AND POLICY, AND ALL DIRECT REPORTS TO THE SECRETARY AND TO DIRECTORS OF THE COMPONENT DEPARTMENTS; BY AMENDING SECTION 43-21-70, RELATING TO THE EMPLOYMENT OF THE DIRECTOR OF THE DEPARTMENT AND ADVISORY COUNCIL ON AGING, SO AS TO PROVIDE THAT THE SECRETARY OF HEALTH AND POLICY SHALL APPOINT A DIRECTOR TO BE THE ADMINISTRATIVE OFFICER OF THE DEPARTMENT ON AGING; AND TO REPEAL TITLE 44, CHAPTER 9 RELATING TO THE STATE DEPARTMENT OF MENTAL HEALTH.

Senator MASSEY moved that the Bill be made a Special Order.

The Bill was made a Special Order.

MOTION ADOPTED

At 2:00 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

CARRIED OVER

S. 298 -- Senators Bennett, Turner, Kimbrell, Campsen and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-2320, RELATING TO ALTERNATE METHODS FOR THE ALLOCATION AND APPORTIONMENT OF INCOME FOR STATE INCOME TAX PURPOSES, SO AS TO SET FORTH A PROCESS FOR THE DEPARTMENT OF REVENUE AND TAXPAYERS TO ACCURATELY DETERMINE NET INCOME.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator BENNETT explained the amendments.

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

CONCURRENCE

S. 245 -- Senators Kimbrell and Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-17-170 SO AS TO PROVIDE THAT A PERSON WITH CERTAIN CRIMINAL CONVICTIONS IS PROHIBITED FROM SERVING AS THE TREASURER OF A BOOSTER CLUB, TO PROVIDE THAT EACH BOOSTER CLUB WITHIN A SCHOOL DISTRICT SHALL ANNUALLY REGISTER WITH THE SCHOOL BOARD, TO PROVIDE THAT THE SCHOOL BOARD MUST RUN A CRIMINAL BACKGROUND CHECK TO DETERMINE IF THE TREASURER OF A BOOSTER CLUB IS PROHIBITED FROM SERVING IN THAT ROLE DUE TO A CRIMINAL CONVICTION, AND TO DEFINE NECESSARY TERMS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HEMBREE explained the amendments.

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

Ayes 45; Nays 0

AYES

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

Total--45

NAYS

Total--0

On motion of Senator HEMBREE, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

S. 423 -- Senators Davis, Hutto, Grooms, Kimpson, Malloy, McLeod, Verdin, Fanning, Goldfinch, Gustafson, Shealy and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; BY AMENDING CHAPTER 53, TITLE 44 OF THE S.C. CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20 SO AS TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; BY ADDING SECTION 56-5-3910 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A DRIVER OF A MOTOR VEHICLE TO VAPORIZE CANNABIS PRODUCTS AS DEFINED IN SECTION 44-53-2010 WHILE OPERATING THE MOTOR VEHICLE AND TO PROVIDE PENALTIES; BY REPEALING ARTICLE 4, CHAPTER 53, TITLE 44 RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

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

Objection

Senator MALLOY asked unanimous consent to make a motion to waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

Senator SENN objected.

Motion Adopted

On motion of Senator MASSEY, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

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

Ayes 39; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Tedder	Turner
Verdin	Williams	Young

Total--39

NAYS

Devine	Harpootlian	McLeod
Stephens		

Total--4

The motion was adopted.

Motion Adopted

On motion of Senator MASSEY, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

Amendment No. 3

Senator CASH proposed the following amendment (SR-423.JG0010S), which was adopted:

Amend the bill, as and if amended, SECTION 4, by striking Section 44-53-2410(A)(6) and inserting:

(6) the number of integrated operator licenses recommended by the commission as being sufficient to enable the department to analyze, assess, and compare the various business models in the written reports required by Section 44-53-2380(B) and SECTION 12. For each function that an integrated operator performs for which a license is required, one license shall be deducted from the number of licenses allowed for each specific function pursuant to this section; and

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator MASSEY, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

Amendment No. 4

Senator CASH proposed the following amendment (SR-423.JG0006S), which was adopted:

Amend the bill, as and if amended, SECTION 4, by striking Section 44-53-2050(A)(3)(e)(iii)(C) and (D) and inserting:

(C) the risks of using cannabis products during pregnancy or breast feeding;

(D) the need to safeguard all cannabis products from children and pets or other domestic animals; and

(E) the variability of the quality and concentration of cannabis products.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator MASSEY, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

Amendment No. 5A

Senator CASH proposed the following amendment (SR-423.JG0026S), which was adopted:

Amend the bill, as and if amended, SECTION 4, by striking Section 44-53-2230 and inserting:

Section 44-53-2230. (A) It is unlawful for a qualifying patient to vaporize a cannabis product in a motor vehicle of any kind that is being operated on the public highways or highway rights of way of this State.

(B)(1) It is unlawful for a qualifying patient, designated caregiver, or transporter to have in his possession, except in the trunk, glove compartment, closed console, or luggage compartment, a cannabis product in an open container in a motor vehicle of any kind while located upon the public highways or highway rights of way of this State.

(2) If a qualifying patient, designated caregiver, or transporter is a passenger in a motor vehicle of another then the provisions of item (1) do not apply; however, the qualifying patient, designated caregiver, or transporter must keep the cannabis product concealed on his person or in his personal property.

(C) A person who violates the provisions of this section shall have his registry identification card suspended and is guilty of a misdemeanor. Upon conviction, the qualifying patient must be fined not more than one hundred dollars or imprisoned not more than thirty days. Upon the satisfaction of the fine, or imprisonment, or both, the qualifying patient may reapply for a registry identification card.

Amend the bill further, SECTION 5, by striking Section 56-5-3910(B) and inserting:

(B) It is unlawful for a qualifying patient, designated caregiver, or transporter to have in his possession, except in the trunk, glove compartment, closed console, or luggage compartment, a cannabis product in an open container in a motor vehicle of any kind while located upon the public highways or highway rights of way of this State.

(C) If a qualifying patient, designated caregiver, or transporter is a passenger in a motor vehicle of another then the provisions of subsection (B) do not apply; however, the qualifying patient, designated caregiver, or transporter must keep the cannabis product concealed on his person or in his personal property.

(D) A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator MASSEY, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

Amendment No. 7

Senator CASH proposed the following amendment (SR-423.JG0015S), which was adopted:

Amend the bill, as and if amended, SECTION 4, by striking Section 44-53-2560 and inserting:

Section 44-53-2560. Members of the General Assembly and immediate family members, as defined in Section 8-13-100(18), may not operate, directly or indirectly, receive financial payments of any kind from, or directly own a medical cannabis establishment until July 1, 2029, and are prohibited from being a medical cannabis establishment agent or a medical cannabis establishment principal.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator VERDIN, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

Amendment No. 8

Senator CASH proposed the following amendment (SR-423.JG0014S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 10 and inserting:

SECTION 10. This act shall be repealed five years after first sales of medical cannabis from a therapeutic cannabis pharmacy to a qualifying patient. No later than 18 months prior to this repeal, the department shall survey all qualifying patients and designated caregivers enrolled in the program, certifying practitioners, medical cannabis establishments, and other stakeholders and invite public comment on whether the program

should be re-enacted and if any changes should be made. No later than one year prior to this repeal, the department shall issue a written report to the South Carolina General Assembly that includes, but is not limited to, information compiled from previous annual reports, and that includes:

(1) results from a survey and public comment;

(2) the status of medical cannabis in other states, federally, and in other nations;

(3) the department's findings on the appropriate number and geographical density of licenses for cultivation centers, processing facilities, therapeutic cannabis pharmacies, and independent testing laboratories;

(4) the department's findings on the effectiveness of integrated operators and independent business types at providing patients a variety of product choices at reasonable prices;

(5) any information submitted to the department by the Medical Cannabis Advisory Board;

(6) a copy of each annual report provided to the South Carolina General Assembly which addresses the effectiveness of the medical cannabis program pursuant to Section 44-53-2550(A);

(7) any recommendation for changes to the program provided to the General Assembly as part of the annual report pursuant to Section 44-53-2550(A);

(8) all data collected regarding the safety and efficacy of cannabis products pursuant to Section 44-53-2540(B);

(9) any research studies conducted pursuant to Section 44-53-2540(A);

(10) the recommendation with regard to the scheduling of cannabis in the State of South Carolina pursuant to Section 44-53-2550(C);

(11) an analysis of the effectiveness of the contracted seed-to-sale system;

(12) the total annual sales made through licensed therapeutic cannabis pharmacies;

(13) the total number of South Carolina residents employed within the South Carolina medical cannabis industry;

(14) a list of the municipalities which have chosen to opt out of allowing medical cannabis establishments from operating within their jurisdiction;

(15) information regarding and recalls which must include the medical cannabis establishment, the type and number of products recalled for each recall issued, and the number of patients who were sold recalled products;

(16) a document which provides a description of the violation of department regulations, if any, including the penalties, fines, suspensions, and/or revocation of licenses;

(17) the number of violations by practitioners, if any; and

(18) any other information that the department considers to be material to an assessment by the General Assembly on whether to renew this act.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator VERDIN, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

Amendment No. 10A

Senator CASH proposed the following amendment (SR-423.JG0016S), which was withdrawn:

Amend the bill, as and if amended, SECTION 4, by striking Section 44-53-2560 and inserting:

Section 44-53-2560. Members of the General Assembly and immediate family members, as defined in Section 8-13-100(18), may not operate, directly or indirectly, receive financial payments of any kind from, or directly own a medical cannabis establishment until eight years after the date of the first sale of cannabis products pursuant to the provisions of this act, and are prohibited from being a medical cannabis establishment agent or a medical cannabis establishment principal.

Renumber sections to conform.

Amend title to conform.

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

Motion Adopted

On motion of Senator VERDIN, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

Amendment No. 12

Senator CASH proposed the following amendment (SR-423.JG0020S), which was adopted:

Amend the bill, as and if amended, SECTION 4, by striking Section 44-53-2010(21) and inserting:

(21) "Medical use" means the acquisition, administration, possession, preparation, storage, transportation, or use of cannabis products, or paraphernalia used to administer cannabis products, to treat or alleviate a qualifying patient's debilitating medical condition or symptoms associated with the qualifying patient's debilitating medical condition and includes the transfer of cannabis products from a designated caregiver to a qualifying patient whom the designated caregiver is authorized to assist. "Medical use" does not include smoking.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator VERDIN, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

Amendment No. 14

Senator VERDIN proposed the following amendment (SR-423.JG0003S), which was adopted:

Amend the bill, as and if amended, SECTION 4, by striking Section 44-53-2010(25)(a) and inserting:

(a) is a physician as defined in Section 40-47-20 or a podiatrist as defined in Section 40-51-20, is authorized to prescribe medication under state law and by the South Carolina Board of Medical Examiners, and has a controlled substances registration pursuant to Section 44-53-290 and a controlled substances registration issued by the federal Drug Enforcement Administration; and

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator DAVIS, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

Amendment No. 15

Senator CASH proposed the following amendment (SR-423.JG0028S), which was adopted:

Amend the bill, as and if amended, SECTION 4, by striking Section 44-53-2490(A) and inserting:

(A) Each therapeutic cannabis pharmacy must employ a pharmacist-in-charge who is licensed by the State as a pharmacist and who completed a medical cannabis continuing education course approved by the South Carolina Board of Pharmacy as provided by Section 44-53-2070(4)(a). A pharmacist must be reasonably available during business hours to advise and educate patients in person and, in connection with providing such advice and education, shall be subject to being sued by a patient for negligence in the event that the pharmacist violates the applicable standard of care. For purposes of discharging the standard of care, a pharmacist must have an in-person consultation with a patient who is receiving a medical cannabis product for the first time. A pharmacist must be physically on premises during dispensing hours.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator GARRETT spoke on the Bill.

Senator K. JOHNSON spoke on the Bill.

The question then was third reading of the Bill.

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

Ayes 24; Nays 19

AYES

Allen	Cash	Climer
Davis	Devine	Fanning

Goldfinch	Grooms	Gustafson
Harpootlian	Hutto	Jackson
Johnson, Michael	Kimbrell	Malloy
McLeod	Rankin	Sabb
Shealy	Stephens	Talley
Tedder	Turner	Verdin

Total--24

NAYS

Adams	Alexander	Bennett
Campsen	Corbin	Cromer
Gambrell	Garrett	Hembree
Johnson, Kevin	Loftis	Massey
Peeler	Reichenbach	Rice
Senn	Setzler	Williams
Young		

Total--19

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

Recorded Vote

Senator GARRETT desired to be recorded as voting against the second reading of the Bill yesterday, Tuesday, February 13, 2024.

LOCAL APPOINTMENT
Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Shelia Davis, 109 Williston Way, Moore, SC 29369-9374 *VICE* Jackie Moss

Motion Adopted

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

MOTION ADOPTED

On motion of Senator ADAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Barbara Brock Austin of Hanahan, S.C. Barbara loved serving her family, friends, community and Lord. She served as a legal clerk to magistrates and Circuit Court Judges, was president of the South Carolina Clerks to Council Association and Clerk to Council for Berkeley County Government where she became the first in the State of South Carolina to be certified as Clerk to Council. Barbara retired in 2011. She was active in Highland Park Baptist Church for over fifty years where she served on the Pastor Search Committee and Finance Committee, was a Sunday School teacher and counselor. Barbara was a loving mother and devoted grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Jessie Mae Stephens Jones of Bowman, S.C. Ms. Jones was a loving friend and community member who will be dearly missed.

ADJOURNMENT

At 3:59 PM., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 15, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Genesis 22:2

We remember that God himself called upon Abraham, saying to him:

" 'Take your son, your only son Isaac, whom you love, and go to the region of Moriah, and offer him there as a burnt offering on one of the mountains that I shall show you.' "

Let us unite our hearts together in prayer: Holy God, the story of how You boldly challenged Abraham reminds us in so many ways that even Your servants here in the Senate of South Carolina find themselves "tested" again and again, as well. And although the circumstances for all who serve You here may not be as starkly dramatic as was Abraham's, still, there truly are many occasions when these leaders believe themselves indeed "tested" -- tested by the expectations, the challenges and the needs of the people whom they have taken an oath to serve. So we pray, O Lord, that You will bless every Senator and each staff member in ways that remind each of them of the rewards You grant to all who serve You faithfully. In Your blessed name we pray, dear Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Bennett
Campsen	Cash	Corbin
Cromer	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis

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

A quorum being present, the Senate resumed.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5232
Agency: Department of Social Services
Chapter: 114
Statutory Authority: 1976 Code Section 63-11-30
SUBJECT: Wilderness Therapeutic Camps for Children
Received by President of the Senate January 9, 2024
Referred to Family and Veterans' Services Committee
Legislative Review Expiration May 8, 2024
Withdrawn and Resubmitted February 15, 2024

Doctor of the Day

Senator DEVINE introduced Dr. Patricia Witherspoon of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator YOUNG, at 11:09 A.M., Senators TALLEY and MASSEY were granted a leave of absence for today.

Leave of Absence

On motion of Senator GOLDFINCH, at 11:09 A.M., Senator CLIMER was granted a leave of absence until 11:30 A.M.

Expression of Personal Interest

Senator HEMBREE rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 915 Sen. Fanning
S. 976 Sen. Campsen
S. 977 Sen. Campsen

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1058 -- Senator Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 2-19-95 SO AS TO PROVIDE THAT IN ORDER TO BE ELIGIBLE FOR APPOINTMENT TO THE SUPREME COURT, A CANDIDATE MUST BE A RESIDENT OF GREENVILLE COUNTY.
sr-0128jg24.docx

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

S. 1059 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-19-210, RELATING TO THE REQUIREMENT OF A CERTIFICATE OF TITLE REQUIRED TO SELL OR MORTGAGE A VEHICLE, SO AS TO AUTHORIZE A SOUTH CAROLINA MOTOR VEHICLE DEALER TO SELL A MOTOR VEHICLE THROUGH CONSIGNMENT.
lc-0378dg24.docx

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

S. 1060 -- Senators Tedder, Hembree, Massey and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-17-722, RELATING TO THE FILING OF FALSE POLICE REPORTS AND ASSOCIATED PENALTIES, SO AS TO REVISE THE STATUTE, PROVIDE FOR THE OFFENSE OF SWATTING, AND PROVIDE GRADUATED PENALTIES FOR VIOLATIONS; AND BY AMENDING SECTION 23-47-80, RELATING TO PENALTIES REGARDING VIOLATIONS OF 911 SERVICES, SO AS TO REFERENCE PENALTIES CONTAINED IN SECTION 16-17-722.
lc-0245ahb24.docx

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

S. 1061 -- Senator Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-23-165 SO AS TO PROHIBIT AN AGENCY AUTHORIZED TO IMPLEMENT AND ENFORCE STATE AND FEDERAL ENVIRONMENTAL LAWS FROM ADOPTING A RULE FOR THE PROTECTION OF THE ENVIRONMENT OR NATURAL RESOURCES THAT IMPOSES A MORE RESTRICTIVE STANDARD, LIMITATION, OR

REQUIREMENT THAN THOSE IMPOSED BY FEDERAL LAW OR RULE.
sr-0127jg24.docx

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

S. 1062 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3670, RELATING TO THE CREDIT FOR EXCESS PREMIUM PAID FOR PROPERTY AND CASUALTY INSURANCE, SO AS TO RAISE THE MAXIMUM AMOUNT OF THE CREDIT ALLOWED FOR A TAX YEAR FROM ONE THOUSAND TWO HUNDRED FIFTY DOLLARS TO ONE THOUSAND NINE HUNDRED DOLLARS.
sfgf-0025bc24.docx

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

S. 1063 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-5-1897 SO AS TO PROVIDE SPEED LIMITATIONS ON VEHICLES MEETING OR OVERTAKING WASTE SERVICE VEHICLES, AND PENALTIES FOR VIOLATIONS; AND BY AMENDING SECTION 56-5-170, RELATING TO THE DEFINITION OF THE TERM "AUTHORIZED EMERGENCY VEHICLES", SO AS TO INCLUDE "WASTE SERVICE VEHICLES" WITHIN THE DEFINITION OF THE TERM, AND TO PROVIDE THEY MAY BE EQUIPPED WITH STROBE LIGHTS.
lc-0523cm24.docx

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

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

SPECIAL CARE UNITS HOUSED IN COMMUNITY RESIDENTIAL CARE FACILITIES.
lc-0242ahb24.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 1065 -- Senator Alexander: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, DANIEL J. SEEHAFER, AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 6, 2024.
sr-0542km-hw24.docx

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

H. 4231 -- Reps. M. M. Smith, Davis, Bernstein, Guest, Brittain, Henegan, B. Newton, Carter, B. L. Cox, Bannister, Herbkersman, Robbins, Schuessler, Hart and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-6-1155, RELATING TO MICRO-DISTILLERIES, SO AS TO PROVIDE THAT A MICRO-DISTILLERY MAY SELL CERTAIN LIQUORS DISTILLED ON THE PREMISES ON SUNDAYS; AND BY AMENDING SECTION 61-6-4160, RELATING TO THE PROHIBITION ON THE SALE OF ALCOHOLIC LIQUORS ON CERTAIN DAYS, SO AS TO PROVIDE THAT CERTAIN LOCAL GOVERNING BODIES MAY AUTHORIZE THE SALE OF ALCOHOLIC LIQUORS ON SUNDAYS UNDER CERTAIN CIRCUMSTANCES.
lc-0269sa23.docx

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

H. 4957 -- Reps. Hiott, Erickson, G. M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M. M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING

TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE

EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.
lc-0565wab24.docx

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

H. 5079 -- Rep. W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-110, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.
lc-0349hdb24.docx

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

REPORTS OF STANDING COMMITTEE

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

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

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

Appointment Reported

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

Statewide Appointment

Initial Appointment, Juvenile Parole Board, with the term to commence June 30, 2023, and to expire June 30, 2027

At-Large, Public:

Tammy Johns, 227 Lominack Road, Prosperity, SC 29127-9140 *VICE* Suzanne Prosser

Received as information.

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

READ THE THIRD TIME
SENT TO THE HOUSE

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

S. 957 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200,

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

OBJECTION

S. 903 -- Senator Campsen: A BILL TO AMEND SECTION 5 OF ACT 91 OF 2021, RELATING TO FLOUNDER CATCH LIMITS, SO AS TO REPEAL THE SUNSET CLAUSE.

Senator MATTHEWS objected to consideration of the Bill.

ORDERED ENROLLED FOR RATIFICATION

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

H. 3993 -- Reps. Brewer, West, Lawson, Mitchell, Yow, Sessions, Leber, Ott, Guffey, Atkinson, B.L. Cox, Forrest, B. Newton, Gatch, Hager, Hixon, Murphy and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-1920, RELATING TO THE SALE OF EXOTIC FARM-RAISED VENISON, SO AS TO PROVIDE AN EXCEPTION.

H. 4047 -- Rep. Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-15-100 SO AS TO PROHIBIT THE RELEASE OF RECORDS REGARDING THE

OCCURRENCE OF RARE, THREATENED, ENDANGERED, OR IMPERILED PLANT AND ANIMAL SPECIES BY THE DEPARTMENT OF NATURAL RESOURCES.

OBJECTION

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

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

Senator MALLOY objected to consideration of the Bill.

AMENDED, CARRIED OVER

H. 3866 -- Rep. Rutherford: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-7-95 SO AS TO CLARIFY THAT, WHEN THE ATTORNEY GENERAL PROCEEDS IN THE PUBLIC INTEREST, THE ATTORNEY GENERAL DOES NOT UNDERTAKE REPRESENTATION OF STATE AGENCIES AND CANNOT BE CONSIDERED TO HAVE POSSESSION, CUSTODY, OR CONTROL OVER STATE AGENCY DOCUMENTS OR ELECTRONICALLY STORED INFORMATION; AND BY ADDING SECTION 39-5-55 SO AS TO SPECIFY THAT THE ATTORNEY GENERAL IS ACTING IN THE PUBLIC INTEREST OF THE STATE IN UNFAIR TRADE PRACTICE PROCEEDINGS, AND TO PROVIDE AN EXCEPTION.

The Senate proceeded to a consideration of the Bill.

Senator KIMBRELL proposed the following amendment (SR-3866.KM0006S), which was carried over:

Amend the bill, as and if amended, SECTION 1, by striking Section 1-7-95(B) and inserting:

(B)(1) This section does not affect the ability of the Attorney General to bring or defend an action in a proprietary capacity on behalf of and representing any such department, agency, or board.

(2) This section does not affect the Attorney General's duty to represent an officer or employee of the State, or any of the State's political subdivisions, pursuant to Section 1-7-50.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The question being the adoption of the amendment.

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

Senator HUTTO proposed the following amendment (SMIN-3866.AA0010S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 1-7-95(A) and inserting:

(A) Notwithstanding any other provision of law, when the Attorney General brings or defends an action in the name of the State of South Carolina pursuant to any power granted by common law, the Constitution of this State, or any provision of law, the Attorney General acts in the public interest of the State of South Carolina and not as the legal representative or attorney of any department or agency of state government, including the executive, legislative, and judicial branches, or any of the boards connected therewith. Such departments, agencies, or boards are not parties to these actions, and the documents or electronically stored information of such departments, agencies, or boards are not in the possession, custody, or control of the Attorney General. However, when documents in the possession, custody, or control of any department, agency, or board of state government are requested in discovery in such an action, the Attorney General shall identify the department, agency, or board and their counsel and facilitate

the production of such documents from the department, agency, or board of state government in response to a subpoena.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

OBJECTION

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS

CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO

REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

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

Senator MALLOY objected to consideration of the Bill.

OBJECTION

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

Senator MALLOY objected to consideration of the Bill.

POINT OF ORDER

S. 538 -- Senators Kimbrell, M. Johnson, Adams, Reichenbach, Rice, Verdin and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-101-15 SO AS TO LIMIT TENURE AND TO PROVIDE THAT INSTITUTIONS OF HIGHER LEARNING MUST CREATE A TENURE REVIEW PROCESS.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 846 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-31-401, RELATING TO CORPORATE NAME, SO AS TO PROHIBIT THE USE OF CERTAIN INDIAN DESCRIPTIONS AS PART OF A NONPROFIT CORPORATION'S CORPORATE NAME UNLESS THE ENTITY IS A FEDERALLY ACKNOWLEDGED TRIBE OR A STATE DESIGNATED TRIBE, GROUP, OR SPECIAL INTEREST ORGANIZATION.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 862 -- Senators Shealy and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-30, RELATING TO CAREGIVER REQUIREMENTS, SO AS TO PROVIDE FOR EDUCATIONAL AND PRE-SERVICE TRAINING REQUIREMENTS.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

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

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

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 974 -- Senator Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 59-104-20, 59-149-10, AND 59-150-370, ALL RELATING TO THE DEFINITION OF "PUBLIC OR INDEPENDENT INSTITUTION" FOR PURPOSES OF THE PALMETTO FELLOWS SCHOLARSHIPS, THE LEGISLATIVE INCENTIVES FOR FUTURE EXCELLENCE (LIFE) SCHOLARSHIPS, AND THE SC HOPE SCHOLARSHIPS, RESPECTIVELY, SO AS TO ADD AN INSTITUTION ACCREDITED BY THE ACCREDITING COMMISSION OF CAREER SCHOOLS AND COLLEGES TO THE DEFINITION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1052 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5251, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1053 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF REGISTRATION FOR FORESTERS, RELATING TO QUORUM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5187, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1054 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 5231, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1055 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE

DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF SOCIAL WORK EXAMINERS, RELATING TO STATE BOARD OF SOCIAL WORK EXAMINERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5252, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

Motion Adopted

On motion of Senator HEMBREE, the Senate agreed to stand adjourned.

ADJOURNMENT

At 12:13 P.M., on motion of Senator HEMBREE, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, February 16, 2024
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator McELVEEN.

ADJOURNMENT

At 11:03 A.M., on motion of Senator McLEOD, the Senate adjourned to meet next Tuesday, February 20, 2024, at 12:00 Noon.

* * *

Tuesday, February 20, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 23:1-3

Heed the Word of the Lord as we find it in the 23rd Psalm: "The Lord is my shepherd, I shall not want. He makes me lie down in green pastures; he leads me beside still waters; he restores my soul. He leads me in right paths for his name's sake."

Good friends, let us pray: Truly, O gracious Lord, how very grateful we continue to be for the rich gift of Your nurture and love. Indeed, Your choosing through the ages to shepherd all who call themselves Your people is such a humbling reality. And having just experienced yet another President's Day, we are truly thankful for all of those leaders who nobly led and guided our Nation, sometimes through incredibly perilous times. Now we fervently ask, O God, that You will grant to each of these leaders serving here in the Senate of South Carolina the determination to trust in You as they in turn pledge to do what is truly best for all of the people of our State. Together may all of these modern-day shepherds carry out their roles nobly and wisely. In Your loving name we pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	*Johnson, Kevin*	Kimbrell

Loftis	Martin	Massey
Peeler	Reichenbach	Rice
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

Doctor of the Day

Senator MARTIN introduced Dr. Jeff Cashman of Spartanburg, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator McELVEEN, at 1:04 P.M., Senator TEDDER was granted a leave of absence until 2:00 P.M.

Leave of Absence

On motion of Senator K. JOHNSON, at 1:35 P.M., Senator JACKSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator FANNING, at 2:52 P.M., Senator KIMBRELL was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator MATTHEWS, at 2:52 P.M., Senator SENN was granted a leave of absence for the balance of the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 538 Sens. Climer and Loftis

S. 615 Sen. Allen

RECALLED AND RECOMMITTED

S. 971 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-100, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BARNWELL COUNTY, SO AS TO IDENTIFY THE VOTING PLACE FOR CERTAIN PRECINCTS.

On motion of Senator HUTTO, with unanimous consent, the Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

On motion of Senator HUTTO, with unanimous consent, the Bill was recommitted to the Committee on Judiciary.

RECALLED

S. 1064 -- Senator Turner: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CONDUCT A REVIEW OF THE CURRENT LAW REGARDING COMMUNITY RESIDENTIAL CARE FACILITIES INCLUDING, BUT NOT LIMITED TO, QUALIFICATIONS FOR A FACILITY TO IDENTIFY AND ADVERTISE AS AN ALZHEIMER'S SPECIAL CARE UNIT, EVALUATION OF STAFFING LEVELS FOR A FACILITY'S ALZHEIMER'S SPECIAL CARE UNIT, AND A REVIEW OF THE NEED FOR REGISTERED NURSING COVERAGE IN A FACILITY'S ALZHEIMER'S SPECIAL CARE UNIT; AND TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY BY JANUARY 1, 2025, FOR UPDATING AND IMPROVING THE LAW'S REQUIREMENTS FOR ALZHEIMER'S SPECIAL CARE UNITS HOUSED IN COMMUNITY RESIDENTIAL CARE FACILITIES.

Senator TURNER asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Medical Affairs.

The Joint Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1066 -- Senator Young: A CONCURRENT RESOLUTION TO CONGRATULATE JUDITH WARNER UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER THIRTY YEARS OF DEDICATED SERVICE TO AIKEN COUNTY AND THE STATE OF SOUTH CAROLINA, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0570km-vc24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1067 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE CLARA SINGLETON WILLIAMS ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
sr-0583km-vc24.docx
The Senate Resolution was adopted.

S. 1068 -- Senator Tedder: A SENATE RESOLUTION TO CONGRATULATE LANDMARKS FOR FAMILIES UPON THE OCCASION OF ITS MOST RECENT REBRAND AND TO COMMEND THE ORGANIZATION FOR ITS TWO CENTURIES OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
sr-0588km-vc24.docx
The Senate Resolution was adopted.

S. 1069 -- Senators Alexander and Campsen: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF DR. CHARLES PINCKNEY DARBY, JR., TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS, AND TO HONOR HIS PROFOUND LEGACY IN THIS STATE.
sr-0586km-hw24.docx
The Senate Resolution was adopted.

S. 1070 -- Senator Jackson: A CONCURRENT RESOLUTION TO CONGRATULATE AND HONOR FIRE CHIEF AUBREY D. JENKINS FOR HIS FORTY-FIVE YEARS OF DEDICATED SERVICE TO THE COLUMBIA-RICHLAND FIRE DEPARTMENT AND TO THANK HIM FOR HIS CONTRIBUTIONS TO THE STATE OF SOUTH CAROLINA.
lc-0519sa-bl24.docx
The Concurrent Resolution was adopted, ordered sent to the House.

S. 1071 -- Senator Bennett: A CONCURRENT RESOLUTION TO CONGRATULATE MARK LEIENDECKER FOR HIS SUCCESSFUL LEGAL CAREER AND TO WISH HIM A HAPPY AND RESTFUL RETIREMENT.
lc-0530cm-gt24.docx
The Concurrent Resolution was adopted, ordered sent to the House.

H. 5111 -- Reps. Calhoon, Ballentine, Caskey, Kilmartin, Forrest, May, McCabe, Ott, Taylor, White, Wooten, Alexander, Anderson, Atkinson, Bailey, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Carter, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LAURA SLADE HUDSON FOR HER YEARS OF DEDICATED SERVICE IN ADVOCATING FOR CRIME VICTIMS AND FOR HER PUBLIC POLICY ACCOMPLISHMENTS ON BEHALF OF CRIME VICTIMS AND ALL SOUTH CAROLINIANS.

lc-0399vr-gm24.docx

The Concurrent Resolution was adopted, ordered returned to the House.

HOUSE CONCURRENCE

S. 1056 -- Senator Devine: A CONCURRENT RESOLUTION TO COMMEND THE RICHLAND COUNTY ALUMNAE CHAPTER OF DELTA SIGMA THETA SORORITY, INCORPORATED, FOR THIRTY YEARS OF OUTSTANDING PUBLIC SERVICE TO THE COMMUNITY, TO WISH ITS MEMBERS MANY YEARS OF CONTINUED GROWTH AND DEDICATION, AND TO DESIGNATE APRIL 27, 2024, AS RICHLAND COUNTY ALUMNAE CHAPTER, DELTA SIGMA THETA, INCORPORATED DAY IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

OBJECTION

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS

TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

Senator MALLOY objected to consideration of the Bill.

AMENDED, READ THE SECOND TIME

H. 3866 -- Rep. Rutherford: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-7-95 SO AS TO CLARIFY THAT, WHEN THE ATTORNEY GENERAL PROCEEDS IN THE PUBLIC INTEREST, THE ATTORNEY GENERAL DOES NOT UNDERTAKE REPRESENTATION OF STATE AGENCIES AND CANNOT BE CONSIDERED TO HAVE POSSESSION, CUSTODY, OR CONTROL OVER STATE AGENCY DOCUMENTS OR ELECTRONICALLY STORED INFORMATION; AND BY ADDING SECTION 39-5-55 SO AS TO SPECIFY THAT THE ATTORNEY GENERAL IS ACTING IN THE PUBLIC INTEREST OF THE STATE IN UNFAIR TRADE PRACTICE PROCEEDINGS, AND TO PROVIDE AN EXCEPTION.

The Senate proceeded to a consideration of the Bill.

Senator KIMBRELL proposed the following amendment (SR-3866.KM0006S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 1-7-95(B) and inserting:

(B)(1) This section does not affect the ability of the Attorney General to bring or defend an action in a proprietary capacity on behalf of and representing any such department, agency, or board.

(2) This section does not affect the Attorney General's duty to represent an officer or employee of the State, or any of the state's political subdivisions, pursuant to Section 1-7-50.

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES

INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED

FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

S. 578 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-54-240, RELATING TO DISCLOSURE OF RECORDS OF AND REPORTS AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE, SO AS TO AUTHORIZE THE DISCLOSURE OF DOCUMENTS UNDER CERTAIN CIRCUMSTANCES.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

S. 944 -- Senators Gambrell, Bennett, Turner and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PAID FAMILY LEAVE INSURANCE ACT" BY ADDING CHAPTER 103 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH FAMILY LEAVE BENEFITS, OUTLINE REQUIREMENTS OF FAMILY LEAVE INSURANCE POLICIES, AND PROVIDE EXCLUSIONS, AMONG OTHER THINGS.

Senator MALLOY objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 538 -- Senators Kimbrell, M. Johnson, Adams, Reichenbach, Rice, Verdin, Grooms, Climer and Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-101-15 SO AS TO LIMIT TENURE AND TO PROVIDE THAT INSTITUTIONS OF HIGHER LEARNING MUST CREATE A TENURE REVIEW PROCESS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (SEDU-538.DB0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-101-15(A) and (B) and inserting:

(A) A public institution of higher learning in this State must establish a tenure review process for every tenured faculty member. The review process will be conducted in compliance with the institution's faculty guidelines, and will occur at least once every six years after the faculty member under review has gained tenure. The tenure review process must ensure that the faculty member has continued to meet the high standards for tenure that are outlined in the institution's faculty guidelines.

(B) The Commission on Higher Education shall:

(1) ensure the compliance by each public institution of higher learning with the provisions of this section; and

(2) annually collect information necessary to ensure that each public institution of higher learning complies with the provisions of this section. The commission shall annually report this information to the Chairman of the Senate Education Committee and the Chairman of the House Education and Public Works Committee.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Objection

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

Senator MATTHEWS objected.

The question being the second reading of the Bill.

On motion of Senator MALLOY, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 862 -- Senators Shealy and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-30, RELATING TO CAREGIVER REQUIREMENTS, SO AS TO PROVIDE FOR EDUCATIONAL AND PRE-SERVICE TRAINING REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (SR-862.JG0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 63-13-30(A) and inserting:

(A) A caregiver ~~who begins employment~~ in a licensed or approved childcare center in South Carolina ~~after June 30, 1994,~~ must have at least a high school diploma ~~or~~, General Educational Development (GED), Certificate of Completion, or a South Carolina High School Employability Credential ~~and at least six months' experience as a caregiver in a licensed or approved childcare facility. If a caregiver does not meet the experience requirements, the caregiver must be directly supervised for six months by a staff person with at least one year experience as a caregiver in a licensed or approved childcare facility~~. Within ~~six months~~ five days of being employed, a caregiver must ~~have six clock hours of training in child growth and development and early childhood education or shall continue to be under the direct supervision of a caregiver who has at least one year of experience as a caregiver in a licensed or approved childcare facility~~complete fifteen hours of health and safety service provider training. The caregiver shall be directly supervised by a staff person with at least one year experience as a caregiver in a licensed or approved childcare facility until such time as the caregiver has completed the required health and safety service provider training, provided the caregiver is also in compliance with Section 63-13-40 relating to required background checks.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 17

AYES

Alexander	Allen	Cash
Davis	Devine	Fanning
Gambrell	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto

Jackson	*Johnson, Kevin*	*Johnson, Michael*
Matthews	McElveen	McLeod
Rankin	Sabb	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--27

NAYS

Adams	Bennett	Campsen
Climer	Corbin	Cromer
Garrett	Grooms	Kimbrell
Loftis	Martin	Massey
Peeler	Reichenbach	Rice
Senn	Verdin	

Total--17

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 946 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-1210, RELATING TO THE STATE ADVISORY COMMITTEE ON THE REGULATION OF CHILDCARE FACILITIES, SO AS TO CHANGE THE ORGANIZATION OF THE MEMBERS; AND BY AMENDING SECTION 63-13-1220, RELATING TO COMMITTEE DUTIES, SO AS TO CHANGE THE QUORUM OF MEMBERS REQUIRED TO VOTE FROM EIGHT TO SIX.

On motion of Senator YOUNG, the Bill was carried over.

CARRIED OVER

S. 974 -- Senator Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 59-104-20, 59-149-10, AND 59-150-370, ALL RELATING TO THE DEFINITION OF "PUBLIC OR INDEPENDENT INSTITUTION" FOR PURPOSES OF THE PALMETTO FELLOWS SCHOLARSHIPS, THE LEGISLATIVE INCENTIVES FOR FUTURE EXCELLENCE (LIFE) SCHOLARSHIPS, AND THE SC HOPE SCHOLARSHIPS, RESPECTIVELY, SO AS TO ADD AN

INSTITUTION ACCREDITED BY THE ACCREDITING COMMISSION OF CAREER SCHOOLS AND COLLEGES TO THE DEFINITION.

On motion of Senator BENNETT, the Bill was carried over.

CARRIED OVER

S. 1054 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 5231, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to a consideration of the Resolution.

Senator YOUNG explained the Resolution.

Objection

Senator YOUNG asked that the Resolution be carried over until March 6, 2024.

Senator MATTHEWS objected.

Senator MATTHEWS moved to recommit the Resolution to Committee on Family and Veterans' Services.

The motion failed.

On motion of Senator VERDIN, the Resolution was carried over.

CARRIED OVER

S. 1055 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF SOCIAL WORK EXAMINERS, RELATING TO STATE BOARD OF SOCIAL WORK EXAMINERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5252, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to a consideration of the Resolution.

Senator YOUNG explained the Resolution.

On motion of Senator YOUNG, the Resolution was carried over.

POINT OF ORDER

S. 1001 -- Senator Martin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-3-430, RELATING TO THE AUTHORIZATION OF INMATE LABOR IN PRIVATE INDUSTRY AND REQUIREMENTS AND CONDITIONS, SO AS TO PROVIDE THAT NO INMATE PARTICIPATING IN THE PROGRAM MAY EARN LESS THAN THE FEDERAL MINIMUM WAGE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4002 -- Reps. G.M. Smith, W. Newton, Hiott, Davis, B. Newton, Erickson, Bannister, Haddon, Sandifer, Thayer, Carter, Robbins, Blackwell, Forrest and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATION DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE PENALTIES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

Expression of Personal Interest

Senator SHEALY rose for an Expression of Personal Interest.

Remarks by Senator SHEALY

Thank you, Mr. PRESIDENT. I have been quite interested in the activities of the day in here, but before all that happened, I was quite interested in the activities in the calendar we get every day. I was looking through it and somebody said, “Oh, we don't have that much that's objected to” but yes, we do. We have fifty Bills total on the calendar. We have sixteen Republican Bills that are objected to by Republicans. We have fourteen Bills that are objected to by Democrats. We have four whatever those things were that we got a while ago that everybody got so upset about. So, that leaves us sixteen Bills that we could work on, but every time we get to one, somebody carries it over. So, we wonder why we can't get anything done in here and everything we need to get done has to go on special order.

Now, I don't know what our problem is. I think we should look at everybody's Bills. If you've got a problem with it, you go talk to them. I don't have anything contested to, but maybe I should start using my five and start contesting to everybody's Bill whether I find anything wrong with it or not -- I wanted to get up here and say that, because as Republicans and Democrats, we ought to start working together. I can walk across here and talk to you all or you can walk over here and talk to us and then tell us what's wrong with our Bill before you just start slapping your name on it. Some of those names have been on the Bills for over a year. If you don't like it, tell us what you don't like about it. Don't just be obstinate and not do anything. There are a lot of Bills that come through here that I didn't like, but I stomached them. So just because you don't like it doesn't mean there's not forty other people in here that might.

Now today, I have suddenly found out, and that's just been since I walked in this room today, that there are a lot more people in this room that care about children's issues. Where did y'all suddenly come from? I mean, I've been working on children's issues for the last twelve years, and I have fought tooth and nail by myself to get them done. Suddenly, everybody wants to stick their thumb in the pot and tell me what I’m doing wrong. Well, maybe y'all should look at the Bill and come tell me what's wrong with it before y'all start trying to correct them out here on the floor and getting mad and trying to make everybody look bad.

So, if you've got a problem with it, come tell me, but don't start trying to get up here like you're all excited about children. We know what time of year it is, so if you were excited about children before, that's alright, but don't suddenly get excited about them now. Thank you.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator SHEALY were ordered printed in the Journal.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:31 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 298 -- Senators Bennett, Turner, Kimbrell, Campsen and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-2320, RELATING TO ALTERNATE METHODS FOR THE ALLOCATION AND APPORTIONMENT OF INCOME FOR STATE INCOME TAX PURPOSES, SO AS TO SET FORTH A PROCESS FOR THE DEPARTMENT OF REVENUE AND TAXPAYERS TO ACCURATELY DETERMINE NET INCOME.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator BENNETT proposed the following amendment (LC-298.DG0006S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

SECTION 2. This act takes effect upon approval by the Governor and applies to all open tax periods excluding assessments under judicial review by the South Carolina Administrative Law Court, Court of Appeals, or Supreme Court as of the date of the Governor's approval.

Renumber sections to conform.

Amend title to conform.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The amendment was adopted.

There being no further amendments, the Bill, as amended, was ordered returned to the House of Representatives with amendments.

CARRIED OVER

S. 418 -- Senators Hembree, Turner, Gustafson and Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-155-180, RELATING TO PRE-SERVICE AND IN-SERVICE TEACHER EDUCATION PROGRAMS, SO AS TO UPDATE THE ENDORSEMENT REQUIREMENTS OF READ TO SUCCEED.

On motion of Senator HEMBREE, the Bill was carried over.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

COMMITTEE AMENDMENT ADOPTED, AMENDED READ THE SECOND TIME

S. 915 -- Senators Peeler, Alexander, Setzler, Verdin, Davis, Hutto, Kimbrell, Young, Senn and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO CREATE THE EXECUTIVE OFFICE OF HEALTH AND POLICY AND PROVIDE FOR THE DUTIES OF THE SECRETARY OF THE AGENCY; BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DISSOLVE SEVERAL DEPARTMENTS AND CREATE THE STATE OFFICE OF THE SECRETARY OF PUBLIC HEALTH AND POLICY; BY AMENDING SECTION 8-17-370, RELATING TO THE MEDIATION OF GRIEVANCES BY THE STATE HUMAN RESOURCES DIRECTOR SO AS TO ADD THE SECRETARY OF HEALTH AND POLICY, THE DIRECTORS OF THE COMPONENT DEPARTMENTS OF THE EXECUTIVE OFFICE OF HEALTH AND POLICY, AND ALL DIRECT REPORTS TO THE SECRETARY AND TO DIRECTORS OF THE COMPONENT DEPARTMENTS; BY AMENDING SECTION 43-21-70, RELATING TO THE EMPLOYMENT OF THE DIRECTOR OF THE DEPARTMENT AND ADVISORY COUNCIL ON AGING, SO AS TO PROVIDE THAT THE SECRETARY OF HEALTH AND POLICY SHALL APPOINT A DIRECTOR TO BE THE ADMINISTRATIVE OFFICER OF THE DEPARTMENT ON AGING; AND TO REPEAL TITLE 44, CHAPTER 9 RELATING TO THE STATE DEPARTMENT OF MENTAL HEALTH.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-915.KM0002S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 1-23-600(H)(1) of the S.C. Code is amended to read:

(H)(1) This subsection applies to timely filed requests for a contested case hearing ~~of decisions by the Department of Environmental Services or the Department of Public Health~~. ~~Emergency actions taken by the Department of Environmental Services~~ or the Department of Public

~~Health pursuant to an applicable statute or regulation are not subject to the provisions of this subsection.~~

Amend the bill further, SECTION 2, by striking Section 1-30-10(A)(20) and inserting:

20. Executive Office of Health and Policy

Amend the bill further, by adding appropriately numbered SECTIONS to read:

SECTION X. Section 3-5-140 of the S.C. Code is amended to read:

Section 3-5-140. (A) If the person in whose favor or the person against whom such determination is made shall be dissatisfied therewith, such person may apply to an Administrative Law Judge to review the determination. An appeal from the decision of the Administrative Law Judge may be taken to ~~the Coastal Zone Management Appellate Panel. An appeal from the decision of the Panel may be taken to~~ the court of common pleas for the county in which the oyster beds lie. The Court shall review the award in the same manner as reports of a master in equity are reviewed by the court and the determination of the amount of the award by the court of common pleas shall be final.

(B) Before a review shall be granted to the person against whom the award is made, such person shall pay to the person in whose favor the award is made, one half of the amount of the said award, and shall file with the said clerk of court a bond conditioned for the payment of the remaining half of the award or so much thereof as may be finally awarded, such bond to be approved by the clerk of court of the county in which the oyster beds lie as to form, surety and amount.

(C) The final award shall be entered on record in the office of the clerk of court of common pleas for the county in which the oyster beds lie and when so entered shall have the force and effect of a judgment. The amount of the award shall be limited to the direct actual damage suffered by the person owning in fee or in leasehold the oyster beds and the oysters growing therein.

SECTION X. Section 6-11-285 of the S.C. Code is amended to read:

Section 6-11-285. (A) For purpose of this section:

(1) "Political subdivision" means any municipality, county, public service district, special service district, or other public entity charged with the operation and maintenance of wastewater plants or treatment facilities, water treatment facilities, or with the operation and management of any water distribution system;

(2) "Person" means a person as defined in item (1) of § 48-1-10.

(B) Any person violating any ordinance or regulation of a political subdivision or any permit, permit condition, or final determination of any

political subdivision as required by state or federal law is subject to a civil penalty not to exceed two thousand dollars for each day of violation.

(C) Any political subdivision, prior to the imposition of any civil penalty, shall issue a rule to show cause requiring the person to appear and show cause why civil penalties should not be imposed and specifying which violations are charged. A hearing upon the rule must be held before a hearing officer designated by the governing body of the political subdivision.

(D) All penalties assessed under the provisions of this section must be held as debt and payable to the political subdivision by the person against whom they have been charged and shall constitute a lien against the property of the person.

~~(E) The hearing procedure required under the provisions of this section must be in accordance, as practicably possible, with that procedure as prescribed by Regulation 61-72 of the Department of Health and Environmental Control.~~

~~(F)~~(E) All appeals from the decision of the hearing officer under the provisions of this section must be heard in the court of common pleas in the county in which the political subdivision is located.

Amend the bill further, SECTION 4, by striking Section 43-21-70 and inserting:

Section 43-21-70. The ~~Governor~~ Secretary of Health and Policy shall appoint with the advice and consent of the Senate a director to be the administrative officer of the Department on Aging who shall serve at the ~~Governor's~~ secretary's pleasure ~~and who is subject to removal pursuant to the provisions of Section 1-3-240~~.

Amend the bill further, by adding appropriately numbered SECTIONS to read:

SECTION X. Chapter 1, Title 44 of the S.C. Code is amended to read:

CHAPTER 1

Department of Public Health

Section 44-1-20. There is created the South Carolina Department of Public Health to be headed by a director who is appointed by the Secretary of Health and Policy upon the advice and consent of the Senate pursuant to Section 44-12-50(B)(1).

Section 44-1-50. The ~~board~~ Executive Office of Health and Policy may conduct such administrative reviews as may be required by law, as considered necessary by the ~~board~~ office to render a final agency determination in matters involving the issuance, denial, renewal or revocation of permits, licenses, or other actions of the department which may give rise to a contested case pursuant to Chapter 23 of Title 1.

The ~~board~~ office shall provide for the administrative organization of the department and shall consolidate and merge existing duties, functions, and officers of the former agencies as may be necessary for economic and efficient administration. Provided, however, that the ~~board~~ Secretary of Health and Policy may appoint such advisory boards as ~~it~~ he considers necessary to carry out the functions of Sections 44-1-10 to 44-1-70, and there shall be provided a compensation for their services as provided by the law for members of boards and commissions.

Section 44-1-60.(A) All department decisions involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other actions of the department which may give rise to a contested case must be made using the procedures set forth in this section.

(B) The department ~~staff~~ shall comply with all requirements for public notice, receipt of public comments and public hearings before making a department decision. To the maximum extent possible, the department shall use a uniform system of public notice of permit applications, opportunity for public comment and public hearings.

~~(C) The initial decision involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other action of the department shall be a staff decision.~~

~~(D)~~(C) In making a ~~staff~~ decision on any permit, license, certification or other approval, the department ~~staff~~ shall take into consideration all material comments received in response to the public notice in determining whether to issue, deny or condition such permit, license, certification or other approval. At the time that ~~such staff~~the decision is made, the department shall issue a ~~department~~ written decision, and shall base its ~~department~~ decision on the administrative record which shall consist of the application and supporting exhibits, all public comments and submissions, and other documents contained in the supporting file for the permit, license, certification or other approval. The administrative record may also include material readily available at the department, or published materials which are generally available and need not be physically included in the same file as the rest of the record as long as ~~such~~ those materials are ~~specifically~~ referred to in the department decision. The written decision must explain the basis for the decision and inform the parties of their right to request a contested case hearing before the Administrative Law Court. The department is not required to issue a written decision ~~need not be issued~~ for routine permits for which ~~no~~ the departments has not received adverse public comments ~~have been received~~.

~~(E)~~(D)(1) ~~Notice of a department decision must be sent~~The department shall send notice of a decision by certified mail, returned receipt requested to the applicant, permittee, licensee, certificate holder, and affected persons who have requested in writing to be notified. Affected persons may request in writing to be notified by regular mail or electronic mail in lieu of certified mail. Notice of ~~staff~~ decisions for which a department decision is not required pursuant to subsection ~~(D)~~(C) must be provided by mail, delivery, or other appropriate means to the applicant, permittee, licensee, certificate holder and affected persons who have requested in writing to be notified.

~~(2) The staff decision becomes the final agency decision fifteen calendar days after notice of the staff decision has been mailed to the applicant, unless a written request for final review accompanied by a filing fee is filed with the department by the applicant, permittee, licensee, or affected person.~~

~~(3)~~(2) ~~The filing fee must be in the amount of one hundred dollars unless the department establishes a fee schedule by regulation after complying with the requirements of Article 1, Chapter 23, Title 1. This fee must be retained by the department in order to help defray the costs of the proceedings and legal expenses.~~Within thirty calendar days after decision is mailed, an applicant, permittee, licensee, certificate holder, or affected person desiring to contest the department's decision may request a contested case hearing before the Administrative Law Court in accordance with the Administrative Procedures Act. The court shall give consideration to the provisions contained in Section 1-23-330 regarding the department's specialized knowledge.

~~(F) No later than sixty calendar days after the date of receipt of a request for final review, a final review conference must be conducted by the board, its designee, or a committee of three members of the board appointed by the chair. If the board declines in writing to schedule a final review conference or if a final review conference is not conducted within sixty calendar days, the staff decision becomes the final agency decision, and an applicant, permittee, licensee, or affected person requests pursuant to subsection (G) a contested case hearing before the Administrative Law Court. The department shall set the place, date, and time for the conference; give the applicant and affected persons at least ten calendar days' written notice of the conference; and advise the applicant that evidence may be presented at the conference. The final review conference must be held as follows:~~

~~(1) Final review conferences are open to the public; however, the officers conducting the conference may meet in closed session to~~

~~deliberate on the evidence presented at the conference. The burden of proof in a conference is upon the moving party. During the course of the final review conference, the staff must explain the staff decision and the materials relied upon in the administrative record to support the staff decision. The applicant or affected party shall state the reasons for protesting the staff decision and may provide evidence to support amending, modifying, or rescinding the staff decision. The staff may rebut information and arguments presented by the applicant or affected party and the applicant or affected party may rebut information and arguments presented by the staff. Any final review conference officer may request additional information and may question the applicant or affected party, the staff, and anyone else providing information at the conference.~~

~~(2) After the final review conference, the board, its designee, or a committee of three members of the board appointed by the chair shall issue a written final agency decision based upon the evidence presented. The decision may be announced orally at the conclusion of the final review conference or it may be reserved for consideration. The written decision must explain the basis for the decision and inform the parties of their right to request a contested case hearing before the Administrative Law Court. In either event, the written decision must be mailed to the parties no later than thirty calendar days after the date of the final review conference. Within thirty calendar days after the receipt of the decision an applicant, permittee, licensee, or affected person desiring to contest the final agency decision may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act. The court shall give consideration to the provisions of Section 1-23-330 regarding the department's specialized knowledge.~~

~~(3) Prior to the initiation of the final review conference, an applicant, permittee, licensee, or affected person must be notified of their right to request a transcript of the proceedings of the final review conference. If a transcript is requested, the applicant, permittee, licensee, or affected person making the request is responsible for all costs.~~

~~(G) An applicant, permittee, licensee, or affected person may file a request with the Administrative Law Court for a contested case hearing within thirty calendar days after:~~

~~(1) notice is mailed to the applicant, permittee, licensee, and affected persons that the board declined to hold a final review conference; or~~

~~(2) the sixty calendar day deadline to hold the final review conference lapses and no conference has been held; or~~

~~(3) the final agency decision resulting from the final review conference is received by the parties.~~

~~(H) Applicants, permittees, licensees, and affected persons are encouraged to engage in mediation during the final review process.~~

~~(I) The department may promulgate regulations providing for procedures for final reviews.~~

~~(J)~~(E) ~~Any statutory deadlines applicable to permitting and licensing programs administered by the department must be extended to all for this final review process.~~ If any deadline provided for in this section falls on a Saturday, Sunday, or state holiday, the deadline must be extended until the next calendar day that is not a Saturday, Sunday, or state holiday.

Section 44-1-80. (A) The ~~Board~~ Department of Public Health ~~and Environmental Control~~ or its designated agents must investigate the reported causes of communicable or epidemic disease and must enforce or prescribe these preventive measures as may be needed to suppress or prevent the spread of these diseases by proper quarantine or other measures of prevention, as may be necessary to protect the citizens of the State. The ~~Board~~ Department of Public Health ~~and Environmental Control~~ or its designated agents shall declare, when the facts justify it, any place as infected and, in case of hydrophobia or other diseases transmitted from animals to man, must declare such animal or animals quarantined, and must place all such restrictions upon ingress and egress of persons or animals therefrom as may be, in its judgment, necessary to prevent the spread of disease from the infected locality.

(B)(1) Whenever the ~~board~~ department learns of a case of a reportable illness or health condition, an unusual cluster, or a suspicious event that it reasonably believes has the potential to cause a public health emergency, as defined in Section 44-4-130, it is authorized to notify the appropriate public safety authority, tribal authorities, and federal health and public safety authorities.

(2) The sharing of information on reportable illnesses, health conditions, unusual clusters, or suspicious events between authorized personnel must be restricted to information necessary for the treatment, control, investigation, and prevention of a public health emergency. Restriction of access to this information to those authorized personnel for the protection of public health ensures compliance with all state and federal health information privacy laws.

(3) The ~~board~~ department and its agents must have full access to medical records and nonmedical records when necessary to investigate the causes, character, and means of preventing the spread of a qualifying health event or public health emergency. For purposes of this item,

"nonmedical records" mean records of entities, including businesses, health facilities, and pharmacies, which are needed to adequately identify and locate persons believed to have been potentially exposed or known to have been infected with a contagious disease.

(4) An order of the ~~board~~ department given to effectuate the purposes of this subsection is enforceable immediately by the public safety authority.

(5) For purposes of this subsection, the terms qualifying health event, public health emergency, and public safety authority have the same meanings as provided in Section 44-4-130.

Section 44-1-90. The ~~State Board~~Department of Public Health ~~and Environmental Control~~ or its designated agents, when it is deemed necessary by the municipal officers of any town or city or the governing body of any county, may (a) visit cities, towns, villages or localities where disease is prevalent or threatened, (b) investigate and advise with the local authorities or persons as to such measures as may tend to prevent the spread of disease or to remove or abate causes that may tend to cause or intensify disease, and (c) advise, when practicable or possible, as to measures of sanitation or hygiene ~~and (d) investigate and advise as to all matters respecting water supply, sewage, drainage, ventilation, heating, lighting or other measures connected with public sanitation or safety~~.

Section 44-1-100. All sheriffs and constables in the several counties of this State and police officers and health officers of cities and towns must aid and assist the Director of the Department of Public Health ~~and Environmental Control~~ and must carry out and obey his orders, or those of the Department of Public Health ~~and Environmental Control~~, to enforce and carry out any and all restrictive measures and quarantine regulations that may be prescribed. During a state of public health emergency, as defined in Section 44-4-130, the director may request assistance in enforcing orders issued pursuant to this chapter and pursuant to Chapter 4, Title 44, from the public safety authority, as defined in Section 44-4-130, other state law enforcement authorities, and local law enforcement. The public safety authority may request assistance from the South Carolina National Guard in enforcing orders made pursuant to this chapter or pursuant to Chapter 4, Title 44.

Section 44-1-110. (A) ~~The Department of Health and Environmental Control is invested with all the rights and charged with all the duties pertaining to organizations of like character and is the sole advisor of the State in all questions involving the protection of the public health within its limits.~~The Department of Public Health shall advise the Secretary of

Health and Policy regarding all questions concerning the protection of public health within its jurisdiction.

(B) ~~It~~ The Department of Public Health shall, through its representatives, investigate the causes, character, and means of preventing the epidemic and endemic diseases as the State is liable to suffer from and the influence of climate, location, and occupations, habits, drainage, scavengering, water supply, heating, and ventilation. It shall have, upon request, full access to the medical records, tumor registries, and other special disease record systems maintained by physicians, hospitals, and other health facilities as necessary to carry out its investigation of these diseases. No physician, hospital, or health facility, or person in charge of these records is liable in any action-at-law for permitting the examination or review. Patient-identifying information elicited from these records and registries must be kept confidential by the department and it is exempt from the provisions of Chapter 4 of Title 30. It shall supervise and control the quarantine system of the State. It may establish quarantine both by land and sea.

Section 44-1-130. (A) The Department of Public Health ~~and Environmental Control~~ may divide the State into health districts and establish in these districts advisory boards of health which shall consist of representatives from each county in the district. Boards of health now existing in the districts shall have representation on the district advisory board. Counties not having local boards of health shall be represented by individuals appointed by the county legislative delegation. The number of members of a district advisory board shall be determined by the ~~Department~~ department with due consideration to the population and community needs of the district. District advisory boards of health shall be subject to the supervisory and advisory control of the ~~Department~~department. District advisory boards are charged with the duty of advising the district medical director or administrator in all matters of sanitary interest and scientific importance bearing upon the protection of the public health.

(B) The district medical director or administrator shall be secretary of the advisory board and the district advisory board shall elect annually from its membership a chairman.

Section 44-1-140.(A) The Department of Public Health may make, adopt, promulgate, and enforce reasonable rules and regulations from time to time requiring and providing for:

(1) the thorough sanitation and disinfection of all passenger cars, sleeping cars, steamboats, and other vehicles of transportation in this

State and all ~~convict camps, penitentiaries, jails,~~ hotels, schools, and other places used by or open to the public;

(2) the sanitation and regulation of ~~hotels, restaurants, cafes, drugstores, hot dog and hamburger stands, and all other places or establishments providing eating or drinking facilities and all other places known as private nursing homes or places of similar nature, operated for gain or profit~~ food services provided for patients and facility residents at health care facilities or other facilities regulated by the Department of Public Health pursuant to the State Health Facility Licensure Act;

(3) the ~~safety and sanitation in the harvesting, storing, processing, handling and transportation of mollusks, fin fish, and crustaceans~~control of disease-bearing insects, including impounding water;

~~(4) the safety, safe operation and sanitation of public swimming pools and other public bathing places, construction, tourist and trailer camps, and fairs;~~

~~(5)~~(4) the care, segregation, and isolation of persons having or suspected of having any communicable, contagious, or infectious disease; and

~~(6)~~(5) the thorough investigation and study of the causes of all diseases, epidemic and otherwise, in this State, the means for the prevention of contagious disease and the publication and distribution of such information as may contribute to the preservation of the public health and the prevention of disease.

(B) The department may make separate orders and rules to meet any emergency not provided for by general rules and regulations, for the purpose of suppressing nuisances dangerous to the public health and communicable, contagious, and infectious diseases and other danger to the public life and health.

(C) The Secretary of Health and Policy must approve these rules and regulations prior to submission.

~~Section 44-1-143. (A) For the purposes of this section:~~

~~(1) "Home-based food production operation" means an individual, operating out of the individual's dwelling, who prepares, processes, packages, stores, and distributes nonpotentially hazardous foods for sale directly to a person, including online and by mail order, or to retail stores, including grocery stores. "Home-based food production operation" does not include preparing, processing, packaging, storing, or distributing aluminum canned goods or charcuterie boards.~~

~~(2) "Nonpotentially hazardous foods" are foods that are not potentially hazardous.~~

~~(3) "Person" means an individual consumer.~~

(4) "Potentially hazardous foods" includes:

(a) an animal food that is raw or heat-treated; a plant food that is heat-treated or consists of raw seed sprouts; cut melons; cut leafy greens; cut tomatoes or mixtures of cut tomatoes not modified to prevent microorganism growth or toxin formation; garlic-in-oil mixtures not modified to prevent microorganism growth or toxin formation;

(b) certain foods that are designated as Product Assessment Required (PA) because of the interaction of the pH and Aw values in these foods. Below is a table indicating the interaction of pH and Aw for control of spores in food heat-treated to destroy vegetative cells and subsequently packaged:

Aw values	pH values		
	4.6 or less	>4.6-5.6	>5.6
(1) <0.92	non-PHF	non-PHF	non-PHF
(2) >0.92-0.95	non-PHF	non-PHF	PHF
(3) >0.95	non-PHF	PHF	PHF

Foods in item (2) with a pH value greater than 5.6 and foods in item (3) with a pH value greater than 4.6 are considered potentially hazardous unless a product assessment is conducted pursuant to the 2009 Federal Drug Administration Food Code.

(B) The operator of the home-based food production operation must take all reasonable steps to protect food items intended for sale from contamination while preparing, processing, packaging, storing, and distributing the items including, but not limited to:

(1) maintaining direct supervision of any person, other than the operator, engaged in the processing, preparing, packaging, or handling of food intended for sale;

(2) prohibiting all animals, including pets, from entering the area in the dwelling in which the home-based food production operation is located while food items are being prepared, processed, or packaged and prohibiting these animals from having access to or coming in contact with stored food items and food items being assembled for distribution;

(3) prohibiting all domestic activities in the kitchen while the home-based food production operation is processing, preparing, packaging, or handling food intended for sale;

(4) prohibiting any person who is infected with a communicable disease that can be transmitted by food, who is a carrier of organisms that can cause a communicable disease that can be transmitted by food, who has an infected wound, or who has an acute respiratory infection

~~from processing, preparing, packaging, or handling food intended for sale by the home-based food production operation; and~~

~~(5) ensuring that all people engaged in processing, preparing, packaging, or handling food intended for sale by the home-based food production operation are knowledgeable of and follow safe food handling practices.~~

~~(C) Each home-based food production operation shall maintain a clean and sanitary facility to produce nonpotentially hazardous foods including, but not limited to:~~

~~(1) department-approved water supply;~~

~~(2) a separate storage place for ingredients used in foods intended for sale;~~

~~(3) a properly functioning refrigeration unit;~~

~~(4) adequate facilities, including a sink with an adequate hot water supply to meet the demand for the cleaning and sanitization of all utensils and equipment;~~

~~(5) adequate facilities for the storage of utensils and equipment;~~

~~(6) adequate hand washing facilities separate from the utensil and equipment cleaning facilities;~~

~~(7) a properly functioning toilet facility;~~

~~(8) no evidence of insect or rodent activity; and~~

~~(9) department-approved sewage disposal, either onsite treatment or publicly provided.~~

~~(D) All food items packaged at the operation for sale must be properly labeled. The label must comply with federal laws and regulations and must include:~~

~~(1) the name and address of the home-based food production operation. If a home-based food production operator does not want to include his address on the label, then the department shall provide an identification number to the operator, upon the operator's request, that can be used on the label instead;~~

~~(2) the name of the product being sold;~~

~~(3) the ingredients used to make the product in descending order of predominance by weight; and~~

~~(4) a conspicuous statement printed in all capital letters and in a color that provides a clear contrast to the background that reads: "PROCESSED AND PREPARED BY A HOME BASED FOOD PRODUCTION OPERATION THAT IS NOT SUBJECT TO SOUTH CAROLINA'S FOOD SAFETY REGULATIONS."~~

~~(E) Home-based food operations only may sell, or offer to sell, food items directly to a person, including online and by mail order, or to retail~~

~~stores, including grocery stores. Food produced from a home-based food production operation shall be considered to be from an approved source, as required of a retail food establishment pursuant to Regulation 61.25. Any retail stores, including grocery stores, that sell or offer to sell home-based food products must post clearly visible signage indicating that home-based food products are not subject to commercial food regulations.~~

~~(F) A home-based food production operation is not a retail food establishment and is not subject to regulation by the department pursuant to Regulation 61.25.~~

~~(G) The provisions of this section do not apply to an operation with net earnings of less than fifteen hundred dollars annually but that would otherwise meet the definition of a home-based food operation provided in subsection (A)(1).~~

~~(H) [Deleted]~~

~~(I) The provisions of this section apply in the absence of a local ordinance to the contrary.~~

~~Section 44-1-145. (A) Notwithstanding any other provision of law, ground beef or any food containing ground beef prepared by a food service provider for public consumption must be cooked to heat all parts of the food to at least one hundred fifty-five degrees Fahrenheit (sixty-eight degrees Celsius), unless otherwise ordered by the immediate consumer.~~

~~(B) The food service provider, its business or its employees or agents, are not liable for any adverse affects to the purchaser or anyone else for providing a ground beef product cooked at an internal temperature less than one hundred fifty-five degrees Fahrenheit (sixty-eight degrees Celsius), if providing the product is at the request of the purchaser and if the food service provider has notified the purchaser in advance that a possible health risk may exist by eating the product. The notice must state that a possible health risk may exist in eating undercooked ground beef at an internal temperature less than one hundred fifty-five degrees Fahrenheit (sixty-eight degrees Celsius), and be given to the purchaser:~~

~~(1) in writing;~~

~~(2) as stated on the menu; or~~

~~(3) by visible sign warning.~~

~~(C) In order for an immediate consumer or purchaser, as used in this section, to request or order ground beef to be cooked to a temperature less than one hundred fifty-five degrees Fahrenheit (sixty-eight degrees Celsius), the individual must be eighteen years of age or older.~~

~~Section 44-1-148. Fresh meat or fresh meat products sold to a consumer may not be offered to the public for resale for human consumption if the fresh meat or fresh meat products have been returned by the consumer.~~

Section 44-1-150. (A) ~~Except as provided in Section 44-1-151, a~~A person who after notice violates, disobeys, or refuses, omits, or neglects to comply with a regulation of the Department of Public Health, made by the department pursuant to Section 44-1-140, is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for thirty days.

(B) A person who after notice violates a rule, regulation, permit, permit condition, final determination, or order of the department issued pursuant to Section 44-1-140 is subject to a civil penalty not to exceed one thousand dollars a day for each violation.

(C) Fines collected pursuant to subsection (B) must be remitted by the department to the State Treasurer for deposit in the state general fund.

(D) The term "notice" as used in this section means either actual notice or constructive notice.

~~(E) Reserved.~~

Section 44-1-151. Notwithstanding any other provision of law, all shellfish involved in any violation of law, including any regulation, regarding shellfish may be confiscated and disposed of at the discretion of the arresting officer. Any person convicted of a second offense of harvesting shellfish in any polluted area shall, upon such conviction, be fined not less than two hundred dollars and not more than five hundred dollars or imprisoned for not less than thirty days and not more than sixty days. Any person convicted of a third or subsequent offense of harvesting shellfish in any polluted area shall, upon such conviction, be fined not less than five hundred dollars and not more than one thousand or imprisoned for not less than sixty days and not more than ninety days. All equipment, including, but not limited to, vehicles, boats, motors, trailers, harvesting equipment, weapons, spotlights, bags, boxes, or tools, used or in any other manner involved in a first offense of harvesting shellfish in any polluted area may be impounded at the discretion of the arresting officer. The equipment impounded shall be delivered to the sheriff of the county in which the arrest was made and shall be retained by the sheriff. Such equipment may not be returned to the owner until the case has been finally disposed of. All equipment, including, but not limited to, vehicles, boats, motors, trailers, harvesting equipment, weapons, spotlights, bags, boxes, or tools, used or in any other manner involved in a second, third, or subsequent offense of harvesting shellfish

in any polluted area shall be confiscated. All such confiscated equipment shall be sold at auction by the sheriff of the county in which such second, third, or subsequent offense took place and by a representative of the State Department of ~~Health and~~ Environmental ~~Control~~Services, except for weapons, which, following confiscation, shall be disposed of in the manner set forth in Sections 16-23-50, 16-23-460, and 16-23-500.

Section 44-1-152. Notwithstanding any other provision of law, all revenue from any fine or any forfeiture of bond for any violation of any shellfish law or regulation provided by this title must be deposited monthly with the treasurer of the county in which the arrest for such violation was made. One-third of such revenue must be retained by the county treasurer to be used for the general operating needs of the county pursuant to the direction of the governing body of the county. Two-thirds of such revenue must be remitted quarterly to the state Department of ~~Health and~~ Environmental ~~Control~~ Services of which one-half is to be used in enforcing shellfish laws and regulations and one-half of such revenue must be remitted quarterly to the state's general fund. All monies derived from auction sales of confiscated equipment pursuant to Section 44-1-151 must be deposited, retained, remitted, and used in the same manner as provided in this section for all revenue derived from any fine or any violation of any shellfish law or regulation. A report of fines or forfeitures of bonds regarding shellfish violations must be sent to the state Department of ~~Health and~~ Environmental ~~Control~~ Services monthly by each magistrate and clerk of court in this State. A report of monies derived from auction of sales of confiscated equipment must be sent to the state Department of ~~Health and~~ Environmental ~~Control~~ Services monthly by each sheriff.

Section 44-1-155. When any person is apprehended by a shellfish patrolman upon a charge of violating the health and sanitary aspects of shellfish, crab and shrimp laws or regulations, such person upon being served with a summons by the patrolman may in lieu of being immediately brought before the proper judicial officer enter into a formal recognizance or deposit a proper sum of money in lieu of a recognizance or incarceration with the patrolman as bail which shall be not less than the minimum nor more than the maximum fine, but in no case to exceed one hundred dollars. The bail shall be turned over to the proper judicial officer. A receipt for the sum so deposited shall be given to the person by the patrolman. The summons duly served shall give the judicial officer jurisdiction to dispose of the matter. Upon receipt of bail the patrolman shall release the person so charged and he may appear in court at the time stated in and required by the summons.

Section 44-1-160. Nothing contained in Section 44-1-140 shall in any way abridge or limit the right of any person to maintain or prosecute any proceedings, civil or criminal, against a person maintaining a nuisance.

Section 44-1-165. (A) There is established within the Department of ~~Health and~~ Environmental ~~Control~~ Services the Expedited Review Program to provide an expedited process for permit application review. Participation in this program is voluntary and the program must be supported by expedited review fees promulgated in regulation pursuant to subsection (B)(1). The department shall determine the project applications to review, and the process may be applied to any one or all of the permit programs administered by the department.

(B)(1) ~~Before January 1, 2009, the~~The department shall promulgate regulations necessary to carry out the provisions of this section. The regulations shall include, but are not limited to, definitions of "completeness" for applications submitted, consideration of joint federal- state permitting activities, standards for applications submitted that advance environmental protection, and expedited process application review fees.

(2) Regulations promulgated pursuant to this section must not alter public notice requirements for any permits, certifications, or licenses issued by the department.

(C) Until such time as regulations are promulgated pursuant to subsection (B), the department shall conduct a pilot expedited review program to determine the most environmentally sound, cost efficient, and economically beneficial process for implementation of a statewide expedited review program. The department shall determine which permit programs, or subcomponents of a program, to include in the pilot program and also may establish pilot program expedited process application fees.

(D) There is created the Expedited Review Fund that is separate and distinct from the general fund of the State and all other funds. Fees established in regulation pursuant to subsection (B)(1) ~~and assessed pursuant to subsection (C)~~ must be credited to the fund and used for the costs of implementing the expedited review program. Interest accruing to the fund must be retained by the fund and used for the same purposes. Revenue in the fund not expended during a fiscal year~~, including fees generated pursuant to subsection (C),~~ must be carried forward to the succeeding fiscal year and must be used for the same purposes.

~~(E) No later than January 1, 2008, the department shall report to the Board of Health and Environmental Control the department's findings on~~

~~the implementation of the pilot expedited review program provided for in subsection (C).~~

Section 44-1-170. The Department of Public Health ~~and Environmental Control~~ may direct and supervise the action of the local boards of health in incorporated cities and towns and in all townships in all matters pertaining to such local boards.

Section 44-1-180. The Department of Public Health ~~and Environmental Control~~ may establish charges for maintenance and medical care for all persons served in State health centers and other health facilities under the jurisdiction of the ~~Department~~ department and by personnel of the ~~Department~~ department and of the health units under its jurisdiction in homes and any other places where health services are needed. The terms "medical care" and "health services" include the services of physicians, dentists, optometrists, nurses, sanitarians, physical therapists, medical social workers, occupational therapists, health aides, speech therapists, X-ray technologists, dietitians, nutritionists, laboratory technicians, and other professional and subprofessional health workers. The charges, which may be adjusted from time to time, shall be reasonable and based on the total costs of the services rendered, including operating costs, depreciation costs, and all other elements of costs.

Section 44-1-190. The Department of Public Health ~~and Environmental Control~~ shall make such investigations as it deems necessary to determine which persons or which of the parents, guardians, trustees, committees or other persons or agencies legally responsible therefor are financially able to pay the expenses of the care and treatment, and may contract with any person or agency for the care and treatment of any person to the extent permitted by the resources available to the ~~Department~~department. The ~~Department~~ department may require any county or State agency to furnish information which would be helpful to it in making the investigations. In arriving at the amount to be charged, the ~~Department~~ department shall have due regard for the financial condition and estate of the person, his present and future needs and the present and future needs of his lawful dependents, and whenever considered necessary to protect him or his dependents, may agree to accept a sum less than the actual cost of services. No person shall be deprived of available health services solely because of inability to pay. No fees shall be charged for services which in the judgment of the ~~Department~~ department should be made freely available in order to protect and promote the public health.

Section 44-1-200. The Department of Public Health ~~and Environmental Control~~ may provide home health services to those persons living in areas of the State in which adequate home health services are not available and may charge fees for such services. Home health services shall include care of the ill and disabled rendered at home including, but not limited to, bedside care, treatment and rehabilitation services. In order that it may provide such services, the department may employ the necessary personnel, including nurses, physical therapists, speech therapists, occupational therapists, medical social workers, home health aides, nutritionists, and supervisory personnel, and may purchase equipment and materials necessary to maintain an effective program. The ~~Department~~ department shall, wherever possible, assist and advise nonprofit agencies or associations in the development of home health services programs and may enter into agreements with such agencies or associations specifying the type of assistance and advice it will provide.

Section 44-1-210. All fees and charges collected pursuant to Sections 44-1-180 to 44-1-200, including vital statistics fees as now provided by law, shall be deposited in the State Treasury and shall be used in the operation of the public health program of the bureau, division, district health unit or local county health department which performed the services for which the fees and charges were collected. An annual report shall be made to the State Fiscal Accountability Authority, Executive Budget Office and the Revenue and Fiscal Affairs Office of the receipts and expenditures made under the provisions of Sections 44-1-180 to 44-1-200.

Section 44-1-215. Notwithstanding Section 13-7-85, the Department of ~~Health and~~ Environmental ~~Control~~ Services may retain all funds generated in excess of those funds remitted to the general fund in fiscal year 2000-2001 from fees listed in Regulation R61-64 Title B.

Section 44-1-220. All skilled and intermediate care nursing facilities licensed by the Department of Public Health ~~and Environmental Control~~ shall be required to furnish an item-by-item billing for all charges to the patient or the person paying such bill, upon request by such patient or person. Items which remain unpaid are not required to be itemized again. Such requests for itemized billing shall remain in effect until further notification by the patient or person paying such bill. Provided, that the provision herein shall not apply to the contracted amount of a state or federal agency. Any amount above such contract shall be itemized as provided herein.

Section 44-1-230. The Department of Public Health ~~and Environmental Control~~ shall give consideration to any benefits available

to an individual, including private, group or other insurance benefits, to meet, in whole or in part, the cost of any medical or health services. ~~Such~~ The benefits shall be utilized insofar as possible; ~~–~~provided, ~~-~~however, the availability of ~~such~~ the benefits shall not be the sole basis for determining eligibility for program services of the department. Insurance carriers shall not deny payment of benefits otherwise available to the insured solely on the basis that an individual has applied for, or has been deemed eligible to receive, or has received, services, or on the basis that payments have been made for services by the department.

Section 44-1-260. Upon conducting an early periodic screening, diagnosis, and treatment screening (EPSDT), or another physical examination of a child from which it is determined that the child may benefit from the use of assistive technology, the department or person conducting the screening or examination may refer the child to an appropriate agency for an assistive technology evaluation. For purposes of this section, "assistive technology" means a device or service which is used to increase, maintain, or improve the functional capacities of an individual with a disability. An "assistive technology device" is an item, piece of equipment, or product system, whether acquired commercially, off the shelf, modified, or customized that is used to increase, maintain, or improve the functional capacities of an individual with a disability including, but not limited to, aids for daily living, augmentative communication devices, wheelchairs, and mobility aids, seating and positioning aids, computer aids, environmental controls, home and workplace modifications, prosthetics and orthotics, or aids for vision or hearing impairments. An "assistive technology service" is a service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device.

Section 44-1-280. The ~~Board and~~ Department of Public Health ~~and Environmental Control~~ in establishing priorities and funding for programs and services which impact on children and families during the first years of a child's life, within the powers and duties granted to it, must support, as appropriate, the South Carolina First Steps to School Readiness initiative, as established in Title 59, Chapter 152, at the state and local levels.

Section 44-1-290. A corporation or person whose only purpose is furnishing, supplying, marketing, or selling treated effluent for irrigation purposes, shall not be considered a public utility for purposes of Title 58 by virtue of the furnishing, supplying, marketing, or selling of the treated effluent, provided that the effluent has not been permitted for

consumption by the ~~department~~ Department of Environmental Services or other regulatory agency.

Section 44-1-300. The ~~department~~ Department of Agriculture shall not use any funds appropriated or authorized to the department to enforce Regulation 61-25 to the extent that its enforcement would prohibit a church or charitable organization from preparing and serving food to the public on their own premises at not more than one function a month or not more than twelve functions a year.

Section 44-1-310. (A) The Department of Public Health ~~and Environmental Control~~ shall establish a Maternal Morbidity and Mortality Review Committee to review maternal deaths and to develop strategies for the prevention of maternal deaths. The committee must be multidisciplinary and composed of members deemed appropriate by the department. The committee also may review severe maternal morbidity. The department may contract with an external organization to assist in collecting, analyzing, and disseminating maternal mortality information, organizing and convening meetings of the committee, and performing other tasks as may be incident to these activities, including providing the necessary data, information, and resources to ensure successful completion of the ongoing review required by this section.

(B) The State Registrar shall provide the following necessary data from death certificates of women who died within a year of pregnancy to the department staff for review to assist in identifying maternal death information:

(1) name;

(2) date and time of death;

(3) state and county of residence;

(4) date of birth;

(5) marital status;

(6) citizenship status;

(7) United States armed forces veteran status;

(8) educational background;

(9) race and ethnicity;

(10) date and time of injury;

(11) place of injury;

(12) location where injury occurred;

(13) place of death (facility name and/or address);

(14) manner of death;

(15) whether an autopsy was performed and findings available as to the cause of death;

(16) whether tobacco contributed to death;

(17) primary and contributing causes of death.

(C) The State Registrar shall provide the following necessary data from birth certificates or fetal death reports linked to the woman for whom data from the death certificate was provided pursuant to subsection (B), where available, to department staff for review to assist in identifying maternal death information:

(1) medical record number;

(2) date of delivery;

(3) location of event;

(4) name of mother;

(5) mother's date of birth;

(6) mother's race and ethnicity;

(7) mother's pregnancy history;

(8) mother's height and weight;

(9) date of last normal menstrual period;

(10) date of first prenatal visit;

(11) number of prenatal visits;

(12) plurality;

(13) use of WIC during pregnancy;

(14) delivery payment method;

(15) cigarette smoking before and during pregnancy;

(16) risk factors during pregnancy;

(17) infections present or treated during pregnancy;

(18) onset of labor;

(19) obstetric procedures;

(20) characteristics of labor and delivery;

(21) maternal morbidity.

(D) The department must not disclose any information collected under this section that would identify the mother or baby with anyone outside the department, including the committee. Identifying information includes, but may not be limited to, names, addresses more specific than the county of residence, medical record numbers, and dates and times of birth or death.

(E) The department, or its representatives, on behalf of the committee, shall:

(1) extract necessary data elements from death certificates and birth certificates or fetal death reports, as applicable, and provide de-identified information to the committee for its review and consideration;

(2) review and abstract medical records and other relevant data;

(3) contact family members and other affected or involved persons to collect additional data.

(F) The committee shall:

(1) review information and records provided by the department;

(2) determine whether maternal death cases reviewed are pregnancy related, as defined as a death within one year of the pregnancy with a direct or indirect causation related to the pregnancy or postpartum period;

(3) consult with relevant experts to evaluate the records and data;

(4) make determinations regarding the preventability of maternal deaths;

(5) develop recommendations for the prevention of maternal deaths; and

(6) disseminate findings and recommendations pursuant to subsection (J).

(G)(1) Health care providers and pharmacies licensed pursuant to Title 40 shall provide reasonable access to the department and its representatives, on behalf of the committee, to all relevant medical records associated with a case under review by the committee.

(2) A health care provider, health care facility, or pharmacy providing access to medical records pursuant to this subsection are not liable for civil damages or subject to criminal or disciplinary action for good faith efforts in providing the records.

(3) Coroners and law enforcement shall provide reasonable access to the department and its representatives, on behalf of the committee, to all relevant records associated with a case under review by the committee.

(H)(1) Information, records, reports, statements, notes, memoranda, or other data collected pursuant to this section are not admissible as evidence in any action of any kind in any court or before another tribunal, board, agency, or person. The information, records, reports, statements, notes, memoranda, or other data must not be exhibited nor their contents disclosed, in whole or in part, by an officer or a representative of the department or another person, except as necessary for the purpose of furthering the review of the committee of the case to which they relate. A person participating in a review may not disclose the information obtained except in strict conformity with the review project.

(2) All information, records of interviews, written reports, statements, notes, memoranda, or other data obtained by the department, the committee, and other persons, agencies, or organizations authorized by the department pursuant to this section are confidential.

(I)(1) All proceedings and activities of the committee, opinions of members of the committee formed as a result of the proceedings and

activities, and records obtained, created, or maintained pursuant to this section, including records of interviews, written reports, and statements procured by the department or another person, agency, or organization acting jointly or under contract with the department in connection with the requirements of this section, are confidential and are not subject to the provisions of Chapter 4, Title 30 relating to open meetings or public records, or subject to subpoena, discovery or introduction into evidence in any civil or criminal proceeding. However, this section must not be construed to limit or restrict the right to discover or use in any civil or criminal proceeding anything that is available from another source and entirely independent of the committee's proceedings.

(2) Members of the committee must not be questioned in a civil or criminal proceeding regarding the information presented in or opinions formed as a result of a meeting or communication of the committee. However, this section must not be construed to prevent a member of the committee from testifying to information obtained independently of the committee or which is public information.

(J) Reports of aggregated nonindividually identifiable data for the previous calendar year must be compiled and disseminated by March first of the following year in an effort to further study the causes and problems associated with maternal deaths. Reports must be distributed to the General Assembly, the Director of the Department of Public Health ~~and Environmental Control~~, health care providers and facilities, key governmental agencies, and others necessary to reduce the maternal death rate.

(K) Members shall serve without compensation, and are ineligible for the usual mileage, subsistence, and per diem allowed by law for members of state boards, committees, and commissions.

(L) The department shall apply for and use any available federal or private monies to help fund the costs associated with implementing the provisions of this section.

(M) The Executive Office of Health and Policy shall have access to data collected pursuant to Section 44-1-170 as necessary for the execution of the Secretary's duties and in furtherance of the State Health Services Plan. The Executive Office of Health and Policy shall not disclose this data except as provided by law.

Section 44-1-315. (A) For purposes of the section, "impacted location" means any facility issued or otherwise subject to a permit, license, or approval from the North Carolina Department of Environment and Natural Resources that has now been determined to be located within the jurisdiction of the South Carolina Department of ~~Health and~~

Environmental ~~Control~~ Services as a result of the amendments to Section 1-1-10~~, effective January 1, 2017~~.

(B) Notwithstanding any other provision of law, the ~~South Carolina~~ Department of ~~Health and~~ Environmental ~~Control~~Services, in issuing any environmental permit, license, or approval to an impacted location shall provide a schedule of compliance that allows the permittee a reasonable period of time to be no greater than five years to come into compliance with any South Carolina environmental rule, regulation, or standard established by the department or by law that has no corresponding rule, regulation, or standard under North Carolina law or regulation, or is more stringent than the corresponding rule, regulation, or standard established under North Carolina law or regulation. The department may include increments of progress applicable in each year of the schedule established under this subsection, and may shorten the period of compliance as necessary to prevent an imminent threat to the public health and environment. The department may extend a permittee's compliance schedule under this section beyond five years upon written application by the permittee only if the department determines that circumstances reasonably require such an extension, and the extension of time would pose no threat to public health or the environment.

SECTION X. Chapter 6, Title 44 of the S.C. Code is amended to read:

CHAPTER 6

Department of Health ~~and Human Services~~Financing

Article 1

General Provisions

Section 44-6-5. As used in this chapter:

(1) "Department" means the ~~State~~ Department of Health Financing ~~and Human Services~~.

(2) "Office" means the Revenue and Fiscal Affairs Office.

(3) "Costs of medical education" means the direct and indirect teaching costs as defined under Medicare.

(4) "Market basket index" means the index used by the federal government on January 1, 1986, to measure the inflation in hospital input prices for Medicare reimbursement. If that measure ceases to be calculated in the same manner, the market basket index must be developed and regulations must be promulgated by the ~~commission~~ department using substantially the same methodology as the federal market basket uses on January 1, 1986. Prior to submitting the regulations concerning the index to the General Assembly for approval pursuant to the Administrative Procedures Act, the department shall

submit them to the Health Care Planning and Oversight Committee for review.

(5) "Medically indigent" means:

(a) all persons whose gross family income and size falls at or below the federal Community Service Administration guidelines and who meet certain qualifying criteria regarding real property allowance, qualifying services, residency requirements, and other sponsorship, and migrant or seasonal farm workers who have no established domicile in any state; and

(b) all persons whose gross family income and size falls between one hundred percent and two hundred percent of the Community Service Administration guidelines who meet certain other qualifying criteria regarding real property allowance, qualifying services, residency requirements, and other sponsorship and whose medical bill is sufficiently large in relation to their income and resources to preclude full payment. For the purposes of this definition, the qualifying criteria for real property allowance shall permit ownership of up to fifty acres of farmland upon which the family has resided for at least twenty-five years.

(6) "Net inpatient charges" means the total gross inpatient charges, minus the unreimbursed cost of medical education and the unreimbursed cost of providing medical care to medically indigent persons. The cost of care provided by a hospital to meet its Hill-Burton obligation is not considered an unreimbursed cost of providing medical care to medically indigent persons.

(7) "Secretary" means the Secretary of Health and Policy.

~~(7)~~(8) "South Carolina growth index" means the percentage points added to the market basket index to adjust for the South Carolina specific experience. ~~The Health Care Planning and Oversight Committee shall complete a study which identifies and quantifies those elements which should be included in the growth index.~~ The index's elements may include, but are not limited to: population increases, aging of the population, changes in the type and intensity of hospital services, technological advances, the cost of hospital care in South Carolina relative to the rest of the nation, and needed improvements in the health status of state residents. ~~Based on the study, the~~The department shall develop and promulgate regulations for the annual computation of the growth index. ~~Prior to submitting the regulations concerning the index to the General Assembly for approval pursuant to the Administrative Procedures Act, the department shall submit them to the Health Care Planning and Oversight Committee for review. Until a formula for~~

~~computing the South Carolina growth index is promulgated, the annual index must be six and six-tenths percent which is equal to the average percentage difference between South Carolina hospital expenditures and the federal market basket index for the previous ten years.~~

~~(8)~~(9) "State resident" means a person who is domiciled in South Carolina. A domicile once established is lost or changes only when one moves to a new locality with the intention of abandoning his old domicile and intends to live permanently or indefinitely in the new locale.

~~(9)~~(10) "Target rate of increase" means the federal market basket index as modified by the South Carolina growth index.

~~(10)~~(11) "General hospital" means any hospital licensed as a general hospital by the Department of Public Health ~~and Environmental Control~~.

Section 44-6-10. There is created the State Department of Health ~~and Human Services~~Financing which shall be headed by a ~~Director~~ director appointed by the ~~Governor~~secretary, upon the advice and consent of the Senate. The director is subject to removal by the ~~Governor~~ secretary pursuant to the provisions of Section ~~1-3-240~~44-12-50(B)(1).

Section 44-6-30. The department shall:

(1) administer Title XIX of the Social Security Act (Medicaid)~~, including the Early Periodic Screening, Diagnostic and Treatment Program, and the Community Long-Term Care System~~;

(2) be designated as the South Carolina Center for Health Statistics to operate the Cooperative Health Statistics Program pursuant to the Public Health Services Act;

(3) administer payments for programs designated by the secretary; and

~~(3)~~(4) be prohibited from engaging in the delivery of services.

Section 44-6-35. In administering home- and community-based waiver programs, the department shall, to the extent possible, maintain the waiver status of an eligible family member of a member of the armed services who maintains his South Carolina state residence, regardless of where the service member is stationed. Consequently, a person on a waiver waiting list would return to the same place on the waiting list when the family returns to South Carolina. Furthermore, the eligible family member previously enrolled in a waiver program and who received active services would be reinstated into the waiver program once Medicaid eligibility is established, upon their return to South Carolina. It is not the intent of this section to authorize services provided outside the South Carolina Medicaid Service Area. These provisions are contingent upon the department receiving federal approval.

Section 44-6-40. For all health and human services interagency programs provided for in this chapter, the department shall have the following duties:

(1) Prepare and approve state and federal plans prior to submission to the appropriate authority as required by law for final approval or for state or federal funding, or both.

Such plans shall be guided by the goal of delivering services to citizens and administering plans in the most effective and efficient ways possible.

(2) Compile and maintain in a unified, concise, and orderly form information concerning programs provided for in this chapter.

(3) Continuously review and evaluate programs to determine the extent to which they:

(a) meet fiscal, administrative, and program objectives; and

(b) are being operated cost effectively.

(4) Evaluate plans and programs in terms of their compatibility with state objectives and priorities giving specific attention to areas outlined in Section 44-6-70.

(5) Formulate for consideration and promulgation criteria, standards, and procedures that ensure assigned programs are administered effectively, equitably, and economically and in accordance with statewide policies and priorities.

(6) Inform the ~~Governor~~ secretary and the General Assembly as to the effectiveness of the criteria, standards, and procedures promulgated pursuant to item (5) of this section.

(7) ~~Develop in conjunction with other state agencies~~Cooperate with the secretary concerning the development of an information system to provide data on comparative client and fiscal information needed for programs.

(8) Develop a mechanism for local planning.

(9) ~~Obtain from participating state agencies~~Coordinate with the secretary concerning the development of information considered necessary by the department to perform duties assigned to the department.

Section 44-6-45. The ~~State Department of Health and Human Services~~department may collect administrative fees associated with accounts receivable for those individuals or entities which negotiate repayment to the agency. The administrative fee may not exceed one and one-half percent of the amounts negotiated and must be remitted to the State Treasurer and deposited to the credit of the general fund of the State.

Section 44-6-50. In carrying out the duties provided for in Section 44-6-30 the department shall:

(1) Contract for health and human services eligibility determination with performance standards regarding quality control as required by law or regulation.

(2) Contract for operation of certified Medicaid management information claims processing system. ~~For the first year of its operation it shall contract for such system with the Department of Social Services.~~

(3) Contract for other operational components of programs administered under this chapter as considered appropriate.

(4) Monitor and evaluate all contractual services authorized pursuant to this chapter to assure effective performance. Any contract entered into under the provisions of this chapter must be in accordance with the provisions of the South Carolina Consolidated Procurement Code.

(5) Establish a procedure whereby inquiries from members of the General Assembly concerning the department's work and responsibility shall be answered as expeditiously and definitely as possible in coordination with the secretary.

Section 44-6-70. A state plan must be prepared by the department for each program assigned to it and the department must also prepare resource allocation recommendations based on such plans. The resource allocation recommendations must be approved pursuant to state and federal law. The state plans must address state policy and priority areas of service with specific attention to the following objectives:

(a) Prevention measures as addressed in health and human services programs.

(b) Achievement of a balanced health care delivery system assuring that regulations, coverage, and reimbursement policies assure that while the most appropriate care is given, tailored to the client's needs, it is delivered in the most cost-effective manner.

(c) Simplification of paperwork requirements.

(d) Achievement of optimum cost effectiveness in administration and delivery of services provided quality of care is assured.

(e) Improvement of effectiveness of ~~third party~~third-party reimbursement efforts.

(f) Assurance of maximum utilization of private and nonprofit providers in administration and service delivery systems, provided quality of care is assured.

(g) Encouragement of structured volunteer programs in administration and service delivery.

Section 44-6-80. (A) The department must submit to the ~~Governor~~secretary~~, the State Fiscal Accountability Authority, Revenue and Fiscal Affairs Office, and the Executive Budget Office, and the General Assembly~~ an annual report concerning the work of the department including details on improvements in the cost effectiveness achieved since the enactment of this chapter and must recommend changes for further improvements.

(B) Interim reports must be submitted as needed to advise the Governor and the General Assembly of substantive issues.

Section 44-6-90. (A) The department may promulgate regulations to carry out its duties. The secretary must approve regulations promulgated pursuant to this section prior to their submission.

(B) All state and local agencies whose responsibilities include administration or delivery of services which are covered by this chapter shall cooperate with the department and comply with its regulations.

Section 44-6-100. (A) The department employees shall have such general duties and receive such compensation as determined by the director, with the authority provided by the secretary. The director shall be responsible for administration of state personnel policies and general ~~department~~ personnel policies established by the Executive Office of Health and Policy. The director shall have sole authority to employ and discharge employees subject to such personnel policies and funding available for that purpose.

(B) In all instances, the director shall serve as the chief administrative officer of the department and shall have the responsibility of executing policies, directives, and actions of the department either personally or by issuing appropriate directives to the employees.

(C) The goal of the provisions of this section is to ensure that the department's business is conducted according to sound administrative practice~~, without unnecessary interference with its internal affairs.~~ Public officers and employees shall be guided by this goal and comply with these provisions.

Section 44-6-110. A Medicaid provider, outside of the geographical boundary of South Carolina but within the South Carolina Medicaid Service Area, as defined by R. 126-300(B) of the Code of State Regulations, prior to the effective date of the amendments to Section 1-1-10, which are effective January 1, 2017, shall not lose status as a Medicaid provider as a result of the clarification of the South Carolina-North Carolina border.

Section 44-6-115. (A) Pharmacy services are a benefit under South Carolina Medicaid, subject to approval by the federal Centers for

Medicare and Medicaid Services. The department shall establish a fee schedule for the list of pharmacy services.

(B)(1) The following services are covered pharmacy services that may be provided to a Medicaid beneficiary:

(a) dispensing self-administered hormonal contraceptives, as outlined and authorized in Section 40-43-230; and

(b) administering injectable hormonal contraceptives, as outlined and authorized in Section 40-43-230.

(2) Covered pharmacy services shall be subject to department protocols and utilization controls.

(C) A pharmacist shall be enrolled as an ordering, referring, and dispensing provider under the Medicaid program prior to rendering a pharmacist service that is submitted by a Medicaid pharmacy provider for reimbursement pursuant to this section.

(D) The director of the department shall seek any necessary federal approvals to implement this section. This section shall not be implemented until the necessary federal approvals are obtained and shall be implemented only to the extent that federal financial participation is available.

(E) This section does not restrict or prohibit any services currently provided by pharmacists as authorized by law including, but not limited to, this chapter or the Medicaid state plan.

Article 2

Medically Indigent Assistance Act

Section 44-6-132. The General Assembly finds that:

(1) There are citizens who cannot afford to pay for hospital care because of inadequate financial resources or catastrophic medical expenses.

(2) Rising health care costs and the growth of the medically indigent population have increased the strains on the health care system with a growing burden on the hospital industry, health insurance companies, and paying patients.

(3) This burden has affected businesses, which are large purchasers of health care services through employee insurance benefits, and taxpayers in counties which support public hospitals, and it causes the cost of services provided to paying patients to increase in a manner unrelated to the actual cost of services delivered to them.

(4) Hospitals which provide the bulk of unreimbursed services cannot compete economically with hospitals which provide relatively little care to indigent persons.

(5) Because of the complexity of the health care system, any effort to resolve the problem of paying for care for medically indigent persons must be multifaceted and shall include at least four general principles:

(a) Funds must be made available to assure continued access to quality health care for medically indigent patients.

(b) Cost containment measures and competitive incentives must be placed into the health care system along with the additional funds.

(c) The cost of providing indigent care must be equitably borne by the State, the counties, and the providers of care.

(d) State residents must be guaranteed access to emergency medical care regardless of their ability to pay or county of residence.

It is the intent of the General Assembly to:

(1) assure care for the largest possible number of its medically indigent citizens within funds available by:

(a) expanding the number of persons eligible for Medicaid services, using additional state and county funds to take advantage of matching federal funds;

(b) creating a fund based on provider and local government contributions to provide medical assistance to those citizens who do not qualify for Medicaid or any other government assistance and who do not have the means to pay for hospital care; and

(c) mandating access to emergency medical care for all state residents in need of the care;

(2) Provide incentives for cost containment to providers of care to indigent patients by implementing a prospective payment system in the Medicaid and Medically Indigent Assistance Fund programs;

(3) monitor efforts to foster competition in the health care market place while being prepared to make adjustments in the system through regulatory intervention if needed;

(4) promote market reforms, as the single largest employer in the State, by structuring its health insurance program to encourage healthy lifestyles and prudent use of medical services; and

(5) reduce where possible or maintain the current rate schedules of hospitals to keep costs from escalating.

Section 44-6-135. The following sections shall be known and may be cited as the "South Carolina Medically Indigent Assistance Act".

Section 44-6-140. (A) To provide cost containment incentives for providers of care to Medicaid recipients, the department shall convert the Medicaid hospital reimbursement system from a retrospective payment system to a prospective payment system ~~by October 1, 1985~~. The

prospective payment system includes, at a minimum, the following elements:

(1) a maximum allowable payment amount established for individual hospital products, services, patient diagnoses, patient day, patient admission, or per patient, or any combination thereof. This payment must be based on hospital costs rather than hospital charges and must be adjusted at least every two years to reflect the most recent audited cost data available. The department shall set by regulation those circumstances under which a hospital may seek an exception. The maximum allowable payment amount must be weighted to allow for the costs of medical education and primary, secondary, or tertiary care considerations;

(2) payment on a timely basis to the hospital by the ~~commission~~ department or patient or both, of the maximum allowable payment amount determined by the ~~commission; and~~department; and

(3) acceptance by the hospital of the maximum payment amount as payment in full, which includes any deductible or copayment provided for in the state Medicaid program.

(B)(1) The department shall at the same time implement other cost containment measures which include, but are not limited to:

~~(1)~~(a) utilization reviews for appropriateness of treatment and length of stay;

~~(2)~~(b) preadmission certification of nonemergency admissions;

~~(3)~~(c) mandatory outpatient surgery in appropriate cases;

~~(4)~~(d) a second surgical opinion pilot study; and

~~(5)~~(e) procedures for encouraging the use of outpatient services.

(2) The department, to the fullest extent possible, shall utilize information required in this subsection in the form hospitals are presently submitting the information to other governmental agencies or in the form hospitals are presently utilizing the information within the hospital.

Section 44-6-146. (A) Every fiscal year the State Treasurer shall withhold from the portion of the Local Government Fund allotted to the counties a sum equal to fifty cents per capita based on the population of the several counties as shown by the latest official census of the United States. The money withheld by the State Treasurer must be placed to the credit of the ~~commission~~ department and used to provide Title XIX (Medicaid) services.

(B)(1) County governments are assessed an additional thirteen million dollars annually for use as matching funds for Medicaid services. Of these funds, seven and a half million dollars must be deposited into the Medicaid Expansion Fund created by Section 44-6-155.

(2)The department shall assess each county its share of the thirteen million dollars based on a formula which equally weighs the following factors in each county: property value, personal income, net taxable sales, and the previous two years of claims against the medically indigent assistance fund or program against county residents. If a trust fund has been established in a county to fund indigent care in the county, contributions on behalf of the county must be credited against the county assessment.

(C)(1) Within thirty days of the first day of the state's fiscal year, and on the first day of the other three quarters, each county shall remit one-fourth of its total assessment to the department. The department shall allow a brief grace period during which late payments are not subject to interest or penalty.

(2) Any county which fails to pay its assessment within the time allotted must pay, in addition to the assessment, a penalty of five percent of the assessment and interest at one and one-half percent per month from the date the assessment was originally due to the date of the payment of the assessment and penalty. The department may in its discretion waive or reduce the penalty or interest or any part thereof.

Section 44-6-150. (A)(1) There is created the South Carolina Medically Indigent Assistance Program administered by the department. The program is authorized to sponsor inpatient hospital care for which hospitals shall receive no reimbursement. A general hospital equipped to provide the necessary treatment shall:

~~(1)~~(a) admit a patient sponsored by the program; and

~~(2)~~(b) accept the transfer of a patient sponsored by the program from a hospital which is not equipped to provide the necessary treatment.

(2) In addition to or in lieu of an action taken affecting the license of the hospital, when it is established that an officer, employee, or member of the hospital medical staff has violated this section, the South Carolina Department of Public Health ~~and Environmental Control~~ shall require the hospital to pay a civil penalty of up to ten thousand dollars.

(B) Hospital charges for patients sponsored by the Medically Indigent Assistance Program must be reported to the Revenue and Fiscal Affairs Office pursuant to Section 44-6-170.

(C) In administering the Medically Indigent Assistance Program, the department shall determine:

(1) the method of administration including the specific procedures and materials to be used statewide in determining eligibility for the program;

(a) In a nonemergency, the patient shall submit the necessary documentation to the patient's county of residence or its designee to determine eligibility before admission to the hospital.

(b) In an emergency, the hospital shall admit the patient pursuant to Section 44-7-260. If a hospital holds the patient financially responsible for all or a portion of the inpatient hospital bill, and if the hospital determines that the patient could be eligible for the program, it shall forward the necessary documentation along with the patient's bill and other supporting information to the patient's county of residence or its designee for processing. A county may request that all hospital bills incurred by its residents sponsored by the program be submitted to the county or its designee for review.

(2) the population to be served, including eligibility criteria based on family income and resources. Eligibility is determined on an episodic basis for a given spell of illness. Eligibility criteria must be uniform statewide and may include only those persons who meet the program's definition of medically indigent;

(3) the health care services covered;

(4) a process by which an eligibility determination can be contested and appealed; and

(5) the program may not sponsor a patient until all other means of paying for or providing services have been exhausted. This includes Medicaid, Medicare, health insurance, employee benefit plans, or other persons or agencies required by law to provide medical care for the person. Hospitals may require eligible patients whose gross family income is between one hundred percent and two hundred percent of the federal poverty guidelines, to make a copayment based on a sliding payment scale developed by the department based on income and family size.

(D) Nothing in this section may be construed as relieving hospitals of their Hill-Burton obligation to provide unreimbursed medical care to indigent persons.

Section 44-6-155. (A) There is created the Medicaid Expansion Fund into which must be deposited funds:

(1) collected pursuant to Section 44-6-146;

(2) collected pursuant to Section 12-23-~~810; and~~810; and

(3) appropriated pursuant to subsection (B).

This fund must be separate and distinct from the general fund. These funds are supplementary and may not be used to replace general funds appropriated by the General Assembly or other funds used to support Medicaid. These funds and the programs specified in subsection (C) are

exempt from any budgetary cuts, reductions, or eliminations caused by the lack of general fund revenues. Earnings on investments from this fund must remain part of the separate fund and must not be deposited in the general fund.

(B) The department shall estimate the amount of federal matching funds which will be spent in the State during the next fiscal year due to the changes in Medicaid authorized by subsection (C). Based on this estimate, the General Assembly shall appropriate to the Medicaid Expansion Fund state funds equal to the additional state revenue generated by the expenditure of these federal funds.

(C) Monies in the fund must be used to:

(1) provide Medicaid coverage to pregnant women and infants with family incomes above one hundred percent but below one hundred eighty-five percent of the federal poverty guidelines;

(2) provide Medicaid coverage to children aged one through six with family income below federal poverty guidelines;

(3) provide Medicaid coverage to aged and disabled persons with family income below federal poverty guidelines;

~~(4) [reserved];~~

~~(5) [reserved];~~

~~(6) [reserved];~~

~~(7)~~(4) provide up to two hundred forty thousand dollars to reimburse the Revenue and Fiscal Affairs Office and hospitals for the cost of collecting and reporting data pursuant to Section 44-6-170~~;~~.

~~(8) [reserved].~~

(D) Any funds not expended for the purposes specified in subsection (C) during a given year are carried forward to the succeeding year for the same purposes.

Section 44-6-160. (A) By August first of each year, the department shall compute and publish the annual target rate of increase for net inpatient charges for all general hospitals in the State. The target rate of increase will be established for a twelve-month period from October first through September thirtieth of the following year. Once established, the target rate of increase must not be amended during the year except as provided in subsection (B) of this section. The department shall monitor the performance of the hospital industry to contain costs, specifically as evidenced by the annual rate of growth of net inpatient charges. If the department determines that the annual rate of increase in net inpatient charges for the hospital industry has exceeded the target rate of increase established for that year, the department shall appoint an expert panel for the purpose of analyzing the financial reports of each hospital whose net

inpatient charges exceeded the target rate of increase. The panel's review shall take into consideration service volume, intensity of care, and new services or facilities. The panel shall consist of at least three members who have broad experience, training, and education in the field of health economics or health care finance. The panel shall report its findings and recommendations, including recommended penalties or sanctions, to the department. The department shall decide what, if any, penalty it will impose within three months of receiving all necessary data.

(B) The department may impose penalties or sanctions it considers appropriate. Penalties must be prospective. Financial penalties are limited to a reduction in a hospital's target rate of increase for the following year. Any reduction in a hospital's target rate of increase for the next year must not be greater than the amount the hospital exceeded the industry's target rate of increase for the previous year. Once a hospital is sanctioned, it must be reviewed annually until it succeeds in remaining below its target rate of increase.

Section 44-6-170. (A) As used in this section:

(1) "Office" means the Revenue and Fiscal Affairs Office.

(2) "Council" means the Data Oversight Council.

~~(3) "Committee" means the Joint Legislative Health Care Planning and Oversight Committee.~~

(B) There is established the Data Oversight Council. The members enumerated in items (1) through (10) must be appointed by the secretary and shall serve at the secretary's pleasure. The remaining members shall serve ex-officio. The secretary shall appoint one of the members to serve as chairman. The office shall provide staff assistance to the council. The council shall be comprised of:

(1) one hospital administrator;

(2) the chief executive officer or designee of the South Carolina Hospital Association;

(3) one physician;

(4) the chief executive officer or designee of the South Carolina Medical Association;

(5) one representative of major third-party health care payers;

(6) one representative of the managed health care industry;

(7) one nursing home administrator;

(8) three representatives of nonhealth care-related businesses;

(9) one representative of a nonhealth care-related business of less than one hundred employees;

(10) the executive vice president or designee of the South Carolina Chamber of Commerce;

(11) a member of the Governor's office staff;

(12) the director or his designee of the South Carolina Department of Public Health ~~and Environmental Control~~;

(13) the executive director or his designee of the State Department of Health Financing.~~and Human Services~~

~~The members enumerated in items (1) through (10) must be appointed by the Governor for three-year terms and until their successors are appointed and qualify; the remaining members serve ex officio. The Governor shall appoint one of the members to serve as chairman. The office shall provide staff assistance to the council.~~

(C) The duties of the council are to:

(1) make periodic recommendations to the ~~committee and the General Assembly~~secretary concerning the collection and release of health care-related data by the State which the council considers necessary to assist in the formation of health care policy in the State;

(2) convene expert panels as necessary to assist in developing recommendations for the collection and release of health care-related data;

(3) approve all regulations for the collection and release of health care-related data to be promulgated by the office;

(4) approve release of health care-related data consistent with regulations promulgated by the office;

(5) recommend to the office appropriate dissemination of health care-related data reports, training of personnel, and use of health care-related data.

(D) The office, with the approval of the council, shall promulgate regulations in accordance with the Administrative Procedures Act regarding the collection of inpatient and outpatient information. No data may be released by the office except in a format recommended by the council and consistent with regulations. Before the office releases provider identifiable data the office must determine that the data to be released is for purposes consistent with the regulations as promulgated by the office and the release must be approved by the council and the committee. Provided, however, committee approval of the release is not necessary if the data elements and format in the release are substantially similar to releases or standardized reports previously approved by the committee. The council shall make periodic recommendations to the committee and the General Assembly concerning the collection and release of health care-related data by the State. Regulations promulgated by the office mandating the collection of inpatient or outpatient data apply to every provider or insurer affected by the regulation regardless

of how the data is collected by the provider or insurer. Every effort must be made to utilize existing data sources.

(E) Information may be required to be produced only with respect to admissions of and treatment to patients after the effective date of the regulations implementing this section, except that data with respect to the medical history of the patient reasonably necessary to evaluation of the admission of and treatment to the patient may be required.

(F) The office shall convene a Health Data Analysis Task Force composed of technical representatives of universities and other private sector and public agencies including, but not limited to, health care providers and insurers to make recommendations to the council concerning types of analyses needed to carry out this section.

(G)(1) All general acute care hospitals and specialized hospitals including, but not limited to, psychiatric hospitals, alcohol and substance ~~abuse~~ use hospitals, and rehabilitation hospitals shall provide inpatient and financial information to the office as set forth in regulations.

(2) All hospital-based and freestanding ambulatory surgical facilities as defined in Section 44-7-130, hospital emergency rooms licensed under Chapter 7, Article 3, and any health care setting which provides on an outpatient basis radiation therapy, cardiac catherizations, lithotripsy, magnetic resonance imaging, and positron emission therapy shall provide outpatient information to the office as set forth in the regulation. Other providers offering services with equipment requiring a Certificate of Need shall provide outpatient information to the office. Additionally, licensed home health agencies shall provide outpatient information to the office as set forth in the regulation.

(3) Release must be made no less than semiannually of the patient medical record information specified in regulation to the submitting hospital and other information specified in regulation to the hospital's designee. However, the hospital's designee must not have access to patient identifiable data.

(H) If a provider fails to submit the health care data as required by this section or regulations promulgated pursuant to this section, the office may assess a civil fine of up to five thousand dollars for each violation, but the total fine may not exceed ten thousand dollars.

(I) A person, as defined in Section 44-7-130, seeking to collect health care data or information for a registry shall coordinate with the office to utilize existing data collection formats as provided for by the office and consistent with regulations promulgated by the office. With the exception of information that may be obtained from the Office of Vital Records, Department of Public Health ~~and Environmental Control~~, in

accordance with Section 44-63-20 and Regulation 61-19 and disease information required to be reported to the Department of Health and Environmental Control under Sections 44-29-10, 44-29-70, and 44-31-10 and Regulations 61-20 and 61-21 and notwithstanding any other provision of law, no hospital or health care facility or health care professional required by this section to submit health care data is required to submit data to a registry which has not complied with this section.

(J) The Executive Office of Health and Policy shall have access to data collected pursuant to Section 44-6-170 as necessary for the secretary to execute the duties of his office and in furtherance of the State Health Services Plan. The Executive Office of Health and Policy shall not disclose this date except as permitted by law.

Section 44-6-180. (A) Patient records received by counties, the department, or other entities involved in the administration of the program created pursuant to Section 44-6-150 are confidential. Patient records gathered pursuant to Section 44-6-170 are also confidential. The Revenue and Fiscal Affairs Office shall use patient-identifiable data collected pursuant to Section 44-6-170 for the purpose of linking various data bases to carry out the purposes of Section 44-6-170. Linked data files must be made available to those agencies providing data files for linkage. No agency receiving patient-identifiable data collected pursuant to Section 44-6-170 may release this data in a manner such that an individual patient or provider may be identified except as provided in Section 44-6-170. Nothing in this section may be construed to limit access by a submitting provider or its designee to that provider's information.

(B) A person violating this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than one year, or both.

Section 44-6-190. (A) The department may promulgate regulations pursuant to the Administrative Procedures Act. Appeals from decisions by the department are heard pursuant to the Administrative Procedures Act, Administrative Law Judge, Article 5, Chapter 23 of Title 1 of the 1976 Code.

(B) The department shall promulgate regulations to comply with federal requirements to limit the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of the Medicaid program.

(C) The Secretary of Health and Policy must approve these regulations prior to their submission to the General Assembly.

Section 44-6-200. (A) A person who commits a material falsification of information required to determine eligibility for the Medically Indigent Assistance Program is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned for not more than one year, or both.

(B) Unless otherwise specified in this chapter, an individual or facility violating this chapter or a regulation under this chapter is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars for the first offense and not more than five thousand dollars for a subsequent offense.

Section 44-6-220. All applications for admission to a nursing home must contain a notice, to be signed by the applicant, stating:

"Eligibility for Medicaid-sponsored long-term care services is based on income and medical necessity. To qualify for assistance through the Medicaid program, a nursing home patient must need intermediate or skilled nursing care as determined through an assessment conducted by Medicaid program staff. The fact that a patient has already been admitted to a nursing home is not considered in this determination. It is possible that a patient could exhaust all other means of paying for nursing home care and meet Medicaid income criteria but still be denied assistance due to the lack of medical necessity.

It is recommended that all persons seeking admission to a nursing home be assessed by the Medicaid program prior to admission. This assessment will provide information about the level of care needed and the viability of community services as an alternative to admission. The department may charge a fee, not to exceed the cost of the assessment, to persons not eligible for Medicaid-sponsored long-term care services."

~~Article 3~~

~~Child Development Services [Repealed]~~

Article 4

Intermediate Sanctions for Medicaid Certified Nursing Home Act

Section 44-6-400. As used in this article:

(1) "Department" means the Department of Health ~~and Human Services~~Financing.

(2) "Nursing home" means a facility subject to licensure as a nursing home by the Department of Public Health ~~and Environmental Control~~ and subject to the permit provisions of Article 2, Chapter 7 of Title 44 and which has been certified for participation in the Medicaid program or has been dually certified for participation in the Medicaid and Medicare programs.

(3) "Resident" means a person who resides or resided in a nursing home during a period of an alleged violation.

(4) "Survey agency" means the South Carolina Department of Public Health ~~and Environmental Control~~ or any other agency designated to conduct compliance surveys of nursing facilities participating in the Title XIX (Medicaid) program.

Section 44-6-420. (A) When the department is notified by the survey agency that a nursing home is in violation of one or more of the requirements for participation in the Medicaid program, it may take enforcement action as follows:

(1) if the nursing home is dually certified for participation in both the Medicare and Medicaid programs, the department shall coordinate any enforcement action with federal authorities and shall defer to the actions of these federal authorities to the extent required by federal statute or regulation;

(2) if the nursing home is only certified for participation in the Medicaid program and is not certified for participation in the Medicare program, the department may take any enforcement action authorized under federal statute or regulation that would have been available for use by federal authorities if the nursing home had been dually certified;

(B) Any enforcement actions taken solely by the department under item (A)(2) must be proportionate to the scope and severity of the violations and also shall take into account the factors considered by federal authorities in similar enforcement actions. Dually certified nursing homes and nursing homes only certified for participation in the Medicaid program must be subjected to comparable enforcement actions for comparable violations.

Section 44-6-470. Any use of funds collected by the department as a result of the imposition of civil monetary penalties or other enforcement actions must be for a purpose related to the protection of the health and property of residents of nursing homes that participate in the Medicaid program. These funds may be used for the cost of relocating residents to other nursing homes, if necessary, and also may be used to reimburse residents for personal funds lost as a result of violations of the requirements for participation in the Medicaid program by the nursing home. In addition, these funds may be used for other costs directly associated with enforcement or corrective measures at facilities found to be out of compliance with the requirements for participation in the Medicaid program or for any other purpose that enhances or improves the health and quality of life for residents. These requirements for the use of funds collected also apply to funds received by the department that

are collected as the result of enforcement actions directed by federal authorities.

Section 44-6-530. Before instituting an action under this article, the Department of Health ~~and Human Services~~Financing shall determine if the Secretary of the United States Department of Health and Human Services has jurisdiction under federal law. In such cases, it shall coordinate its efforts with the secretary to maintain an action against the nursing home. In an action against a nursing home owned and operated by the State of South Carolina, the ~~secretary~~ Secretary of the United States Department of Health and Human Services has exclusive jurisdiction.

Section 44-6-540. The department is authorized to promulgate regulations, pursuant to the Administrative Procedures Act, to administer this article, and to ensure compliance with the requirements for participation in the Medicaid program. The Secretary of Health and Policy must approve the regulations prior to their submission to the General Assembly.

Article 6

Trusts and Medicaid Eligibility

Section 44-6-710. If an applicant for Medicaid for nursing home care would be ineligible because a trust established for the applicant was deemed a Medicaid qualifying trust or resources in the trust were deemed an improper transfer of resources, the person's application must be treated as a case of undue hardship under federal law if all of the criteria in Section 44-6-720 are met. For the purposes of this section, 'Medicaid qualifying trust' has the same meaning as set forth in 42 U.S.C. Section 1396a(k).

Section 44-6-720. (A) To be considered for a waiver due to undue hardship, the applicant must meet all other applicable eligibility criteria for assistance. If the federal "transfer of resources" rule set forth in 42 U.S.C. Section 1396p(c), as amended, applies to the applicant, then no undue hardship waiver may be granted until the period of ineligibility has expired. For the purposes of this subsection, the maximum length of ineligibility is extended to sixty months from the date of any improper transfer.

(B) The trust established for the applicant must meet the following criteria:

(1) the applicant's monthly gross income from all sources, without reference to the trust, exceeds the income eligibility standard for Medicaid then in effect but is less than the average private pay rate for nursing home care for the State;

(2) the property used to fund the trust is limited to monthly unearned income owned by the applicant, including any pension payment;

(3) the applicant and the state Medicaid program are the sole beneficiaries of the trust;

(4) the entire income and corpus of the trust, or as much as may be distributed each month without violating federal requirements for federal financial participation, must be distributed each month for expenses related to the applicant's nursing home care that are approved under the Medicaid program, except that:

(a) an amount reasonably necessary to maintain the existence of the trust, as approved by the Medicaid program, may be retained in the trust; and

(b) deductions may be distributed from the trust to the same extent deductions from the income of a nursing home resident who is not a trust beneficiary are allowed under the Medicaid program, which shall include:

(i) monthly personal needs allowance;

(ii) payments to the beneficiary's community spouse or dependent family members as provided and in accordance with state and federal law;

(iii) specified health insurance costs and special medical services provided under Title XIX of the federal "Social Security Act", 42 U.S.C. Section 1396a(r), as amended; and

(iv) other deductions provided in regulations of the ~~State~~ Department of Health Financing ~~and Human Services Finance Commission~~;

(5) upon the death of the beneficiary, a remainder interest in the corpus of the trust passes to the ~~State~~ Department of Health Financing ~~and Human Services Finance Commission~~. The ~~commission~~ department shall remit the state share of the trust to the general fund; and

(6) the trust is not subject to modification by the beneficiary or the trustee without the approval of the state Medicaid program.

Section 44-6-725. Any promissory note received by a Medicaid applicant or recipient or the spouse of a Medicaid applicant or recipient in exchange for assets which if retained by the applicant or recipient or his spouse would cause the applicant or recipient to be ineligible for Medicaid benefits, shall, for Medicaid eligibility purposes, be deemed to be fully negotiable under the laws of this State unless it contains language plainly stating that it is not transferable under any circumstances. A promissory note will be considered valid for Medicaid purposes only if it is actuarially sound, requires monthly installments that

fully amortize it over the life of the loan, and is free of any conditional or self-canceling clauses.

Section 44-6-730. The ~~State~~ Department of Health Financing ~~and Human Services Finance Commission~~ shall promulgate regulations as are necessary for the implementation of this article and as are necessary to comply with federal law. The Secretary of Health and Policy must approve the regulations prior to their submission. In addition, the ~~commission~~ department shall amend the state Medicaid plan in a manner that is consistent with this article.

Article 7

Recognition and Designation of Federally Qualified Health Centers, Rural Health Clinics, and Rural Hospitals

Section 44-6-910. (A) Federally Qualified Health Centers (FQHC's), Rural Health Clinics (RHC's), and Rural Hospitals are recognized and designated as essential community providers for underserved patients which include Medicaid and Medicare recipients, the underinsured, and the uninsured. These populations require more extensive services by community-based providers, and the FQHC's, RHC's, and Rural Hospitals have extensive experience and knowledge in providing quality, cost-effective care for these populations. The State shall include these essential community providers as contracted entities in any formulation of the state health care system. The inclusion of FQHC's, RHC's, and Rural Hospitals as contracted entities in the state health care system recognizes the importance of these providers to South Carolina and assures that the reimbursement to these essential community providers will be funded through cost-based reimbursement or a capitated fee based on reasonable costs.

(B) A hospital located in an urban area (MSA County), can be considered "rural" for the purposes of the Medicare Rural Hospital Flexibility Program if it meets the following criteria:

(1) enrolled as both a Medicaid and Medicare provider and accepts assignment for all Medicaid and Medicare patients;

(2) provides emergency health care services to indigent patients;

(3) maintains a twenty-four hour emergency room;

(4) staffs fifty or less acute care beds; and

(5) located in a county with twenty-five percent or more rural residents, as defined by the most recent United States decennial census.

Article 8

Medicaid Pharmacy and Therapeutics Committee

Section 44-6-1010. There is created within the Department of Health Financing ~~and Human Services~~ the Pharmacy and Therapeutics

Committee. The committee must consist of fifteen members appointed by the director and serving at the pleasure of the director of the department. The members must include eleven physicians and four pharmacists licensed to practice in South Carolina and actively engaged in providing services to the South Carolina Medicaid population. The physicians may include, but are not limited to, doctors who have experience in treating diabetes, cancer, HIV/AIDS, mental illness, and hemophilia and who practice in internal medicine, primary care, and pediatrics.

Section 44-6-1020. The committee shall adopt bylaws that include, at a minimum, the length of membership. A chairman and a vice chairman shall be elected on an annual basis from the committee membership. Committee members must not be compensated for service to the committee. However, committee members may be reimbursed for actual and necessary expenses incurred by discharging committee duties in an amount not to exceed the mileage and subsistence amounts allowed by law for members of boards, commissions, and committees. The committee must meet at least quarterly and may meet at other times in the chairman's or the director's discretion. Committee meetings are subject to the provisions of the Freedom of Information Act. The department shall publish notice of regular business meetings of the committee at least thirty days before the meeting. However, the director or chairman may call special meetings of the committee and provide notice as soon as practical. The committee must provide for public comment, including comment on clinical and patient care data from Medicaid providers, representatives of the pharmaceutical industry, and patient advocacy groups. Proprietary information as defined in the trade secret law shall not be discussed. Trade secrets as defined in Section 30-4-40(a)(1) and relevant federal law must not be publicly disclosed.

Section 44-6-1030. The committee must recommend to the department therapeutic classes of drugs that should be included on a preferred drug list. For those recommended classes, the committee shall recommend the drug or drugs considered preferred within that class based on safety and efficacy. In determining safety and efficacy, the committee may consider all submitted public comment or clinical information including, but not limited to, scientific evidence, standards of practice, peer-reviewed medical literature, randomized clinical trials, pharmacoeconomic studies, and outcomes research data. The committee also shall recommend prior authorization criteria for nonpreferred drugs in the recommended therapeutic classes.

Section 44-6-1040. Any preferred drug list program implemented by the department must include:

(1) procedures to ensure that a request for prior authorization that has no material defect or impropriety can be processed within twenty-four hours of receipt;

(2) procedures to allow the prescribing physician to request and receive notice of any delays or negative decision in regard to a prior authorization;

(3) procedures to allow the prescribing physician to request and receive a second review of any denial of a prior authorization request; and

(4) procedures to allow a pharmacist to dispense an emergency, seventy-two hour supply of a drug requiring prior authorization without prior authorization if the pharmacist:

(a) has made a reasonable attempt to contact the physician and request that the prescribing physician secure prior authorization; and

(b) reasonably believes that refusing to dispense a seventy-two-hour supply would unduly burden the Medicaid recipient and produce undesirable health consequences.

Section 44-6-1050. A grant of prior authorization for a drug is specific to the drug, rather than the actual prescription, and extends to all refills allowed pursuant to the original prescription and to subsequent prescriptions for the same drug at the same dosage provided the time allowed by the prior authorization has not expired. A Medicaid recipient who has been denied prior authorization for a prescribed drug is entitled to appeal this decision through the department's appeals process.

SECTION X. Section 44-7-77 of the S.C. Code is amended to read:

Section 44-7-77. The Department of Public Health ~~and Environmental Control~~ and the State Department of Social Services, in conjunction with the South Carolina Hospital Association, shall develop and implement a program to promote obtaining voluntary acknowledgments of paternity as soon after birth as possible and where possible before the release of the newborn from the hospital. A voluntary acknowledgment including those obtained through an in-hospital program shall contain the requirements of Section 63-17-60(A)(4) and the social security number, or the alien identification number assigned to a resident alien who does not have a social security number, of both parents, and must be signed by both parents. The signatures must be notarized. As part of its in-hospital voluntary acknowledgment of paternity program, a birthing hospital as part of the birth registration process, shall collect, where ascertainable, information which is or may be necessary for the

establishment of the paternity of the child and for the establishment of child support. The information to be collected on the father or on the putative father if paternity has not been established includes, but is not limited to, the name of the father, his date of birth, home address, social security number, or the alien identification number assigned to a resident alien who does not have a social security number, and employer's name, and additionally for the putative father, the names and addresses of the putative father's parents.

SECTION X. Article 2, Chapter 7, Title 44 of the S.C. Code is amended to read:

Article 2

Medicaid Nursing Home Permits

Section 44-7-80. For the purposes of this article:

(1) "Nursing home" means a facility with an organized nursing staff to maintain and operate organized facilities and services to accommodate two or more unrelated persons over a period exceeding twenty-four hours, which is operated either in connection with a hospital or as a freestanding facility for the express or implied purpose of providing intermediate or skilled nursing care for persons who are not in need of hospital care. Rehabilitative therapies may be provided on an outpatient basis.

(2) "Medicaid nursing home permit" means a permit to serve Medicaid patients in an appropriately certified nursing home.

(3) "Medicaid patient" means a person who is eligible for Medicaid (Title XIX) sponsored long-term care services.

(4) "Medicaid patient day" means a day of nursing home care for which a nursing home receives Medicaid reimbursement.

(5) "Medicaid permit day" means a day of service provided to a Medicaid patient in a Medicaid-certified nursing home which holds a Medicaid days permit.

(6) "Department" means the Department of Public Health ~~and Environmental Control~~.

Section 44-7-82. No nursing home may provide care to Medicaid patients without first obtaining a permit in the manner provided in this article.

Section 44-7-84. (A) In the annual appropriations act, the General Assembly shall establish the maximum number of Medicaid patient days for which the department is authorized to issue Medicaid nursing home permits. The ~~State~~ Department of Health Financing ~~and Human Services~~ shall provide the number of Medicaid patient days available to the

department within thirty days after the effective date of the annual appropriations act.

(B) Based on a method the department develops for determining the need for nursing home care for Medicaid patients in each area of the State, the department shall determine the distribution of Medicaid patient days for which Medicaid nursing home permits can be issued. Nursing homes holding a Medicaid nursing home permit must be allocated Medicaid days based on their current allocation and available funds. Requests for days must be submitted to the department no later than June fifteenth each year. The department shall issue permits to the facilities by August first of each year. The application must state the specific number of Medicaid patient days the nursing home will provide. If a nursing home requests fewer days than the previous year, or is permitted fewer days, those days first must be offered to the facilities within the same county currently holding a Medicaid nursing home permit. However, if Medicaid patient days remain available after being offered to those nursing homes currently holding a Medicaid patient days permit in that county, then existing nursing homes with a restricted Certificate of Need, within the same county, may apply for a Medicaid nursing home permit to receive the Medicaid permit days remaining available. Following the initial allocation of Medicaid patient days, any additional Medicaid permit days must be credited to a statewide pool and the days must be allocated to those counties showing the greatest need based on the average number of fully eligible Medicaid nursing facility applicants by county in the Community Long Term Care awaiting placement reports for the past twelve months. The Department of Health Financing ~~and Human Services~~ shall provide this information to the department no later than July fifteenth of each year. The Medicaid permit days must be proportionately allocated to each facility within the county that currently holds a Medicaid permit and is currently in compliance with its Medicaid permit. A facility is deemed to be in compliance for allocation of these additional Medicaid permit days if it has not exceeded its stated Medicaid permit by more than seven percent. In addition, a nursing home that provides less than ninety percent of the stated Medicaid permit in any fiscal year may not apply for additional Medicaid permit days in the next fiscal year. If a nursing home fails to provide ninety percent of the stated Medicaid permit days for two consecutive fiscal years, the department may issue a Medicaid nursing home permit for fewer days than requested in order to ensure that the nursing home will serve the minimum number of Medicaid patients and that the State will optimize the available Medicaid days. If a nursing home has its Medicaid patient

days reduced, the freed days first must be offered to other facilities in the same county before being offered to other nursing homes in the State. The department shall analyze the performance of nursing homes that are under the permit minimum or exceed the permit maximum for a fiscal year, including utilization data from the State Department of Health Financing ~~and Human Services~~, anticipated back days, delayed payments, CLTC waiting list, and other factors considered significant by the department. A nursing home which terminates its Medicaid contract must not be penalized for not meeting the requirements of this section if the nursing home was in compliance with its permit at the time of the cancellation. Facilities designated as Special Focus Facilities may not be issued additional Medicaid permit days while they remain on the Special Focus list.

(C) If the Department of Health ~~and Human Services~~Financing or the General Assembly decreases the number of Medicaid patient days available to the department, the department shall proportionately decrease the authorized Medicaid patient days for each nursing home. If additional Medicaid patient days are authorized in the following year, they must be restored proportionately to each nursing home in accordance with subsection (B).

Section 44-7-88. Nursing home patients may not be involuntarily discharged or transferred due to the Medicaid status. If no Medicaid patients are waiting for admission to the nursing home, or if for some other reason a nursing home anticipates the possibility that the home cannot satisfy the Medicaid nursing home permit requirements, the home may request a waiver of the Medicaid permit requirements from the department.

Section 44-7-90. (A) Based on reports from the State Department of Health ~~and Human Services~~Financing, the department shall determine each nursing home's compliance with its Medicaid nursing home permit. Violations of this article include:

(1) a nursing home exceeding by more than five percent the number of Medicaid patient days stated in its permit;

(2) the provisions of any Medicaid patient days by a home without a Medicaid nursing home permit.

(B) A nursing home which exceeds its Medicaid patient days stated in its permit may be fined on the number of Medicaid patient days exceeding the permit days multiplied by its daily Medicaid per diem. Medicaid permit days provided to Complex Care residents, as certified by the Department of Health ~~and Human Services~~Financing, must not be counted against the facility's Medicaid permit for the first six months of

their care. Any complex care provided after six months must be counted toward the facility's Medicaid patient days under the permit days times their daily Medicaid per diem rate less the statewide average patient per diem recurring income times thirty percent. Complex Care reimbursement must not be used in the fine calculation. A facility may be fined incrementally for exceeding its Medicaid permit. Violations above five and up to ten percent of the stated permit may be fined at thirty percent of its Medicaid per diem rate less the statewide average patient per diem recurring income times the number of excess Medicaid permit days. A facility may be fined fifty percent of its Medicaid per diem rate less the statewide average patient per diem recurring income for each day above ten and up to fifteen percent of its Medicaid permit. A facility may be fined seventy percent of its Medicaid per diem rate less the statewide average patient per diem recurring income for each day in excess of fifteen percent of its stated Medicaid permit. A facility may appeal to the department any fine for days over its permit based on the facility's inability to discharge a resident based on the requirements of Section 44-7-88 if the facility can prove:

(1) the resident's primary pay source upon admission was not Medicaid;

(2) the resident did not convert to Medicaid within twenty days of being admitted as a Medicare or Medicaid replacement policy ~~resident; and~~resident; and

(3) the resident did not convert to Medicaid within thirty days of being admitted as a private pay resident.

(C) In the event of a voluntary or involuntary discontinuation of participation of a nursing facility in the Medicaid program, the State must ensure that the facility provides for patient safety and freedom of choice. The Department of Public Health ~~and Environmental Control~~ and the Department of Health ~~and Human Services~~Financing must determine the availability of existing patient days statewide for the purpose of relocating these patients. Based upon this determination, the department, at its discretion, may reallocate the patient days from a facility discontinuing its Medicaid participation to a facility that participates in the Medicaid program and agrees to accept the residents from the facility that is discontinuing Medicaid participation. The Medicaid permit day shall permanently remain with the facility accepting the resident. In the allocation of patient days from the facility discontinuing Medicaid participation, the department must give first priority to restoring a county's allocation where a facility holding a permit closes, or discontinues participation in Medicaid. A nursing home receiving beds

under the provisions of this subsection must not be a Special Focus Facility at the time of allocation.

(D) ~~Effective July 1, 2014, all~~All nursing facility providers holding a Medicaid permit must report their daily Medicaid resident census information to the ~~South Carolina~~ Department of Health ~~and Human Services~~Financing or its contractor for the purpose of maintaining a statewide bed locator and permit day tracking system.

(E) Each Medicaid day above the allowable range is considered a separate violation. A fine assessed against a nursing home must be deducted from the nursing home's Medicaid reimbursement.

SECTION X. A. Section 44-7-130 of the S.C. Code is amended to read:

Section 44-7-130. As used in this article:

(1) "Affected person" means the applicant, a person residing within the geographic area served or to be served by the applicant, persons located in the health service area in which the project is to be located and who provide similar services to the proposed project, persons who before receipt by the department of the proposal being reviewed have formally indicated an intention to provide similar services in the future, persons who pay for health services in the health service area in which the project is to be located and who have notified the department of their interest in Certificate of Need applications, the State Consumer Advocate, and the State Ombudsman. Persons from another state who would otherwise be considered "affected persons" are not included unless that state provides for similar involvement of persons from South Carolina in its certificate of need process.

(2) "Ambulatory surgical facility" means a facility organized and administered for the purpose of performing surgical procedures for which patients are scheduled to arrive, receive surgery, and be discharged on the same day. The owner or operator makes the facility available to other providers who comprise an organized professional staff.

(3) "Birthing center" means a facility or other place where human births are planned to occur. This does not include the usual residence of the mother, any facility that is licensed as a hospital, or the private practice of a physician who attends the birth.

~~(4) "Board" means the State Board of Health and Environmental Control.~~

~~(5)~~(4) "Children, adolescents, and young adults in need of mental health treatment in a residential treatment facility" means a child, adolescent, or young adult under age twenty-one who manifests a

substantial disorder of cognitive or emotional process that lessens or impairs to a marked degree that child's, adolescent's, or young adult's capacity either to develop or to exercise age-appropriate or age-adequate behavior including, but not limited to, marked disorders of mood or thought processes; severe difficulties with self-control and judgment, including behavior dangerous to himself or others; and serious disturbances in a child's, adolescent's, or young adult's ability to care for and relate to others.

~~(6)~~(5) "Community residential care facility" means a facility which offers room and board and provides a degree of personal assistance for two or more persons eighteen years old or older.

~~(7)~~(6) "Competing applicants" means two or more persons or health care facilities as defined in this article who apply for Certificates of Need to provide similar services or facilities in the same service area within a time frame as established by departmental regulations and whose applications, if approved, would exceed the need for services or facilities.

~~(8)~~(7) "Crisis stabilization unit facility" means a facility, other than a health care facility, that provides a short-term residential program, offering psychiatric stabilization services and brief, intensive crisis services to individuals five and older, twenty-four hours a day, seven days a week.

~~(9)~~(8) "Daycare facility for adults" means a facility for adults eighteen years or older that:

(a) offers in a group setting a program of individual and group activities and therapies;

(b) is directed toward providing community-based care for those in need of a supportive setting for less than twenty-four hours a day, in order to prevent unnecessary institutionalization; and

(c) provides a minimum of four and a maximum of fourteen hours of operation a day.

~~(10)~~(9) "Department" means the Department of Public Health ~~and Environmental Control~~.

~~(11)~~(10) "Facility for chemically dependent persons or people with substance use disorder~~addicted persons~~" means a facility organized to provide outpatient or residential services to chemically dependent persons or people with substance abuse disorder ~~addicted persons~~ and their families based on an individual treatment plan including diagnostic treatment, individual and group counseling, family therapy, vocational and educational development counseling, and referral services.

~~(12)~~(11) "Facility wherein abortions are performed" means a facility, other than a hospital, in which any second trimester or five or more first trimester abortions are performed in a month.

~~(13)~~(12) "Freestanding emergency service" or "off-campus emergency service" means an extension of an existing hospital emergency department that is intended to provide comprehensive emergency service but does not include a service that does not provide twenty-four hour, seven day per week operation or that is not capable of providing basic services as defined for hospital emergency departments. A service that does not qualify as a freestanding emergency service must not be classified as a freestanding emergency service and must not advertise, or display or exhibit any signs or symbols, that would identify the service as a freestanding emergency service.

~~(14)~~(13) "Freestanding or mobile technology" means medical equipment owned or operated by a person other than a health care facility for which the total cost is in excess of that prescribed by regulation and for which specific standards or criteria are prescribed in the State Health Services Plan.

~~(15)~~(14) "Health care facility" means, at a minimum, acute care hospitals, psychiatric hospitals, alcohol and substance ~~abuse~~ use hospitals, nursing homes, ambulatory surgical facilities, hospice facilities, radiation therapy facilities, rehabilitation facilities, residential treatment facilities for children and adolescents, intermediate care facilities for persons with intellectual disability, or narcotic treatment programs.

~~(16)~~(15) "Health service" means clinically related, diagnostic, treatment, or rehabilitative services and includes alcohol, drug ~~abuse~~use, and mental health services.

~~(17)~~(16)(a) "Hospital" means a facility that is organized and administered to provide overnight medical or surgical care or nursing care for an illness, injury, or infirmity and must provide on-campus emergency services; that may provide obstetrical care; and in which all diagnoses, treatment, or care is administered by or under the direction of persons currently licensed to practice medicine, surgery, or osteopathy.

(b) "Hospital" may include a residential treatment facility for children, adolescents, or young adults in need of mental health treatment that is physically a part of a licensed psychiatric hospital. This definition does not include facilities that are licensed by the Department of Social Services. A residential treatment facility for children, adolescents, or young adults in need of mental health treatment that is physically part of

a licensed psychiatric hospital is not required to provide on-campus emergency services.

~~(18)~~(17) "Intermediate care facility for persons with intellectual disability" means a facility that serves four or more persons with intellectual disability or persons with related conditions and provides health or rehabilitative services on a regular basis to individuals whose mental and physical conditions require services including room, board, and active treatment for their intellectual disability or related conditions.

~~(19)~~(18) "Like equipment with similar capabilities" means medical equipment in which functional and technological capabilities are identical to the equipment to be replaced; and the replacement equipment is to be used for the same or similar diagnostic, therapeutic, or treatment purposes as currently in use; and does not constitute a material change in service or a new service.

~~(20)~~(19) "Nursing home" means a facility with an organized nursing staff to maintain and operate organized facilities and services to accommodate two or more unrelated persons over a period exceeding twenty-four hours which is operated either in connection with a hospital or as a freestanding facility for the express or implied purpose of providing intermediate or skilled nursing care for persons who are not in need of hospital care.

~~(21)~~(20) "Person" means an individual, a trust or estate, a partnership, a corporation including an association, joint stock company, insurance company, and a health maintenance organization, a health care facility, a state, a political subdivision, or an instrumentality including a municipal corporation of a state, or any legal entity recognized by the State.

~~(22)~~(21) "Radiation therapy facility" means a person or a health care facility that provides or seeks to provide mega-voltage therapeutic services to patients through the use of high energy radiation.

~~(23)~~(22) "Residential treatment facility for children and adolescents" means a facility operated for the assessment, diagnosis, treatment, and care of two or more "children and adolescents in need of mental health treatment" which provides:

(a) a special education program with a minimum program defined by the South Carolina Department of Education;

(b) recreational facilities with an organized youth development program; and

(c) residential treatment for a child or adolescent in need of mental health treatment.

(23) "Secretary" means the Secretary of Health and Policy.

(24) "Solely for research" means a service, procedure, or equipment which has not been approved by the Food and Drug Administration (FDA) but which is currently undergoing review by the FDA as an investigational device. FDA research protocol and any applicable Investigational Device Exemption (IDE) policies and regulations must be followed by a facility proposing a project "solely for research".

B. Section 44-7-150 of the S.C. Code is amended to read:

Section 44-7-150. (A) In carrying out the purposes of this article, the department shall:

(1) require reports and make inspections and investigations as considered necessary;

(2) to the extent that is necessary to effectuate the purposes of this article, enter into agreements with other departments, commissions, agencies, and institutions, public or private;

(3) adopt in accordance with Article I of the Administrative Procedures Act substantive and procedural regulations considered necessary by the department and approved by the ~~board~~ secretary to carry out the department's licensure duties under this article;

(4) accept on behalf of the State and deposit with the State Treasurer, any grant, gift, or contribution made to assist in meeting the cost of carrying out the purpose of this article and expend it for that purpose; and

(5) promulgate regulations, in accordance with the Administrative Procedures Act, that establish fees as authorized by this article. The Secretary of Health and Policy must approve the regulations prior to them being submitted to the General Assembly.

(B) Fee schedules authorized by Article 3, Chapter 7, Title 44 that are in effect as of January 1, 2023, shall remain in effect until further regulations are promulgated pursuant to Section 44-7-150 (5), as amended by this act.

C. Section 44-7-170 of the S.C. Code is amended to read:

Section 44-7-170. (A) The following are exempt from Certificate of Need review:

(1) the relocation of a licensed hospital in the same county in which the hospital is currently located, as long as:

(a) any Certificate of Need issued to the hospital for a project to be located at the hospital's existing location has been fulfilled, withdrawn, or has expired in accordance with Section 44-7-230 and the department's implementing regulations; and

(b) the proposed site of relocation is utilized in a manner that furthers health care delivery and innovation for the citizens of the State of South Carolina;

(2) the purchase, merger, or otherwise the acquisition of an existing hospital by another person or health care facility;

(3) crisis stabilization unit facilities. Notwithstanding subsection (C), crisis stabilization unit facilities will not require a written exemption from the department.

(4) the establishment or addition of inpatient psychiatric beds pursuant to an agreement with a South Carolina state agency to apply appropriated funds for increased access or availability of services.

(B) This article does not apply to:

(1) construction of a new hospital with up to fifty beds in any county currently without a hospital;

(2) hospitals owned and operated by the ~~South Carolina~~ Department of ~~Mental~~ Behavioral Health and the ~~South Carolina~~ Department of Intellectual and Related Disabilities ~~and Special Needs~~, except an addition of one or more beds to the total number of beds of the departments' health care facilities existing on July 1, 1988;

(3) any federal hospital sponsored and operated by this State;

(4) hospitals owned and operated by the federal government.

(C) Before undertaking a project enumerated in subsection (A), a person shall obtain a written exemption from the department as may be more fully described in regulation.

D. Section 44-7-190 of the S.C. Code is amended to read:

Section 44-7-190. (A) The department shall adopt, upon approval of the ~~board~~secretary, Project Review Criteria which, at a minimum, must provide for the determination of need for health care facilities, beds, services and equipment, including demographic needs, appropriate distribution, and utilization; accessibility to underserved groups; availability of facilities and services without regard to ability to pay; absence of less costly and more effective alternatives; appropriate financial considerations, including method of financing, financial feasibility, and cost containment; consideration of impact on health systems resources; site and building suitability; consideration of quality of care; and relevant special considerations as may be appropriate. ~~The Project Review Criteria must be adopted as a regulation pursuant to the Administrative Procedures Act.~~

~~(B) The project review criteria promulgated in regulation must be used in reviewing all projects under the Certificate of Need process. When the criteria are weighted to determine the relative importance for the specific~~

~~project, the department may reorder the relative importance of the criteria no more than one time after the project review meeting. When an application has been appealed, the department may not change the weighted formula.~~

~~(C) Project review criteria must prioritize timely access to health care services and seek a balance between competition in the marketplace and regulation in the provision of health care and must support reasonable patient choice in health care facilities and services. The department shall promulgate regulations within one year of the effective date of this act identifying how the department will incorporate these considerations in reviewing Certificate of Need applications.~~

E. Section 44-7-200 of the S.C. Code is amended to read:

Section 44-7-200. (A) An application for a Certificate of Need must be submitted to the department in a form established by regulation. The application must address all applicable standards and requirements set forth in departmental regulations, Project Review Criteria of the department, and the South Carolina Health Plan.

(B) Within twenty days before submission of an application, the applicant shall publish notification that an application is to be submitted to the department in a newspaper serving the area where the project is to be located for three consecutive days. The notification must contain a brief description of the scope and nature of the project. No application may be accepted for filing by the department unless accompanied by proof that publication has been made for three consecutive days within the prior twenty-day period and payment of the initial application fee has been received.

~~(C) Upon publication of this notice and until a contested case hearing is requested pursuant to Section 44-1-60(G):~~

~~(1) members of the board and persons appointed by the board to hold a final review conference on staff decisions may not communicate directly or indirectly with any person in connection with the application; and~~

~~(2) no person shall communicate, or cause another to communicate, as to the merits of the application with members of the board and persons appointed by the board to hold a final review conference on staff decisions.~~

~~A person who violates this subsection is subject to the penalties provided in Section 1-23-360.~~

~~(D)~~(C) After receipt of an application with proof of publication and payment of the initial application fee, the department shall publish in the State Register a notice that an application has been accepted for filing.

Within fifteen days of acceptance of the application, the department may request additional information as may be necessary to complete the application. The applicant has fifteen days from the date of the request to submit the additional information. If the applicant fails to submit the requested information within the fifteen-day period, the application is considered withdrawn.

~~(E)~~(D) After a Certificate of Need application has been filed with the department, state and federal elected officials are prohibited from communicating with the department with regard to the Certificate of Need application at any time. This prohibition does not include written communication of support or opposition to an application. Such written communication must be included in the administrative record.

F. Section 44-7-210 of the S.C. Code is amended to read:

Section 44-7-210. (A) After the department has determined that an application is complete, affected persons must be notified in accordance with departmental regulations. The notification to affected persons that the application is complete begins the review period; however, in the case of competing applications, the review period begins on the date of notice to affected persons that the last of the competing applications is complete and notice is published in the State Register. The staff shall issue its decision to approve or deny the application no earlier than thirty calendar days, but no later than ninety calendar days, from the date affected persons are notified that the application is complete, unless a public hearing is timely requested as may be provided for by department regulation. If a public hearing is properly requested, the staff's decision must not be made until after the public hearing, but in no event shall the decision be issued more than one hundred twenty calendar days from the date affected persons are notified that the application is complete. The staff may reorder the relative importance of the project review criteria no more than one time during the review period. The staff's reordering of the relative importance of the project review criteria does not extend the review period provided for in this section.

(B) The department may not issue a Certificate of Need unless an application complies with the South Carolina Health Plan, Project Review Criteria, and other regulations. Based on project review criteria and other regulations, which must be identified by the department, the department may refuse to issue a Certificate of Need even if an application complies with the South Carolina Health Plan. In the case of competing applications, the department shall award a Certificate of Need, if appropriate, on the basis of which, if any, most fully complies with the requirements, goals, and purposes of this article and the State

Health Services Plan, Project Review Criteria, and the regulations adopted by the department.

(C) On the basis of staff review of the application, the staff shall make a staff decision to grant or deny the Certificate of Need and the staff shall issue a decision in accordance with Section 44-1-60(D). Notice of the decision must be sent to the applicant and affected persons who have asked to be notified. ~~The decision becomes the final agency decision unless a timely written request for a final review is filed with the department as provided for in Section 44-1-60(E).~~However, a person may not file a request for a contested case hearing in opposition to the staff decision on a Certificate of Need unless the person provided written notice to the department during the staff review that he is an affected person and specifically states his opposition to the application under review.

~~However, a person may not file a request for final review in opposition to the staff decision on a Certificate of Need unless the person provided written notice to the department during the staff review that he is an affected person and specifically states his opposition to the application under review.~~

~~(D) The staff's decision is not the final agency decision until the completion of the final review process provided for in Section 44-1-60(F).~~

~~(E)~~(D) A contested case hearing of the final agency decision must be requested in accordance with Section 44-1-60(G). The issues considered at the contested case hearing considering a Certificate of Need are limited to those presented or considered during the staff review.

~~(F)~~(E) Notwithstanding any other provision of law, including Section 1-23-650(C), in a contested case arising from the department's decision to grant or deny a Certificate of Need application, grant or deny a request for exemption under Section 44-7-170, or the issuance of a determination regarding the applicability of Section 44-7-160, the following apply:

(1) each party may name no more than five witnesses who may testify at the contested case hearing;

(2) each party is permitted to take only the deposition of a person listed by an opposing party as a witness who may testify at the contested case hearing and one Federal Rules of Civil Procedure Rule 30(b)(6) deposition;

(3) each party is permitted to serve only ten interrogatories pursuant to Rule 33 of the South Carolina Rules of Civil Procedure;

(4) each party is permitted to serve only ten requests for admission, including subparts;

(5) each party is permitted to serve only fifteen requests for production, including subparts; and

(6) the parties shall complete discovery within one hundred twenty days after the assignment of the administrative law judge.

~~(G)~~(F) Notwithstanding any other provision of law, in a contested case arising from the department's decision to grant or deny a Certificate of Need application, grant or deny a request for exemption under Section 44-7-170, or the issuance of a determination regarding the applicability of Section 44-7-160, the Administrative Law Court shall file a final decision no later than twelve months after the contested case is filed with the Clerk of the Administrative Law Court. An affected person who was a party to the contested case has a right to appeal to the Supreme Court final decisions issued by the Administrative Law Court for a contested case arising from the department's decision to grant or deny a Certificate of Need application, grant or denial of a request for exemption under Section 44-7-170, or the issuance of a determination regarding the applicability of Section 44-7-160.

G. Section 44-7-260 of the S.C. Code is amended to read:

Section 44-7-260. (A) If they provide care for two or more unrelated persons, the following facilities or services may not be established, operated, or maintained in this State without first obtaining a license in the manner provided by this article and regulations promulgated by the department:

(1) hospitals, including general and specialized hospitals;

(2) nursing homes;

(3) residential treatment facilities for children and adolescents;

(4) ambulatory surgical facilities;

(5) crisis stabilization unit facilities;

(6) community residential care facilities;

(7) facilities for chemically dependent persons or people with substance abuse disorder~~addicted persons~~;

(8) end-stage renal dialysis units;

(9) day care facilities for adults;

(10) any other facility operating for the diagnosis, treatment, or care of persons suffering from illness, injury, or other infirmity and for which the department has adopted standards of operation by regulation;

(11) intermediate care facilities for persons with intellectual disability;

(12) freestanding or mobile technology;

(13) facilities wherein abortions are performed;

(14) birthing centers.

(B) The licensing provisions of this article do not apply to:

(1) infirmaries for the exclusive use of the student bodies of privately-owned educational institutions which maintain infirmaries;

(2) community-based housing sponsored, licensed, or certified by the ~~South Carolina~~ Department of Intellectual and Related Disabilities ~~and Special Needs~~. The Department of Intellectual and Related Disabilities ~~and Special Needs~~ shall provide to the Department of Public Health ~~and Environmental Control~~ the names and locations of these facilities on a continuing basis; or

(3) homeshare programs designated by the Department of ~~Mental~~ Behavioral Health, provided that these programs do not serve more than two persons at each program location, the length of stay does not exceed fourteen consecutive days for one of the two persons, and the temporarily displaced person must be directly transferred from a homeshare program location. The Department of ~~Mental~~ Behavioral Health shall provide to the Department of Public Health ~~and Environmental Control~~ the names and locations of these programs on a continuing basis.

(C) The department is authorized to investigate, by inspection or otherwise, any facility to determine if its operation is subject to licensure.

(D) Each hospital must have a single organized medical staff that has the overall responsibility for the quality of medical care provided to patients. Medical staff membership must be limited to doctors of medicine or osteopathy who are currently licensed to practice medicine or osteopathy by the State Board of Medical Examiners, dentists licensed to practice dentistry by the State Board of Dentistry and podiatrists licensed to practice podiatry by the State Board of Podiatry Examiners. No individual is automatically entitled to membership on the medical staff or to the exercise of any clinical privilege merely because he is licensed to practice in any state, because he is a member of any professional organization, because he is certified by any clinical examining board, or because he has clinical privileges or staff membership at another hospital without meeting the criteria for membership established by the governing body of the respective hospital. Patients of podiatrists and dentists who are members of the medical staff of a hospital must be coadmitted by a doctor of medicine or osteopathy who is a member of the medical staff of the hospital who is responsible for the general medical care of the patient. Oral surgeons who have successfully completed a postgraduate program in oral surgery accredited by a nationally recognized accredited body approved by the United States Office of Education may admit patients without the

requirement of coadmission if permitted by the bylaws of the hospital and medical staff.

(E) No person, regardless of his ability to pay or county of residence, may be denied emergency care if a member of the admitting hospital's medical staff or, in the case of a transfer, a member of the accepting hospital's medical staff determines that the person is in need of emergency care. "Emergency care" means treatment which is usually and customarily available at the respective hospital and that must be provided immediately to sustain a person's life, to prevent serious permanent disfigurement, or loss or impairment of the function of a bodily member or organ, or to provide for the care of a woman in active labor if the hospital is so equipped and, if the hospital is not so equipped, to provide necessary treatment to allow the woman to travel to a more appropriate facility without undue risk of serious harm. In addition to or in lieu of any action taken by the ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~ affecting the license of any hospital, when it is established that any officer, employee, or member of the hospital medical staff has recklessly violated the provisions of this section, the department may require the hospital to pay a civil penalty of up to ten thousand dollars.

H. Section 44-7-265 of the S.C. Code is amended to read:

Section 44-7-265. The department shall promulgate regulations for licensing freestanding or mobile technology. The Secretary of Health and Policy must approve the regulations prior to their submission to the General Assembly. At a minimum, the regulations must include:

(1) standards for the maintenance and operation of freestanding or mobile technology to ensure the safe and effective treatment of persons served;

(2) a description of the professional qualifications necessary for personnel to operate the equipment and interpret the test results;

(3) minimum staffing requirements to ensure the safe operation of the equipment and interpret the test results; and

(4) that all freestanding or mobile technology must be in conformance with professional organizational standards.

I. Section 44-7-266(D) of the S.C. Code is amended to read:

(D) The department shall promulgate regulations within one year of the effective date of this act setting forth the necessary duties to comply with this provision. The Secretary of Health and Policy must approve the regulations before they are submitted to the General Assembly.

J. Section 44-7-370 of the S.C. Code is amended to read:

Section 44-7-370. (A) The ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~ shall establish a Residential Care Committee to advise the department regarding licensing and inspection of community residential care facilities.

(1) The committee consists of the Long Term Care Ombudsman, three operators of homes with ten beds or less, four operators of homes with eleven beds or more, and three members to represent the department appointed by the ~~commissioner~~ director for terms of four years.

(2) The terms must be staggered and no member may serve more than two consecutive terms. Any person may submit names to the ~~commissioner~~ director for consideration. The advisory committee shall meet at least once annually with representatives of the department to evaluate current licensing regulations and inspection practices. Members shall serve without compensation.

(B) The Department of Public Health ~~and Environmental Control~~ shall appoint a Renal Dialysis Advisory Council to advise the department regarding licensing and inspection of renal dialysis centers. The council must be consulted and have the opportunity to review all regulations promulgated by the ~~board~~ department affecting renal dialysis prior to submission of the proposed regulations to the General Assembly.

(1) The council is composed of a minimum of fourteen persons, one member recommended by the Palmetto Chapter of the American Nephrology Nurses Association; one member recommended by the South Carolina Chapter of the National Association of Patients on Hemodialysis and Transplants; three physicians specializing in nephrology recommended by the South Carolina Renal Physicians Association; two administrators of facilities certified for dialysis treatment or kidney transplant services; one member recommended by the South Carolina Kidney Foundation; one member recommended by the South Carolina Hospital Association; one member recommended by the South Carolina Medical Association; one member of the general public; one member representing technicians working in renal dialysis facilities; one member recommended by the Council of Nephrology Social Workers; and one member recommended by the Council of Renal Nutritionists. The directors of dialysis programs at the Medical School of the University of South Carolina and the Medical University of South Carolina, or their designees, are ex officio members of the council.

(2) Members shall serve four-year terms and until their successors are appointed and qualify. No member of council shall serve more than two consecutive terms. The council shall meet as frequently as the ~~board~~

director considers necessary, but not less than twice each year. Members shall serve without compensation.

K. Section 44-7-392 of the S.C. Code is amended to read:

Section 44-7-392. (A)(1) All proceedings of, and all data, documents, records, and information prepared or acquired by, a hospital licensed under this article, its parent, subsidiaries, health care system, committees, whether permanent or ad hoc, including the hospital's governing body, or physician practices owned by the hospital (its parent or subsidiaries), relating to the following are confidential:

(a) sentinel event investigations or root cause analyses, or both, as prescribed by the joint commission or any other organization under whose accreditation a hospital is deemed to meet the Centers for Medicare and Medicaid Services' conditions of participation;

(b) investigations into the competence or conduct of hospital employees, agents, members of the hospital's medical staff or other practitioners, relating to the quality of patient care, and any disciplinary proceedings or fair hearings related thereto;

(c) quality assurance reviews;

(d) the medical staff credentialing process;

(e) reports by a hospital to its insurance carriers;

(f) reviews or investigations to evaluate the quality of care provided by hospital employees, agents, members of the hospital's medical staff, or other practitioners; or

(g) reports or statements, including, but not limited to, those reports or statements to the National Practitioner Data Bank and the South Carolina Board of Medical Examiners, that provide analysis or opinion (including external reviews) relating to the quality of care provided by hospital employees, agents, members of the hospital's medical staff, or other practitioners; or

(h) incident or occurrence reports and related investigations, unless the report is part of the medical record.

(2) The proceedings and data, documents, records, and information described in subsection (A)(1) may be shared with a parent corporation, subsidiaries, other hospitals in the health care system, directors, officers, employees, and agents of the hospital and if shared, remain confidential. These proceedings and data, documents, records, and information in subsection (A)(1) are not subject to discovery, subpoena, or introduction into evidence in any civil action unless the hospital and any affected person who is a party to such action waives the confidentiality in writing. Notwithstanding the foregoing, however, in the event an affected person asserts a claim in any civil action against a hospital, its parent, affiliates,

directors, officers, agents, employees, or member of any committee of a licensed hospital, relating to any proceeding identified in subsection (A)(1), the hospital may, without consultation with the affected person, waive confidentiality in that civil action. Likewise, if a hospital asserts a claim in any civil action against an affected person relating to any proceeding identified in subsection (A)(1) in which the affected person was a party, the affected person may use information in the affected person's possession that is otherwise confidential under this section in that civil action.

(3) Data, documents, records, or information which are otherwise available from original sources are not confidential and are not immune from discovery from the original source under this section or use in a civil action merely because they were acquired by the hospital.

(4) This subsection does not make confidential the outcome of a practitioner's application for medical staff membership or clinical privileges, nor does it make confidential the list of clinical privileges requested by the practitioner or the list of clinical privileges that were approved. However, the practitioner's application for medical staff membership or clinical privileges, and all supporting documentation submitted or requested for the application are confidential. Nevertheless, the application itself may be obtained from the physician requesting privileges or the practice where the physician works as an employee or an independent contractor.

(5) If a practitioner is the subject of a disciplinary proceeding or fair hearing, this subsection does not, subject to the provisions of the medical staff bylaws, prohibit the practitioner from receiving data, documents, records, and information relating to this practitioner that is relevant to the proceeding or fair hearing, even if the data, documents, records, and information are otherwise confidential under this section. Such a disclosure to a practitioner in a disciplinary proceeding or fair hearing must not be considered a waiver of any privilege or confidentiality provided for in subsection (A)(1). The practitioner must not, however, without the written consent of the hospital, publish to any third party, other than legal counsel or a person retained for the purposes of representing the practitioner in a disciplinary proceeding or fair hearing, the data, documents, records, or information that were disclosed to him as part of the disciplinary proceeding or fair hearing.

(6) There is nothing in this section which makes any part of a patient's medical record confidential from the patient, including any redactions, corrections, supplements, or amendments to the patient's record, whether electronic or written.

(B) The confidentiality provisions of subsection (A) do not prevent committees appointed by the Department of Public Health ~~and Environmental Control~~ from issuing reports containing solely nonidentifying data and information.

(C) Nothing in this section affects the duty of a hospital licensed by the Department of Public Health ~~and Environmental Control~~ to report accidents or incidents pursuant to the department's regulations. However, anything reported pursuant to the department's regulations must not be considered a waiver of any privilege or confidentiality provided in subsection (A).

(D) Any data, documents, records or information that is reported to or reviewed by the joint commission or other accrediting bodies must not be considered a waiver of any privilege or confidentiality provided for in subsection (A).

(E) Any data, documents, records, or information of an action by a hospital to suspend, revoke, or otherwise limit the medical staff membership or clinical privileges of a practitioner that is submitted to the South Carolina Board of Medical Examiners pursuant to a report required by Section 44-7-70, or the National Practitioner Data Bank must not be considered a waiver of any privilege or confidentiality provided for in subsection (A).

(F) An affected person may file a civil action to assert a claim of confidentiality before a court of competent jurisdiction and file a motion to request the court to issue an order to enjoin a hospital from releasing data, documents, records, or information to the department, the South Carolina Board of Medical Examiners, the National Practitioner Data Bank, and the joint commission or other accrediting bodies that are not required by law or regulation to be released by a hospital. The data, documents, records, or information in controversy must be filed under seal with the court having jurisdiction over the pending action and are subject to judicial review. If the court finds that a party acted unreasonably in unsuccessfully asserting the claim of confidentiality under this subsection, the court shall assess attorney's fees against that party.

(G) For purposes of this section, an “affected person” means a person, other than a patient, who is a subject of a proceeding enumerated in subsection (A)(1).

SECTION X. Section 44-7-510(4) of the S.C. Code is amended to read:

(4) “Department” means the Department of Public Health ~~and Environmental Control~~.

SECTION X. Section 44-7-570(D) of the S.C. Code is amended to read:

(D) The department shall promulgate regulations to implement the provisions of this article including any fees and application costs associated with the monitoring and oversight of cooperative agreements approved under this article. The Secretary of Health and Policy shall approve regulations prior to their being submitted to the General Assembly.

SECTION X. A. Section 44-7-1420 of the S.C. Code is amended to read:

Section 44-7-1420. (A) It is hereby declared to be the policy of the State of South Carolina to promote the public health and welfare by providing means for the financing, refinancing, acquiring, enlarging, improving, constructing, equipping, and providing of hospital facilities to serve the people of the State and to make accessible to them modern and efficient hospital facilities at the lowest possible expense to those utilizing such hospital facilities.

(B) The General Assembly hereby finds and declares that:

(1) ~~There~~ there is a need to overcome existing and anticipated physical and technical obsolescence of existing hospital facilities, to provide additional modern and efficient hospital facilities in the State and to provide assistance to the extent herein provided in order that such hospital facilities may be made available at the lowest possible expense~~.~~;

(2) ~~Unless~~ unless measures are adopted to alleviate such need, the shortage of such facilities will become increasingly more urgent and serious;~~ and~~

(3) ~~In~~ in order to meet such shortage and thereby promote the public health and welfare of the people of the State, it is necessary that assistance be afforded in the providing of adequate, modern and efficient hospital facilities in the State so that health and hospital care and services may be expanded, improved and fostered to the fullest extent practicable at the lowest possible expense~~.~~; and

(4)(a) ~~It~~ it is the purpose of this article to empower the governing bodies of the several counties of the State under the terms and conditions of this article to finance the acquisition, enlargement, improvement, construction, equipping and providing of such hospital facilities to the end that the public health and welfare of the people of the State will be promoted at the least possible expense to those utilizing such hospital facilities so provided. In this connection, such governing bodies shall function under the guidance of the State Fiscal Accountability Authority ~~of South Carolina~~ and the Department of Public Health~~ and~~

~~Environmental Control~~ and shall be vested with all powers necessary to enable them to accomplish the purposes of this article, which powers shall be in all respects exercised for the benefits of the inhabitants of the State and to promote the public health and welfare of its citizens~~.~~; and

(b) ~~It~~ it is specifically found and declared that all action taken by any county in carrying out the purposes of this article will perform an essential governmental function.

B. Section 44-7-1440 of the S.C. Code is amended to read:

Section 44-7-1440. Subject to obtaining approvals from the Authority required by Section 44-7-1590 and from the Department of Public Health ~~and Environmental Control~~, required by Section 44-7-1490, the several counties of the State functioning through their respective county boards shall be empowered to:

(1) ~~To~~ enter into agreements with any hospital agency or public agency necessary or incidental to the issuance of bonds~~.~~;

(2) ~~To~~ acquire and in connection with such acquisition, to enlarge or expand, whether by purchase, gift or lease, hospital facilities and in the case of hospital facilities located in more than one county, the facilities may be acquired jointly by the county boards of the counties wherein such hospital facilities shall be located~~.~~;

(3) ~~To~~ enter into loan agreements with any hospital agency or public agency, prescribing the payments to be made by the hospital agency or public agency to the county or its assignee to meet the payments that shall become due on bonds, including terms and conditions relative to the acquisition and use of hospital facilities and the issuance of bonds~~.~~;

(4) ~~To~~ issue bonds for the purpose of defraying the cost of providing hospital facilities and to secure the payment of such bonds as hereafter provided~~.~~;

(5) ~~To~~ receive and accept from any public agency loans or grants for or in aid of the construction of hospital facilities or any portion thereof, and to receive and accept loans, grants, aid or contributions from any source of either money, property, labor or other things of value to be held, used and applied only for the purposes for which such loans, grants, aid and contributions are made~~.~~;

(6) ~~To~~ mortgage any hospital facilities and the site thereof for the benefits of the holders of bonds issued to finance such hospital facilities~~.~~;

(7) ~~To~~ issue bonds to refinance or to refund outstanding obligations, mortgages or advances heretofore or hereafter issued, made or given by a hospital or public agency for the cost of hospital facilities~~.~~;

(8) ~~To~~ charge to each hospital and public agency utilizing this article any administrative costs and expenses incurred in the exercise of the powers and duties conferred by this article~~.~~;

(9) ~~To~~ do all things necessary or convenient to carry out the purposes of this article~~.~~;

(10) ~~To~~ to make and execute contracts and agreements necessary or incidental to the exercise of its powers and duties under this article, with persons, firms, corporations, governmental agencies and others~~.~~;

(11) ~~To~~ make the proceeds of any bonds available by way of a loan to a hospital or public agency pursuant to a loan agreement~~.~~;

(12) ~~To~~ acquire by purchase, lease, gift or otherwise, or to obtain options for the acquisition of, existing hospital facilities and any property, real or personal, improved or unimproved, including interests in land in fee or less than fee for any hospital facilities, upon such terms and at such cost as shall be agreed upon by the owner and the county board~~.~~;

(13) ~~To~~ arrange or contract with any county, city, town or other political subdivision or instrumentality of the State for the opening or closing of streets or for the furnishing of utility or other services to any hospital facilities~~.~~;

(14) ~~To~~ enter into lease agreements with any hospital or public agency whereby the county board leases hospital facilities to such hospital or public agency, including hospital facilities located in more than one county~~.~~; and

(15) ~~To~~ pledge or assign any money, rents, charges, fees or other revenues, including any proceeds of insurance or condemnation awards, pursuant to any loan agreement to the payment of the bonds issued pursuant to such loan agreement.

C. Section 44-7-1490 of the S.C. Code is amended to read:

Section 44-7-1490. The county board shall not undertake the acquisition, construction, expansion, equipping or financing of any hospital facilities unless and until such approval of the Department of Public Health ~~and Environmental Control~~ for such undertaking as may be required under Article 3, Chapter 7, Title 44, shall have been obtained.

D. Section 44-7-1590 of the S.C. Code is amended to read:

Section 44-7-1590. (A) No bonds may be issued pursuant to the provisions of this article until the proposal of the county board to issue the bonds receives the approval of the authority. Whenever a county board proposes to issue bonds pursuant to the provisions of this article, it shall file its petition with the authority setting forth:

(1) a brief description of the hospital facilities proposed to be undertaken and the refinancing or refunding proposed;

(2) a statement setting forth the action taken by the Department of Public Health ~~and Environmental Control~~ in connection with the hospital facilities;

(3) a reasonable estimate of the cost of hospital facilities;

(4) a general summary of the terms and conditions of the proposed loan agreement; and

(5) such other information as the authority requires.

(B) Upon the filing of the petition the authority, as soon as practicable, shall conduct the review as it considers advisable, and if it finds that the proposal of the governing board is intended to promote the purposes of this article, it is authorized to approve the proposal. At any time following the approval, the county board may proceed with the issuance of the bonds in accordance with the proposal as approved by the authority. Notice of the approval of the proposal by the authority must be published at least once by the authority in a newspaper having general circulation in the county where the hospital facilities are or are to be located. The notice must set forth the action taken by the county board pursuant to Section 44-7-1480 and the action taken by the Department of Public Health ~~and Environmental Control~~ pursuant to Section 44-7-1490.

(C) Any interested party, within twenty days after the date of the publication of the notice, but not afterwards, may challenge the action so taken by the authority, the county board, or the Department of Public Health ~~and Environmental Control~~, by action de novo in the court of common pleas in any county where the hospital facilities are to be located.

E. Section 44-7-1660(B) of the S.C. Code is amended to read:

(B) The county board may not enter into a subsidiary loan agreement to finance the acquisition, construction, expansion, equipping, or financing of any hospital facilities until approval of the agreement by the ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~ as may be required under Article 3 of Chapter 7 of Title 44.

F. Section 44-7-1690 of the S.C. Code is amended to read:

Section 44-7-1690. (A) Notice of the approval by a county board of any intergovernmental loan agreement or subsidiary loan agreement must be published at least once in a newspaper having general circulation in each county by the respective county board prior to the execution of such agreements. With respect to a subsidiary loan agreement, the notice must set forth the action taken by the county board and the ~~South~~

~~Carolina~~ Department of Public Health ~~and Environmental Control~~ pursuant to Section 44-7-1660. The intergovernmental loan agreement and subsidiary loan agreement must be filed with the clerk of court of the authorizing issuer and the clerk of court of the project county prior to the issuance of the bonds authorized thereby.

(B) Any interested party may, within twenty days after the date of the publication of the notice, challenge the action taken by the county board of the authorizing issuer or the project county in approving the intergovernmental loan agreement by action de novo in the court of common pleas of the project county or the authorizing issuer.

(C) Any interested party may, within twenty days after the date of the publication of the notice, challenge the action taken by the county board in approving the subsidiary loan agreement or the Department of Health and Environmental Control with respect to the hospital facilities by action de novo in the court of common pleas in any county where the hospital facilities are to be located.

SECTION X. Article 20, Chapter 7, Title 44 of the S.C. Code is amended to read:

Article 20

Hospital Infections Disclosure

Section 44-7-2410. This article may be cited as the "Hospital Infections Disclosure Act".

Section 44-7-2420. As used in this article:

(1) "Department" means the Department of Public Health ~~and Environmental Control~~.

(2)(a) "Hospital" means a facility organized and administered to provide overnight medical or surgical care or nursing care of illness, injury, or infirmity and may provide obstetrical care, and in which all diagnoses, treatment, or care is administered by or under the direction of persons currently licensed to practice medicine, surgery, or osteopathy and is licensed by the department as a hospital.

(b) "Hospital" may include residential treatment facilities for children and adolescents in need of mental health treatment which are physically a part of a licensed psychiatric hospital. This definition does not include facilities that are licensed by the Department of Social Services.

(3) "Hospital acquired infection" means a localized or systemic condition that:

(a) results from adverse reaction to the presence of an infectious agent or agents or its toxin or toxins; and

(b) was not present or incubating at the time of admission to the hospital.

Section 44-7-2430. (A)(1) Individual hospitals shall collect data on hospital acquired infection rates for the specific clinical procedures as recommended by the advisory committee and defined by the department, including the following categories:

(a) surgical site infections;

(b) ventilator associated pneumonia;

(c) central line related bloodstream ~~infections; and~~infections; and

(d) other categories as provided under subsection (D).

(2) Hospitals also shall report completeness of certain selected infection control processes, as recommended by the advisory committee and defined by the department, according to accepted standard definitions.

(B)(1) Hospitals shall submit reports at least every six months on their hospital acquired infection rates to the department. Reports must be submitted in a format and at a time as provided for by the department. Data in these reports must cover a period ending not earlier than one month prior to submission of the report. These reports must be made available to the public at each hospital and through the department. The first report must be submitted before February 1, 2008. Subsequent reports must be submitted at least every six months on dates determined by the department. When compiling its reports, the department may combine data from multiple reporting periods in order to better demonstrate hospital acquired infection rates.

(2) If the hospital is a division or subsidiary of another entity that owns or operates other hospitals, or related facilities, the report must be for the specific division or subsidiary and not for the other entity.

(C)(1) The ~~Board of Health and Environmental Control~~Secretary of Health and Policy shall appoint an advisory committee that must have an equal number of members representing all involved parties. The ~~board~~ secretary shall seek recommendations for appointments to the advisory committee from organizations that represent the interests of hospitals, consumers, businesses, purchasers of health care services, physicians, and other professionals involved in the research and control of infections.

(2) The advisory committee shall assist the department in the development of all aspects of the department's methodology for collecting, analyzing, and disclosing the information collected under this article, including collection methods, formatting, and methods and means for release and dissemination of this information.

(3) In developing the methodology for collecting and analyzing the infection rate data, the department and advisory committee shall consider existing methodologies and systems for data collection, such as the Centers for Disease Control and Prevention's National Healthcare Safety ~~Network; however~~Network; however, the department's discretion to adopt a methodology is not limited or restricted to any existing methodology or system. The data collection and analysis methodology must be disclosed to the public prior to any public disclosure of hospital acquired infection rates.

(4) The department and the advisory committee shall evaluate on a regular basis the quality and accuracy of hospital information reported under this article and the data collection, analysis, and dissemination methodologies.

(D) The department may, after consultation with the advisory committee, require hospitals to collect data on hospital acquired infection rates in categories additional to those set forth in subsection (A).

Section 44-7-2440. (A) The department annually shall submit to the General Assembly a report summarizing the hospital reports submitted pursuant to Section 44-7-2430 and shall publish the annual report on its website. The first annual report must be submitted and published before February 1, 2009. Subsequent annual reports to the General Assembly must be submitted before April sixteenth of each year. The department may issue quarterly informational bulletins summarizing all or part of the information submitted in the hospital reports.

(B) All reports issued by the department must be risk adjusted.

(C) The annual report must compare the risk adjusted hospital acquired infection rates, collected under Section 44-7-2430, for each individual hospital in the State. The department, in consultation with the advisory committee, shall make this comparison as easy to comprehend as possible. The report also must include an executive summary, written in plain language, that must include, but is not limited to, a discussion of findings, conclusions, and trends concerning the overall state of hospital acquired infections in the State, including a comparison to prior years. The report may include policy recommendations, as appropriate.

(D) The department shall publicize the report and its availability as widely as practical to interested parties including, but not limited to, hospitals, health care providers, media organizations, health insurers, health maintenance organizations, purchasers of health insurance, consumer or patient advocacy groups, and individual consumers. The annual report must be made available to any person upon request and the

department may charge a fee for such copies, not to exceed the actual cost of the copy of the report.

(E) No hospital report or department disclosure may contain information identifying a patient, employee, or licensed health care professional in connection with a specific infection incident.

(F) The department, after consultation with the advisory committee, may phase-in the reporting requirements of this section.

Section 44-7-2450. (A) It is the intent of the General Assembly that a patient's right of privilege or confidentiality must not be violated in any manner. Patient social security numbers and any other information that could be used to identify an individual patient must not be released notwithstanding any other provision of law to the contrary.

(B) Nothing in this section affects the duty of a facility or activity licensed by the Department of Public Health ~~and Environmental Control~~ to report accidents or incidents pursuant to the department's regulations. However, anything reported pursuant to the department's regulations must not be considered to waive any privilege or confidentiality provided in subsection (A).

Section 44-7-2460. (A) The department shall ensure and enforce compliance with this article and regulations promulgated pursuant to this article by the imposition of civil monetary penalties and as a condition of licensure or permitting under this chapter pursuant to Section 44-7-320.

(B) The department may promulgate regulations as necessary to carry out its responsibilities under this article. The Secretary of Health and Policy must approve the regulations prior to being submitted to the General Assembly.

SECTION X. Section 44-7-2550 of the S.C. Code is amended to read:

Section 44-7-2550. The department shall promulgate regulations necessary to carry out the purposes of this article. Through regulation or interagency agreement when appropriate the department may develop standards addressing the coordination and provision of early intervention services, including personnel qualifications and health, safety, and program standards for the facilities where the services are offered. The regulations must be approved by the Secretary of Health and Policy prior to being submitted to the General Assembly.

SECTION X. Section 44-7-2910(B) of the S.C. Code is amended to read:

(B) For purposes of this article:

(1) “Direct care entity” means:

(a) a nursing home, as defined in Section 44-7-130;

(b) a daycare facility for adults, as defined in Section 44-7-130;

(c) a home health agency, as defined in Section 44-69-20;

(d) a community residential care facility, as defined in Section 44-7-130;

(e) a residential program operated or contracted for operation by the Department of ~~Mental~~ Behavioral Health or the Department of Intellectual and Related Disabilities ~~and Special Needs~~;

(f) residential treatment facilities for children and adolescents;

(g) hospice programs.

(h) an in-home care provider, as defined in Section 44-70-20(3).

(2) "Direct caregiver" or "caregiver" means:

(a) a registered nurse, licensed practical nurse, or certified nurse assistant;

(b) any other licensed professional employed by or contracting with a direct care entity who provides to patients or clients direct care or services and includes, but is not limited to, a physical, speech, occupational, or respiratory care therapist;

(c) a person who is not licensed but provides physical assistance or care to a patient or client served by a direct care entity;

(d) a person employed by or under contract with a direct care entity who works within any building housing patients or clients;

(e) a person employed by or under contract with by a direct care entity whose duties include the possibility of patient or client contact.

For purposes of this article, a direct caregiver does not include a faculty member or student enrolled in an educational program, including clinical study in a direct care entity.

Section 44-7-2940 of the S.C. Code is amended to read:

Section 44-7-2940. The Department of Public Health ~~and Environmental Control~~ shall verify that a direct care entity is conducting criminal record checks as required in this article before the department issues a renewal license for the direct care entity. The department shall act as the channeling agency for any federal criminal record checks required by this article.

SECTION X. Section 44-7-3430 of the S.C. Code is amended to read:

Section 44-7-3430. All clinical staff, clinical trainees, medical students, interns, and resident physicians of a hospital shall wear badges clearly stating their names, using at a minimum either first or last names with appropriate initials, their departments, and their job or trainee titles. All clinical trainees, medical students, interns, and resident physicians must be explicitly identified as such on their badges. This information must be clearly visible and must be stated in terms or abbreviations

reasonably understandable to the average person, as recognized by the Department of Public Health ~~and Environmental Control~~.

Section 44-7-3455 of the S.C. Code is amended to read:

Section 44-7-3455. The provisions of this article do not apply to hospitals owned or operated by the Department of ~~Mental~~ Behavioral Health or by specialized hospitals licensed exclusively for treatment of alcohol or drug ~~abuse~~ use and which are under contract with the Department of ~~Alcohol and Other Drug Abuse Services~~Behavioral Health.

Section 44-7-3460 of the S.C. Code is amended to read:

Section 44-7-3460. The Department of Public Health ~~and Environmental Control~~ shall administer and enforce the provisions of this article in accordance with procedures and penalties provided in law and regulation.

SECTION X. Chapter 9, Title 44 of the S.C. Code is amended to read:

CHAPTER 9

~~State~~ Department of ~~Mental~~ Behavioral Health

Section 44-9-10. There is hereby created the ~~State~~ Department of ~~Mental~~ Behavioral Health, which shall have jurisdiction over all of the State's mental hospitals, clinics and centers, joint State and community sponsored mental health clinics and centers and facilities for the treatment and care of ~~alcohol and drug addicts~~people with substance disorder, alcohol use disorder, or both, including the authority to name each facility. The department is vested with all of the functions, powers, and duties of the Commission on Alcoholism and the Commission on Alcohol and Drug Abuse. The department has full authority for formulating, coordinating, and administering the state plans for controlling narcotics, controlled substances, and alcohol use. The department shall promote comprehensive, client-centered services in the areas of mental health and substance use treatment in furtherance of the State Health Services Plan's goals.

Section 44-9-20. All the powers and duties vested in the South Carolina Mental Health Commission immediately prior to March 26, 1964 are hereby transferred to and vested in the Department of ~~Mental~~ Behavioral Health. All records, files and other papers belonging to the South Carolina Mental Health Commission shall be continued as part of the records and files of the Department of ~~Mental~~ Behavioral Health.

Section 44-9-30. (A)(1) There is created the ~~governing board~~advisory board for the ~~State~~ Department of ~~Mental~~ Behavioral Health known as the ~~South Carolina Mental~~ Behavioral Health Advisory Board ~~Commission~~. The ~~commission~~ advisory board shall consist of seven

members, one from each congressional district, appointed by the ~~Governor, upon the advice and consent of the Senate~~Secretary of Health and Policy.

(2) The ~~Governor~~ secretary shall consider consumer and family representation when appointing members.

(B) The members serve for terms of five years and until their successors are appointed and qualify. The terms of no more than two members may expire in one year. The ~~Governor~~ secretary may remove a member pursuant to the provisions of Section ~~1-3-240~~44-12-50(B)(1). A vacancy must be filled by the ~~Governor~~ secretary for the unexpired portion of the term.

~~(C) The commission shall determine policies and promulgate regulations governing the operation of the department and the employment of professional and staff personnel.~~

~~(D)~~(C) The members shall receive the same subsistence, mileage, and per diem provided by law for members of state boards, committees, and commissions.

Section 44-9-40. The ~~Mental Health Commission~~Secretary of Health and Policy shall appoint, with the advice and consent of the Senate, and may remove at his pleasure, a ~~State~~ Director of ~~Mental~~ Behavioral Health, who is the chief executive of the ~~State~~ Department of ~~Mental~~ Behavioral Health. ~~Subject to the supervision and control of the Mental Health Commission, the state director shall administer the policies and regulations established by the commission.~~ The director must be a person of proven executive and administrative ability with appropriate education and substantial experience in the field of mental illness treatment. ~~The director must appoint and remove all other officers and employees of the Department of Mental Health, subject to the approval of the Mental Health Commission.~~The department's employees shall have general duties and receive compensation as determined by the director, within the director's authority as provided by the Secretary of Health and Policy. The director shall be responsible for the administration of state personnel policies and the general personnel policies implemented by the Executive Office of Health and Policy. The director shall have sole authority to employ and discharge employees subject to applicable personnel policies and funding available for that purpose.

Section 44-9-50. (A) The Department of ~~Mental~~ Behavioral Health may be divided into such divisions as may be authorized by the director ~~of Mental Health and approved by the commission~~. One of the divisions must be a Division on Alcohol and Drug Addiction which shall have

primary responsibility in the State for treatment of ~~alcohol and drug addicts~~people with substance or alcohol use disorder. One of the divisions must be a Division for Long Term Care which shall have primary responsibility for care and treatment of elderly persons with mental and physical disabilities to the extent that their needs are not met in other facilities either public or private.

(B) The director shall appoint a supervisor of adult education for the prevention of alcohol use disorder, who shall be responsible for activating and implementing an adequate alcoholic education program for the residents of this State above high school age. The program shall be designed to prevent or reduce alcohol use disorder in South Carolina and to created a recognition and understanding of the problem. The department shall furnish the supervisor with adequate ways and means to accomplish an effective educational program as required by this subsection. In carrying out the provisions of this subsection the department and the supervisor may consult with and work in conjunction with groups such as Alcoholics Anonymous, the Yale Center of Alcohol Studies, the Research Council on Problems of Alcohol of the American Association for the Advancement of Science, the South Carolina Medical Association, the Christian Action Council, the Committee on Alcoholism of the South Carolina Conference on Social Work, and other groups or agencies that able to assist in the study, prevention, treatment, and rehabilitation of alcoholics and in a scientific educational programs concerning the problems related to alcohol.

(C) The director shall establish a program to provide alcohol and drug use intervention, prevention, and treatment services for the State's public schools. The department shall provide staff and support necessary to administer the program. Funds for the program must be annually appropriated by the General Assembly from the Education Improvement Act of 1984 Fund as it determines appropriate.

Section 44-9-60. The director of the Department of ~~Mental~~ Behavioral Health may appoint a director of each hospital. Each director must be knowledgeable in the treatment of the mentally ill and in hospital administration. The director of each hospital under the jurisdiction of the Department of ~~Mental~~ Behavioral Health is responsible for the employment of all personnel at the hospital, subject to the approval of the director of the department. The director of the department may serve as director of one or more hospitals or other mental health facilities.

Section 44-9-70. The ~~State~~ Department of ~~Mental~~ Behavioral Health is hereby designated as the State's ~~mental~~ behavioral health authority for purposes of administering Federal funds allotted to South Carolina under

the provisions of the National Mental Health Act, as amended. The ~~State~~ Department of ~~Mental~~ Behavioral Health is further designated as the State agency authorized to administer minimum standards and requirements for mental health clinics as conditions for participation in Federal-State grants-in-aid under the provisions of the National Mental Health Act, as amended, and is authorized to promote and develop community mental health outpatient clinics. Provided, that nothing in this article shall be construed to prohibit the operation of outpatient mental health clinics by the ~~South Carolina Medical College Hospital~~Medical University of South Carolina in Charleston. Provided, further, that nothing herein shall be construed to include any of the functions or responsibilities now granted the Department of Public Health ~~and Environmental Control~~, or the administration of the State Hospital Construction Act (Hill-Burton Act), as provided in the 1976 Code of Laws and amendments thereto.

Section 44-9-80. Payments made to a mental health facility which are derived in whole or in part from Federal funds which become available after June 30, 1967, and which are provided with the stipulation that they be used to improve services to patients shall not be considered fees from paying patients under the terms of Act No. 1100 of 1964 but may be utilized by the ~~State~~ Department of ~~Mental~~ Behavioral Health to improve South Carolina's comprehensive mental health program.

Section 44-9-90. (A) The ~~commission~~ department shall:

~~(1) form a body corporate in deed and in law with all the powers incident to corporations;~~

~~(2)~~(1) cooperate with persons in charge of penal institutions in this State for the purpose of providing proper care and treatment for mental patients confined in penal institutions because of emergency;

~~(3)~~(2) inaugurate and maintain an appropriate mental health education and public relations program;

~~(4)~~(3) collect statistics bearing on mental illness, ~~drug addictions~~substance use disorder, and ~~alcoholism~~alcohol use disorder;

~~(5)~~(4) provide vocational training and medical treatment which must tend to the mental and physical betterment of patients and which is designed to lessen the increase of mental illness, ~~drug addictions~~substance use disorder, and ~~alcoholism~~alcohol use disorder;

~~(6)~~(5) encourage the directors of hospitals and their medical staffs in the investigation and study of these subjects and of mental health treatment in general; ~~and~~

~~(7)~~(6) provide for and promote a statewide system for the delivery of mental health services to treat, care for, reduce, and prevent mental

illness and provide mental health services for citizens of this State, whether or not in a hospital. The system shall account for residents with mile to moderate persistent, chronic, or acute symptoms requiring care and must include services to prevent or postpone the commitment or recommitment of citizens to hospitals.;

(7) coordinate with state agencies and other providers to ensure the appropriate provision of care for individuals with co-occurring diagnoses. The department shall coordinate and cooperate with the Secretary of Health and Policy in complex cases;

(8) perform all functions, powers, and duties of the commissioner of the narcotics and controlled substances section of the State Planning and Grants Division previously transferred to the Department of Alcohol and Other Drug Abuse Services, except those powers and duties related to the traffic of narcotics and controlled substances as defined in Section 44-53-130 which are be vested in the State Law Enforcement Division;

(9) establish a block grant mechanism to provide such monies as may be appropriated by the General Assembly for this purpose to each of the agencies designated under Section 61 12 20(a). The agencies designated under Section 61-12-20(a) must expend any funds received through this mechanism in accordance with the county plans required under Section 61-12-20(b).

(10) exercise the following powers and duties relating to narcotics and controlled substances:

(a) arrange for the exchange of information between governmental officials concerning the misuse of controlled substances;

(b) in conformance with its administration and coordinating duties under this chapter and Article 3, Chapter 53, Title 44, rely and act upon results, information, and evidence received from the Department of Public Health relating to the regulatory functions of this chapter and Article 3 of Chapter 53, including results of inspections conducted by the department; may be relied upon and acted upon by the department;

(c)(1) plan, coordinate and cooperate in educational programs for schools, communities and general public designed to prevent and deter misuse of controlled substances;

(2) promote improved recognition of the problems of misuse and use of controlled substances within the regulated industry and among interested groups and organizations;

(3) assist the regulated industry, interested groups and organizations in contributing to the reduction of misuse and use of controlled substances;

(4) consult with interested groups and organizations to aid them in solving administrative and organizational problems;

(5) evaluate procedures, projects, techniques, and controls conducted or proposed as part of educational programs on misuse and use of controlled substances;

(6) disseminate the results of research on misuse and use of controlled substances to promote a better public understanding of what problems exist and what can be done to combat them;

(7) assist in the education and training of state and local law enforcement officials in their efforts to control misuse and use of controlled substances;

(8) encourage research on misuse and use of controlled substances;

(9) cooperate in establishing methods to assess accurately the effects of controlled substances and to identify and characterize controlled substances with potential for use;

(10) cooperate in making studies and in undertaking programs of research to:

(i) develop new or improved approaches, techniques, systems, equipment and devices to strengthen the enforcement of Sections 44 49 10, 44 49 40 and 44 49 50 and Article 3 of Chapter 53;

(ii) determine patterns of misuse and use of controlled substances and the social effects thereof; and

(iii) improve methods for preventing, predicting, understanding and dealing with the misuse and use of controlled substances;

(d) enter into contracts with public agencies, institutions of higher education, and private organizations or individuals for the purpose of conducting research, demonstrations, or special projects which bear directly on misuse and use of controlled substances.

(e) enter into contracts for educational and research activities without performance bonds.

(f) accept gifts, bequests, devises, contributions, and grants, public or private, including federal funds, or funds from any other source for use in furthering the purpose of the department. The department is authorized to administer the grants and contracts arising from the federal program entitled the Drug Free Schools and Communities Act of 1986, P.L. 99 570.

(B) The department shall determine policies and promulgate regulations governing the operation of the department and the employment of professional and staff personnel. Prior to the submission

of these regulations, the department must receive approval from the Secretary of Health and Policy.

Section 44-9-100. The ~~commission~~ department may:

(1) prescribe the form of and information to be contained in applications, records, reports, and medical certificates provided for under this chapter, Chapter 11, Chapter 13, Article 1 of Chapter 15, Chapter 17, Chapter 22, Chapter 23, Chapter 24, Chapter 27, Chapter 48, and Chapter 52;

(2) require reports from the director of a state hospital relating to the admission, examination, diagnosis, discharge, or conditional discharge of a patient;

(3) investigate complaints made by a patient or by a person on behalf of a patient;

(4) adopt regulations not inconsistent with this chapter, Chapter 11, Chapter 13, Article 1 of Chapter 15, Chapter 17, Chapter 22, Chapter 23, Chapter 24, Chapter 27, Chapter 48, and Chapter 52 as it may find to be reasonably necessary for the government of all institutions over which it has authority and of state mental health facilities and the proper and efficient treatment of persons with a mental illness or substance use disorder. The Secretary of Health and Policy must approve regulations prior to their submission to the General Assembly;

(5) take appropriate action to initiate and develop relationships and agreements with state, local, federal, and private agencies, hospitals, and clinics as the commission considers necessary to increase and enhance the accessibility and delivery of emergency and all other types of ~~mental~~ behavioral health services~~.~~; and

(6) develop rules and promulgate regulations consistent with the provisions of this chapter as may be reasonably appropriate for the government of the county plans provided for in Section 61-12-20(b), and the financial and programmatic accountability of funds provided for in this section, and all other funds provided by the department to agencies designated pursuant to Section 61-12-20(a).

Section 49-9-105. (A) The department shall develop and initiate negotiation of the service contracts through which it provides funds to service providers to accomplish the purposes of this chapter. The department may, notwithstanding any provision of law to the contrary, disburse state and federal funds appropriated to it for substance use services directly to the service provider.

(B) Service contracts shall:

(1) clearly delineate the responsibilities of the department and the service provider;

(2) specify conditions that must be met for the receipt of state and federal funds;

(3) identify the groups of individuals to be served with state and federal funds;

(4) contain specific outcome measures for individuals receiving services, provider performance measures, satisfaction measures for individuals receiving services, and participation and involvement measures for individuals receiving services and their family members;

(5) contain provisions that enable the department to enforce the service contract in the event that the service provider fails to substantially comply with the requirements of its service contract. The enforcement provisions shall include:

(a) notification to a service provider when it fails to substantially comply with the requirements of its service contract;

(b) a remediation process to allow the service provider, after failing to substantially comply with its service contract, to come into substantial compliance with its service contract;

(c) a mechanism for withholding or reducing funds, repayment of funds, or termination of all or part of a service contract in accordance with the provisions of subsection (D) in the event that the service provider fails to come into substantial compliance with the provisions of its service contract despite utilization of the remediation process described in subsection (B)(5)(b); and

(d) an appeals process for an enforcement action undertaken by the department; and

(6) contain requirements for the service provider to report specific information concerning:

(a) its revenues, costs, and services;

(b) individuals served; and

(c) any other information deemed necessary by the department, which shall be displayed in a consistent, comparable format developed by the department.

(C) The department shall develop and implement a process for regular, ongoing monitoring of the performance of service providers to ensure compliance with the requirements of service contracts entered into pursuant to this section.

(D)(1) If a service provider fails to comply with the requirements of its service contract, the department shall utilize the remediation process described in the service contract to allow the service provider to come into compliance. The department shall notify the service provider upon initiation of the remediation process and provide regular updates

regarding the service provider's progress toward coming into compliance.

(2) If a service provider fails to come into compliance after utilization of the remediation process, the department shall, after affording the service provider an adequate opportunity to use the appeal process described in the service contract, terminate all or a portion of the service contract.

(E) Upon terminating all or a portion of a service contract pursuant to subsection (D)(2), the department may negotiate a performance contract with another service provider to obtain the services that were the subject of the terminated performance contract.

(F) No service provider shall be eligible to receive state or federal funds for substance use services, unless:

(a) its performance contract has been approved or renewed by the department;

(b) it provides service, cost, and revenue data and information, and aggregate and individual data and information about individuals receiving services to the department in the format prescribed by the department;

(c) it uses standardized cost accounting and financial management practices approved by the department, and

(d) the service provider is in compliance with its service contract or is making progress to become compliant through the department's remediation process.

Section 44-9-110. The ~~Mental Health Commission may accept on behalf of the~~ Department of ~~Mental~~ Behavioral Health ~~or any of its facilities or services,~~ gifts, bequests, devises, grants, donations of money or real and personal property of whatever kind, but no such gift or grant shall be accepted upon the condition that it shall diminish an obligation due the ~~Department~~department. The ~~Commission~~ department may refuse to accept any such gift or grant and the acceptance of any such gift or grant shall not incur any obligation on the part of the State. Any gift or grant given to a specific facility or service shall be used for that facility or service only, or to its successor. The ~~Commission~~ department may promulgate rules and regulations governing the disposition of such gifts and grants. The Secretary of Health and Policy must approve the regulations prior to their submission to the General Assembly.

Section 44-9-120. The ~~Commission~~ department shall submit an annual report to the ~~Governor~~ Secretary of Health and Policy before the eleventh day of January of each year setting forth its activities, the financial affairs and the state and condition of the State mental health

facilities and any other statistical information which is usually required of facilities of the type over which it has charge. The report shall include any recommendations which in the opinion of the ~~Commission~~ department will improve the ~~mental~~ behavioral health program of the State. ~~A copy of the report shall also be submitted to the General Assembly.~~

Section 44-9-160. Wherever in the 1976 Code reference is made to the State Hospital, it shall mean a state hospital; wherever reference is made requiring the signature of the superintendent of any mental health facility, it shall mean the superintendent or his designee; and wherever reference is made to the State Commissioner of Mental Health, it shall mean the ~~State~~ Director of the Department of ~~Mental~~ Behavioral Health.

SECTION X. Section 61-12-20 of the S.C. Code is amended to read:

Section 61-12-20. Before the use of the revenue described in Section 61-12-10, the governing body of each county must:

(a) designate a single existing county agency or organization, either public or private, as the sole agency in the county for alcohol and drug ~~abuse~~ use planning for programs funded by the revenue described in Section 61-12-10 or create a new agency for that purpose;

(b) develop a county plan in accordance with the state plan for alcohol ~~abuse~~ use and ~~alcoholism~~ alcohol use disorder and the state plan for drug ~~abuse~~ use required by Public Laws 91-616 and 92-255 for the prevention and control of alcohol and drug ~~abuse~~ use and obtain written approval of the plan by the Department of ~~Alcohol and Other Drug Abuse Services~~Behavioral Health. Written approval must be given by the Department of ~~Alcohol and Other Drug Abuse Services~~Behavioral Health if the plan is reasonable. If approval is denied, the county may appeal to the Governor. The appeal must state fully the reasons why it is made. If the ~~Governor~~ Secretary of Health and Policy considers the nonapproval of the plan by the Department of ~~Alcohol and Other Drug Abuse Services~~ Behavioral Health to be unreasonable, he must communicate his reasons to the Department of ~~Alcohol and Other Drug Abuse Services~~Behavioral Health and require it to reexamine the plan in light of his objections. Following the reexamination, no further appeal may be taken.

Section 12-33-245 of the S.C. Code is amended to read:

Section 12-33-245. (A) In addition to taxes imposed pursuant to the provisions of Sections 12-33-230, 12-33-240, Article 5 of this chapter, and Chapter 36, Title 12, there is imposed an excise tax equal to five percent of the gross proceeds of the sales of alcoholic liquor by the drink for on-premises consumption in an establishment licensed for sales

pursuant to Article 5, Chapter 6, Title 61 or at a location holding a temporary license or permit that authorizes the sale of liquor by the drink. All proceeds of this excise tax must be deposited to the credit of the general fund of the State. Except with respect to the distribution of the revenue of this tax, this excise tax is considered to be imposed pursuant to Chapter 36, Title 12. For purposes of this subsection, "gross proceeds of sales" has the meaning as provided in Section 12-36-90, except that the sales tax imposed under Chapter 36, Title 12 is not included in "gross proceeds of sales". The term "gross proceeds of sales" also includes, but is not limited to, the retail value of a complimentary or discounted beverage containing alcoholic liquor, an amount charged for ice for a drink containing alcoholic liquor, and an amount charged for a nonalcoholic beverage that is sold or used as a mixer for a drink containing alcoholic liquor. This section does not apply to nonprofit organizations that are issued a temporary permit to allow possession, sale, and consumption of alcoholic liquors pursuant to subarticle 5, Article 5, Chapter 6, Title 61.

(B) Eleven percent of the revenue generated by the excise tax provided for in subsection (A) must be placed on deposit with the State Treasurer and credited to a fund separate and distinct from the general fund of the State. On a quarterly basis, the State Treasurer shall allocate this revenue to the Department of Health Financing ~~counties on a per capita basis according to the most recent United States Census. The State Treasurer must notify each county of the allocation pursuant to this subsection in addition to the funds allocated pursuant to Section 6-27-40(B),~~ and ~~the combination~~ of these funds must be used ~~by counties for educational purposes relating to the use of alcoholic liquors and~~ for reimbursement of services related to the rehabilitation of ~~alcoholics and drug addicts~~people with substance or alcohol use disorder. ~~A county may pool these funds with other counties and may combine these funds with other funds for the same purpose.~~

~~(C) Those state agencies and local entities, including counties, which by law received minibottle tax revenues in fiscal year 2004-2005 for education, prevention, and other purposes, shall receive in a fiscal year at least the same amount of revenues from the excise tax revenues as they received from minibottle tax revenues during fiscal year 2004-2005. If these state agencies and local entities do not, the difference must be made up from the general fund. Payments will be distributed in four equal payments based on the total payments remitted to these state agencies and entities in fiscal year 2004-2005, including funds received pursuant to Section 6-27-40(B). At the end of each fiscal year, the State Treasurer,~~

~~in consultation with the Department of Revenue, shall determine whether the tax collected pursuant to these sections exceed the total collection and remittance for fiscal year 2004-2005. If the tax collected exceeds the amount collected and allocated in fiscal year 2004-2005, a distribution of the difference will be remitted to the county treasurers within thirty days after the close of each fiscal year.~~

~~(D)~~(C) In addition to all other penalties that may be imposed for violations arising pursuant to subsection (A) of this section, a failure to report and remit the full amount of the excise tax imposed pursuant to subsection (A) on the gross proceeds of the sale of each drink of alcoholic liquor sold for consumption in the establishment subjects the licensee to the following penalties:

(1) for a first violation, a civil penalty of one thousand dollars;

(2) for a second violation, a civil penalty of one thousand dollars and an automatic suspension for thirty days of the license allowing such sales; and

(3) for a third or subsequent violation, a civil penalty of five thousand dollars and a revocation of the license.

~~(E)~~(D) When a license is suspended or revoked, a partner or person with a financial interest in the business may not be issued a license for the premises concerned. A person within the second degree of kinship to a person whose license is suspended or revoked may not be issued a license for the premises concerned for a period of one year after the date of suspension or revocation.

Section 6-27-40 of the S.C. Code is amended to read:

Section 6-27-40. (A) No later than thirty days after the end of the calendar quarter, the State Treasurer shall distribute the monies appropriated to the Local Government Fund as follows:

(1) Eighty-three and two hundred seventy-eight thousandths percent must be distributed to counties. Of the total distributed to counties, each county must receive an amount based on the ratio that the county's population is of the whole population of this State according to the most recent United States Census.

(2) Sixteen and seven hundred twenty-two thousandths percent must be distributed to municipalities. Of the total distributed to municipalities, each municipality must receive an amount based on the ratio that the municipality's population is of the population of all municipalities in this State according to the most recent United States Census.

~~(B) In making the quarterly distribution to counties, the State Treasurer must notify each county of the amount that must be used for~~

~~educational purposes relating to the use of alcoholic liquors and for the rehabilitation of alcoholics and drug addicts. Counties may pool these funds with other counties and may combine these funds with other funds for the same purposes. The amount that must be used as provided in this subsection is equal to twenty-five percent of the revenue derived pursuant to Section 12-33-245 allocated on a per capita basis according to the most recent United States Census.~~

SECTION X. Chapter 20, Title 44 of the S.C. Code is amended to read:

CHAPTER 20

South Carolina Intellectual Disability, Related Disabilities, Head Injuries, and Spinal Cord Injuries Act

Article 1

General Provisions

Section 44-20-10. This chapter may be cited as the "South Carolina Intellectual Disability, Related Disabilities, Head Injuries, and Spinal Cord Injuries Act".

Section 44-20-20. The State of South Carolina recognizes that a person with intellectual disability, a related disability, head injury, or spinal cord injury is a person who experiences the benefits of family, education, employment, and community as do all citizens. It is the purpose of this chapter to assist persons with intellectual disability, related disabilities, head injuries, or spinal cord injuries by providing services to enable them to participate as valued members of their communities to the maximum extent practical and to live with their families or in family settings in the community in the least restrictive environment available.

When persons with intellectual disability, related disabilities, head injuries, or spinal cord injuries cannot live in communities or with their families, the State shall provide quality care and treatment in the least restrictive environment practical.

In order to plan and coordinate state and locally funded services for persons with intellectual disability, related disabilities, head injuries, or spinal cord injuries, a statewide network of local boards of disabilities and special needs is established. Services will be delivered to clients in their homes or communities through these boards and other local providers.

It is recognized that persons with intellectual disability, related disabilities, head injuries, or spinal cord injuries have the right to receive services from public and other agencies that provide services to South

Carolina citizens and to have those services coordinated with the services needed because of their disabilities.

South Carolina recognizes the value of preventing intellectual disability, related disabilities, head injuries, and spinal cord injuries through education and research and supports efforts to this end.

The State recognizes the importance of the role of parents and families in shaping services for persons with intellectual disability, related disabilities, head injuries, or spinal cord injuries as well as the importance of providing services to families to enable them to care for a family member with these disabilities.

Admission to services of the ~~South Carolina~~ Department of Intellectual and Related Disabilities~~ and Special Needs does~~ not terminate or reduce the rights and responsibilities of parents. Parental involvement and participation in mutual planning with the department to meet the needs of the client facilitates decisions and treatment plans that serve the best interest and welfare of the client.

Section 44-20-30. As used in this chapter:

(1) "Applicant" means a person who is believed to have intellectual disability, one or more related disabilities, one or more head injuries, one or more spinal cord injuries, or an infant at high risk of a developmental disability who has applied for services of the ~~South Carolina~~ Department of Intellectual and Related Disabilities~~ and Special Needs~~.

(2) "Autism" means Autism Spectrum Disorder as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders.

~~(2)~~(3) "Client" is a person who is determined by the Department of Intellectual and Related Disabilities~~ and Special Needs~~ to have intellectual disability, a related disability, head injury, or spinal cord injury and is receiving services or is an infant at risk of having a developmental disability and is receiving services.

~~(3)~~(4) ~~"Commission"~~ "Advisory Board" means the ~~South Carolina Commission on Disabilities and Special Needs~~ Intellectual and Related Disabilities Advisory Board, the ~~policy-making and governing body~~entity that advises ~~of~~ the Department of Intellectual and Related Disabilities~~ and Special Needs~~ concerning the policy and issues affecting the department's clients.

~~(4)~~(5) "County ~~disabilities and special needs boards~~Intellectual and Related Disabilities Board" or "County Board" means the local public body administering, planning, coordinating, or providing services within a county or combination of counties for persons with intellectual

disability, related disabilities, head injuries, or spinal cord injuries, or autism and recognized by the department.

~~(5)~~(6) "Day programs" are programs provided to persons with intellectual disability, related disabilities, head injuries, or spinal cord injuries outside of their residences affording development, training, employment, or recreational opportunities as prescribed by the Department of Intellectual and Related Disabilities ~~and Special Needs~~.

~~(6)~~(7) "Department" means the ~~South Carolina~~ Department of Intellectual and Related Disabilities ~~and Special Needs~~.

~~(7)~~(8) "Director" means the ~~South Carolina~~ Director of the Department of Intellectual and Related Disabilities ~~and Special Needs, the chief executive director~~ appointed by the ~~commission~~Secretary of Health and Policy.

~~(8)~~(9) "Disabilities and special needs services" are activities designed to achieve the results specified in an individual client's plan.

~~(9)~~(10) "High risk infant" means a child less than thirty-six months of age whose genetic, medical, or environmental history is predictive of a substantially greater risk for a developmental disability than that for the general population.

~~(10)~~(11) "Least restrictive environment" means the surrounding circumstances that provide as little intrusion and disruption from the normal pattern of living as possible.

~~(11)~~(12) "Improvements" means the construction, reconstruction of buildings, and other permanent improvements for regional centers and other programs provided by the department directly or through contract with county boards of disabilities and special needs, including equipment and the cost of acquiring and improving lands for equipment.

~~(12)~~(13) "Intellectual disability" means significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period.

~~(13)~~(14) "Obligations" means the obligations in the form of notes or bonds or contractual agreements issued or entered into by the commission pursuant to the authorization of this chapter and of Act 1377 of 1968 to provide funds with which to repay the proceeds of capital improvement bonds allocated by the State Fiscal Accountability Authority.

~~(14)~~(15) "Regional residential center" is a twenty-four hour residential facility serving a multicounty area and designated by the department.

~~(15)~~(16) "Related disability" is a severe, chronic condition found to be closely related to intellectual disability or to require treatment similar to

that required for persons with intellectual disability and must meet the following conditions:

(a) It is attributable to cerebral palsy, epilepsy, autism, or any other condition other than mental illness found to be closely related to intellectual disability because this condition results in impairment of general intellectual functioning or adaptive behavior similar to that of persons with intellectual disability and requires treatment or services similar to those required for these persons.

(b) It is manifested before twenty-two years of age.

(c) It is likely to continue indefinitely.

(d) It results in substantial functional limitations in three or more of the following areas of major life activity: self-care, understanding and use of language, learning, mobility, self-direction, and capacity for independent living.

~~(16)~~(17) "Residential programs" are services providing dwelling places to clients for an extended period of time with assistance for activities of daily living ranging from constant to intermittent supervision as required by the individual client's needs.

~~(17)~~(18) "Revenues" or "its revenues" means revenue derived from paying clients at regional residential centers and community residences but does not include Medicaid, Medicare, or other federal funds received with the stipulation that they be used to provide services to clients.

~~(18)~~(19) "State capital improvement bonds" means bonds issued pursuant to Act 1377 of 1968.

~~(19)~~(20) ~~"Department" shall mean the State Department of Administration as constituted pursuant to Chapter 11, Title 1.~~ "State Health Services Plan" means the State Plan for Health developed by the Secretary of Health and Policy.

Article 3

Organization and System for Delivery of Services

Section 44-20-210. There is created the ~~South Carolina Commission on Disabilities and Special Needs~~Intellectual and Related Disabilities Advisory Board. The ~~commission~~ advisory board consists of seven members. One member must be a resident of each congressional district appointed by the ~~Governor upon the advice and consent of the Senate~~Secretary of Health and Policy. They shall serve for four years and until their successors are appointed and qualify. Members of the commission are subject to removal by the ~~Governor~~ Secretary pursuant to the provisions of Section ~~1-3-240~~44-12-50(B)(1). A vacancy ~~may~~ shall be filled by the ~~Governor~~ Secretary for the unexpired portion of the term.

Section 44-20-220. The ~~commission~~ advisory board shall ~~determine~~ advise the department concerning the policy and issues affecting the department's clients.~~ and promulgate regulations governing the operation of the department and the employment of professional staff and personnel.~~ The members of the commission shall receive subsistence, mileage, and per diem as may be provided by law for members of state boards, committees, and commissions.~~ The commission shall appoint and in its discretion remove a South Carolina Director of Disabilities and Special Needs who is the chief executive officer of the department.~~ The ~~commission~~ advisory board may appoint advisory committees it considers necessary to assist in the effective conduct of its responsibilities. The advisory board shall submit an annual written report to the director concerning policy recommendations~~ The commission may educate the public and state and local officials as to the need for the funding, development, and coordination of services for persons with intellectual disability, related disabilities, head injuries, and spinal cord injuries and promote the best interest of persons with intellectual disability, related disabilities, head injuries, and spinal cord injuries. The commission is authorized to promulgate regulations to carry out the provisions of this chapter and other laws related to intellectual disability, related disabilities, head injuries, or spinal cord injuries. In promulgating these regulations, the commission must consult with the advisory committee of the division for which the regulations shall apply.~~

Section 44-20-230. The department shall be headed by a director appointed by the Secretary of Health and Policy upon the advice and consent of the Senate. ~~Subject to the supervision, direction, and control of the commission, the director~~The director shall administer the department's policies and regulations~~ established by the commission~~. ~~The director may appoint and in his discretion remove all other officers and employees of the department subject to the approval of the commission.~~ Departmental employees shall have general duties and receive compensation as determined by the director, within the authority vested in the director by the Secretary of Health and Policy. The director shall be responsible for the administration of state personnel policies and general personnel policies implemented by the Secretary of Health and Policy. The director shall have sole authority to employ and discharge employees subject to the personnel policies and funding available for that purpose.

Section 44-20-240. There is created the ~~South Carolina~~ Department of Intellectual and Related Disabilities~~ and Special Needs~~ which has

authority over all of the state's services and programs for the treatment and training of persons with intellectual disability, related disabilities, head injuries, autism, and spinal cord injuries. This authority does not include services delivered by other agencies of the State as prescribed by statute unless those services are delivered pursuant to the State Health Services Plan. The department is authorized to promulgate regulations governing the operation of the department and to carry out the provisions of this chapter and other laws related to intellectual disability, related disabilities, head injuries, autism, and spinal cord injuries. The Secretary of Health and Policy must approve the regulations prior to their submission to the General Assembly. ~~The department must be comprised of an Intellectual Disability Division, an Autism Division, and a Head and Spinal Cord Injuries Division. The department may be divided into additional divisions as may be determined by the director and approved and named by the commission. Responsibility for all autistic services is transferred from the Department of Mental Health to the Department of Disabilities and Special Needs.~~

Section 44-20-250. (A) The department shall coordinate services and programs with other state and local agencies for persons with intellectual disability, related disabilities, head injuries, autism, and spinal cord injuries pursuant to the State Health Services Plan. The department may negotiate and contract with local agencies, county boards of disabilities and special needs, private organizations, and foundations in order to implement the planning and development of a full range of services and programs for persons with intellectual disability, related disabilities, head injuries, autism, and spinal cord injuries subject to law and the availability of fiscal resources. The department has the same right to be reimbursed for expenses in providing intellectual and related disabilities ~~and special needs~~ services through a contractual arrangement as it has to be reimbursed for expenses provided through direct departmental services. The department shall develop service standards for programs of the department and for programs for which the department may contract and shall review and evaluate these programs on a periodic basis.

(B) The department shall coordinate with state agencies and other providers to ensure the appropriate provision of care for individuals with cooccurring diagnoses. The department shall coordinate with the Secretary of Health and Policy in complex cases.

(C) The department is designated as the responsible lead agency through which the federal Individuals with Disabilities Education Act

(IDEA) Part C program with be administered pursuant to 20 U.S.C. 1400, et. seq.

(D) The department shall regularly report to the Secretary of Health and Policy concerning operation of the county boards, including information reported by the county boards pursuant to Section 44-20-385.

Section 44-20-255. (A) Upon execution of the deed as provided in subsection (B) of this section, ownership of the tract of real property in Richland County described in Section 1 of Act 1645 of 1972 is confirmed in the ~~South Carolina~~ Department of Intellectual and Related Disabilities ~~and Special Needs~~ as the successor agency to the Department of Disabilities and Special Needs, which was the successor to the South Carolina Department of Mental Retardation.

(B) The State Department of Administration shall cause to be executed and recorded an appropriate deed conveying the tract to ~~the South Carolina Department~~the Department of Intellectual and Related Disabilities ~~and Special Needs~~.

(C) Proceeds of a subsequent sale of the tract that is the subject of this section may be retained by the ~~South Carolina~~ Department of Intellectual and Related Disabilities ~~and Special Needs~~.

Section 44-20-260. The department, with funds available for these purposes, may conduct research to determine the causes, proper treatment, and diagnosis of intellectual disability, related disabilities, head injuries, and spinal cord injuries and may use facilities and personnel under its control and management for carrying out the research so long as the rights of the client are preserved and prior consent is obtained pursuant to Section 44-26-180.

Section 44-20-270. The department is designated as the state's intellectual disability, related disabilities, head injuries, autism, and spinal cord injuries authority for the purpose of administering federal funds allocated to South Carolina for intellectual disability programs, related disability programs, head injury programs, and spinal cord injury programs. This authority does not include the functions and responsibilities granted to the ~~South Carolina~~ Department of Public Health, ~~and Environmental Control or to~~ the ~~South Carolina Department~~ Department of Vocational Rehabilitation, or the administration of the "State Hospital Construction and Franchising Act".

Section 44-20-280. The department may negotiate and contract with an agency of the United States or a state or private agency to obtain grants to assist in the expansion and improvement of services to persons with intellectual disability, related disabilities, head injuries, autism, or

spinal cord injuries and may expend the grants under the terms and conditions of the award.

Section 44-20-290. The director or his designee may employ at regional centers security guards who are vested and charged with the powers and the duties of peace officers. They may arrest felons and misdemeanants, eject trespassers, and, without warrant, arrest persons for disorderly conduct who are trespassers on the grounds of the regional center and have them tried in a court of competent jurisdiction. Officers so employed must be bonded and under the direct supervision of the South Carolina Law Enforcement Division and shall report directly to the director or his designee.

Section 44-20-300. The department may acquire motor vehicle liability insurance for employees operating department vehicles or private vehicles in connection with their official departmental duties to protect against liability.

Section 44-20-310. The department may sell timber from its forest lands with the proceeds from the sales to be deposited in the general fund of the State. Before a sale, the Department of Administration shall consult with the State Forester to determine the economic feasibility of the sale, and a sale must not be made without the approval of the department.

Section 44-20-320. The department or any of its programs may accept gifts, bequests, devises, grants, and donations of money, real property, and personal property for use in expanding and improving services to persons with intellectual disability, related disabilities, head injuries, autism, and spinal cord injuries available to the people of this State. However, nothing may be accepted by the department with the understanding that it diminishes an obligation for paying care and maintenance charges or other monies due the department for services rendered. The ~~commission~~ department may formulate policies and promulgate regulations governing the disposition of gifts, bequests, devises, grants, and donations. If they are given to a specific service program of the department they must remain and be used for that program only or to its successor program.

Section 44-20-330. The department may grant easements, permits, or rights-of-way on terms and conditions it considers to be in the best interest of the State, across, over, or under land held by the department for the construction of water, sewer, drainage, natural gas, telephone, telegraph, and electric power lines.

Section 44-20-340. (A) A person, hospital, or other organization may provide information, interviews, reports, statements, written

memoranda, documents, or other data related to the condition and treatment of a client or applicant to the department, and no liability for damages or other relief arises against the person, hospital, or organization for providing the information or material.

(B) All records pertaining to the identity of a person whose condition or treatment has been studied by the department are confidential and privileged information. However, upon the written request of the client, the client's or applicant's parent with legal custody, legal guardian, or spouse with the written permission of the client or applicant or under subpoena by a court of law, the department may furnish pertinent records in its possession to appropriate parties.

Section 44-20-350. (A) Reasonable reimbursement to the State for its fiscal outlay on behalf of services rendered by the department or any other agency authorized by the department to offer services to clients is a just obligation of the person with intellectual disability, a related disability, head injury, autism, or spinal cord injury, his estate, or his parent or guardian under the conditions and terms provided in this section.

(B) The department or an agency authorized by the department to offer services to clients may charge for its services. However, no service may be denied a client or his parent or guardian because of inability to pay part or all of the department's or other agency's expenses in providing that service. Where federal reimbursement is authorized for services provided, the department initially shall seek federal reimbursement. No charge or combination of charges may exceed the actual cost of services rendered. The ~~commission~~ department shall approve the procedures established to determine ability to pay and may authorize its designees to reduce or waive charges based upon its findings.

(C) Parents, guardians, or other responsible relatives must not be charged for regional center or community residential services provided by the department for their child or ward. However, a person receiving nonresidential services or his parent or guardian may be assessed a charge for services received, not to exceed cost. The department ~~with the approval of the commission~~ may determine for which services it charges.

(D) The department shall establish a hearing and review procedure so that a client or his parent or guardian may appeal charges made for services or may present to officials of the department information or evidence to be considered in establishing charges. The department may utilize legal procedures to collect lawful claims.

(E) The department may establish by regulation charges for other services it renders.

Section 44-20-355. The department shall assess and collect a fee on all Intermediate Care Facilities for the persons with intellectual disability, as defined in Section 44-7-130(19). Providers holding licenses on these facilities shall pay to the department a fee equal to eight dollars and fifty cents a patient day in these facilities. The department shall pay all proceeds from the fee into the general fund of the State.

Section 44-20-360. (A) The physical boundaries of Midlands Center, Coastal Center, Pee Dee Center, and Whitten Center are designated as independent school districts. These facilities may elect to participate in the usual activities of the districts, to receive state and federal aid, and to utilize other benefits enjoyed by independent school districts in general.

(B) The ~~commission~~ department operates as the board of trustees for these districts for administrative purposes, including the receipt and expenditure of funds granted to these districts for any purpose.

Section 44-20-365. No regional center of the department may be closed except as authorized by the General Assembly by law in an enactment that specifies by name the regional center to be closed.

Section 44-20-370. (A) The department shall:

(1) notify applicants when they have qualified under the provisions of this chapter;

(2) establish standards of operation and service for county disabilities and special needs programs funded in part or in whole by state appropriations to the department or through other fiscal resources under its control;

(3) review service plans submitted by county boards of disabilities and special needs and determine priorities for funding plans or portions of the plans subject to available funds;

(4) review county programs covered in this chapter;

(5) offer consultation and direction to county boards;

(6) take other action not inconsistent with the law to promote a high quality of services to persons with intellectual disability, related disabilities, head injuries, autism, or spinal cord injuries and their families.

(B) The department shall seek to develop and utilize the most current and promising methods for the training of persons with intellectual disability, related disabilities, head injuries, autism, and spinal cord injuries. It shall utilize the assistance, services, and findings of other state and federal agencies. The department shall disseminate these methods to county boards and programs providing related services.

Section 44-20-373. (A) The department shall develop and initiate negotiation of the service contracts through which it provides funds to

service providers to accomplish the purposes of this chapter. The department may, notwithstanding any provision of law to the contrary, disburse state and federal funds appropriated to it for intellectual and related disabilities directly to the service provider.

(B) Service contracts shall:

(1) clearly delineate the responsibilities of the department and the service provider;

(2) specify conditions that must be met for the receipt of state and federal funds;

(3) identify the groups of individuals to be served with state and federal funds;

(4) contain specific outcome measures for individuals receiving services, provider performance measures, satisfaction measures for individuals receiving services, and participation and involvement measures for individuals receiving services and their family members;

(5) contain provisions that enable the department to enforce the service contract in the event that the service provider fails to substantially comply with the requirements of its service contract. The enforcement provisions shall include:

(a) notification to a service provider when it fails to substantially comply with the requirements of its service contract;

(b) a remediation process to allow the service provider, after failing to substantially comply with its service contract, to come into substantial compliance with its service contract;

(c) a mechanism for withholding or reducing funds, repayment of funds, or termination of all or part of a service contract in accordance with the provisions of subsection (D) in the event that the service provider fails to come into substantial compliance with the provisions of its service contract despite utilization of the remediation process described in subsection (B)(5)(b); and

(d) an appeals process for an enforcement action undertaken by the department; and

(6) contain requirements for the service provider to report specific information concerning:

(a) its revenues, costs, and services;

(b) individuals served; and

(c) any other information deemed necessary by the department, which shall be displayed in a consistent, comparable format developed by the department.

(C) The department shall develop and implement a process for regular, ongoing monitoring of the performance of service providers to ensure

compliance with the requirements of service contracts entered into pursuant to this section.

(D)(1) If a service provider fails to comply with the requirements of its service contract, the department shall utilize the remediation process described in the service contract to allow the service provider to come into compliance. The department shall notify the service provider upon initiation of the remediation process and provide regular updates regarding the service provider's progress toward coming into compliance.

(2) If a service provider fails to come into compliance after utilization of the remediation process, the department shall, after affording the service provider an adequate opportunity to use the appeal process described in the service contract, terminate all or a portion of the service contract.

(E) Upon terminating all or a portion of a service contract pursuant to subsection (D)(2), the department may negotiate a performance contract with another service provider to obtain the services that were the subject of the terminated performance contract.

(F) No service provider shall be eligible to receive state or federal funds for intellectual and related disabilities services, unless:

(a) its performance contract has been approved or renewed by the department;

(b) it provides service, cost, and revenue data and information, and aggregate and individual data and information about individuals receiving services to the department in the format prescribed by the department;

(c) it uses standardized cost accounting and financial management practices approved by the department, and

(d) the service provider is in compliance with its service contract or is making progress to become compliant through the department's remediation process.

Section 44-20-375. (A) Before July 1, 1992, county boards of ~~disabilities and special needs~~intellectual and related disabilities must be created within a county or within a combination of counties by ordinance of the governing bodies of the counties concerned. The ordinance must establish the number, terms, appointment, and removal of board members and provide for their powers and duties in compliance with state law and the process for appointing board members which existed on January 1, 1991, must be preserved in the ordinance. However, where the county legislative delegation or county council recommends board members to the appointing authority, the delegation may transfer its

authority to recommend to the council or the council may transfer its authority to the delegation. If there is a transfer, preservation of the authority to recommend existing on January 1, 1991, is not required, and the new recommending authority must be contained in the ordinance.

(B) County boards of disabilities and special needs established before January 1, 1991, shall continue to exist, operate, and function as they existed on January 1, 1991, until created by ordinance pursuant to subsection (A).

(C) After June 30, 1992, the department shall recognize only county boards of disabilities and special needs that plan, administer, or provide services to persons with intellectual disability, related disabilities, head injuries, and spinal cord injuries within a county or combination of counties which are created or established pursuant to this section, including those whose members are appointed by the Governor. A county board of disabilities and special needs created by ordinance before January 1, 1991, is considered created pursuant to this section, provided the ordinance includes and complies with the provisions of subsection (A).

(D) A county board of disabilities and special needs is a public entity.

(E) In Dorchester County, appointments made pursuant to this section are governed by the provisions of Act 512 of 1996.

(F) In Georgetown County, appointments made pursuant to this section are governed by the provisions of Act 515 of 1996.

Section 44-20-378. A county board of disabilities and special needs established pursuant to Section 44-20-375 must consist of not less than five members. If the board is created within a combination of counties, the number of members representing each county must be proportional to the county's population in relation to the total population of the counties served by the board. However, a county participating in a multicounty board must not have less than two members. The term of the members is four years and until their successors are appointed and qualify. Vacancies for unexpired terms must be filled in the same manner as the original appointments. A member may be removed by the appointing authority for neglect of duty, misconduct, or malfeasance in office after being given a written statement of reasons and an opportunity to be heard.

Section 44-20-380. (A) County ~~disabilities and special needs~~ boards are encouraged to utilize lawful sources of funding to further the development of appropriate community services to meet the needs of persons with intellectual disability, related disabilities, head injuries, autism, or spinal cord injuries and their families.

(B) County boards may apply to the department for funds for community services development under the terms and conditions as may be prescribed by the department. The department shall review the applications ~~and~~, with the approval of the Secretary of Health and Policy, and subject to state appropriations to the department or to other funds under the department's control, may fund the programs it considers in the best interest of service delivery to the citizens of the State with intellectual disability, related disabilities, head injuries, autism, or spinal cord injuries.

(C) Subject to the approval of the department, county boards may seek state or federal funds administered by state agencies other than the department, funds from local governments or from private sources, or funds available from agencies of the federal government. The county boards may not apply directly to the General Assembly for funding or receive funds directly from the General Assembly.

Section 44-20-385. Subject to the provisions of this chapter and the regulations of the department each county ~~disabilities and special needs~~ board:

(1) is the administrative, planning, coordinating, and service delivery body for county disabilities and special needs services funded in whole or in part by state appropriations ~~to the department or funded from other sources under the department's control~~. It is a body corporate in deed and in law with all the powers incident to corporation including the power to incur debt insofar as that debt is payable from contract, grant, or other revenues and is not the debt of the State or its other political subdivisions. A county board may purchase and hold real and mortgage property and erect and maintain buildings. The department shall approve all debt of a county board to be paid in whole or in part from contract, grant, or other revenues provided by the State. However, the department has no responsibility for the debt so approved;

(2) shall submit an annual plan and projected budget to the department for approval and consideration of funding;

(3) shall review and evaluate on at least an annual basis the ~~county disabilities and special needs~~ services it provided pursuant to this chapter and report its findings and recommendations to the department;

(4) shall promote and accept local financial support for the county program from private and other lawful sources and promote public support from municipal and county sources;

(5) shall employ personnel and expend its budget for the direct delivery of services or contract with those service vendors necessary to carry out the county intellectual disability, related disabilities, head

injuries, autism, and spinal cord injuries services program who meet specifications prescribed by the department;

(6) shall plan, arrange, implement, and monitor working agreements with other human service agencies, public and private, and with other educational and judicial agencies;

(7) shall provide the department records, reports, and access to its sponsored services and facilities the department may require and submit its sponsored services and facilities to licensing requirements of the department or to the licensing requirements of other state or local agencies having this legal authority;

(8) shall represent the best interest of persons with intellectual disability, related disabilities, head injuries, autism, or spinal cord injuries to the public, public officials, and other public or private organizations.

Section 44-20-390. (A) In order to provide assistance to families and individuals the department shall provide an initial intake and assessment service to a person believed to be in need of services and who makes application for them. An assessment must be provided through diagnostic centers operated by or approved by the department. If upon completion of the assessment, the applicant is determined to have intellectual disability, a related disability, head injury, autism, or spinal cord injury and be in need of services, he may become a client of the department and eligible for services. A service plan must be designated for each person assessed. A person determined to have intellectual disability, a related disability, head injury, autism, or spinal cord injury and who chooses to become a client of the department, must be provided with the delivery or coordination of services by the department. A person determined not to have intellectual disability, a related disability, head injury, autism, or spinal cord injury may be provided by the department with referral and assistance in obtaining appropriate services or further evaluation.

(B) Service plans must recommend the services to assist the individual in developing to the fullest potential in the least restrictive environment available. The department shall determine the "least restrictive environment" and may contract with individuals or organizations for a reasonable sum as determined by the department to provide the services. The department shall review service plans of its clients at least periodically according to standards prescribing the frequency to ensure that appropriate services are being provided in the least restrictive environment available. The parents, the legal guardian, the client, and

other appropriate parties must be included in the review. The department shall develop standards prescribing the service plan review.

(C) No individual believed to have intellectual disability, a related disability, head injury, autism, or spinal cord injury may be admitted to the services of the department until he has been examined at a diagnostic center of the department or a diagnostic center approved by the department and certified by the department on the basis of acceptable data to have intellectual disability, a related disability, head injury, autism, or spinal cord injury or unless he is an infant at risk of a developmental disability and in need of the department's services.

(D) The applicant shall meet residency requirements in at least one of the following categories:

(1) The applicant or his spouse, parent, with or without legal custody, or legal guardian is domiciled in South Carolina.

(2) The applicant or his spouse, parent, with or without legal custody, or legal guardian lives outside South Carolina but retains legal residency in this State and demonstrates to the department's satisfaction his intent to return to South Carolina.

(3) The applicant or his spouse or parent, with or without legal custody, or legal guardian is a legal resident of a state which is an active member of the Interstate Compact on Mental Health and qualifies for services under it.

Section 44-20-400. Upon the written request of the person, the person's parents, parent with legal custody, or lawful custodian or legal guardian and subject to the availability of suitable accommodations and services, a person with intellectual disability, a related disability, head injury, autism, or spinal cord injury may be admitted to the services of the department for evaluation and diagnosis and shall remain in the residential services of the department for that period required to complete the diagnostic study. However, this period may not exceed thirty days except upon approval of the director or his designee. Individuals admitted under the provisions of this section are subject to the same regulations and departmental policies as regular admissions. The department may prescribe the form of the written application for diagnostic services.

Section 44-20-410. A person who is determined to be eligible for services is subject to the following considerations regarding his order of admission to services and programs:

(1) relative need of the person for special training, supervision, treatment, or care;

(2) availability of services suitable to the needs of the applicant.

Section 44-20-420. The director or his designee may designate the service or program in which a client is placed. The appropriate services and programs must be determined by the evaluation and assessment of the needs, interests, and goals of the client. The service or program to which a client is placed pursuant to this section must comply with the State Health Services Plan.

Section 44-20-430. The director or his designee has the final authority over applicant eligibility, determination, or services and admission order, subject to policies ~~adopted by the commission~~ adopted by the Secretary of Health and Policy and direction as specified in the State Health Services Plan.

Section 44-20-440. Subject to the availability of suitable services and programs and subject to the provisions of "Requirement for Admission to Services", "Order in which Person May be Admitted", and "Final Authority over Eligibility", the director or his designee may admit a client to the services of the department upon the written request of the parents of the person with intellectual disability, a related disability, head injury, autism or spinal cord injury, a parent with legal custody, spouse, lawful custodian or legal guardian, or the person with intellectual disability, a related disability, head injury, autism, or spinal cord injury seeking to be admitted to the department's services if the person is twenty-one years of age or over and competent to make the decision. The department shall prescribe the form of the application for services.

Section 44-20-450. (A) Proceedings for the involuntary admission of a person with intellectual disability or a related disability to the services of the department may be initiated by the filing of a verified petition with the probate or the family court by:

(1) the spouse;

(2) a relative;

(3) the parents;

(4) a parent with legal custody;

(5) the legal guardian of the person;

(6) the person in charge of a public or private institution in which the individual is residing at the time;

(7) the director of the county department of social services of the county in which the person resides; or

(8) a solicitor or an assistant solicitor responsible for the criminal prosecution pursuant to Section 44-23-430(2).

Upon filing of the petition, the judge shall set a date for a hearing on it and ensure that the client has an attorney who represents him. The parents, parent with legal custody, spouse, guardian, or nearest known

relative of the person alleged to have intellectual disability or a related disability and in whose behalf the petition has been made and in the discretion of the court, the individual alleged to have intellectual disability or a related disability and the department must be served by the court with a written notice of the time and place of the hearing, together with a written statement of the matters stated in the petition. If no parent, spouse, legal guardian, or known relative of the person alleged to have intellectual disability or a related disability is found, the court shall appoint a guardian ad litem to represent the person alleged to have intellectual disability or a related disability, and the notice must be served upon the guardian. If the parent, spouse, guardian, or known relative of the person alleged to have intellectual disability or a related disability is found, he must be notified of the right to an attorney at the hearing.

(B) The hearing on the petition may be in the courthouse or at the place of residence of the person alleged to have intellectual disability or a related disability or at another place considered appropriate by the court. The person alleged to have intellectual disability or a related disability does not need to be present if the court determines that the hearing would be injurious or detrimental to the person alleged to have intellectual disability or a related disability or if the person's mental or physical condition prevents his participation in the hearing. However, his attorney must be present.

(C) A report of the person in charge of the examination of the person alleged to have intellectual disability or a related disability at the diagnostic center referred to in “Requirement for Admission” must be submitted to the court at the hearing. The court may not render judgment in the hearing unless this report is available and introduced.

(D) If the court determines that the evidence presented by the examiners at the diagnostic center, along with other evidence presented to the court, is to the effect that the person does not in fact have intellectual disability or a related disability to an extent which would require commitment, it shall terminate the proceeding and dismiss the petition.

(E) If the person is found by the court to have intellectual disability or a related disability and be in need of placement in a facility or service program of the department, the court shall order that he be admitted to the jurisdiction of the department as soon as necessary services are available and include in the order a summary of the evidence presented and order of the court.

(F) The department shall inform the court as soon after the date of the order as practical that suitable accommodations and services are available to meet the needs of the person with intellectual disability or a related disability. Upon notification, the court shall direct the petitioner in these proceedings to transport the person with intellectual disability or a related disability to a program the department designates.

(G) A party to these proceedings may appeal from the order of the court to the court of common pleas, and a trial de novo with a jury must be held in the same manner as in civil actions unless the petitioner through his attorney waives his right to a jury trial. Pending a final determination of the appeal, the person with intellectual disability or a related disability must be placed in protective custody in either a facility of the department or in some other suitable place designated by the court. No person with intellectual disability or a related disability must be confined in jail unless there is a criminal charge pending against him.

Section 44-20-460. (A) A person admitted or committed to the services of the department remains a client and is eligible for services until discharged. When the department determines that a client admitted to services is no longer in need of them, the director or his designee may discharge him. When the only basis of the department's provision of services to a client is that he is a person with intellectual disability or a related disability and it is determined that he is no longer in that condition, the director or his designee shall discharge him as soon as practical. A client of the department who is receiving residential services may be released to his spouse, parent, guardian, or relative or another suitable person for a time and under conditions the director or his designee may prescribe.

(B) When a client voluntarily admitted requests discharge or the person upon whose application the client was admitted to the department's services requests discharge in writing, the client may be detained by the department for no more than ninety-six hours. However, if the condition of the person is considered by the director or his designee to be such that he cannot be discharged with safety to himself or with safety to the general public, the director or his designee may postpone the requested discharge for not more than fifteen days and cause to be filed an application for judicial admission. For the purpose of this section, the Probate Court or Family Court of the county in which the facility where the person with intellectual disability or a related disability resides is located is the venue for judicial admission. Pending a final determination on the application, the court shall order the person with intellectual disability or a related disability placed in protective custody

in either a facility of the department or in some other suitable place designated by the court.

Section 44-20-470. (A) The department may return a nonresident person with intellectual disability or a related disability admitted to a service or program in this State to the proper agency of the state of his residence.

(B) The department is authorized to enter into reciprocal agreements with the proper agencies of other states to facilitate the return to the state of their residence persons admitted or committed to services for persons with intellectual disability or a related disability in this State or other states.

(C) The department may detain a person with intellectual disability or a related disability returned to this State from the state of his commitment for not more than ninety-six hours pending order of the court in commitment proceedings in this State.

(D) The expense of returning persons with intellectual disability or a related disability to other states must be paid by this State, and the expense of returning residents of this State with intellectual disability or a related disability must be paid by the state making the return when interstate agreements to that effect have been negotiated.

Section 44-20-480. When the department determines that the welfare of a client would be facilitated by his placement out of the home, the client must be evaluated by the department, and the least restrictive level of care possible for the client must be recommended and provided when available. The department shall determine which levels of care are more restrictive and is responsible for providing a range of placements offering various levels of supervision. The department may pay an individual or organization furnishing residential alternatives to clients under this section a reasonable sum for services rendered, as determined by the department.

Section 44-20-490. (A) When the department determines that a client may benefit from being placed in an employment situation, the department shall regulate the terms and conditions of employment, shall supervise persons with intellectual disability, a related disability, head injury, autism, or spinal cord injury so employed, and may assist the client in the management of monies earned through employment to the end that the best interests of the client are served.

(B) The department may operate sheltered employment and training programs at its various facilities and in communities and may pay clients employed in these settings from earnings of the program or from other funds available for this purpose.

(C) Clients who receive job training and employment services from the department must be compensated in accordance with applicable state and federal laws and regulations.

Section 44-20-500. When a client is absent from a facility or program and there is probable cause the client may be in danger, the director or his designee may issue an order of confinement for the client. This order, when endorsed by the judge of the probate, family, or Circuit Court of the county in which the client is present or residing, authorizes a peace officer to take the client into custody for not more than twenty-four hours and to return him or cause him to be returned to the place designated by the director or his designee.

Section 44-20-510. Placement of a person with intellectual disability, a related disability, head injury, autism, or spinal cord injury in a program of the department does not preclude his attendance in community-based public school classes when the individual qualifies for the classes.

Article 5

Licensure and Regulation of Facilities and Programs

Section 44-20-710. No day program in part or in full for the care, training, or treatment of a person with intellectual disability, a related disability, head injury, autism, or spinal cord injury may deliver services unless a license first is obtained from the department. For the purpose of this article "in part" means a program operating for ten hours a week or more. Educational and training services offered under the sponsorship and direction of school districts and other state agencies are not required to be licensed under this article.

Section 44-20-720. The department shall establish minimum standards of operation and license programs provided for in "Facilities and Programs must be Licensed".

Section 44-20-730. In determining whether a license may be issued, the department shall consider if the program for which the license is applied conforms with the local and state service plans and if the proposed location conforms to use.

Section 44-20-740. No day program may accept a person with intellectual disability, a related disability, head injury, autism, or spinal cord injury for services other than those for which it is licensed. No program may serve more than the number of clients as provided on the license. An applicant for a license shall file an application with the department in a form and under conditions the department may prescribe. The license must be issued for up to three years unless sooner suspended,

revoked, or surrendered. The license is not transferable and must not be assigned.

Section 44-20-750. The department shall make day program inspections as it may prescribe by regulation. The day programs subject to this article may be visited and inspected by the director or his designees no less than annually and before the issuance of a license. Upon request, each program shall file with the department a copy of its bylaws, regulations, and rates of charges. The records of each licensed program are open to the inspection of the director or his designees.

Section 44-20-760. Information received by the department through licensing inspections or as otherwise authorized may be disclosed publicly upon written request to the department. The reports may not identify individuals receiving services from the department.

Section 44-20-770. The department shall deny, suspend, or revoke a license on any of the following grounds:

(1) failure to establish or maintain proper standards of care and service as prescribed by the department;

(2) conduct or practices detrimental to the health or safety of residents or employees of the day program. This item does not apply to healing practices authorized by law;

(3) violation of the provisions of this article or regulations promulgated under it.

Section 44-20-780. (A) The department shall give written notification to the governing board or if none, the operator of a program of deficiencies, and the applicant or licensee must be given a specified time in which to correct the deficiencies. If the department determines to deny, suspend, or revoke a license, it shall send to the applicant or licensee by certified mail a notice setting forth the reason for the determination. The denial, suspension, or revocation becomes final fifteen calendar days after the mailing of the notice, unless the applicant or licensee within that time gives written notice of his desire for a hearing. If the applicant or licensee gives that notice, he must be given a hearing before the department and may present evidence. On the basis of the evidence, the determination must be affirmed or set aside by the director, and a copy of the decision, setting forth the findings of fact and the reasons upon which it is based must be sent by registered mail to the applicant.

(B) If an existing program has conditions or practices which, in the department's judgment, provide an immediate threat to the safety and welfare of the person with intellectual disability, a related disability, head injury, or spinal cord injury served, the department may

immediately suspend or revoke the license of the program. Notification of the program board or operator by certified mail of the license suspension or revocation also must include the reasons or conditions. A person operating a program which has had its license suspended or revoked must be punished as provided in "Injunctions; Penalties".

Section 44-20-790. The procedures governing hearings authorized by "Notice of Deficiencies ...." must be in accordance with regulations promulgated by the department. The director may appoint a review team, including consumers, to assist in the collection of information pertinent to the hearing.

Section 44-20-800. An applicant or licensee who is dissatisfied with the decision of the department as a result of the hearing provided for by "Procedures Governing Disciplinary Hearings ...." may appeal to a South Carolina administrative law judge as provided in Article 5, Chapter 23, Title 1.

Section 44-20-900. (A) The department, in accordance with the laws of the State governing injunctions and other processes, may maintain an action in the name of the State against a person for establishing, conducting, managing, or operating a day program for the care, training, and treatment of a person with intellectual disability, a related disability, head injury, autism, or spinal cord injury without obtaining a license as provided in this article. In charging a defendant in a complaint in the action, it is sufficient to charge that the defendant, upon a certain day and in a certain county, provided day program services without a license, without averring more particular facts concerning the charge.

(B) A person violating the provisions of this article is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars for a first offense and two thousand dollars for a subsequent offense. Each day the day program operates after a first conviction is considered a subsequent offense.

Section 44-20-1000. Licensing by the department must be done in conjunction with and not in place of licensing by an agency having responsibilities outside the department's jurisdiction. However, nothing in this section prevents the department from entering into cooperative agreements or contracts with an agency which has or may have licensing responsibilities in order to accomplish the licensing of programs.

Article 7

Capital Improvements ~~for Disabilities and Special Needs~~

Section 44-20-1110. The department has authority for all of the state's ~~disabilities and special needs~~intellectual and related disabilities services and programs.

Section 44-20-1130. The aggregate of the outstanding principal amounts of state capital improvement bonds issued for the ~~commission~~ department may not exceed twenty million dollars.

Section 44-20-1140. If the ~~commission~~ department determines that improvements are required for a residential regional center or community facility, it may make application for them to the State Fiscal Accountability Authority or Department of Administration, as appropriate. The application must contain:

(1) a description of the improvements sought and their estimated cost;

(2) the number of paying clients receiving services from the department, the amount of fees received from the clients during the preceding fiscal year, and the estimated amount to be received from them during the next succeeding fiscal year;

(3) the revenues derived from the paying clients during the preceding three fiscal years;

(4) a suggested maturity schedule, which may not exceed twenty years, for the repayment of monies to be made available to the commission for state capital improvement bonds;

(5) a statement showing the debt service requirements of other outstanding obligations.

Section 44-20-1150. The State Fiscal Accountability Authority or Department of Administration, as appropriate, may approve, in whole or in part, or may modify an application received from the ~~commission~~department. If it finds that a need for the improvements sought by the ~~commission~~ department exists, it may contract to make available to the ~~commission~~ department funds to be realized from the sale of state capital improvements bonds if it finds that the revenues for the preceding fiscal year, if multiplied by the number of years, which may not exceed twenty, contemplated by the suggested or revised maturity schedule for the repayment of the monies to be made available to the commission, result in the production of a sum equal to not less than one hundred twenty-five percent of the aggregate principal and interest requirement of all outstanding obligations and all obligations to be incurred by the ~~commission~~department.

Section 44-20-1160. Upon receiving the approval of the State Fiscal Accountability Authority or Department of Administration, as appropriate, the ~~commission~~ department shall obligate itself to apply all monies derived from its revenues to the payment of the principal and interest of its outstanding obligations and those to be issued and to deliver to the county board its obligations.

Section 44-20-1170. (A) Following the execution and delivery of its obligations, the ~~commission~~ department shall remit to the State Treasurer all its revenues, including accumulated revenues not applicable to prior obligations, for credit to a special fund. The special fund must be applied to meet the sums due by the ~~commission~~ department under its obligations. These monies from the special fund must be applied by the State Treasurer to the payment of the principal of and interest on outstanding state capital improvement bonds.

(B) If the accumulation of revenues of the ~~commission~~ department in the special fund exceeds the payment due or to become due during the then current fiscal year and an additional sum equal to the maximum annual debt service requirement of the obligations for a succeeding fiscal year, the State Fiscal Accountability Authority or the Department of Administration, as applicable, may permit the ~~commission~~ department to withdraw the excess and apply it to improvements that have received the approval of the ~~authority or department~~State Fiscal Accountability Authority or the Department of Administration, as applicable, or to transfer the excess out of the special fund for contract awards to l~~ocal disabilities and special needs~~county boards for needed improvements at the local level and for nonrecurring prevention, assistive technology, and quality initiatives at the regional centers and ~~local~~ county boards.

SECTION X. Sections 43-21-10 through 43-21-140 of the S.C. Code are amended to read:

Section 43-21-10. There is created the Department on Aging. The department must be supported by an Advisory Council on Aging consisting of one member from each of the ten planning and service areas and five members from the State at large. The director of the department shall provide statewide notice that nominations may be submitted to the director from which the ~~Governor~~ Secretary of Health and Policy shall appoint the members of the council. The members must be citizens of the State who have an interest in and a knowledge of the problems of an aging population. In making appointments to the council, consideration must be given to assure that the council is composed of appointees who are diverse in age, who are able and disabled, and who are active leaders in organizations and institutions that represent different concerns of older citizens and their families. The chair must be elected by the members of the advisory council from its members for a term of two years and until a successor is elected. Members of the council shall serve without compensation but shall receive mileage and subsistence authorized by law for members of boards, commissions, and committees. The advisory council shall meet at least once each quarter and special meetings may

be called at the discretion of the director of the department. Rules and procedures must be adopted by the council for the governance of its operations and activities.

Section 43-21-20. (A) The members of the advisory council shall serve for terms of four years and until their successors are appointed and qualify. The terms of the members expire on June thirtieth and all vacancies must be filled in the manner of the original appointment for the unexpired portion of the term only. No member may serve more than two consecutive terms.

(B) The ~~Governor~~ Secretary of Health and Policy may terminate a member of the council for any reason pursuant to the provisions of Section ~~1-3-240~~44-12-50(B)(1)~~, and the reason for the termination must be communicated to each member of the council~~.

Section 43-21-30. Reserved

Section 43-21-40. (A) The department shall be the designated state agency to implement and administer all programs of the federal government relating to the aging, requiring acts within the State which are not the specific responsibility of another state agency under the provisions of federal or state law. The department may accept and disburse any funds available or which might become available pursuant to the purposes of this chapter, upon the prior approval of the Secretary of Health and Policy.

(B) The department shall study, investigate, plan, promote, and execute a program to meet the present and future needs of aging citizens of the State, pursuant to the State Health Services Plan, and it shall receive the cooperation of other state departments and agencies in carrying out a coordinated program.

(C) It shall also be the duty of the department to encourage and assist in the development of programs for the aging in the counties and municipalities of this State. It shall consult and cooperate with the Secretary of Health and Policy, public and voluntary groups, with county and municipal officers and agencies, and with any federal or state agency or officer for the purpose of promoting cooperation between state and local plans and programs, and between state and interstate plans and programs for the aging.

(D) Without limiting the foregoing, the department is specifically authorized to:

~~(a)~~(1) initiate requests for the investigation of potential resources and problems of the aging people of the State, encourage research programs, initiate pilot projects to demonstrate new services, and promote the training of personnel for work in the field of aging;

__ ~~(b)~~(2) promote community education in the problems of older people through institutes, publications, radio, television, and the press;

__ ~~(c)~~(3) cooperate with, encourage, and assist local groups, both public and voluntary, which are concerned with the problems of the aging;

__ ~~(d)~~(4) encourage the cooperation of agencies in dealing with problems of the aging and offer assistance to voluntary groups in the fulfillment of their responsibility for the aging;

__ ~~(e)~~(5) serve as a clearinghouse for information in the field of aging;

__ ~~(f)~~(6) appoint such committees as it deems necessary for carrying out the purposes of this chapter, such committee members to serve without compensation;

__ ~~(g)~~(7) engage in any other activity deemed necessary by the department to promote the health and well-being of the aging citizens of this State, not inconsistent with the purposes of this chapter or the public policies of the State, including the State Health Services Plan;

__ ~~(h)~~(8) certify homemakers and home health aides pursuant to the Federal Omnibus Budget Reconciliation Act of 1987 and subsequent amendments to that act and through regulations promulgated in accordance with the Administrative Procedures Act establish and collect fees for the administration of this certification program. Fees collected must be placed on deposit with the State Treasurer. Accounting records must be maintained in accordance with the Comptroller General's policies and procedures. Unused fees may be carried forward to the next fiscal year for the same purpose;

__ ~~(i)~~(9) award grants and contracts to public and private organizations for the purpose of planning, coordinating, administering, developing, and delivering aging programs and services;

__ ~~(j)~~(10) designate area agencies on aging as required by the Older Americans Act; and

__ ~~(k)~~(11) administer the Senior Citizens Center Permanent Improvement Fund established pursuant to Section 12-21-3441 and community services programs in accordance with Section 12-21-3590.

Section 43-21-45. The Department on Aging shall designate area agencies on aging, and area agencies on aging shall designate focal points. Focal points shall provide leadership on aging issues in their respective communities and shall carry out a comprehensive service system for older adults or shall coordinate with a comprehensive service system in providing services for older adults. The area agencies on aging represent the regional level of the state aging network and the focal points represent the local level of the state aging network.

Section 43-21-50. The department may receive on behalf of the State any grant or grant-in-aid from government sources, or any grant, gift, bequest, or devise from any other source. Title to all funds and other property received pursuant to this section shall vest in the State unless otherwise specified by the grantor.

Section 43-21-60. The Department on Aging shall submit an annual report to the ~~Governor~~ Governor, the Secretary of Health and Policy, and to the General Assembly on or before January first of each year. The report shall deal with the present and future needs of the elderly and with the work of the department during the year.

Section 43-21-70. The ~~Governor~~ Secretary of Health and Policy shall appoint with the advice and consent of the Senate a director to be the administrative officer of the Department on Aging who shall serve at the ~~Governor's~~ secretary's pleasure ~~and who is subject to removal pursuant to the provisions of Section 1-3-240~~.

Section 43-21-80. ~~The director shall appoint any other personnel and consultants considered necessary for the efficient performance of the duties prescribed by this chapter and shall fix the compensation therefore in accordance with the Human Resource Management Division of the State Department of Administration and Merit System requirements.~~ The director shall administer the policies and regulations of the department. Department employees shall have such general duties and receive such compensation as determined by the director, within the authority given by the Secretary. The director shall be responsible for the administration of state personnel policies and general personnel policies of the Executive Office of Health and Policy. The director shall have sole authority to employ and discharge employees subject to such personnel policies and funding available for that purpose.

~~Section 43-21-100. The Department on Aging shall prepare the budget for its operation which must be submitted to the Governor and to the General Assembly for approval.~~

~~Section 43-21-110. The General Assembly shall provide an annual appropriation to carry out the work of the commission.~~

~~Section 43-21-120. There is created the Coordinating Council to the Department on Aging to work with the department on the coordination of programs related to the field of aging, and to advise and make pertinent recommendations, composed of the following: the Director of the Department of Health and Environmental Control, the State Director of Social Services, the Director of the Department of Mental Health, the Superintendent of Education, the Director of the State Department of Labor, Licensing and Regulation, the Executive Director of the South~~

~~Carolina State Department of Employment and Workforce, the Secretary of Commerce, the Commissioner of the State Department of Vocational Rehabilitation, the Director of the Clemson University Extension Service, the Director of the South Carolina Department of Parks, Recreation and Tourism, the Director of the South Carolina Retirement System, the Executive Director of the South Carolina Municipal Association, the Executive Director of the State Office of Economic Opportunity, the Executive Director of the South Carolina Association of Counties, the Commissioner of the Commission for the Blind, the Director of the Department of Health and Human Services, the Director of the Department of Alcohol and Other Drug Abuse Services, and the Chairperson of the Commission on Women.~~

~~The council shall meet at least once each six months and special meetings may be called at the discretion of the chairman or upon request of a majority of the members.~~

~~The chairman of the advisory commission and the director of the Department on Aging, who shall serve as secretary to the council, shall attend the meetings of the council.~~

~~The director of each agency or department making up the council shall serve as chairman of the council for a term of one year. The office of chairman is held in the order in which the membership of the council is listed in this section.~~

Section 43-21-130. (A) There is created the Long Term Care Council ~~(council)~~ composed of the following voting members:

(1) the ~~Governor or his designee~~Long Term Care Ombudsman;

(2) the Director of the Department of Social Services;

(3) the Director of the Department of Public Health ~~and Environmental Control~~;

(4) the Director of the Department of ~~Mental~~ Behavioral Health;

(5) the Director of the Department of Intellectual and Related Disabilities ~~and Special Needs~~;

(6) the Director of the ~~Division~~ Department on Aging;

(7) the Director of the Department of Health Financing ~~and Human Services~~;

~~(8) the Chairman of the Joint Legislative Health Care Planning and Oversight Committee, or his designee;~~

~~(9) the Chairman of the Joint Legislative Committee on Aging, or his designee;~~

~~(10)~~(8) one representative of each of the following groups appointed by the ~~Lieutenant Governor~~ Secretary of Health and Policy annually:

(a) long term care providers;

(b) long term care consumers;

(c) persons in the insurance industry developing or marketing a long term care product.

(B) Each director serving as a council member may authorize in writing a designee to vote on his behalf ~~at two meetings a year~~. Members appointed by the ~~Lieutenant Governor~~ Secretary of Health and Policy to represent private groups serve without compensation.

(C) The council shall meet at least quarterly, provide for its own officers, and make an annual report to the Secretary of Health and Policy, the General Assembly, and the Governor before January second each year. This report must include new council recommendations.

Section 43-21-140. (A) The council has no authority to direct or require any implementing action from any member agency. The council shall identify future policy issues in long term care and may conduct research and demonstration activities related to these issues. Through close coordination of each member agency's planning efforts, the council shall develop recommendations for a statewide service delivery system for all health-impaired elderly or disabled persons, regardless of the persons' resources or source of payment in furtherance of the State Health Services Plan. These recommendations must be updated annually as needed. The service delivery system must provide for:

__ (1) charges based on ability to pay for persons not eligible for Medicaid;

__ (2) coordination of community services;

__ (3) access to and receipt of an appropriate mix of long term care services for all health-impaired elderly or disabled persons;

__ (4) case management; and

__ (5) discharge planning and services.

(B) The council, through its member agencies, shall study and make recommendations concerning the costs and benefits of: adult day care centers, in-home and institutional respite care, adult foster homes, incentives for families to provide in-home care, such as cash assistance, tax credits or deductions, and home-delivered services to aid families caring for chronically impaired elderly relatives.

SECTION X. Section 1-3-240(C)(1) of the S.C. Code is amended to read:

(C)(1) Persons appointed to the following offices of the State may be removed by the Governor for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity:

(a) Workers' Compensation Commission;

~~(b) [Reserved]~~

~~(c)~~(b) Ethics Commission;

~~(d)~~(c) Election Commission;

~~(e)~~(d) Professional and Occupational Licensing Boards;

~~(f)~~(e) Juvenile Parole Board;

~~(g)~~(f) Probation, Parole and Pardon Board;

~~(h)~~(g) Director of the Department of Public Safety;

~~(i) Board of the Department of Health and Environmental Control, excepting the chairman;~~

~~(j)~~(h) Chief of State Law Enforcement Division;

~~(k)~~(i) South Carolina Lottery Commission;

~~(l)~~(j) Executive Director of the Office of Regulatory Staff;

~~(m)~~(k) Directors of the South Carolina Public Service Authority appointed pursuant to Section 58-31-20;

~~(n)~~(l) State Ports Authority;

~~(o)~~(m) State Inspector General;

~~(p)~~(n) State Adjutant General;

~~(q)~~(o) South Carolina Retirement Investment Commission members appointed by the Governor or members of the General Assembly; and

~~(r)~~(p) South Carolina Public Benefit Authority members.

SECTION X. Section 1-5-40(A) of the S.C. Code is amended to read:

(A) The office of Secretary of State is designated as the state office whose responsibility it is to monitor positions on the state boards and commissions specified in this subsection and any elected or appointed state boards and commissions established after the effective date of this section. The dates of the terms of office for appointments to boards and commissions made with the advice and consent of the Senate are the dates as certified to the Secretary of State by the Senate. The dates of the terms of office for all other elected or appointed boards and commissions are the dates certified to the Secretary of State by the Governor for his direct appointments and the dates for the terms of office for members of boards and commissions elected by the General Assembly shall be the dates as certified to the Secretary of State by the clerks of the two houses. The specified boards and commissions referred to in this subsection are:

(1) Accountancy, Board of

~~(2) Aging, Division on Advisory Council~~

~~(3)~~(2) Agriculture Commission

~~(4)~~(3) Architectural Examiners, State Board of

~~(5)~~(4) Arts Commission

~~(6)~~(5) Athletic Commission
~~(7)~~(6) Auctioneer's Commission
~~(8)~~(7) Accessibility Committee for the Building Codes Council
~~(9)~~(8) Blind, Commission for the
~~(10)~~(9) Builders Commission, Residential
~~(11)~~(10) Building Code Council
~~(12)~~(11) College of Charleston Board of Trustees
~~(13)~~(12) Children's Trust Fund Board of Trustees
~~(14)~~(13) Children, Foster Care Review Board
~~(15)~~(14) Chiropractic Examiners, State Board of
~~(16)~~(15) The Citadel Board of Visitors
~~(17)~~(16) Clemson University Board of Trustees
~~(18)~~(17) Coastal Carolina University Board of Trustees
~~(19)~~(18) Consumer Affairs, Commission on
~~(20)~~(19) Contractors' Licensing Board
~~(21)~~(20) Cosmetology, State Board of
~~(22)~~(21) Professional Counselors, Associate Counselors and Marital and Family Therapists, State Board of Examiners
~~(23)~~(22) Deaf and Blind, School for the
~~(24)~~(23) Dentistry Board
~~(25) Disabilities and Special Needs Commission~~
~~(26)~~(24) Education, State Board of
~~(27)~~(25) Education Board, Southern Regional
~~(28)~~(26) Education Council
~~(29)~~(27) Educational Television Commission
~~(30)~~(28) Election Commission
~~(31)~~(29) Department of Employment and Workforce
~~(32)~~(30) Registration for Professional Engineers and Land Surveyors
~~(33)~~(31) Environmental Certification Board
~~(34)~~(32) Ethics Commission
~~(35)~~(33) Financial Institutions, Board of
~~(36)~~(34) Fisheries Commission, Atlantic States Marine
~~(37)~~(35) Office of General Services, State Fleet Management
~~(38)~~(36) Forestry Commission
~~(39)~~(37) Francis Marion University Board of Trustees
~~(40)~~(38) Funeral Service Board
~~(41)~~(39) Geologists, Board of Registration for
~~(42)~~(40) Governor's Mansion and Lace House Commission
~~(43) DHEC~~
~~(a) Board of Health and Environmental Control~~

~~(b) Office of Ocean and Coastal Resource Management Board~~
~~(44)~~(41) Higher Education Commission
~~(45)~~(42) Holocaust, Council on the
~~(46)~~(43) Housing, Finance and Development Authority
~~(47)~~(44) Human Affairs Commission
~~(48)~~(45) Indigent Defense, Commission on
~~(49)~~(46) Intergovernmental Relations, Advisory Commission on
~~(50)~~(47) Jobs and Economic Development Authority
~~(51)~~(48) John de la Howe School
~~(52)~~(49) Judicial Merit Selection Commission
~~(53)~~(50) Juvenile Justice, Dept. of, Board of Juvenile Parole
~~(54)~~(51) Lander University Board of Trustees
~~(55)~~(52) Law Examiners Board
~~(56)~~(53) Legislative Audit Council
~~(57)~~(54) Library Board
~~(58)~~(55) Liquefied Petroleum Gas Board
~~(59)~~(56) Long Term Health Care Administrators, Board of
~~(60)~~(57) Manufactured Housing Board
~~(61)~~(58) Maternal, Infant and Child Health, Council on
~~(62)~~(59) Medical Examiners, Board of
~~(63)~~(60) Medical University of South Carolina Board of Trustees
~~(64)~~(61) Mental Health, State Department of, Commission
~~(65)~~(62) Migrant Farm Workers Commission
~~(66)~~(63) Mining Council
~~(67)~~(64) Minority Affairs, Commission for
~~(68)~~(65) Museum Commission
~~(69)~~(66) Natural Resources, Department of
(a) Natural Resources Board
(b) Heritage Trust Advisory Board
~~(70)~~(67) Nuclear Advisory Council
~~(71)~~(68) Nursing, Board of
~~(72)~~(69) Occupational Health and Safety Review Board
~~(73)~~(70) Occupational Therapy, Board of
~~(74)~~(71) Old Exchange Building Commission
~~(75)~~(72) Opportunity School, Wil Lou Gray Board of Trustees
~~(76)~~(73) Opticianry, Board of Examiners in
~~(77)~~(74) Optometry, Board of Examiners in
~~(78)~~(75) Patriots Point Development Authority
~~(79)~~(76) Pharmacy, Board of
~~(80)~~(77) Physical Therapy Examiners, State Board of
~~(81)~~(78) Podiatry Examiners, Board of

~~(82)~~(79) Ports Authority Board
~~(83)~~(80) Prisoner of War Commission
~~(84)~~(81) Probation, Parole and Pardon Services, Board of
~~(85)~~(82) Prosecution Coordination, Commission on
~~(86)~~(83) Psychology, Board of Examiners in
~~(87)~~(84) Public Service Authority, Board of Directors
~~(88)~~(85) Public Service Commission
~~(89)~~(86) Pyrotechnic Safety, Board of
~~(90)~~(87) Radiation Control Technical Advisory Council
~~(91)~~(88) Real Estate Commission
~~(92)~~(89) Real Estate Appraisers Board
~~(93)~~(90) Reorganization Commission
~~(94)~~(91) Salary, Executive and Performance Evaluation Commission
~~(95)~~(92) Social Work Examiners, Board of
~~(96)~~(93) South Carolina State University Board of Trustees
~~(97)~~(94) Speech-Language Pathology and Audiology, Board of Examiners
~~(98)~~(95) Tax Board of Review
~~(99)~~(96) Technical and Comprehensive Education, Board for
~~(100)~~(97) Transportation Department Commission
~~(101)~~(98) University of South Carolina Board of Trustees
~~(102)~~(99) Veterinary Medical Examiners, Board of
~~(103)~~(100) Vocational Rehabilitation, Board of
~~(104)~~(101) Winthrop University Board of Trustees
~~(105)~~(102) Women, Governor's Office, Commission on
~~(106)~~(103) Workers' Compensation Commission
~~(107)~~(104) South Carolina First Steps to School Readiness Board of Trustees~~.~~

SECTION X. Section 2-13-240 of the S.C. Code is amended to read:

Section 2-13-240. (a) Sets of the Code of Laws of South Carolina, 1976, shall be distributed by the Legislative Council as follows:

(1) Governor, three;
(2) Lieutenant Governor, two;
(3) Secretary of State, three;
(4) Treasurer, one;
(5) Attorney General, fifty;
(6) Adjutant General, one;
(7) Comptroller General, two;
(8) Superintendent of Education, two;
(9) Commissioner of Agriculture, two;

(10) each member of the General Assembly, one;
(11) office of the Speaker of the House of Representatives, one;
(12) Clerk of the Senate, one;
(13) Clerk of the House of Representatives, one;
(14) each committee room of the General Assembly, one;
(15) each member of the Legislative Council, one;
(16) Code Commissioner, one;
(17) Legislative Council, ten;
(18) Supreme Court, fourteen;
(19) Court Administration Office, five;
(20) each circuit court judge, one;
(21) each circuit court solicitor, one;
(22) each family court judge, one;
(23) each county court judge, one;
(24) Administrative Law Judge Division, nine;
(25) College of Charleston, one;
(26) The Citadel, two;
(27) Clemson University, three;
(28) Francis Marion College, one;
(29) Lander College, one;
(30) Medical University of South Carolina, two;
(31) South Carolina State ~~College~~University, two;
(32) University of South Carolina, four;
(33) each regional campus of the University of South Carolina, one;
(34) University of South Carolina Law School, forty-six;
(35) Winthrop College, two;
(36) each technical college or center, one;
(37) each county governing body, one;
(38) each county clerk of court and register of deeds where such offices are separate, one;
(39) each county auditor, one;
(40) each county coroner, one;
(41) each county magistrate, one;
(42) each county master in equity, one;
(43) each county probate judge, one;
(44) each county public library, one;
(45) each county sheriff, one;
(46) each public defender, one;
(47) each county superintendent of education, one;
(48) each county treasurer, one;
(49) Library of Congress, three;

(50) United States Supreme Court, one;

(51) each member of Congress from South Carolina, one;

(52) each state library which furnishes this State a free set of its Code of Laws, one;

(53) Division of Aeronautics of the Department of Commerce, one;

~~(54) Department of Alcohol and other Drug Abuse Services, one;~~

~~(55)~~(54) Department of Archives and History, one;

~~(56)~~(55) Board of Bank Control, one;

~~(57)~~(56) Commissioner of Banking, one;

~~(58) Budget and Control Board:~~

~~(a) Auditor, six;~~

~~(b) General Services Division, six;~~

~~(c) Personnel Division, one;~~

~~(d) Research and Statistical Services Division, one;~~

~~(e) Retirement System, one.~~

~~(59)~~(57) Children's Bureau, one;

~~(60)~~(58) Department of Consumer Affairs, one;

~~(61)~~(59) Department of Corrections, two;

~~(62)~~(60) Criminal Justice Academy, one;

~~(63)~~(61) Department of Commerce, five;

~~(64)~~(62) Department of Employment and Workforce, two;

~~(65)~~(63) Ethics Commission, one;

~~(66)~~(64) Forestry Commission, one;

~~(67)~~(65) Department of Public Health ~~and Environmental Control~~, five;

~~(68)~~(66) Department of Transportation, five;

~~(69)~~(67) Department of Public Safety, five;

~~(70)~~(68) Human Affairs Commission, one;

~~(71)~~(69) Workers' Compensation Commission, seven;

~~(72)~~(70) Department of Insurance, two;

~~(73)~~(71) Department of Juvenile Justice and Aftercare, one;

~~(74)~~(72) Department of Labor, Licensing and Regulation, two;

~~(75)~~(73) South Carolina Law Enforcement Division, four;

~~(76)~~(74) Legislative Audit Council, one;

~~(77)~~(75) State Library, three;

~~(78)~~(76) Department of ~~Mental~~ Behavioral Health, ~~three~~six;

~~(79)~~(77) Department of Intellectual and Related Disabilities ~~and Special Needs~~, five;

~~(80)~~(78) Ports Authority, one;

~~(81)~~(79) Department of Probation, Parole and Pardon, two;

~~(82)~~(80) Public Service Commission, three;

~~(83)~~(81) Department of Social Services, two;

~~(84)~~(82) Department of Revenue, six;

~~(85)~~(83) Board for Technical and Comprehensive Education, one;

~~(86)~~(84) Veterans' Affairs Department of the Governor's office, one;

~~(87)~~(85) Vocational Rehabilitation, one;

~~(88)~~(86) Department of Natural Resources, four~~.~~

(87) State Fiscal Accountability Authority; six

(88) Department of Administration, six;

(89) Department on Aging, one;

(90) Department of Health Financing, one;

(91) Department of Environmental Services; five;

(92) Executive Office of Health and Policy; five.

(b) If any technical college or center offers a course in paralegal practice such college or center shall be allowed two additional sets of the Code.

(c) All remaining copies of the Code may be sold or distributed in the best interest of the State as may be determined by the Legislative Council.

(d) The provisions of Sections 8-15-30 and 8-15-40 of the 1976 Code shall not apply to members of the General Assembly, members of the Legislative Council and the Code Commissioner.

SECTION X. Section 3-5-130 of the S.C. Code is amended to read:

Section 3-5-130. Staff of the ~~Coastal~~ Division of Coastal Management of the Department of ~~Health and~~ Environmental ~~Control~~ Services shall make a determination of the amount of actual damage.

SECTION X. A. Section 4-33-10 of the S.C. Code is amended to read:

Section 4-33-10. The Commissioner of Agriculture, who is the authorized custodian of the State exhibit property, and the Department of Public Health and the Department of Environmental ~~Control~~ Services shall, whenever application is made to either or both by the officials of county fairs held in the State and upon the guarantee by such officials of all expenses connected with the undertaking, prepare and send to such fairs exhibits of such educational character as will be instructive and beneficial to the people attending the fairs.

B. Section 4-33-20 of the S.C. Code is amended to read:

Section 4-33-20. The Commissioner of Agriculture, ~~and~~ the Department of Public Health, and the Department of Environmental ~~Control~~ Services shall send in charge of these exhibits demonstrators competent to explain fully to visitors at the fairs the educational value of such exhibits.

C. Section 4-33-30 of the S.C. Code is amended to read:

Section 4-33-30. The Commissioner of Agriculture, ~~and~~ the Department of Public Health, and the Department of Environmental ~~Control~~Services may detail necessary ~~men~~ staff to this service, though they may be employed and paid for other purposes, and may expend such funds as may be at their command and as may be necessary to prepare and arrange the exhibits contemplated by Section 4-33-10.

SECTION X. Section 6-19-30 of the S.C. Code is amended to read:

Section 6-19-30. The fund for such grants must be from either revenue-sharing trust funds or from general appropriations to the Department of ~~Health and~~ Environmental ~~Control~~Services, which shall administer the grants for intermission to public water supply authorities or districts, sewer authorities or districts, water and sewer authorities, rural community water or sewer systems, nonprofit corporations, or municipal sewer systems to which the grant is made. The Governor, with the advice and consent of the Senate, shall appoint an advisory committee composed of seven members, one from each congressional district of the State. In addition an employee of the Department of ~~Health and~~ Environmental ~~Control~~Services, designated by the ~~commissioner thereof~~director, shall serve ex officio as a member of the committee. The Governor may invite a director, or his representative, from an agency providing water and sewer funds to serve as an advisory nonvoting member to the committee. All members must be appointed for terms of three years. In the event of a vacancy a successor shall be appointed for the unexpired term in the manner of original appointment. The advisory committee shall meet as soon after its appointment as may be practicable and shall organize by electing a chairman, vice chairman, secretary, and such other officers as it may deem desirable. The advisory committee shall select the projects to be funded pursuant to Section 6-19-40. Funds also may be expended from gifts or grants from any source which are made available for the purpose of carrying out the provisions of this chapter. Appropriations made to the fund but not expended at the end of the fiscal year for which appropriated shall not revert to the general fund but shall accrue to the credit of the fund. Grants must be made only for water supply and waste water facilities projects on which construction was not commenced before April 1, 1974.

SECTION X. Section 10-5-270(A) of the S.C. Code is amended to read:

(A) All plans for buildings, structures, and facilities to be constructed or altered must be reviewed and approved for compliance with this

chapter and must be submitted to one of the following officials for approval:

(1) for state owned or leased facilities, to the State Engineer, Office of General Services, Department of Administration;

(2) for elementary and secondary public schools, to the Director, Office of Facilities Management, State Department of Education;

(3) for health care facilities, to the Director, ~~Bureau~~ Division of Health Facilities Construction, ~~Licensing and Certification, State~~ Department of Public Health ~~and Environmental Control~~;

(4) for buildings not covered by this subsection or subsections (B) or (C), to the local building officials appointed by a municipal or county government within their respective jurisdictions;

(5) in jurisdictions without building officials, to the Administrator, Building Codes Council.

SECTION X. Section 12-6-3775(B)(1) of the S.C. Code is amended to read:

(B)(1) A taxpayer is allowed an income tax credit equal to twenty-five percent of the cost, including the cost of installation, of a solar energy property if he constructs, purchases, or leases a solar energy property that is located in the State of South Carolina and if:

(a) the property is located on:

(i) the Environmental Protection Agency's National Priority List;

(ii) the Environmental Protection Agency's National Priority List Equivalent Sites;

(iii) a list of related removal actions, as certified by the Department of ~~Health and~~ Environmental ~~Control~~Services;

(iv) land that is subject to a Voluntary Cleanup Contract with the Department of Health and Environmental Control as of December 31, 2017, which is transferred to the Department of Environmental Services as of July 1, 2024, or to corrective action under the Federal Resource Conservation and Recovery Act of 1976; or

(v) land that is owned by the Pinewood Site Custodial Trust; and

(b) he places it in service in this State during the taxable year.

SECTION X. Section 13-2-10 of the S.C. Code is amended to read:

Section 13-2-10. (A) Notwithstanding any other provision of law, the South Carolina Department of Social Services, ~~and~~ the ~~South Carolina~~ Department of Public Health, and the Department of Environmental ~~Control~~Services, or any other state agency, are hereby authorized to enter into written agreements with any other state agency or interagency

council, whether created by statute or executive order, to ensure that the purposes and function of comprehensive development programs can be more effectively and efficiently implemented.

(B) Provided, however, that no agency shall commit any funds by contract unless previously appropriated by the General Assembly. Provided, that any state agency which is created by executive order, and exercising the provisions of this section, shall contain at least four members of the legislature on its governing board, two of whom shall be selected from the membership of the Senate by the President of that body and two of whom shall be selected from the membership of the House of Representatives by the Speaker of that body.

SECTION X. Section 14-7-1630(C) of the S.C. Code is amended to read:

(C) In all investigations of crimes specified in subsection (A)(12), except in matters where the Department of ~~Health and~~ Environmental ~~Control~~ Services or its officers or employees are the subjects of the investigation, the ~~Commissioner of the Department of Health and Environmental Control~~Director of the Department of Environmental Services must consult with and, after investigation, provide a formal written recommendation to the Attorney General and the Chief of the South Carolina Law Enforcement Division. The Attorney General and the Chief of the South Carolina Law Enforcement Division must consider the impaneling of a state grand jury necessary and the commissioner must sign a written recommendation before the Attorney General notifies the chief administrative judge pursuant to subsection (B).

(1) In the case of evidence brought to the attention of the Attorney General, the Chief of the South Carolina Law Enforcement Division, or the Department of ~~Health and~~ Environmental ~~Control~~ Services by an employee or former employee of the alleged violating entity, there also must be separate, credible evidence of the violation in addition to the testimony or documents provided by the employee or former employee of the alleged violating entity.

(2) When an individual employee performs a criminal violation of the environmental laws that results in actual and substantial harm pursuant to subsection (A)(12) and which prompts an investigation authorized by this article, only the individual employee is subject to the investigation unless or until there is separate, credible evidence that the individual's employer knew of, concealed, directed, or condoned the employee's action.

SECTION X. Section 15-74-40 of the S.C. Code is amended to read:

Section 15-74-40. The provisions of this act shall not be deemed to in any manner restrict the authority of the Department ~~of Health and Environmental Control~~Agriculture to regulate or ban the use or consumption of distressed food donated, collected or received for charitable purposes but deemed unfit for human consumption, nor shall the exemption from liability provided for in this chapter in any manner affect the liability of a producer or processor of food products for defects existing in a food product prior to the time such product became "distressed food" as defined in § 15-74-10.

SECTION X. Section 31-13-30 of the S.C. Code is amended to read:

Section 31-13-30. (A) The Governor shall appoint, with the advice and consent of the Senate, seven persons to be commissioners of the South Carolina State Housing Finance and Development Authority. The seven persons so appointed shall have experience in the fields of mortgage finance, banking, real estate, and home building. The Governor shall appoint a chairman from among the seven commissioners.

(B) The commissioners must be appointed for terms of four years, except that all vacancies must be filled for the unexpired term. A commissioner shall hold office until his successor has been appointed and qualifies. A certificate of the appointment or reappointment of any commissioner must be filed in the office of the Secretary of State and in the office of the Authority, and the certificate is conclusive evidence of the due and proper appointment of the commissioner. The Governor, or his designee, and the ~~State Commissioner~~Director of the Department of Public Health ~~and Environmental Control~~, or his designee from his administrative staff, shall serve ex officio as commissioners of the Authority with the same powers as the other commissioners.

SECTION X. Section 38-55-530(A) of the S.C. Code is amended to read:

(A) "Authorized agency" means any duly constituted criminal investigative department or agency of the United States or of this State; the Department of Insurance; the Department of Revenue; the Department of Public Safety; the Department of Motor Vehicles; the Workers' Compensation Commission; the State Accident Fund; the Second Injury Fund; the Department of Employment and Workforce; the Department of Consumer Affairs; the Human Affairs Commission; the Department of Public Health, the Department of ~~and~~ Environmental ~~Control~~Services; the Department of Social Services; the Department of Health ~~and Human Services~~Financing; the Department of Labor, Licensing and Regulation; all other state boards, commissions, and

agencies; the Office of the Attorney General of South Carolina; or the prosecuting attorney of any judicial circuit, county, municipality, or political subdivision of this State or of the United States, and their respective employees or personnel acting in their official capacity.

SECTION X. Section 40-23-10(A) of the S.C. Code is amended to read:

(A) There is created the South Carolina Environmental Certification Board composed of nine members appointed by the Governor. Of the nine members, one must be a licensed public water treatment operator and one must be a licensed public water distribution system operator; two must be licensed wastewater operators, one of whom must be certified in the physical chemical specialty; one must be a licensed well driller; one must be a member of the public at large; one must be a representative from the Land, Water, and Conservation Division of the Department of Natural Resources; one must be a staff member of the Department of ~~Health and~~ Environmental ~~Control~~ Services, designated by the ~~Commissioner~~ Director of the Department of ~~Health and~~ Environmental ~~Control~~Services; and one must be a representative from a technical education or other higher education institution actively involved in operator training.

SECTION X. Section 40-25-170 of the S.C. Code is amended to read:

Section 40-25-170. ~~(A)~~ The final order of the department in proceedings for the suspension or revocation of certificates of registration are subject to ~~review by the circuit court of Richland County, the county in which the registrant has his principal place of business, or the county in which the books and records of the department are kept. Other final orders of the department under this chapter are subject to review in the same courts~~appeal pursuant to Section 44-1-60 and other applicable law.

~~(B) Appeals to the circuit court must be upon the original records before the department, and the court in its discretion may affirm, reverse, or modify an order made by the department.~~

SECTION X. Section 40-33-20(62) of the S.C. Code is amended to read:

(62) "Underserved population" means a population residing in a rural or urban area, which includes, but is not limited to:

(a) persons receiving Medicaid, Medicare, healthcare from the Department of Public Health ~~and Environmental Health care~~, or free clinic care;

(b) those residing in long-term care settings or receiving care from a licensed hospice;

(c) those in institutions including, but not limited to, incarceration institutions and mental health institutions; and

(d) persons including, but not limited to, the homeless, HIV patients, children, women, the economically disadvantaged, the uninsured, the underinsured, the developmentally disabled, the medically fragile, the mentally ill, migrants, military persons and their dependents, and veterans and their dependents.

SECTION X. Section 40-35-10(A) of the S.C. Code is amended to read:

(A)(1) There is created the South Carolina Board of Long Term Health Care Administrators composed of nine members who must be appointed by the Governor, with the advice and consent of the Senate, for three-year terms and until their successors are appointed and qualify. Of the nine members:

__ ~~(1)~~(a) three must be qualified nursing home administrators licensed under this chapter; one must be from a proprietary nursing home; one must be from a nonproprietary nursing home; and one must be a qualified hospital administrator;

__ ~~(2)~~(b) three must be community residential care facility administrators, licensed under this chapter, at least one of whom must be from a community residential care facility with ten or fewer residents;

__ ~~(3)~~(c) one must be a consumer, sponsor, or family member of a consumer of nursing home services;

__ ~~(4)~~(d) one must be a consumer, sponsor, or family member of a consumer of community residential care services;

__ ~~(5)~~(e) one must be a voting member of the Long Term Care Committee of the Health and Human Services Coordinating Council who must be nominated by election of the committee from among its voting members. If the Governor does not accept the nomination, an additional nominee must be selected in the same manner.

(2) The ~~Commissioner~~ Director of the Department of Public Health ~~and Environmental Control~~, or his designee, also shall serve as a nonvoting member on the board, ex officio.

__ (3) An individual, group, or association may submit the names of qualified individuals to the Governor for his consideration in making these appointments.

__ (4) A vacancy must be filled in the manner of the original appointment for the unexpired portion of the term. A member may not serve more than two consecutive full terms.

SECTION X. Section 43-33-50 of the S.C. Code is amended to read:

Section 43-33-50. Each year, the Governor shall take suitable public notice of October fifteenth as White Cane Safety Day. He shall issue a proclamation in which:

(a) he comments upon the significance of the white cane;

(b) he calls upon the citizens of the State to observe the provisions of the White Cane Law and to take precautions necessary to the safety of the disabled;

(c) he reminds the citizens of the State of the policies with respect to the disabled herein declared and urges the citizens to cooperate in giving effect to them;

(d) he emphasizes the need of the citizens to be aware of the presence of disabled persons in the community and to keep safe and functional for the disabled the streets, highways, sidewalks, walkways, public buildings, public facilities, other public places, places of public accommodation, amusement and resort, and other places to which the public is invited, and to offer assistance to disabled persons upon appropriate occasions.

SECTION X. Section 43-33-350 of the S.C. Code is amended to read:

Section 43-33-350. The system has the following powers and duties:

(1) It shall protect and advocate for the rights of all persons with a developmental or other disability, including the requirements of Section 113 of Public Law 94-103, Section 105 of Public Law 99-319, and Section 112 of Public Law 98-221, all as amended, and for the rights of other persons with disabilities by pursuing legal, administrative, and other appropriate remedies to insure the protection of the rights of these persons.

(2) It may investigate complaints by or on behalf of any person with a developmental or other disability.

(3) It may establish a priority for the delivery of protection and advocacy services according to the type, severity, and number of disabilities of the person making a complaint or on whose behalf a complaint has been made.

(4) It may conduct team advocacy inspections of a facility providing residence to a person with a developmental or other disability. Inspections must be completed by the system's staff and trained volunteers. Team advocacy inspections are unannounced visits to review the living conditions of a residential facility, including the plans of care for individuals in a residential care facility and a community mental health center day program. Only the coordinator of the team advocacy project or the coordinator's designee is authorized to perform reviews of plans of care. The system shall prepare a report based on the inspection

which must be submitted to the ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~ and the ~~State~~ Department of ~~Mental~~ Behavioral Health.

(5) It shall administer the Client Assistance Program, as established pursuant to 29 U.S.C. Section 732.

SECTION X. Section 43-35-310 of the S.C. Code is amended to read:

Section 43-35-310. (A) There is created the Adult Protection Coordinating Council under the auspices of the ~~South Carolina~~ Department of Health ~~and Human Services~~Financing and is comprised of:

(1) one member from the institutional care service provision system who is a consumer or a family member of a consumer of that system and one member from the home and community-based service provision system who is a consumer or a family member of a consumer of that system, both of whom must be appointed by the council for terms of two years; and

(2) these members who shall serve ex officio:

(a) Attorney General or a designee;

(b) ~~Office~~ Department on Aging, ~~Executive~~ Director, or a designee;

(c) Criminal Justice Academy, Executive Director, or a designee;

(d) ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~, ~~Commissioner~~Director, or a designee;

(e) ~~State~~ Department of ~~Mental~~ Behavioral Health, Director, or a designee;

(f) ~~South Carolina~~ Department of Intellectual and Related Disabilities ~~and Special Needs~~, Director, or a designee;

(g) Adult Protective Services Program, Director, or a designee;

(h) ~~South Carolina~~ Department of Health Financing~~and Human Services~~, ~~Executive~~ Director, or a designee;

(i) Police Chiefs' Association, President, or a designee;

(j) South Carolina Commission on Prosecution Coordination, Executive Director, or a designee;

(k) Protection and Advocacy for People with Disabilities, Inc., Executive Director, or a designee;

(l) South Carolina Sheriff's Association, Executive Director, or a designee;

(m) South Carolina Law Enforcement Division, Chief, or a designee;

(n) Long Term Care Ombudsman or a designee;

(o) South Carolina Medical Association, Executive Director, or a designee;

(p) South Carolina Health Care Association, Executive Director, or a designee;

(q) South Carolina Home Care Association, Executive Director, or a designee;

(r) South Carolina Department of Labor, Licensing and Regulation, Director, or a designee;

(s) executive director or president of a provider association for home and community-based services selected by the members of the council for terms of two years, or a designee;

(t) South Carolina Court Administration, Executive Director, or a designee;

(u) executive director or president of a residential care facility organization selected by the members of council for terms of two years, or a designee.

(B) Vacancies on the council must be filled in the same manner as the initial appointment.

SECTION X. Section 43-35-560(A) of the S.C. Code is amended to read:

(A) There is created a multidisciplinary Vulnerable Adults Fatalities Review Committee composed of:

(1) the Director of the South Carolina Department of Social Services;

(2) the ~~Commissioner~~ Director of the ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~;

(3) the Executive Director of the South Carolina Criminal Justice Academy;

(4) the Chief of the South Carolina Law Enforcement Division;

~~(5) the Director of the South Carolina Department of Alcohol and Other Drug Abuse Services;~~

(6) the Director of the ~~South Carolina~~ Department of ~~Mental~~ Behavioral Health;

(7) the Director of the ~~South Carolina~~ Department of Intellectual and Related Disabilities ~~and Special Needs~~;

(8) the Director of the ~~Office~~ Department on Aging;

(9) the Executive Director of Protection and Advocacy for People with Disabilities, Inc.;

(10) two representatives from two county boards of disabilities and special needs established pursuant to Section 44-20-375;

(11) a county coroner or medical examiner;

(12) an attorney with experience in prosecuting crimes against vulnerable adults;

(13) a physician with experience in treating vulnerable adults, appointed from recommendations submitted by the South Carolina Medical Association;

(14) a solicitor;

(15) a forensic pathologist; and

(16) two members of the public at large, one of whom must represent a private nonprofit community residential care facility and one of whom must represent a public for profit community residential care facility, both of which must provide services to vulnerable adults.

SECTION X. Section 44-2-130(E)(1) of the S.C. Code is amended to read:

(E)(1) An owner or operator of an underground storage tank or his agent seeking to qualify for compensation from the Superb Account for site rehabilitation shall submit a written application to the department. The written application must be on a form specified by the department and include certification that site rehabilitation is necessary, the tanks at the site have been registered in compliance with applicable law and regulations, and all registration fees have been paid. The department shall accept certification that the release at the site is in need of rehabilitation if the certification is provided jointly by the owner or operator and a South Carolina registered professional geologist or engineer, and if the certification is supported with geotechnical data which reasonably justifies the claim. Upon final determination the department shall provide written notice to the applicant of its findings including detailed reasons for any denial. Any denial of an application must be appealable to the ~~Board of Health and Environmental Control~~state's Administrative Law Court. The department is exempt from this time frame for applications which are received within three months of the close of the grace period allowed in Section 44-2-110.

SECTION X. Section 44-2-150(C) of the S.C. Code is amended to read:

(C) The committee shall consist of fourteen members, appointed by the ~~commissioner~~ department's director of the department as follows:

(1) one member representing the general public;

(2) two members representing environmental organizations;

(3) one member representing the South Carolina Petroleum Council;

(4) one member representing the South Carolina Petroleum Marketers Association;

(5) one member representing the South Carolina Service Station Dealers Association;

(6) one member representing the South Carolina Chamber of Commerce;

(7) one member representing the South Carolina Bankers Association;

(8) one member representing a business that specializes in the assessment or remediation, or both, of contamination resulting from leaking underground storage tanks;

(9) one member representing the South Carolina Department of Insurance;

(10) one member representing the Department of ~~Health and~~ Environmental ~~Control~~Services;

(11) one member representing the State Department of Administration, Division of General Services;

(12) one member representing the Municipal Association of South Carolina; and

(13) one member representing the South Carolina Association of Counties.

SECTION X. Section 44-4-130 of the S.C. Code is amended to read:

Section 44-4-130. As used in the chapter:

(A) "Biological agent" means a microorganism, virus, infectious substance, naturally occurring or bioengineered product, or other biological material that could cause death, disease, or other harm to a human, an animal, a plant, or another living organism.

(B) "Bioterrorism" means the intentional use or threatened use of a biological agent to harm or endanger members of the public.

(C) "Chemical agent" means a poisonous chemical agent that has the capacity to cause death, disease, or other harm to a human, an animal, a plant, or another living organism.

(D) "Chemical terrorism" means the intentional use or threatened use of a chemical agent to harm or endanger members of the public.

(E) "Chain of custody" means the methodology of tracking specimens for the purpose of maintaining control and accountability from initial collection to final disposition of the specimens and providing for accountability at each stage of collecting, handling, testing, storing, and transporting the specimens and reporting test results.

(F) ~~"Commissioner"~~ "Director" means the ~~Commissioner~~ Director of the Department of Public Health ~~and Environmental Control~~.

(G) "Contagious disease" is an infectious disease that can be transmitted from person to person, animal to person, or insect to person.

(H) "Coroners, medical examiners, and funeral directors" have the same meanings as provided in Sections 17-5-5 and 40-19-10, respectively.

(I) ~~"DHEC"~~ "DPH" means the Department of Public Health ~~and Environmental Control~~ or any person authorized to act on behalf of the Department of Public Health ~~and Environmental Control~~.

(J) "Facility" means any real property, building, structure, or other improvement to real property or any motor vehicle, rolling stock, aircraft, watercraft, or other means of transportation.

(K) "Health care facility" means any nonfederal institution, building, or agency or portion thereof, whether public or private (for-profit or nonprofit) that is used, operated, or designed to provide health services, medical treatment, or nursing, rehabilitative, or preventive care to any person or persons. This includes, but is not limited to, ambulatory surgical facilities, health maintenance organizations, home health agencies, hospices, hospitals, infirmaries, intermediate care facilities, kidney treatment centers, long-term care facilities, medical assistance facilities, mental health centers, outpatient facilities, public health centers, rehabilitation facilities, residential treatment facilities, skilled nursing facilities, and adult daycare centers. The term also includes, but is not limited to, the following related property when used for or in connection with the foregoing: laboratories, research facilities, pharmacies, laundry facilities, health personnel training and lodging facilities, and patient, guest, and health personnel food service facilities, and offices and office buildings for persons engaged in health care professions or services.

(L) "Health care provider" means any person or entity who provides health care services including, but not limited to, hospitals, medical clinics and offices, special care facilities, medical laboratories, physicians, pharmacists, dentists, physician assistants, nurse practitioners, registered and other nurses, paramedics, firefighters who provide emergency medical care, emergency medical or laboratory technicians, and ambulance and emergency medical workers. This includes out-of-state medical laboratories, provided that such laboratories have agreed to the reporting requirements of South Carolina. Results must be reported by the laboratory that performs the test, but an in-state laboratory that sends specimens to an out-of-state laboratory is also responsible for reporting results.

(M) "Infectious disease" is a disease caused by a living organism or virus. An infectious disease may, or may not, be transmissible from person to person, animal to person, or insect to person.

(N) "Isolation" and "quarantine" mean the compulsory physical separation (including the restriction of movement or confinement) of individuals and/or groups believed to have been exposed to or known to have been infected with a contagious disease from individuals who are believed not to have been exposed or infected, in order to prevent or limit the transmission of the disease to others; if the context so requires, "quarantine" means compulsory physical separation, including restriction of movement, of populations or groups of healthy people who have been potentially exposed to a contagious disease, or to efforts to segregate these persons within specified geographic areas. "Isolation" means the separation and confinement of individuals known or suspected (via signs, symptoms, or laboratory criteria) to be infected with a contagious disease to prevent them from transmitting disease to others.

(O) "Protected health information" means any information, whether oral, written, electronic, visual, pictorial, physical, or any other form, that relates to an individual's past, present, or future physical or mental health status, condition, treatment, service, products purchased, or provision of care, and that reveals the identity of the individual whose health care is the subject of the information, or where there is a reasonable basis to believe such information could be utilized (either alone or with other information that is, or reasonably should be known to be, available to predictable recipients of such information) to reveal the identity of that individual.

(P) "Public health emergency" means the occurrence or imminent risk of a qualifying health condition.

(Q) "Public safety authority" means the Department of Public Safety, the State Law Enforcement Division, or designated persons authorized to act on behalf of the Department of Public Safety, the State Law Enforcement Division including, but not limited to, local governmental agencies that act principally to protect or preserve the public safety, or full-time commissioned law enforcement persons.

(R) "Qualifying health condition" means:

(1) a natural disaster; or

(2) an illness or health condition that may be caused by terrorism, epidemic or pandemic disease, or a novel infectious agent or biological or chemical agent and that poses a substantial risk of a significant number of human fatalities, widespread illness, or serious economic impact to the agricultural sector, including food supply.

(S) "Radioactive material" means a radioactive substance that has the capacity to cause bodily injury or death to a human, an animal, a plant, or another living organism.

(T) "Radiological terrorism" means the intentional use or threatened use of a radioactive material to harm or endanger members of the public.

(U) "Specimens" include, but are not limited to, blood, sputum, urine, stool, other bodily fluids, wastes, tissues, and cultures necessary to perform required tests, and environmental samples or other samples needed to diagnose potential chemical, biological, or radiological contamination.

(V) "Tests" include, but are not limited to, any diagnostic or investigative analyses necessary to prevent the spread of disease or protect the public's health, safety, and welfare.

(W) "Trial court" is the circuit court for the county in which the isolation or quarantine is to occur or to the circuit court for the county in which a public health emergency has been declared. If that court is unable to function because of the isolation, quarantine, or public health emergency, the trial court is a circuit court designated by the Chief Justice upon petition and proper showing by the Department of Public Health ~~and Environmental Control~~.

SECTION X. Section 44-6-400 of the S.C. Code is amended to read:

Section 44-6-400. As used in this article:

(1) "Department" means the Department of Health ~~and Human Services~~Financing.

(2) "Nursing home" means a facility subject to licensure as a nursing home by the Department of Public Health ~~and Environmental Control~~ and subject to the permit provisions of Article 2, Chapter 7 of Title 44 and which has been certified for participation in the Medicaid program or has been dually certified for participation in the Medicaid and Medicare programs.

(3) "Resident" means a person who resides or resided in a nursing home during a period of an alleged violation.

(4) "Survey agency" means the ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~ or any other agency designated to conduct compliance surveys of nursing facilities participating in the Title XIX (Medicaid) program.

SECTION X. Section 44-7-180 of the S.C. Code is amended to read:

Section 44-7-180. (A) There is created a health planning committee comprised of fourteen members. The Governor shall appoint twelve members, which must include at least one member from each congressional district. In addition, each of the following groups must be represented among the Governor's appointees: health care consumers, health care financiers, including business and insurance, and health care providers, including an administrator of a licensed for-profit nursing

home. The ~~chairman of the board~~director shall appoint one member. The South Carolina Consumer Advocate or the Consumer Advocate's designee is an ex officio nonvoting member. Members appointed by the Governor are appointed for four-year terms, and may serve only two consecutive terms. Members of the health planning committee are allowed the usual mileage and subsistence as provided for members of boards, committees, and commissions. The committee shall elect from among its members a chairman, vice chairman, and such other officers as the committee considers necessary to serve a two-year term in that office.

(B)(1) With the advice of the health planning committee, the department shall prepare a South Carolina Health Plan for use in the administration of the Certificate of Need program provided in this article. The plan at a minimum must include:

~~(1)~~(a) an inventory of existing health care facilities, beds, specified health services, and equipment;

~~(2)~~(b) projections of need for additional health care facilities, beds, health services, and equipment;

~~(3)~~(c) standards for distribution of health care facilities, beds, specified health services, and equipment including scope of services to be provided, utilization, and occupancy rates, travel time, regionalization, other factors relating to proper placement of services, and proper planning of health care facilities; and

~~(4)~~(d) a general statement as to the project review criteria considered most important in evaluating Certificate of Need applications for each type of facility, service, and equipment, including a finding as to whether the benefits of improved accessibility to each such type of facility, service, and equipment may outweigh the adverse affects caused by the duplication of any existing facility, service, or equipment.

(2) The South Carolina Health Plan must address and include projections and standards for specified health services and equipment which have a potential to substantially impact health care cost and accessibility. Nothing in this provision shall be construed as requiring the department to approve any project which is inconsistent with the South Carolina Health Plan.

(C) Upon approval by the health planning committee, the South Carolina Health Plan must be submitted at least once every two years to the ~~board~~ Secretary of Health and Policy for final revision and adoption. Once adopted by the ~~board~~secretary, the plan may later be revised through the same planning and approval process. The department shall adopt by regulation a procedure to allow public review and comment,

including regional public hearings, before adoption or revision of the plan.

SECTION X. Section 44-7-230(D) of the S.C. Code is amended to read:

(D) A Certificate of Need is valid for one year from the date of issuance. A Certificate of Need must be issued with a timetable submitted by the applicant and approved by the department to be followed for completion of the project. The holder of the Certificate of Need shall submit periodic progress reports on meeting the timetable as may be required by the department. Failure to meet the timetable results in the revocation of the Certificate of Need by the department unless the department determines that extenuating circumstances beyond the control of the holder of the Certificate of Need are the cause of the delay. The department may grant two extensions of up to nine months each upon evidence that substantial progress has been made in accordance with procedures set forth in regulations. The ~~board~~ department's director may grant further extensions of up to nine months each only if ~~it~~ he determines that substantial progress has been made in accordance with the procedures set forth in regulations.

SECTION X. Section 44-7-320(B) of the S.C. Code is amended to read:

(B) Should the department determine to assess a penalty, deny, suspend, or revoke a license, it shall send to the appropriate person or facility, by certified mail, return receipt requested, a notice setting forth the particular reasons for the determination and stating that the decision may be appealed by requesting a contested case hearing in accordance with Section 44-1-60 and the Administrative Procedures Act. ~~The determination becomes final thirty days after the mailing of the notice, unless the person or facility, within such thirty-day period, requests in writing a contested case hearing before the board, or its designee, pursuant to the Administrative Procedures Act.~~ On the basis of the contested case hearing, the determination involved must be affirmed, modified, or set aside. Judicial review may be sought in accordance with the Administrative Procedures Act.

SECTION X. Section 44-7-325(A)(1) of the S.C. Code is amended to read:

(A)(1) A health care facility, as defined in Section 44-7-130, and a health care provider licensed pursuant to Title 40 may charge a fee for the search and duplication of a medical record, whether in paper format or electronic format, but the fee may not exceed:

(a) for records requested to be produced in an electronic format, the total charge to the requestor may not exceed one hundred fifty dollars per request regardless of the number of records produced or number of times the patient has been admitted to the health care facility. The charge, not to exceed one hundred fifty dollars, shall be calculated as follows: sixty-five cents per page for the first thirty pages provided in an electronic format and fifty cents per page for all other pages provided in an electronic format, plus a clerical fee not to exceed twenty-five dollars for searching and handling, which combined with the per page costs may not exceed a total of one hundred fifty dollars per request, and to which may be added actual postage and applicable sales tax;

(b) for paper requests, sixty-five cents per page for the first thirty printed pages and fifty cents per page for all other printed pages, plus a clerical fee not to exceed twenty-five dollars for searching and handling, which combined with the per page print costs may not exceed two hundred dollars per admission to the health care facility, and to which may be added actual postage and applicable sales tax. The patient may have more than one admission on file when the record request is made. If multiple admissions exist, the print fee applies per admission, but only one clerical fee may be charged. Multiple emergency room records without an admission to the hospital are considered one admission;

(c) notwithstanding whether the records are requested in print or electronic format, the search and handling fees in subitems (a) and (b) are permitted even though no medical record is found as a result of the search, except where the request is made by the patient; and

(d) all of the fees allowed by this section, including the maximum, must be adjusted annually in accordance with the Consumer Price Index for all Urban Consumers, South Region (CPI-U), published by the U.S. Department of Labor. The Department of Public Health ~~and Environmental Control~~ is responsible for calculating this annual adjustment, which is effective on July first of each year~~, starting July 1, 2015~~.

SECTION X. Section 44-21-10(D) of the S.C. Code is amended to read:

(D) The General Assembly recognizes that the ~~South Carolina~~ Department of Intellectual and Related Disabilities ~~and Special Needs~~ for several years has developed and maintained a family support program that provides support services to some families with members with intellectual disability. The success of this program demonstrates the need and value of family support services. More families in the State should

be able to receive appropriate services and assistance needed to stabilize the family unit.

SECTION X. Section 44-21-20(1) of the S.C. Code is amended to read:

(1) "Department" means the Department of Intellectual and Related Disabilities ~~and Special Needs~~.

SECTION X. Section 44-29-150 of the S.C. Code is amended to read:

Section 44-29-150. No person will be initially hired to work in any public or private school, kindergarten, nursery or day care center for infants and children until appropriately evaluated for tuberculosis according to guidelines approved by the ~~Board~~ Department of Public Health ~~and Environmental Control~~. Re-evaluation will not be required for employment in consecutive years unless otherwise indicated by such guidelines.

SECTION X. Section 44-29-210(A) of the S.C. Code is amended to read:

(A)(1) If the ~~Board of~~ the Department of Public Health ~~and Environmental Control or the Director of the Department of Health and Environmental Control~~ approves in writing a mass immunization project to be administered in any part of this State in cooperation with an official or volunteer medical or health agency, any authorized employee of the agency, any physician who does not receive compensation for his services in the project, and any licensed nurse who participates in the project, except as provided in subsection (B), is not liable to any person for illness, reaction, or adverse effect arising from or out of the use of any drug or vaccine administered in the project by the employee, physician, or nurse. Neither the board nor the director may approve the project unless ~~either~~ he finds that the project conforms to good medical and public health practice.

(2) For purposes of this section, a person is considered to be an authorized employee of an official or volunteer medical or health agency if he has received the necessary training for and approval of the department for participation in the project.

SECTION X. Section 44-31-105(A) of the S.C. Code is amended to read:

(A) If the Department of Public Health ~~and Environmental Control~~ determines that the public health or the health of any individual is endangered by a case of tuberculosis, or a suspected case of tuberculosis, the ~~commissioner~~director, or his ~~or her~~ designee, may issue an emergency order he ~~or she~~ considers necessary to protect the public

health or the health of any person, and law enforcement shall aid and assist the department in accordance with Section 44-1-100.

SECTION X. Section 44-37-40(B) of the S.C. Code is amended to read:

(B) For purposes of this section:

(1) "Advisory council" means the Newborn Hearing Screening and Intervention Advisory Council.

(2) "Audiologist" means an individual licensed to practice audiology by the South Carolina Board of Examiners in Speech-Language Pathology and Audiology.

(3) "Audiologic evaluation" means an evaluation consisting of procedures to assess the status of the auditory system; to establish the site of an auditory disorder; the type and degree of hearing loss, and the potential effects of hearing loss on communication; and to identify appropriate treatment and referral options. Referral options for evaluation should include linkage to state Part C "Individuals with Disabilities Education Act" coordinating agencies or other appropriate agencies, medical evaluation, hearing aid/sensory aid assessment, audiologic rehabilitation treatment, national and local consumer, self-help, parent and education organizations, and other family centered services.

(4) "Auditory habilitation" means intervention which includes the use of procedures, techniques, and technologies to facilitate the receptive and expressive communication abilities of a child with hearing loss.

(5) "Birth admission" means the time after birth that the newborn remains in the hospital nursery before discharge.

(6) ~~"Commissioner"~~ "Director" means the ~~Commissioner~~ Director of the ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~.

(7) "Department" means the ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~.

(8) "Early intervention" means providing appropriate services for a child with hearing loss and ensuring that the family of the child is provided comprehensive, consumer-oriented information about the full range of family support, training, information services, and communication options and is given the opportunity to consider the full range of educational and program placements and options for this child.

(9) "Hearing loss" for newborns and neonates means failure to pass the brainstem auditory evoked response performed at the audiologic evaluation. Current hearing screening technology detects levels of hearing loss as low as 35 decibels.

(10) "Hearing screening" means newborn and infant hearing screening consisting of objective physiologic procedures to detect possible hearing loss and to identify newborns and infants who, after rescreening, require further audiologic and medical evaluations.

(11) "Infant" means a child twenty-nine days to twenty-four months old.

(12) "Medical intervention" means the process by which a physician provides medical diagnosis and direction for medical or surgical treatment options for hearing loss or related medical disorders associated with hearing loss.

(13) "Newborn" means a child up to twenty-eight days old.

(14) "Normal hearing" for newborns and infants is 0-15 decibels hearing level. Any hearing level greater than 15 decibels can adversely affect speech and language development. The greater the hearing level the greater the adverse impact on speech and language development.

(15) "Parent" means a natural parent, step-parent, adoptive parent, legal guardian, or other legal custodian of a child.

(16) Part C of "Individuals with Disabilities Education Act" means the federal "Early Intervention Program for Infants and Toddlers with Disabilities and Developmental Delay Act" which encourages exemplary practices that lead to improved teaching and learning experiences for children with developmental delay, and that can result in more productive independent adult lives, including employment.

SECTION X. Section 44-37-70 of the S.C. Code is amended to read:

Section 44-37-70. (A) The Department of Public Health ~~and Environmental Control~~ shall require each birthing facility licensed by the department to perform on every newborn in its care a pulse oximetry or other department-approved screening to detect critical congenital heart defects when the baby is twenty-four to forty-eight hours of age, or as late as possible if the baby is discharged from the hospital before reaching twenty-four hours of age. A department-approved screening must be based on standards set forth by the United States Secretary of Health and Human Services' Advisory Committee on Heritable Disorders in Newborns and Children, the American Heart Association, and the American Academy of Pediatrics. If a parent of a newborn objects, in writing, to the screening, for reasons pertaining to religious beliefs only, the newborn is exempt from the screening required by this subsection.

(B) The Department of Health ~~and Human Services~~Financing shall work with birthing facilities through its partnership with the Birth Outcomes Initiative to recommend policies for critical congenital heart

defect screening. The Department of Health ~~and Human Services~~ Financing shall provide reimbursement for services provided pursuant to this section.

(C) For purposes of this section, "birthing facility" means an inpatient or ambulatory health care facility licensed by the Department of Public Health ~~and Environmental Control~~ that provides birthing and newborn care services.

(D) The department with advice from the Birth Outcome Initiative Leadership Team under the Department of Health ~~and Human Services~~Financing shall promulgate regulations necessary to implement the provisions of this section. In promulgating the regulations, the department must consider the best practices in screening, current scientific guidelines and recommendations, and advances in medical technology.

SECTION X. A. Section 44-38-30(A) of the S.C. Code is amended to read:

(A) There is the South Carolina Head and Spinal Cord Injury Information System Council established for the purpose of overseeing the daily activities of the system which shall be under the Head and Spinal Cord Injury Division of the Department of Intellectual and Related Disabilities ~~and Special Needs~~. The council is composed of the following ex officio members or their designees: the chairman, Developmental Disabilities Council, Office of the Governor, the chairman of the Joint Committee to Study the Problems of Persons with Disabilities, the State Director of the State Department of Behavioral ~~Mental~~ Health and Substance Abuse Services, the Commissioner of the Department of Vocational Rehabilitation, the Director of the ~~State~~ Department of Intellectual and Related Disabilities ~~and Special Needs~~, the Director of the ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~, the Director of the ~~South Carolina~~ Department of Health ~~and Human Services~~Financing, Dean of the University of South Carolina School of Medicine, the Dean of the Medical University of South Carolina, the Executive Director of the South Carolina Hospital Association, one representative from each of the head injury advocacy organizations, and one individual with a spinal cord injury. The council shall elect a chairman who may appoint such other nonvoting members who may serve in an advisory capacity to the council, including representatives from the private service delivery sector.

B. Section 44-38-380(A) of the S.C. Code is amended to read:

(A) There is created an Advisory Council to the South Carolina Head and Spinal Cord Service Delivery System composed of:

(1) the following members or a designee, who shall serve ex officio:

(a) Chairperson for the Joint Legislative Committee for the Disabled;

(b) Director of the ~~State~~ Department of Intellectual and Related Disabilities ~~and Special Needs~~;

(c) Commissioner of the State Agency for Vocational Rehabilitation;

(d) Director of the University Affiliated Program of the University of South Carolina;

(e) Director of the South Carolina Developmental Disabilities Council;

(f) Director of Special Education of the State Department of Education;

(g) Director of the Interagency Office of Disability Prevention;

(h) Director of the Continuum of Care for Emotionally Disturbed Children;

(i) ~~Executive~~ Director of the ~~South Carolina~~ Department of Health ~~and Human Services Finance Commission~~Financing;

(j) Director of the ~~State~~ Department of ~~Mental~~ Behavioral Health;

(k) ~~Commissioner~~ Director of the ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~;

(l) Commissioner of the South Carolina Commission for the Blind;

(2) the following members or a designee:

(a) President of the South Carolina Head Injury Association;

(b) President of the South Carolina Association of Independent Head Injury Groups;

(c) President of the South Carolina Spinal Cord Injury Association;

(d) Director of the South Carolina Disabilities Research Commission;

(3) the following members to be appointed by the Governor for four-year terms and until their successors are appointed and qualified:

(a) three health care providers knowledgeable in head injuries and spinal cord injuries;

(b) three consumers of case management services or family members or legal guardians of consumers of case management services;

(c) of those members first appointed, two of the health care providers and two of the consumers or family members of consumers shall serve four-year terms and one health care provider and one consumer or family member of a consumer shall serve two-year terms.

C. Section 44-38-630(A) of the S.C. Code is amended to read:

(A) The members of the South Carolina Brain Injury Leadership Council should have knowledge or expertise in the area of brain injury or related services. The council shall be comprised of representatives of the following agencies and organizations, shall be appointed by the director of the agency or organization and shall serve ex officio:

(1) South Carolina Department of Education;

(2) ~~South Carolina~~ Department of Health ~~and Human Services~~Financing;

(3) ~~South Carolina~~ Department of ~~Mental~~ Behavioral Health;

(4) ~~South Carolina~~ Department of Social Services;

(5) ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~;

(6) ~~South Carolina~~ Vocational Rehabilitation Department;

(7) ~~South Carolina~~ Department of Intellectual and Related Disabilities ~~and Special Needs~~;

(8) Head and Spinal Cord Injury Division within the ~~South Carolina~~ Department of Intellectual and Related Disabilities ~~and Special Needs~~;

(9) Medical University of South Carolina;

(10) University Center for Excellence in Developmental Disabilities within the University of South Carolina School of Medicine;

(11) South Carolina Statewide Independent Living Council;

(12) South Carolina Developmental Disabilities Council;

(13) Protection and Advocacy for People with Disabilities, Inc.; and

(14) Brain Injury Association of South Carolina.

SECTION X. Section 44-39-20(B) of the S.C. Code is amended to read:

(B) The board consists of:

(1) the following officials or their designees:

(a) the President of the Medical University of South Carolina;

(b) the Dean of the University of South Carolina School of Medicine;

(c) the Director of the Department of Public Health ~~and Environmental Control~~;

(d) the Director of the ~~State~~ Department of Health ~~and Human Services~~Financing;

(e) the President of the South Carolina Medical Association;

(f) the Vice President of the Southeastern Division of the American Diabetes Association;

(g) the President of the American Association of Diabetes Educators;

(h) the President of the South Carolina Academy of Family Physicians;

(i) the Head of the Office of Minority Health, or its successor, ~~in~~ of the ~~Department of Health and Environmental Control~~Commission for Minority Affairs;

(j) the Governor of the South Carolina Chapter of the American College of Physicians;

(k) the Chair of the Division of Endocrinology at the Medical University of South Carolina;

(l) the President of the South Carolina Hospital Association;

(2) a representative of the Office of the Governor, to be appointed by the Governor; and

(3) six representatives appointed by the President of the Medical University of South Carolina, three of whom must be from the general public and one each from the Centers of Excellence Council, the Outreach Council, and the Surveillance Council, all of whom must be persons knowledgeable about diabetes and its complications.

SECTION X. Section 44-44-40(A) of the S.C. Code is amended to read:

(A) There is established the Birth Defects Advisory Council composed of at least thirteen members to be appointed by the ~~commissioner~~ director of the department, with an odd total number of members. The members shall include at least one representative from each of the following organizations, upon the recommendation of the director of the respective organization:

(1) American Academy of Pediatrics, South Carolina Chapter, a board- certified physician in neonatal-perinatal medicine;

(2) American College of Obstetrics and Gynecology, South Carolina Chapter, a board-certified physician in maternal fetal medicine;

(3) Greenwood Genetic Center;

(4) University of South Carolina School of Medicine, a board-certified genetics professional who must be a physician or genetics counselor;

(5) Medical University of South Carolina, a board-certified physician in pediatric cardiology or a board-certified genetics professional;

(6) March of Dimes, South Carolina Chapter;

(7) South Carolina Perinatal Association;

(8) ~~South Carolina~~ Department of Intellectual and Related Disabilities~~ and Special Needs~~;

(9) ~~South Carolina~~ Department of Health ~~and Human Services~~Financing;

(10) Parent of a child with a birth defect, recommended by a South Carolina family advocacy or disability organization;

(11) An adult who was born with a birth defect, recommended by a South Carolina family advocacy or disability organization;

(12) South Carolina Hospital;

(13) South Carolina Medical Association, a licensed physician specializing in genetics.

SECTION X. A. Section 44-53-280 of the S.C. Code is amended to read:

Section 44-53-280. (A) The department may promulgate regulations and may charge reasonable fees relating to the license and control of the manufacture, distribution, and dispensing of controlled substances.

(B) No person engaged in a profession or occupation for which a license is required by law may be registered under this article unless the person holds a valid license of that profession or occupation.

(C) A class 20-28 registration, as provided for by the ~~board~~ department in regulation, expires October first of each year. The registration of a registrant who fails to renew by October first is canceled. However, registration may be reinstated upon payment of the renewal fees due and a penalty of one hundred dollars if the registrant is otherwise in good standing and presents a satisfactory explanation for failure to renew.

(D) All registrations other than class 20-28, as provided for by the ~~board~~ department in regulation, expire on April first of each year. The registration of a registrant who fails to renew by April first is canceled. However, registration may be reinstated upon payment of the renewal fees due and a penalty of one hundred dollars if the registrant is otherwise in good standing and presents a satisfactory explanation for failure to renew.

(E) Refusal by the department to reinstate a canceled registration after payment of the renewal fee and penalty and presentation of an explanation constitutes a refusal to renew and the procedures under Section 44-53-320 apply.

(F) For class 20-28 registrants, initial registrations issued before July first expire October first of that same year, and initial registrations issued on or after July first expire October first of the following year. For classes other than class 20-28, initial registrations issued before January

first expire April first of the following year, and initial registrations issued on or after January first expire April first of the following year.

B. Section 44-53-290(i) of the S.C. Code is amended to read:

(i) Practitioners who dispense narcotic drugs to individuals for maintenance treatment or detoxification treatment shall obtain annually a separate registration for that purpose. The ~~board~~ department shall register an applicant to dispense but not prescribe narcotic drugs to individuals for maintenance treatment or detoxification treatment, or both:

(1) if the applicant is a practitioner who is otherwise qualified to be registered under the provisions of this article to engage in the treatment with respect to which registration has been sought;

(2) if the ~~board~~ department determines that the applicant will comply with standards established by the board respecting security of stocks of narcotic drugs for such treatment, and the maintenance of records in accordance with Section 44-53-340 and the rules issued by the board on such drugs; and

(3) if the ~~board~~ department determines that the applicant will comply with standards established by the board respecting the quantities of narcotic drugs which may be provided for unsupervised use by individuals in such treatment.

C. Section 44-53-310(a) of the S.C. Code is amended to read:

(a) An application for a registration or a registration granted pursuant to Section 44-53-300 to manufacture, distribute, or dispense a controlled substance, may be denied, suspended, or revoked by the ~~Board~~ department upon a finding that the registrant has:

(1) ~~Has~~ materially falsified any application filed pursuant to this article;

(2) ~~Has~~ been convicted of a felony or misdemeanor under any State or Federal law relating to any controlled substance;

(3) ~~Has~~ had his Federal registration suspended or revoked to manufacture, distribute, or dispense controlled substances; or

(4) ~~Has~~ failed to comply with any standard referred to in Section 44-53-290(i).

D. Section 44-53-310(b) of the S.C. Code is amended to read:

(b) The department may place a registrant who violates this article on probation or levy a civil fine of not more than two thousand five hundred dollars, or both. Fines generated pursuant to this section must be remitted to the State Treasurer for deposit to the benefit of the Department of ~~Mental~~ Behavioral Health to be used exclusively for the treatment and rehabilitation of ~~drug addicts~~people with substance use

disorder within the department's ~~addiction~~substance use disorder center facilities.

E. Section 44-53-320(b) of the S.C. Code is amended to read:

(b) The Department, without an order to show cause, may suspend any registration simultaneously with the institution of proceedings under Section 44-53-310, or where renewal of registration is refused if it finds that there is an imminent danger to the public health or safety which warrants this action. A failure to comply with a standard referred to in Section 44-53-290(i) may be treated under this subsection as grounds for immediate suspension of a registration granted under such section. The suspension shall continue in effect until withdrawn by the ~~Board~~ department or dissolved by a court of competent jurisdiction.

F. Section 44-53-360(c) of the S.C. Code is amended to read:

(c) No controlled substances included in any schedule may be distributed or dispensed for other than a medical purpose. No practitioner may dispense a Schedule II narcotic controlled substance for the purpose of maintaining the addiction of a narcotic dependent person outside of a facility or program approved by the Department of Public Health ~~and Environmental Control~~. No practitioner may dispense a controlled substance outside of a bona fide practitioner-patient relationship.

G. Section 44-53-360(g) of the S.C. Code is amended to read:

(g) The ~~Board~~ department shall, by rules and regulations, specify the manner by which prescriptions are filed.

H. Section 44-53-430 of the S.C. Code is amended to read:

Section 44-53-430. Any person may appeal from any order of the ~~Department~~ department pursuant to Section 44-1-60 and applicable law. ~~within thirty days after the filing of the order, to the court of common pleas of the county in which the aggrieved party resides or in which his place of business is located. The Department shall thereupon certify to the court the record in the hearing. The court shall review the record and the regularity and the justification for the order, on the merits, and render judgment thereon as in ordinary appeals in equity. The court may order or permit further testimony on the merits of the case, in its discretion such testimony to be given either before the judge or referee by him appointed. From such judgment of the court an appeal may be taken as in other civil actions.~~

I. Section 44-53-480 of the S.C. Code is amended to read:

Section 44-53-480. (a)(1) The South Carolina Law Enforcement Division shall establish within its Division a Department of Narcotics and Dangerous Drugs, which shall be administered by a director and shall be primarily responsible for the enforcement of all laws pertaining

to illicit traffic in controlled and counterfeit substances. The Department of Narcotics and Dangerous Drugs, in discharging its responsibilities concerning illicit traffic in narcotics and dangerous substances and in suppressing the ~~abuse~~ use of controlled substances, shall enforce the State plan formulated in cooperation with the Narcotics and Controlled Substance Section as such plan relates to illicit traffic in controlled and counterfeit substances.

(2)As part of its duties the Department of Narcotics and Dangerous Drugs shall:

~~(1)~~(A) Assist the ~~Commission on Alcohol and Drug Abuse~~Department of Behavioral Health in the exchange of information between itself and governmental and local law-enforcement officials concerning illicit traffic in and use ~~and abuse~~ of controlled substances.

~~(2)~~(B) Assist the commission in planning and coordinating training programs on law enforcement for controlled substances at the local and state level.

~~(3)~~(C) Establish a centralized unit which shall accept, catalogue, file and collect statistics and make such information available for federal, state and local law enforcement purposes.

~~(4)~~(D) Have the authority to execute and serve search warrants, arrest warrants, administrative inspection warrants, subpoenas, and summonses.

(b) The Department of Public Health ~~and Environmental Control~~ shall be primarily responsible for making accountability audits of the supply and inventory of controlled substances in the possession of pharmacists, doctors, hospitals, health care facilities and other practitioners as well as in the possession of any individuals or institutions authorized to have possession of such substances and shall also be primarily responsible for such other duties in respect to controlled substances as shall be specifically delegated to the Department of Public Health ~~and Environmental Control~~ by the General Assembly. Drug inspectors and special agents of the Department of Public Health ~~and Environmental Control~~ as provided for in Section 44-53-490, while in the performance of their duties as prescribed herein, shall have:

(1) statewide police powers;

(2) authority to carry firearms;

(3) authority to execute and serve search warrants, arrest warrants, administrative inspection warrants, subpoenas, and summonses;

(4) authority to make investigations to determine whether there has been unlawful dispensing of controlled substances or the removal of such

substances from regulated establishments or practitioners into illicit traffic;

(5) authority to seize property; and

(6) authority to make arrests without warrants for offenses committed in their presence.

J. Section 44-53-490 of the S.C. Code is amended to read:

Section 44-53-490. (A) The Department of Public Health ~~and Environmental Control~~ shall designate persons holding a degree in pharmacy to serve as drug inspectors. Such inspectors shall, from time to time, but no less than once every three years, inspect all practitioners and registrants who manufacture, dispense, or distribute controlled substances, including those persons exempt from registration but who are otherwise permitted to keep controlled substances for specific purposes. The drug inspector shall submit an annual report by the first day of each year to the ~~Department~~ department and a copy to the ~~Commission on Alcohol and Drug Abuse~~Department of Behavioral Health specifying the name of the practitioner or the registrant or such exempt persons inspected, the date of inspection and any other violations of this article.

(B) The ~~Department~~ department may employ other persons as agents and assistant inspectors to aid in the enforcement of those duties delegated to the Department by this article.

K. Section 44-53-500(b) of the S.C. Code is amended to read:

(b) The Department of Public Health and Environmental Control is authorized to make administrative inspections of controlled premises in accordance with the following provisions:

(1) For the purposes of this article only, "controlled premises" means:

(a) Places where persons registered or exempted from registration requirements under this article are required to keep records, and

(b) Places including factories, warehouses, establishments, and conveyances where persons registered or exempted from registration requirements under this article are permitted to hold, manufacture, compound, process, sell, deliver, or otherwise dispose of any controlled substance.

(2) When so authorized by an administrative inspection warrant issued pursuant to this section an officer or employee designated by the ~~Commission on Alcohol and Drug Abuse~~Department of Behavioral Health upon presenting the warrant and appropriate credentials to the owner, operator, or agent in charge, may enter controlled premises for the purpose of conducting an administrative inspection.

(3) When so authorized by an administrative inspection warrant, an officer or employee designated by the ~~Department~~ department may:

(a) ~~Inspect~~ inspect and copy records required by this article to be kept;

(b) ~~Inspect~~inspect, within reasonable limits and in a reasonable manner, controlled premises and all pertinent equipment, finished and unfinished material, containers and labeling found therein, and, except as provided in subsection (b)(5) of this section, all other things therein including records, files, papers, processes, controls, and facilities bearing on violation of this article; and

(c) ~~Inventory~~ inventory any stock of any controlled substance therein and obtain samples of any such substance.

(4) This section shall not be construed to prevent entries and administrative inspections (including seizures of property) without a warrant:

(a) ~~With~~ with the consent of the owner, operator or agent in charge of the controlled premises;

(b) ~~In~~ in situations presenting imminent danger to health or safety;

(c) ~~In~~ in situations involving inspection of conveyances where there is reasonable cause to believe that the mobility of the conveyance makes it impracticable to obtain a warrant;

(d) ~~In~~ in any other exceptional or emergency circumstance where time or opportunity to apply for a warrant is lacking; and

(e) ~~In~~ in all other situations where a warrant is not constitutionally required.

(5) Except when the owner, operator, or agent in charge of the controlled premises so consents in writing, no inspection authorized by this section shall extend to:

(a) ~~Financial~~ financial data;

(b) ~~Sales~~ sales data other than shipment data;

(c) ~~Pricing~~ pricing data;

(d) ~~Personnel~~ personnel data; or

(e) ~~Research~~ research data.

L. Section 44-53-740 of the S.C. Code is amended to read:

Section 44-53-740. The ~~Board of~~ the Department of Public Health ~~and Environmental Control~~ shall promulgate regulations necessary to carry out the provisions of this article.

M. Section 44-53-930 of the S.C. Code is amended to read:

Section 44-53-930. Sales at retail of hypodermic needles or syringes shall be made only by a registered pharmacist or registered assistant

pharmacist through a permitted pharmacy as authorized by Section 40-43-370, except that syringes and hypodermic needles may be sold by persons lawfully selling veterinary medicines as authorized by item (8) of Section 40-69-~~220~~ 270(A) if they register annually with the Department of Public Health ~~and Environmental Control~~ and pay such registration fee as may be required by the ~~Department~~ department and they shall be subject to the provisions of Section 44-53-920.

SECTION X. Article (1), Chapter 55, Title 44 of the S.C. Code is amended to read:

Article 1

State Safe Drinking Water Act

Section 44-55-10. This article may be cited as the State Safe Drinking Water Act.

Section 44-55-20. As used in this article:

~~(1) "Board" means the South Carolina Board of Health and Environmental Control which is charged with responsibility for implementation of the Safe Drinking Water Act.~~

~~(2) "Commissioner" means the commissioner of the department or his authorized agent.~~

~~(3)~~(1) "Community water systems" means a public water system which serves at least fifteen service connections used by year-round residents or regularly serves at least twenty-five year-round residents. This may include, but is not limited to, subdivisions, municipalities, mobile home parks, and apartments.

~~(4)~~(2) "Construction permit" means a permit issued by the department authorizing the construction of a new public water system or the expansion or modification of an existing public water system.

~~(5)~~(3) "Contamination" means the adulteration or alteration of the quality of the water of a public water system by the addition or deletion of any substance, matter, or constituent except as authorized pursuant to this article.

~~(6)~~(4) "Cross-connection" means any actual or potential connection or structural arrangement between a public water system and any other source or system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas or substance other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removable sections, swivel or changeover devices, and other temporary or permanent devices through which or because of which backflow can or may occur are considered to be cross-connections.

~~(7)~~(5) "Department" means the ~~South Carolina~~ Department of ~~Health and~~ Environmental ~~Control~~Services, including personnel authorized and empowered to act on behalf of the department ~~or board~~.

(6) "Director" means the Director of the Department of Environmental Services or his authorized agent.

~~(8)~~(7) "Human consumption" means water used for drinking, bathing, cooking, dish washing, and maintaining oral hygiene or other similar uses.

~~(9)~~(8) "Noncommunity water system" means a public water system which serves at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least sixty days out of the year and does not meet the definition of a community water system.

~~(10)~~(9) "Nontransient noncommunity water system" means a public water system that is not a community water system and that regularly serves at least twenty-five of the same persons over six months per year.

~~(11)~~(10) "Operating permit" means a permit issued by the department that outlines the requirements and conditions under which a person must operate a public water system.

~~(12)~~(11) "Person" means an individual, partnership, copartnership, cooperative, firm, company, public or private corporation, political subdivision, government agency, trust, estate, joint structure company, or any other legal entity or its legal representative, agent, or assigns.

~~(13)~~(12) "Public water system" means:

(a) any publicly or privately owned waterworks system which provides water, whether bottled, piped, or delivered through some other constructed conveyance for human consumption, including the source of supply whether the source of supply is of surface or subsurface origin;

(b) all structures and appurtenances used for the collection, treatment, storage, or distribution of water delivered to point of meter of consumer or owner connection;

(c) any part or portion of the system, including any water treatment facility, which in any way alters the physical, chemical, radiological, or bacteriological characteristics of the water; however, a public water system does not include a water system serving a single private residence or dwelling. A separately owned system with its source of supply from another waterworks system must be a separate public water system. A connection to a system that delivers water by a constructed conveyance other than a pipe must not be considered a connection if:

(i) the water is used exclusively for purposes other than residential uses consisting of drinking, bathing, and cooking or other similar uses;

(ii) the department determines that alternative water to achieve the equivalent level of public health protection provided by the applicable State Primary Drinking Water Regulations is provided for residential or similar uses for drinking and cooking; or

(iii) the department determines that the water provided for residential or similar uses for drinking, cooking, and bathing is centrally treated or treated at the point of entry by the provider, a pass-through entity, or the user to achieve the equivalent level of protection provided by the applicable State Primary Drinking Water Regulations.

~~(14)~~(13) "State water system" means any water system that serves less than fifteen service connections or regularly serves an average of less than twenty-five individuals daily.

~~(15)~~(14) "Transient noncommunity water system" means a noncommunity water system that does not regularly serve at least twenty-five of the same persons over six months a year.

~~(16)~~(15) "Well" means a bored, drilled or driven shaft, or a dug hole, whose depth is greater than the largest surface dimension, from which water is extracted or injected. This includes, but is not limited to, wells used for water supply for irrigation, industrial and manufacturing processes, or drinking water, wells used for underground injection of waste for disposal, storage, or drainage disposal, wells used in mineral or geothermal recovery, and any other special process wells.

~~(17)~~(16) "Well driller" means an individual, corporation, partnership, association, political subdivision, or public agency of this State who is licensed with the South Carolina Department of Labor, Licensing and Regulation for constructing wells and is in immediate supervision of and responsible for the construction, development, drilling, testing, maintenance, repair, or abandonment of any well as defined by this chapter. This term does include owners constructing or abandoning wells on their own property for their own personal use only, except that these owners are not required to be licensed by the Department of Labor, Licensing and Regulation for construction wells.

Section 44-55-30. In general, the design and construction of any public water system must be in accord with modern engineering practices for these installations. The ~~board~~ department shall establish regulations, procedures, or standards as may be necessary to protect the health of the public and to ensure proper operation and function of public water systems. These regulations may prescribe minimum design criteria, the requirements for the issuance of construction and operation permits, operation and maintenance standards, and bacteriological,

chemical, radiological, and physical standards for public water systems, and other appropriate regulations.

Section 44-55-40. (A) Before the construction, expansion, or modification of any public water system, application for a permit to construct must be made to, and a permit to construct obtained from, the department.

(B) All applications for a permit to construct shall include such engineering, chemical, physical, radiological, or bacteriological data as may be required by the department and must be accompanied by engineering plans, drawings, and specifications prepared by or under the direct supervision of a person properly qualified to perform engineering work as provided in Chapter 22, Title 40 and must be signed or certified by a professional engineer as defined in Chapter 22, Title 40.

(C) Upon the completion of construction, modification, or extension to a public water system, arrangements must be made for a final inspection and approval before operation as prescribed by regulation. No new facility may be operated prior to approval by the department.

(D) Any public water system must be adequately protected and maintained so as to continuously provide safe and potable water in sufficient quantity and pressure and free from potential hazards to the health of the consumers. No person may install, permit to be installed, or maintain any unprotected cross-connection between a public water system and any other water system, sewer, or waste line or any piping system or container containing polluting substances. To facilitate the prevention and control of cross-connections, the department shall certify qualified individuals who are capable of testing cross-connection control devices to ensure their proper operation.

(E) Hand dug and bored wells constructed with casing materials of rock, concrete, or ceramic must not be used as a source of water for a public water system.

(F) In exercising its responsibility under this article, the department is authorized to investigate the public water system as often as the department considers necessary. Records of operation of public water systems must be kept on forms approved or furnished by the department, and this data must be submitted at such times and intervals as the department considers necessary. Samples of water must be collected and analyzed by the systems as required.

(G) The department may authorize variances or exemptions from the regulations issued pursuant to this section under conditions and in such manner as the ~~board~~ department considers necessary and desirable; however, these variances or exemptions must be permitted under

conditions and in a manner which is not less stringent than the conditions under, and the manner in which, variances and exemptions may be granted under the Federal Safe Drinking Water Act.

(H) The department or its authorized representative has the authority to enter upon the premises of any public water system at any time for the purpose of carrying out the provisions of this article.

(I) The department may issue, modify, or revoke any order to prevent any violation of this article after adequate notice and proper hearing as required by the Administrative Procedures Act.

(J) The department may hold public hearings and compel the attendance of witnesses; conduct studies, investigations, surveillance of laboratories, including certification programs, and research with respect to the operation and maintenance of any public water system; adopt and implement plans for the provision of drinking water under emergency circumstances; and issue, deny, revoke, suspend, or modify permits under such conditions as it may prescribe for the operation of any public water system; however, no permit may be revoked without first providing an opportunity for a hearing.

(K) The ~~Commissioner~~ Director of the Department of ~~Health and~~ Environmental ~~Control~~ Services shall classify all public water system treatment facilities giving due regard to the size, type, complexity, physical condition, source of supply, and treatment process employed by the public water system treatment facility and the skill, knowledge, and experience necessary for the operation of these facilities. Each treatment facility must be classified at the highest applicable level of the following classification system, with Group VII Treatment being the highest classification level:

Group I Treatment. A facility which provides disinfection treatment using a sodium hypochlorite or calcium hypochlorite solution as the disinfectant.

Group II Treatment. A facility which provides disinfection treatment using gaseous chlorine or chloramine disinfection or includes sequestering, fluoridation, or corrosion control treatment.

Group III Treatment. A facility treating a groundwater source which is not under the direct influence of surface water, utilizing aeration, coagulation, sedimentation, lime softening, filtration, chlorine dioxide, ozone, ultra-violet light disinfection, powdered activated carbon addition, granular activated carbon filtration or ion exchange, or membrane technology or that includes sludge storage or a sludge dewatering process.

Group IV Treatment. A facility treating a surface water source or a groundwater source which is under the direct influence of surface water, utilizing aeration, coagulation, clarification with a minimum detention time of two hours in the clarification unit, lime softening, rapid rate gravity filtration (up to four gallons per minute per square foot), slow sand filtration, chlorine dioxide, powdered activated carbon addition, or granular activated carbon filtration or ion exchange or that includes sludge storage or a sludge dewatering process. This classification also includes any treatment facility which does not provide filtration for a surface water source or a groundwater source which is under the direct influence of surface water.

Group V Treatment. A facility treating a surface water source or a groundwater source which is under the direct influence of surface water, utilizing high rate gravity filtration (greater than four gallons per minute per square foot), clarification with a detention time of less than two hours in the clarification unit, diatomaceous earth filtration, or ultraviolet light disinfection.

Group VI Treatment. A facility treating a surface water source or a groundwater source which is under the direct influence of surface water, utilizing direct filtration, membrane technology, or ozone.

Group VII Treatment. Drinking water dispensing stations and vending machines which utilize water from an approved public water system or bottled water plants which treat water from the distribution system of a public water system or from a groundwater source which is not under the direct influence of surface water.

(L) The ~~Commissioner~~ Director of the Department of ~~Health and~~ Environmental ~~Control~~ Services shall classify all public water distribution systems giving due regard to the size, type, and complexity of the public water distribution system and the skill, knowledge, and experience necessary for the operation of these systems. The classification must be based on:

Group I Distribution. Distribution systems associated with state and transient noncommunity water systems.

Group II Distribution. Distribution systems associated with community and nontransient noncommunity public water systems which have a reliable production capacity not greater than six hundred thousand gallons a day and which do not provide fire protection.

Group III Distribution. Distribution systems associated with community and nontransient noncommunity water systems which have a reliable production capacity greater than six hundred thousand gallons a day but not greater than six million gallons a day (MGD) or have a

reliable production capacity not greater than six hundred thousand gallons a day and provide fire protection.

Group IV Distribution. Distribution systems associated with community and nontransient noncommunity water systems which have a reliable production capacity than six MGD, but not greater than twenty MGD.

Group V Distribution. Distribution systems associated with community and nontransient noncommunity water systems which have a reliable production capacity greater than twenty MGD.

(M) It is unlawful for a person to operate a public water treatment facility or distribution system classified in subsection (K) or (L) unless the operator-in-charge holds a valid certificate of registration issued by the South Carolina Environmental Certification Board in a grade corresponding to the classification of the public water treatment facility or distribution system supervised by the operator in charge. All public water treatment facilities classified in Group IV Treatment through Group VI Treatment of subsection (K) must have an operator of the appropriate grade certified by the South Carolina Environmental Certification Board on duty while the facility is in operation.

(N) ~~Effective July 1, 1983, it~~It is unlawful for a person to engage in the business of well drilling or represent himself or herself to the public as a well driller without obtaining certification from the South Carolina Environmental Certification Board or employing well drillers which are certified by the South Carolina Environmental Certification Board. Persons constructing or abandoning wells on their own property for their own personal use only are not required to be licensed by the Department of Labor, Licensing and Regulation.

(O) The ~~board~~director, to ensure that underground sources of drinking water are not contaminated by improper well construction and operation, may promulgate regulations as developed by the Advisory Committee established pursuant to Section 44-55-45, setting standards for the construction, maintenance, operation, and abandonment of any well except for wells where well construction, maintenance, and abandonment are regulated by the Groundwater Use Act of 1969, Sections 49-5-10 et seq.; the Oil and Gas Exploration, Drilling, Transportation, and Production Act, Sections 48-43-10 et seq.; or the Water Use Reporting and Coordination Act, Section 49-4-10 et seq. For these excepted wells, the board may promulgate regulations. The board shall further ensure that all wells are constructed in accordance with the standards. The board shall make available educational training on the standards to well drillers who desire this training.

(P) The owner of a public water system must possess a valid operating permit to operate a public water system in this State.

Section 44-55-45. (A) An advisory committee to the ~~board~~ director must be appointed for the purpose of advising the ~~board~~ director during development or subsequent amendment of regulatory standards for the construction, maintenance, operation, and abandonment of wells subject to the jurisdiction of the board. The Advisory Committee is composed of eight members appointed by the ~~board~~director. Five members must be active well drillers; one member must be a registered professional engineer with experience in well design and construction; one member must be a consulting hydrogeologist with experience in well design and construction; and one member must be engaged in farming and shall represent the public at large. Three ex officio members shall also serve on the Advisory Committee, one of whom must be an employee of the Department of ~~Health and~~ Environmental ~~Control~~Services~~, and~~ appointed by the ~~commissioner~~director; and two of whom must be employees of the ~~South Carolina~~ Department of Natural Resources ~~and~~ appointed by the ~~director~~Director of the Department of Natural Resources.

(B) The term of office of members of the Advisory Committee is for four years and until their successors are appointed and qualify. No member may serve more than two consecutive terms. The initial terms of office must be staggered and any member may be removed for cause after proper notification and an opportunity to be heard.

Section 44-55-50. (A) In establishing regulations, procedures, and standards under Section 44-55-30 and in exercising supervisory powers under Section 44-55-40 the ~~board or~~ department must not prohibit or fail to include provisions for recreational activities including boating, water skiing, fishing, and swimming in any reservoir without first making and publishing specific findings that these recreational activities would be injurious to the public health and assigning with particularity the factual basis and reasons for these decisions.

(B) If the ~~board or~~ department determines that these recreational activities would be injurious to the public health it shall cause to have published at least once a week for six consecutive weeks in a newspaper of general circulation in the county or area affected a summary of its findings. Any citizen of this State who objects to the findings of the ~~board or~~ department is entitled to request a public hearing, which the ~~board or~~ department shall conduct within thirty days after the request. The public hearing must be a formal evidentiary hearing where testimony must be recorded. After the hearing the ~~board or~~ department shall review its

initial findings and shall within thirty days after the hearing affirm or reevaluate its findings in writing and give notice to known interested parties. The findings of the ~~board or~~ department may be appealed ~~to the circuit court~~pursuant to Section 48-6-30 and the Administrative Procedures Act to the Administrative Law Court, which is empowered to modify or overrule the findings if the court determines the findings to be arbitrary or unsupported by the evidence. Notice of intention to appeal must be served on the ~~board or~~ department during the time period provided for in Section 48-6-30 and the Administrative Procedures Act. ~~within fifteen days after it has affirmed or reevaluated its initial findings and copies also~~Copies of the appeal must be served on known interested parties.

(C) A public water system utilizing a fully owned and protected watershed as its water supply is exempt from this section.

Section 44-55-60. (A) An imminent hazard is considered to exist when in the judgment of the ~~commissioner~~ director there is a condition which may result in a serious immediate risk to public health in a public water system.

(B) In order to eliminate an imminent hazard, the ~~commissioner~~ director may, without notice or hearing, issue an emergency order requiring the water system to immediately take such action as is required under the circumstances to protect the public health. A copy of the emergency order must be served by certified mail or other appropriate means. An emergency order issued by the ~~commissioner~~ director must be effected immediately and binding until the order is reviewed and ~~modified by the board or~~ modified or rescinded by a court of competent jurisdiction.

Section 44-55-70. (A)A public water system shall, as soon as practicable, give public notice if it:

(1) is not in compliance with the State Primary Drinking Water Regulations;

(2) fails to perform required monitoring;

(3) is granted a variance for an inability to meet a maximum contaminant level requirement;

(4) is granted an exemption; or

(5) fails to comply with the requirements prescribed by a variance or exemption.

(B) The ~~board~~ department shall prescribe procedures for the public notice, including procedures for notification by publication in a newspaper of general circulation, notification to be given in the water

bills of the systems, as long as a condition of violation exists, and other notification as is considered appropriate by the ~~board~~department.

Section 44-55-80. (A) It is unlawful for a person to fail to comply with:

(1) the provisions of this article or the regulations promulgated pursuant to this article;

(2) the conditions of any permit issued under this article; or

(3) any order of the department.

(B) It is unlawful for a person to render a public water system, or part or portion of a public water system, inoperable or unusable by means of contamination, vandalism, sabotage, or assault upon or detention of employees of the system or to misrepresent any fact related to the operation of a public water system.

Section 44-55-90. (A) Any person wilfully violating the provisions of Section 44-55-80 is guilty of a misdemeanor and, upon conviction, must be fined not more than ten thousand dollars a day per violation or imprisoned for not more than one year, or both.

(B)(1) A violation of Section 44-55-80 by a person renders the violator liable to the State for a civil penalty of not more than five thousand dollars a day per violation.

(2) The department may administer penalties as otherwise provided for violations of this article, including any order, permit, regulation, or standard or may request the Attorney General to commence an action under this subsection in an appropriate court of the State to secure this penalty.

(C) The department may cause to be instituted a civil action in any court of applicable jurisdiction for injunctive relief to prevent violation of this article or any order issued pursuant to Sections 44-55-40, 44-55-60, and 44-55-70.

Section 44-55-100. To carry out the provisions and purposes of this article, the department may:

(1) enter into agreements, contracts, or cooperative arrangements, under the terms and conditions as it considers appropriate, with other state, federal, or interstate agencies, municipalities, educational institutions, local health departments, or other organizations or individuals;

(2) receive financial and technical assistance from the federal government and other public or private agencies;

(3) participate in related programs of the federal government, other states, interstate agencies, or other public or private agencies or organizations and collect and file such reports, surveys, inventories, data,

and information which may be required by the federal Safe Drinking Water Act;

(4) establish and collect fees for collecting samples and conducting laboratory analyses as may be necessary.

Section 44-55-120. (A) In order to comply with the federal Safe Drinking Water Act, in addition to other fees authorized under this article, the department is authorized to collect an annual fee from each public water system. The schedule for the annual fee, established pursuant to this article, may not be increased except in accordance with the Administrative Procedures Act. Upon appropriation of additional state funds for this specific purpose or state funds not otherwise allocated for specific purposes to implement the provisions of the federal Safe Drinking Water Act, the department shall adjust the fee schedule by an equivalent amount.

(B) There is established in the treasurer's office an account entitled the Drinking Water Trust Fund which is separate and distinct from the Environmental Protection Fund established pursuant to Chapter 2, Title 48. The fees collected from the public water systems pursuant to this section must be deposited into the Drinking Water Trust Fund and must be provided to the department solely for purposes of implementing this chapter and the federal Safe Drinking Water Act. The fees must be established in accordance with fees which fund the Environmental Protection Fund pursuant to Chapter 2, Title 48.

(C) There is established a Safe Drinking Water Advisory Committee for the purpose of advising and providing an annual review to the department and General Assembly on the fee schedule and the use of revenues deposited in the Drinking Water Trust Fund. The Governor shall appoint the advisory committee which must be composed of one member representing water systems with fifty thousand or more service connections, one member representing water systems with at least twenty-five thousand but fewer than fifty thousand service connections, one member representing water systems with at least ten thousand but fewer than twenty-five thousand water service connections, one member representing water systems with at least one thousand but fewer than ten thousand service connections, one member representing water systems with fewer than one thousand service connections, and the Executive Director of the Office of Regulatory Staff and the ~~Commissioner~~ Director of the Department of ~~Health and~~ Environmental ~~Control~~Services, or a designee.

(D) The department may deny a construction permit to any new system which is unable to demonstrate viability to comply with the Safe

Drinking Water Act or where connection to an existing, viable water system is feasible. The department also may revoke or deny renewal of an operating permit to any existing water system which is unable to demonstrate its ability to continue compliance with this act.

(E) A water system may increase water rates to each service connection by an amount necessary to recover the cost of the safe drinking water fee without seeking approval of the public service commission. The total funds generated from rate increases to service connections for the purpose of paying the safe drinking water fee may not exceed the amount of the fee established pursuant to subsection (B).

SECTION X. Article (3), Chapter 55, Title 44 of the S.C. Code is amended to read:

Article 3
Privies

Section 44-55-210. The term "privy" as used in this article shall be understood to include any and all buildings which are not connected with a system of sewage or with septic tanks of such construction and maintenance as are approved by the ~~State~~ Department of ~~Health and~~ Environmental ~~Control~~ Services and which are used for affording privacy in acts of urination or defecation. For the purpose of this article the term "watershed" shall include the entire watershed of all streams, creeks and rivers that have a daily average flow of less than ten million gallons, but for watersheds of streams, creeks or rivers that have a daily average flow of more than ten million gallons, the watershed shall include only such drainage areas as lie within fifteen miles of the waterworks intake.

Section 44-55-220. The provisions of this article shall apply to all residences, institutions and establishments and all privies, without regard to their distance from the homes of persons, which are located on the watershed of a public surface water supply.

Section 44-55-230. Every privy, located on property occupied by the owner or a tenant or by any person employed by the owner, shall be maintained in a sanitary manner and in accordance with rules and regulations prescribed by the Department of ~~Health and~~ Environmental ~~Control~~ Services and posted in a suitable form inside of the privy by an officer of the ~~Department~~department.

Section 44-55-240. The person in charge of a dwelling, office building, establishment or institution shall be responsible for the sanitary maintenance of any privy which is used by his household, guests, customers, pupils, passengers, occupants, employees, workers or other persons.

Section 44-55-250. The Department of ~~Health and~~ Environmental ~~Control~~Services, through its officers and inspectors, shall exercise such supervision over the sanitary construction and maintenance of privies as may be necessary to enforce the provisions of this article.

Section 44-55-260. Duly authorized agents of the Department of ~~Health and~~ Environmental ~~Control~~ Services may enter upon any premises and into any buildings or institutions for the purposes of inspection as provided for or required by State laws or regulations of the ~~Department~~ department pursuant to such laws, but the privacy of no person shall be violated. Any person who wilfully interferes with or obstructs the officers of the ~~Department~~ department in the discharge of any of their duties under this article shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars or imprisoned not more than thirty days.

Section 44-55-270. If an officer or an inspector of the Department of ~~Health and~~ Environmental ~~Control~~ Services shall find a privy which is not constructed in accordance with the provisions of this article or not being maintained in a sanitary manner and in accordance with the rules and regulations of the ~~Department~~ department he shall securely fasten on the privy a notice reading, "Unsanitary, Unlawful To Use."

Section 44-55-275. On the effective date of this section any provision of law or regulation relating to outdoor toilet facilities or privies which would require the destruction or discontinued use of such facilities shall not apply to facilities at campgrounds or parks used exclusively for religious purposes.

Section 44-55-280. No person shall remove or deface an official notice fastened on or in a privy by an officer of the Department of ~~Health and~~ Environmental ~~Control~~Services.

Section 44-55-290. The Department of ~~Health and~~ Environmental ~~Control~~ Services shall designate ~~as its~~ agents ~~local health inspectors of incorporated towns or cities~~ for the enforcement of the terms of this article and the rules and regulations issued pursuant thereto within one mile outside the corporate limits of such town or city. ~~Such local health inspectors~~The agents shall enforce such rules and regulations as may be issued by the ~~Department~~ department under the terms of this article. ~~In counties having health units it shall be the duty of such health units to enforce the rules and regulations of the Department in the territory of such counties lying beyond the distance of one mile from the corporate limits of towns or cities having local health inspectors. Provided, that nothing herein shall affect the Richland County board of health from having concurrent jurisdiction with the designated local health inspectors~~

~~to implement the rules and regulations within one mile of the boundary of a city or town.~~

Section 44-55-300. Any person who violates any of the provisions of this article, other than Section 44-55-260, and any person who is responsible for the sanitary maintenance of a privy and who permits such privy, after an official notice reading, "Unsanitary, Unlawful To Use," has been fastened on it, to be used shall be guilty of a misdemeanor and fined not less than five dollars nor more than fifty dollars or imprisoned not exceeding thirty days.

SECTION X. Section 44-55-825(C) of the S.C. Code is amended to read:

(C) Onsite wastewater systems must be installed pursuant to construction and operation permits issued by the department pursuant to regulation. Deviation from the installation design and conditions in onsite wastewater permits may be considered by the department to be a violation. Violation of an onsite wastewater system permit installation must be enforced in accordance with the following:

(1) First offense violations may be enforced under Section ~~44-1-150~~48-6-70 or by suspension of the installer's license by a period not to exceed one year.

(2) Second offense violations may be enforced under Section ~~44-1-150~~48-6-70 or by suspension of the installer's license by a period not to exceed three years.

(3) Third offense violations may be enforced under Section ~~44-1-150~~48-6-70 or by permanent revocation of the installer's license.

SECTION X. Section 44-55-827(C) of the S.C. Code is amended to read:

(C) Nothing in this chapter or regulations promulgated pursuant to this chapter affect the department's authority, under Section ~~44-1-140~~48-6-60 and regulation, to issue permits for the installation and construction of individual onsite wastewater systems.

SECTION X. Section 44-55-1360 of the S.C. Code is amended to read:

Section 44-55-1360. A violation of a provision of this chapter is punishable in accordance with Sections 44-1-150, 48-1-320, 48-1-330, ~~and~~ 48-1-340, and 48-6-70, as applicable.

SECTION X.A. Section 44-55-2320 of the S.C. Code is amended to read:

Section 44-55-2320. As used in this article:

~~(1) "Board" means the Board of Health and Environmental Control.~~

~~(2)~~(1) "Director" means the director of the department or his authorized agent.

~~(3)~~(2) "Department" means the Department of ~~Health and~~ Environmental ~~Control~~Services.

~~(4)~~(3) "Person" means an individual, public or private corporation, political subdivision, governmental agency, municipality, industry, copartnership, association, firm, trust, estate, or any other legal entity. "Person" does not mean a church, synagogue, or religious organization.

~~(5)~~(4) "Public swimming pool" means an artificial structure used to impound water to provide for such recreational uses as bathing, swimming, diving, wading, spraying, sliding, floating, rafting, or other similar usage which is not built in connection with a single family residence and the use of which is not confined to the family of the residence and its private guests, or which is not owned, constructed, operated, or maintained by a church, synagogue, or religious organization.

B. Section 44-55-2360 of the S.C. Code is amended to read:

Section 44-55-2360. It is unlawful for a person to fail to comply with the requirements of this article and regulations promulgated by the department including a permit or order issued by the ~~board, director or~~ department.

SECTION X. A. Section 44-56-20 of the S.C. Code is amended to read:

Section 44-56-20. Definitions as used in this chapter:

~~(1) "Board" means the South Carolina Board of Health and Environmental Control which is charged with responsibility for implementation of the Hazardous Waste Management Act.~~

~~(2)~~(1) "Director" means the director of the department or his authorized agent.

~~(3)~~(2) "Department" means the Department of ~~Health and~~ Environmental ~~Control~~Services, including personnel thereof authorized by the board to act on behalf of the department ~~or board~~ which is charged with the responsibility for implementation of the Hazardous Waste Management Act.

~~(4)~~(3) "Disposal" means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any hazardous waste into or on any land or water so that such substance or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwater.

~~(5)~~(4) "Generation" means the act or process of producing waste materials.

~~(6)~~(5) "Hazardous waste" means any waste, or combination of wastes, of a solid, liquid, contained gaseous, or semisolid form which because of its quantity, concentration, or physical, chemical, or infectious characteristics may in the judgment of the department:

a. cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or

b. pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed. Such wastes may include, but are not limited to, those which are toxic, corrosive, flammable, irritants, strong sensitizers, persistent in nature, assimilated, or concentrated in tissue, or which generate pressure through decomposition, heat, or other means. The term does not include solid or dissolved materials in domestic sewage, or solid dissolved materials in irrigation return flows, or industrial discharges which are point sources subject to NPDES permits under the Federal Water Pollution Control Act or the Pollution Control Act of South Carolina or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954.

~~(7)~~(6) "Hazardous waste management" means the systematic control of the collection, source separation, storage, transportation, processing, treatment, recovery, and disposal of hazardous wastes.

~~(8)~~(7) "Manifest" means the form used for identifying the quantity, composition, or origin, routing, and destination of hazardous waste during its transportation from the point of generation to the point of disposal, treatment, or storage.

~~(9)~~(8) "Permit" means the process by which the department can ensure cognizance of, as well as control over the management of hazardous wastes.

~~(10)~~(9) "Storage" means the actual or intended containment of wastes, either on a temporary basis or for a period of years, in such manner as not to constitute disposal of such hazardous wastes.

~~(11)~~(10) "Transport" means the movement of hazardous wastes from the point of generation to any intermediate points and finally to the point of ultimate treatment, storage or disposal.

~~(12)~~(11) "Treatment" means any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste, so as to neutralize such waste or so as to render such waste nonhazardous, safer for transport, amenable for recovery, amenable for storage, reduced in volume, or suitable for final disposal.

~~(13)~~(12)(a) "Uncontrolled hazardous waste site" means any site where hazardous wastes or other hazardous substances have been released, abandoned, or otherwise improperly managed so that governmental response action is deemed necessary to remedy actual or potential damages to public health, the public welfare, or the environment.

(b) For the purpose of this item the term "hazardous waste" does not include petroleum, including crude oil or fraction thereof; natural gas; natural gas liquids; liquified natural gas; synthetic gas usable for fuel; or mixtures of natural gas and such synthetic gas.

~~(14)~~(13) "Response action" is any cleanup, containment, inspection, or closure of a site ordered by the director as necessary to remedy actual or potential damages to public health, the public welfare, or the environment.

B. Section 44-56-30 of the S.C. Code is amended to read:

Section 44-56-30. The ~~board~~ department shall promulgate such regulations, procedures or standards as may be necessary to protect the health and safety of the public, the health of living organisms and the environment from the effects of improper, inadequate, or unsound management of hazardous wastes. Such regulations may prescribe contingency plans; the criteria for the determination of whether any waste or combination of wastes is hazardous; the requirements for the issuance of permits required by this chapter; standards for the transportation, containerization, and labeling of hazardous wastes consistent with those issued by the United States Department of Transportation; operation and maintenance standards; reporting and record keeping requirements; and other appropriate regulations.

C. Section 44-56-100 of the S.C. Code is amended to read:

Section 44-56-100. The ~~board~~ department may issue, modify or revoke any order to prevent any violation of this chapter.

D. Section 44-56-130(3) of the S.C. Code is amended to read:

(3) It shall be unlawful for any person to fail to comply with this chapter and rules and regulations promulgated pursuant to this chapter; to fail to comply with any permit issued under this chapter; or to fail to comply with any order issued by the ~~board, director, or~~ department.

E. Section 44-56-420(B) of the S.C. Code is amended to read:

(B) The ~~board of the~~ Department of ~~Health and~~ Environmental ~~Control~~ Services shall establish a moratorium on administrative and judicial actions by the department concerning drycleaning facilities and wholesale supply facilities resulting from the release of drycleaning solvent to soil or waters of the State. This moratorium applies only to those sites deemed eligible as defined in Section 44-56-470. The ~~board~~

department may review and determine the appropriateness of the moratorium as needed. The review by the ~~board~~ department must include, but is not limited to, consideration of these factors:

(1) the solvency of the fund as described in this article;

(2) prioritization of the sites;

(3) public health concerns related to the sites;

(4) eligibility of the sites; and

(5) corrective action plans submitted to the department. After review, the ~~board~~ department may suspend all or a portion of the moratorium if necessary.

F. Section 44-56-495(C) of the S.C. Code is amended to read:

(C) Members enumerated in subsections (B)(1) through (B)(3) are appointed by the ~~board~~ Director of the Department of ~~Health and~~ Environmental ~~Control~~ Services and shall serve terms of two years and until their successors are appointed. The chairman of the council is elected by the members of the council at the first meeting of each new term.

SECTION X. Section 44-59-30 of the S.C. Code is amended to read:

Section 44-59-30. (A) The North Carolina Department of Environmental and Natural Resources and the South Carolina Department of ~~Health and~~ Environmental ~~Control~~ Services shall provide staff support and facilities to each commission within the existing programs of the respective agencies.

(B) All agencies of the State of North Carolina and the State of South Carolina shall cooperate with the commissions and, upon request, shall assist each commission in fulfilling its responsibilities. The North Carolina Secretary of Environmental and Natural Resources and the ~~Commissioner~~ Director of the South Carolina Department of ~~Health and~~ Environmental ~~Control~~ Services or their designees shall each serve as the liaison between their respective state agencies and each commission.

SECTION X. A. Section 44-61-20 of the S.C. Code is amended to read:

Section 44-61-20. As used in this article, and unless otherwise specified, the term:

(1) "Ambulance" means a vehicle maintained or operated by a licensed provider who has obtained the necessary permits and licenses for the transportation of persons who are sick, injured, wounded, or otherwise incapacitated.

(2) "Attendant" means a trained and qualified individual responsible for the operation of an ambulance and the care of the patients, regardless of whether the attendant also serves as driver.

(3) "Attendant-driver" means a person who is qualified as an attendant and a driver.

(4) "Authorized agent" means any individual designated to represent the department.

~~(5) "Board" means the governing body of the Department of Health and Environmental Control or its designated representative.~~

~~(6)~~(5) "Certificate" means official acknowledgment by the department that an individual has completed successfully one of the appropriate emergency medical technician training courses referred to in this article in addition to completing successfully the requisite examinations, which entitles that individual to perform the functions and duties as delineated by the classification for which the certificate was issued.

~~(7)~~(6) "Condition requiring an emergency response" means the sudden onset of a medical condition manifested by symptoms of such sufficient severity, including severe pain, that a prudent layperson who possesses an average knowledge of health and medicine could reasonably expect without medical attention, to result in:

(a) serious illness or disability;

(b) impairment of a bodily function;

(c) dysfunction of the body; or

(d) prolonged pain, psychiatric disturbance, or symptoms of withdrawal.

~~(8)~~(7) "Department" means the administrative agency known as the Department of Public Health ~~and Environmental Control~~.

~~(9)~~(8) "Driver" means an individual who drives or otherwise operates an ambulance.

~~(10)~~(9) "Emergency medical responder agency" means a licensed agency providing medical care at the EMT level or above, as a nontransporting emergency medical responder.

~~(11)~~(10) "Emergency medical service system" means the arrangement of personnel, facilities, and equipment for the delivery of health care services under emergency conditions.

~~(12)~~(11) "Emergency medical technician" (EMT) when used in general terms for emergency medical personnel, means an individual possessing a valid EMT, advanced EMT (AEMT), or paramedic certificate issued by the State pursuant to the provisions of this article.

~~(13)~~(12) "Emergency transport" means services and transportation provided after the sudden onset of a medical condition manifesting itself by acute symptoms of such severity including severe pain that the absence of medical attention could reasonably be expected to result in the following:

(a) placing the patient's health in serious jeopardy;

(b) causing serious impairment to bodily functions;

(c) causing serious dysfunction of bodily organ or part; or

(d) a situation that resulted from an accident, injury, acute illness, unconsciousness, or shock, for example, required oxygen or other emergency treatment, required the patient to remain immobile because of a fracture, stroke, heart attack, or severe hemorrhage.

~~(14)~~(13) "Immediate family" means a person's spouse. In the event there is no spouse, "immediate family" means a person's parents and children.

~~(15)~~(14) "In-service training" means a course of training approved by the department that is conducted by the licensed provider for his personnel at his prime location.

~~(16)~~(15) "Investigative Review Committee" means a professional peer review committee that may be convened by the department in its discretion when the findings of an official investigation against an entity or an individual regulated by the department may warrant suspension or revocation of a license or certification. This committee consists of the State Medical Control Physician, three regional EMS office representatives, at least one paramedic, and at least one emergency room physician who is also a medical control physician. Appointment is made to this committee by the Chief of the Bureau of EMS and Trauma.

~~(17)~~(16) "Legal guardian" means a person who is lawfully invested with the power, and charged with the obligation of, taking care of and managing the property and rights of a person who, because of age, understanding, or self-control, is considered incapable of administering his or her own affairs.

~~(18)~~(17) "Legal representative" of a person is his personal representative, general guardian, or conservator of his property or estate, or the person to whom power of attorney has been granted.

~~(19)~~(18) "License" means an authorization to a person, firm, corporation, or governmental division or agency to provide emergency medical services in the State.

~~(20)~~(19) "Licensee" means any person, firm, corporation, or governmental division or agency possessing authorization, permit, license, or certification to provide emergency medical service in this State.

~~(21)~~(20) "Moral turpitude" means behavior that is not in conformity with and is considered deviant by societal standards.

~~(22)~~(21) "National Registry of Emergency Medical Technicians Registration" is given to an individual who has completed successfully

the National Registry of Emergency Medical Technicians examination and its requirements.

~~(23)~~(22) "Nonemergency ambulance transport" means services and transportation provided to a patient whose condition is considered stable. A stable patient is one whose condition reasonably can be expected to remain the same throughout the transport and for whom none of the criteria for emergency transport has been met. Prearranged transports scheduled at the convenience of the service or medical facility will be classified as a nonemergency transport.

~~(24)~~(23) "Nonemergency ambulance transport service" means an ambulance service that provides for routine transportation of patients that require medical monitoring in a nonemergency setting including, but not limited to, prearranged transports.

~~(25)~~(24) "Operator" means an individual, firm, partnership, association, corporation, company, group, or individuals acting together for a common purpose or organization of any kind, including any governmental agency other than the United States.

~~(26)~~(25) "Patient" means an individual who is sick, injured, wounded, or otherwise incapacitated or helpless.

~~(27)~~(26) "Permit" means an authorization issued for an ambulance vehicle which meets the standards adopted pursuant to this article.

~~(28)~~(27) "Revocation" means that the department has permanently voided a license or certificate and the holder no longer may perform the function associated with the license, or certificate. The department will not reissue the license or certificate for a period of two years for a license or permit and four years for a certificate. At the end of this period the holder may petition for reinstatement.

~~(29)~~(28) "Standards" means the required measurable components of an emergency medical service system having permanent and recognized value that provide adequate emergency health care delivery.

~~(30)~~(29) "State Medical Control Physician" means a physician who shall be contracted with the department to oversee all medical aspects of the EMS Program. The contracted physician must both reside and be licensed to practice in this State. Duties of the State Medical Control Physician shall include, but not be limited to, the following:

(a) protocol development;

(b) establishment of the scope of practice for EMTs at all levels;

(c) provide recommendations for disciplinary actions in cases involving inappropriate patient care; and

(d) serve as Chairman of the State Medical Control Committee and the State Emergency Medical Services Advisory Council.

~~(31)~~(30) "Suspension" means that the department has temporarily voided a license, permit, or certificate and the holder may not perform the function associated with the license, permit, or certificate until the holder has complied with the statutory requirements and other conditions imposed by the department.

B. Section 44-61-30(A) of the S.C. Code is amended to read:

(A) The Department of Public Health ~~and Environmental Control~~, with the advice of the Emergency Medical Services Advisory Council and the State Medical Control Physician, shall develop standards and promulgate regulations for the improvement of emergency medical services (hereinafter referred to as EMS) in the State. All administrative responsibility for this program is vested in the department.

C. Section 44-61-30(C) of the S.C. Code is amended to read:

(C) An Emergency Medical Services Advisory Council must be established composed of representatives of the Department of Public Health ~~and Environmental Control~~, the South Carolina Medical Association, the South Carolina Trauma Advisory Council, the South Carolina Hospital Association, the South Carolina Heart Association, Medical University of South Carolina, University of South Carolina School of Medicine, South Carolina College of Emergency Physicians, South Carolina Emergency Nurses Association, Emergency Management Division of the Office of the Adjutant General, South Carolina Emergency Medical Services Association, State Board for Technical and Comprehensive Education, Governor's Office of Highway Safety, Department of Health and Human Services, four regional Emergency Medical Services councils, and one EMT first responder agency. Membership on the council must be by appointment by the board. Three members of the advisory council must be members of organized rescue squads operating in this State, three members shall represent the private emergency services systems, and three members shall represent the county emergency medical services systems. The advisory council shall serve without compensation, mileage, per diem, or subsistence.

D. Section 44-61-40 of the S.C. Code is amended to read:

Section 44-61-40. (A) A person, firm, corporation, association, county, district, municipality, or metropolitan government or agency, either as owner, agent, or otherwise, may not furnish, operate, conduct, maintain, advertise, or otherwise engage in or profess to engage in the business or service of providing emergency medical response or ambulance service, or both, without obtaining a license and ambulance permit issued by the department. Failure to furnish, operate, conduct,

maintain, advertise, or otherwise engage in or profess to engage in the business or service of providing emergency medical response or ambulance service without the proper license or permit, or both, from the department results in a Class I civil penalty, as defined in Regulation 61-7(304).

(B) Applicants shall file license applications with the appropriate official of the department having authority over emergency services. At a minimum, license applications shall contain evidence of ability to conform to the standards and regulations established by the ~~board~~ department and such other information as may be required by the department. If the application is approved, the license will be issued. If the application is disapproved, the applicant may appeal in a manner pursuant to Article 3, Chapter 23, Title 1.

(C) An applicant shall retain a medical control physician to maintain quality control of the patient care provided by the applicant's service. No medical control physician acting in good faith who participates in the review or evaluation of the services provided by the applicant to help improve the quality of patient care is liable for any civil damages as a result of any act or omission by the physician in the course of a review or evaluation.

(D) Applicants shall renew licenses and permits every two years.

E. Section 44-61-50 of the S.C. Code is amended to read:

Section 44-61-50. A vehicle must not be operated as an ambulance, unless its licensed owner applies for and receives an ambulance permit issued by the department for that vehicle. Prior to issuing an original permit for an ambulance, the vehicle for which the permit is issued shall meet all requirements as to vehicle design, construction, staffing, medical and communication equipment and supplies, and sanitation as set forth in this article or in the standards and regulations promulgated by the ~~board~~department. Absent revocation or suspension, permits issued for ambulances are valid for a period not to exceed two years.

F. Section 44-61-60 of the S.C. Code is amended to read:

Section 44-61-60. (A) Such equipment as deemed necessary by the department must be required of organizations applying for ambulance permits. Each licensee of an ambulance shall comply with regulations as may be promulgated by the ~~board~~ department and shall maintain in each ambulance, when it is in use as such, all equipment as may be prescribed by the board.

(B) The transportation of patients and the provision of emergency medical services shall conform to standards promulgated by the ~~board~~department.

G. Section 44-61-70 of the S.C. Code is amended to read:

Section 44-61-70. (A) The department may enforce rules, regulations, and standards promulgated pursuant to this article. An enforcement action taken by the department may be appealed pursuant to Article 3, Chapter 23, Title 1.

(B) Grounds for an enforcement action against an authorization, license, or permit exist for violation of a regulation promulgated pursuant to this article. The department may suspend a license pending an investigation of an alleged violation or complaint. The department may impose a civil monetary penalty up to five hundred dollars per offense per day to a maximum of ten thousand dollars and revoke or suspend the provider's license or permit if the department finds that a service has:

(1) allowed uncertified personnel to perform patient care;

(2) falsified required forms or paperwork as required by the department;

(3) failed to maintain required equipment as evidenced by past compliance history;

(4) failed to maintain a medical control physician;

(5) failed to maintain equipment in working order; or

(6) failed to respond to a call within the response area of the service without providing for response by an alternate service.

(C) Whoever hinders, obstructs, or interferes with a duly authorized agent of the department while in the performance of his duties or violates a provision of this article or regulation of the ~~board~~ department promulgated pursuant to this article is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not less than five hundred dollars and not more than five thousand dollars or by imprisonment for not less than ten days nor more than six months for each offense. Information pertaining to the license or permit is admissible in evidence in all prosecutions under this article if it is consistent with applicable statutory provisions.

(D) If a permitted ambulance or licensed emergency medical responder service fails inspection or loses points upon initial inspection, a civil monetary penalty must not be levied. Instead, a copy of the inspection report will be given to the service indicating deficiencies found and a request for a letter of compliance and a time period by which to correct the deficiencies will be issued. Upon reinspection, any deficiencies found will be assigned a point value and fine schedule or the permit will be revoked, or both. The fine schedule is found in Regulation 61-7.

H. Section 44-61-80(G) of the S.C. Code is amended to read:

(G) All instructors of emergency medical technician training courses must be certified by the department pursuant to requirements established by the ~~board~~department; and all such training courses shall be supervised by certified instructors.

I. Section 44-61-130 of the S.C. Code is amended to read:

Section 44-61-130. A certified emergency medical technician may perform any function consistent with his certification, according to guidelines and regulations that the ~~board~~ department may prescribe. Emergency medical technicians, trained to provide advanced life support and possessing current Department of Public Health ~~and Environmental Control~~ certification while on duty with a licensed service, are authorized to possess limited quantities of drugs, including controlled substances, as may be approved by the Department of Public Health ~~and Environmental Control~~ for administration to patients during the regular course of duties of emergency medical technicians, pursuant to the written or verbal order of a physician possessing a valid license to practice medicine in this State; however, the physician must be registered pursuant to state and federal laws pertaining to controlled substances.

J. Section 44-61-310. As used in this article:

(1) "Advanced life support" means an advanced level of prehospital, interhospital, and emergency service care which includes basic life support functions, cardiac monitoring, cardiac defibrillation, telemetered electrocardiography, administration of antiarrhythmic agents, intravenous therapy, administration of specific medications, drugs and solutions, use of adjunctive ventilation devices, trauma care, and other techniques and procedures authorized by the department pursuant to regulations.

(2) "Basic life support" means a basic level of prehospital care which includes patient stabilization, airway clearance, cardiopulmonary resuscitation, hemorrhage control, initial wound care and fracture stabilization, and other techniques and procedures authorized by the department pursuant to regulations.

~~(3) "Board" means the governing body of the Department of Health and Environmental Control or its designated representative.~~

~~(4)~~(3) "Department" means the Division of Emergency Medical Services and Trauma within the Department of Public Health ~~and Environmental Control~~.

~~(5)~~(4) "Director" means the Director of the Department of Public Health ~~and Environmental Control~~or his designated representative.

~~(6)~~(5) "EMSC Program" means the Emergency Medical Services for Children Program established pursuant to this article and other relevant programmatic activities conducted by the department in support of appropriate treatment, transport, and triage of ill or injured children.

~~(7)~~(6) "Emergency medical services personnel" means persons trained and certified or licensed to provide emergency medical care, whether on a paid or volunteer basis, as part of a basic life support or advanced life support prehospital emergency care service or in an emergency department or pediatric critical care or specialty unit in a licensed hospital.

~~(8)~~(7) "Emergency medical technician" or "EMT" means, when used in general terms for emergency medical personnel, an individual possessing a valid, emergency medical technician (EMT), advanced emergency medical technician (AEMT), or paramedic certificate issued by the State pursuant to the provisions of this article.

~~(9)~~(8) "Manager" means the person coordinating the EMSC Program within the Department of Public Health ~~and Environmental Control~~.

~~(10)~~(9) "Prehospital care" means the provision of emergency medical care or transportation by trained and certified or licensed emergency medical services personnel at the scene of an emergency and while transporting sick or injured persons to a medical care facility or provider.

K. Section 44-61-340(C) of the S.C. Code is amended to read:

(C) Except as otherwise authorized in this section, patient information must not be released except to:

(1) appropriate staff of the Division of Emergency Medical Services and Trauma within the Department of Public Health and Environmental Control, South Carolina Data Oversight Council, and Revenue and Fiscal Affairs Office;

(2) submitting hospitals or their designees;

(3) a person engaged in an approved research project, except that no information identifying a subject of a report or a reporter may be made available to a researcher unless consent is obtained pursuant to this section.

L. Section 44-61-350(B) of the S.C. Code is amended to read:

(B) Committee members must be appointed by the ~~board~~director.

SECTION X. Section 44-61-530(A) of the S.C. Code is amended to read:

(A) There is established the Trauma Advisory Council composed of, but not limited to, the following members to be appointed by the director of the department for terms of three years and members may be reappointed:

(1) a surgeon who oversees trauma care at each designated level, upon the recommendation of the South Carolina Chapter of the American College of Surgeons;

(2) a hospital administrator from each designated level, upon the recommendation of the South Carolina Hospital Association;

(3) a hospital administrator from a nondesignated facility, upon the recommendation of the South Carolina Hospital Association;

(4) an emergency physician representative from each designated level, upon the recommendation of the South Carolina Chapter of the College of Emergency Physicians;

(5) a trauma nurse coordinator from each designated level, upon the recommendation of the Trauma Association of South Carolina;

(6) the chairman of the ~~South Carolina~~ Department of Public Health's ~~Health and Environmental Control's~~ Medical Control Committee;

(7) one public and one private field emergency medical services provider, upon the recommendation of the Emergency Medical Services Association;

(8) a physician, upon the recommendation of the South Carolina Medical Association;

(9) the chairman of the Committee on Trauma of the South Carolina Chapter of the American College of Surgeons;

(10) a rehabilitation center administrator, upon the recommendation of the South Carolina Hospital Association;

(11) the chairman of the Emergency Medical Services Advisory Council of the ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~;

(12) a representative from the South Carolina State Office of Rural Health;

(13) a third party payor representative, upon the recommendation of the Insurance Commissioner;

(14) a consumer representative appointed by the director;

(15) a representative from the South Carolina Department of Disabilities and Special Needs;

(16) a representative from the South Carolina Department of Health and Human Services;

(17) an orthopedic physician representative, upon the recommendation of the South Carolina Orthopedic Association; and

(18) a pediatric physician representative, upon the recommendation of the South Carolina Chapter of the American Academy of Pediatrics.

SECTION X. Section 44-61-630 of the S.C. Code is amended to read:

Section 44-61-630. As used in this article:

(1) "Department" means the ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~.

(2) "Director" means the Director of the ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~.

(3) "Joint Commission" means the Joint Commission, formerly known as the Joint Commission on Accreditation of Healthcare Organizations, a not-for-profit organization that accredits hospitals and other health care organizations.

SECTION X. Section 44-63-110 of the S.C. Code is amended to read:

Section 44-63-110. For making, furnishing, or certifying any card, certificate, or certified copy of the record, for filing a record amendment according to the provisions of Section 44-63-60, 44-63-80, 44-63-90 or 44-63-100, or for searching the record, when no card, certificate, or certified copy is made, a fee in an amount as determined by the ~~Board of the~~ Department of Public Health ~~and Environmental Control~~ must be paid by the applicant, except that the Department of Social Services or its designee is not required to pay a fee when the information is needed for the purpose of establishing paternity or establishing, modifying, or enforcing a child support obligation. The amount of the fee established by the board may not exceed the cost of the services performed and to the extent possible must be charged on a uniform basis throughout the State. When verification of the facts contained in these records is needed for Veterans Administration purposes in connection with a claim, it must be furnished without charge to the Veterans' Affairs Department of the Governor's Office or to a county veterans affairs officer upon request and upon the furnishing of satisfactory evidence that the request is for the purpose authorized in this chapter.

SECTION X. A. Section 44-69-20 of the S.C. Code is amended to read:

Section 44-69-20. As used in this chapter:

~~(1) "Board" shall mean the South Carolina Board of Health and Environmental Control.~~

~~(2)~~(1) "Branch office" shall mean a location or site from which a home health agency provides services within a portion of the total geographic area served by the parent agency. The branch office is part of the home health agency and is located sufficiently close to share administration, supervision, and services in a manner that renders it unnecessary for the branch independently to meet the conditions of participation as a home health agency.

~~(3)~~(2) "Department" shall mean ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~.

~~(4)~~(3) "Home health agency" shall mean public, nonprofit, or proprietary organization, whether owned or operated by one or more persons or legal entities, which furnishes or offers to furnish home health services.

~~(5)~~(4) "Home health services" shall mean those items and services furnished to an individual by a home health agency, or by others under arrangement with the home health agency, on a visiting basis, and except for subsection "e" below, in a place of temporary or permanent residence used as the individual's home as follows:

(a) Part-time or intermittent skilled nursing care as ordered by a physician, an APRN pursuant to Section 40-33-34(D)(2)(h), or a PA pursuant to Section 40-47-935(B)(8) and as provided by or under the supervision of a registered nurse and at least one other service listed below;

(b) Physical, occupational or speech therapy;

(c) Medical social services, home health aide services and other therapeutic services;

(d) Medical supplies and the use of medical appliances;

(e) Any of the foregoing items and services which are provided on an outpatient basis under arrangements made by the home health agency with a hospital, nursing care facility, or rehabilitation center and the furnishing of which involves the use of equipment of such a nature that the items and services cannot be readily made available to the individual in his home, or which are furnished at such facility while the patient is there to receive such items or service, but not including transportation of the individual in connection with any such items or services.

~~(6)~~(5) "License" shall mean a license issued by the Department.

~~(7)~~(6) "Licensee" shall mean the individual, corporation, or public entity with whom rests the ultimate responsibility for maintaining approved standards for the home health agency.

~~(8)~~(7) "Parent Home Health Agency" shall mean the agency that develops and maintains administrative controls of subunits or branch offices.

~~(9)~~(8) "Physician" shall mean an individual currently licensed to practice medicine, surgery, or osteopathy in this State.

~~(10)~~(9) "Registered Nurse" shall mean an individual who is currently licensed as such in this State.

~~(11)~~(10) "Subunit" shall mean a semiautonomous organization, which serves patients in a geographic area different from that of the parent

agency. The subunit by virtue of the distance between it and the parent agency is judged incapable of sharing administration, supervision, and services on a daily basis with the parent agency and must, therefore, independently meet the conditions of participation for home health agencies.

B. Section 44-69-50 of the S.C. Code is amended to read:

Section 44-69-50. Reasonable fees shall be established by the ~~Board~~department. Such fees shall be paid into the State Treasury or refunded to the applicant if the license is denied. Governmental home health agencies are exempt from payment of license fees.

SECTION X. A. Section 44-71-20 of the S.C. Code is amended to read:

Section 44-71-20. As used in this chapter:

~~(1) "Board" means the South Carolina Board of Health and Environmental Control.~~

~~(2)~~(1) "Department" means the ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~.

~~(3)~~(2)(a) "Hospice" means a centrally administered, interdisciplinary health care program, which provides a continuum of medically supervised palliative and supportive care for the terminally ill patient and the family including, but not limited to, outpatient and inpatient services provided directly or through written agreement. Inpatient services include, but are not limited to, services provided by a hospice in a licensed hospice facility.

(b) Admission to a hospice program of care is based on the voluntary request of the hospice patient alone or in conjunction with designated family members.

~~(4)~~(3) "Hospice facility" means an institution, place, or building in which a licensed hospice provides room, board, and appropriate hospice services on a twenty-four hour basis to individuals requiring hospice care pursuant to the orders of a physician.

~~(5)~~(4) "Licensee" means the individual, corporation, or public entity with whom rests the ultimate responsibility for maintaining approved standards for the hospice or hospice facility.

~~(6)~~(5) "Multiple location" means a properly registered additional site, other than the licensed primary office, from which a parent hospice organization provides hospice services. "Multiple location" does not mean a "work station" as defined in item (9).

~~(7)~~(6) "Parent hospice" means a properly licensed hospice that, in addition to its primary office, also provides hospice services from a multiple location as defined in item (6).

~~(8)~~(7) "Primary office" means the main office of a hospice program from which a parent hospice provides hospice services to patients and their families and from which a parent hospice performs oversight, administrative, and coordination of care duties for any multiple location.

~~(9)~~(8) "Work station" means a site operated within the licensed service area of a hospice solely for the convenience of the staff where they may conduct activities including, but not limited to, completing paperwork, checking messages, or storing equipment. These work stations must not have signage with an address or operating hours, must not be advertised, and must not be open to the public for any reason, such as to distribute supplies or to receive referrals.

B. Section 44-71-70 of the S.C. Code is amended to read:

Section 44-71-70. (A) The department is authorized to issue, deny, suspend, or revoke licenses in accordance with regulations promulgated pursuant to this section. ~~Such regulations must include hearing procedures related to denial, suspension, or revocation of licenses.~~

(B) The department is authorized to deny, suspend, or revoke approvals of multiple locations in accordance with regulations promulgated pursuant to this section when there is evidence or reason to believe that any of the following requirements and conditions are not being met:

(1) the parent hospice is properly licensed, operating in accordance with all South Carolina laws and regulations;

(2) the multiple location will provide the full scope of hospice services in all geographical areas listed on the license;

(3) the multiple location will share administration, supervision, and services with the parent hospice; and

(4) the multiple location will be included in the quality improvement activities of the parent hospice.

(C) The department shall approve a request to expand the service area of a parent hospice to include additional counties only when the additional counties are requested in a properly filed application as required by Section 44-71-40(C).

(D) ~~Regulations pertaining to the denial, suspension, or revocation of approvals must include hearing procedures related to denial, suspension, or revocation of licenses.~~ A department decision denying, suspending, or revoking a license or approval made pursuant to this section may be appealed pursuant to Section 44-1-60 and applicable law.

SECTION X. Section 44-74-60(B) of the S.C. Code is amended to read:

(B) The board must be composed of thirteen members from the below listed trade associations as follows: one member shall be a representative from the South Carolina Society of Medical Assistants, Incorporated, who is also a certified limited practice radiographer and a certified medical assistant; one member shall be a consumer from the South Carolina Radiation Standards Association; two members shall be radiologic technologists from the South Carolina Society of Radiologic Technologists (SCSRT), one of whom is employed by a hospital and from the South Carolina Health Care Alliance; one member shall be a radiologic technologist educator from the SCSRT; one member shall be a radiologic technologist of nuclear medicine from the South Carolina Society of Nuclear Medicine; one member shall be a radiation therapist from the SCSRT; three members shall be medical doctors, one doctor shall be a licensed family physician from the South Carolina Academy of Family Physicians, one doctor shall be a licensed radiologist from the South Carolina Radiological Society, and one doctor shall be a medical doctor of another specialty from the South Carolina Medical Association; one member shall be a chiropractor from the South Carolina Chiropractic Association; one member shall be a podiatrist from the South Carolina Podiatric Medical Association; and one member shall be a nonvoting representative from the ~~South Carolina~~ Department of ~~Health and~~ Environmental ~~Control~~Services, ex officio~~, and from the Radiological Health Branch~~.

SECTION X. A. Section 44-89-30 of the S.C. Code is amended to read:

Section 44-89-30. As used in this chapter:

(1) "Birthing center" means a facility or other place where human births are planned to occur. This does not include the usual residence of the mother or any facility which is licensed as a hospital.

~~(2) "Board" means the South Carolina Board of Health and Environmental Control.~~

~~(3)~~(2) "Certified Nurse-Midwife (CNM)" means a person educated in the discipline of nursing and midwifery, certified by examination by the American College of Nurse-Midwives, and licensed by the State Board of Nursing as a Registered Nurse.

~~(4)~~(3) "Department" means the ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~.

~~(5)~~(4) "Lay midwife" means an individual so licensed by the department.

~~(6)~~(5) "Low risk" means normal, uncomplicated prenatal course as determined by adequate prenatal care and prospects for a normal,

uncomplicated birth as defined by reasonable and generally accepted criteria of maternal and fetal health.

~~(7)~~(6) "Midwifery" means the application of scientific principles in the care of "with woman" care during uncomplicated pregnancy, birth, and puerperium including care of the newborn, support of the family unit, and gynecologic health care.

~~(8)~~(7) "Person" means a natural individual, private or public organization, political subdivision, or other governmental agency.

~~(9)~~(8) "Physician" means a doctor of medicine or osteopathy with training in obstetrics or midwifery and licensed by the South Carolina State Board of Medical Examiners to practice medicine.

B. Section 44-89-90 of the S.C. Code is amended to read:

Section 44-89-90. Any applicant or licensee who is aggrieved with a final decision of the department ~~as a result of the hearing provided for by~~issued pursuant to Section ~~44-85-80~~44-89-80 may appeal ~~to the appropriate court for judicial review pursuant to the Administrative Procedures Act~~pursuant to Section 44-1-60 and applicable law.

SECTION X. A. Section 44-93-20 of the S.C. Code is amended to read:

Section 44-93-20. (A) "Infectious waste" or "waste" means:

(1) sharps;

(2) cultures and stocks of infectious agents and associated biologicals;

(3) human blood and blood products;

(4) pathological waste;

(5) contaminated animal carcasses, body parts, and bedding of animals intentionally exposed to pathogens; and

(6) isolation waste pursuant to the "Guidelines for Isolation Precautions in Hospitals", Centers for Disease Control.

Nothing in this chapter prohibits a generator of infectious wastes from designating and managing wastes in addition to those listed above as infectious wastes.

(B) "Infectious waste management" means the systematic control of the collection, source separation, storage, transportation, treatment, and disposal of infectious wastes.

~~(C) "Board" means the South Carolina Board of Health and Environmental Control which is charged with responsibility for implementation of the Infectious Waste Management Act.~~

~~(D)~~(C) "Director" means the director of the department or his authorized agent.

~~(E)~~(D) "Containment" means the packaging of infectious waste or the containers in which infectious waste is placed.

~~(F)~~(E) "Department" means the Department of ~~Health and~~ Environmental ~~Control~~Services, including personnel of the department authorized ~~by the board~~ to act on behalf of the department ~~or board~~. The department is charged with the responsibility for implementation of the Infectious Waste Management Act.

~~(G)~~(F) "Dispose" means to discharge, deposit, inject, dump, spill, leak, or place any infectious waste into or on any land or water including groundwater so that the substance may enter the environment or be emitted into the air or discharged into any waters, including groundwater.

~~(H)~~(G) "Facility" means a location or site within which infectious waste is treated, stored, or disposed of.

~~(I)~~(H) "Generator" means the person producing infectious waste except waste produced in a private residence.

~~(J)~~(I) "Generator facility" means a facility that treats infectious waste that is owned or operated by a combination or association of generators, a nonprofit professional association representing generators or a nonprofit corporation controlled by generators, nonprofit foundation of hospitals, or nonprofit corporations wholly owned by hospitals, if the waste is generated in this State and treatment is provided on a nonprofit basis.

~~(K)~~(J) "Person" means an individual, partnership, co-partnership, cooperative, firm, company, public or private corporation, political subdivision, agency of the State, county, or local government, trust, estate, joint structure company, or any other legal entity or its legal representative, agent, or assigns.

~~(L)~~(K) "Storage" means the actual or intended holding of infectious wastes, either on a temporary basis or for a period of time, in the manner as not to constitute disposing of the wastes.

~~(M)~~(L) "Transport" means the movement of infectious waste from the generation site to a facility or site for intermediate storage.

~~(N)~~(M) "Treatment" means a method, technique, or process designed to change the physical, chemical, or biological character or composition of infectious waste so as to sufficiently reduce or eliminate the infectious nature of the waste.

~~(O)~~(N) "Expand" means an increase in the capacity of the facility or an increase in the quantity of infectious waste received by a facility that exceeds a permit condition.

Section 44-96-40 of the S.C. Code is amended to read:

Section 44-96-40. As used in this chapter:

(1) "Beverage" means beer or malt beverages, mineral water, soda water, and similar carbonated soft drinks in liquid form, and all other liquids intended for human consumption, except for liquids marketed for and intended for consumption for medicinal purposes.

(2) "Beverage container" means the individual, separate, and sealed glass, aluminum or other metal, or plastic bottle, can, jar, or carton containing beverage intended for human consumption.

(3) "Collection" means the act of picking up solid waste materials from homes, businesses, governmental agencies, institutions, or industrial sites.

(4) "Compost" means the humus-like product of the process of composting waste.

(5) "Composting facility" means any facility used to provide aerobic, thermophilic decomposition of the solid organic constituents of solid waste to produce a stable, humus-like material.

(6) "Construction and demolition debris" means discarded solid wastes resulting from construction, remodeling, repair and demolition of structures, road building, and land clearing. The wastes include, but are not limited to, bricks, concrete, and other masonry materials, soil, rock, lumber, road spoils, paving material, and tree and brush stumps, but does not include solid waste from agricultural or silvicultural operations.

(7) "County solid waste management plan" means a solid waste management plan prepared, approved, and submitted by a single county pursuant to Section 44-96-80.

(8) "Degradable", with respect to any material, means that the material, after being discarded, is capable of decomposing to components other than heavy metals or other toxic substances after exposure to bacteria, light, or outdoor elements.

(9) "Department" means the ~~South Carolina~~ Department of ~~Health and~~ Environmental ~~Control~~Services.

(10) "Discharge" means the accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying, or dumping of solid waste, including leachate, into or on any land or water.

(11) "Disposal" means the discharge, deposition, injection, dumping, spilling or placing of any solid waste into or on any land or water, so that the substance or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwater.

(12) "Energy recovery" means the beneficial use, reuse, recycling, or reclamation of solid waste through the use of the waste to recover energy therefrom.

(13) "Facility" means all contiguous land, structures, other appurtenances and improvements on the land used for treating, storing, or disposing of solid waste. A facility may consist of several treatment, storage, or disposal operational units, including, but not limited to, one or more landfills, surface impoundments, or combination thereof.

(14) "For hire motor carrier" means a company operating a fleet of vehicles used exclusively in the transportation of freight for compensation.

(15) "Generation" means the act or process of producing solid waste.

(16) "Groundwater" means water beneath the land surface in the saturated zone.

(17) "Hazardous waste" has the meaning provided in Section 44-56-20 of the South Carolina Hazardous Waste Management Act.

(18) "Incineration" means the use of controlled flame combustion to thermally break down solid, liquid, or gaseous combustible wastes, producing residue that contains little or no combustible materials.

(19) "Industrial waste" means solid waste that results from industrial processes including, but not limited to, factories and treatment plants.

(20) "Infectious waste" has the meaning given in Section 44-93-20 of the South Carolina Infectious Waste Management Act.

(21) "Land-clearing debris" means solid waste which is generated solely from land-clearing activities, but does not include solid waste from agricultural or silvicultural operations.

(22) "Landfill" means a disposal facility or part of a facility where solid waste is placed in or on land, and which is not a land treatment facility, a surface impoundment, or an injection well.

(23) "Lead-acid battery" means any battery that consists of lead and sulfuric acid, is used as a power source, and has a capacity of six volts or more, except that this term shall not include a small sealed lead-acid battery which means a lead-acid battery weighing twenty-five pounds or less, used in non-vehicular, non-SLI (start lighting ignition) applications.

(24) "Lead-acid battery collection facility" means a facility authorized by the Department of ~~Health and~~ Environmental ~~Control~~ Services to accept lead-acid batteries from the public for temporary storage prior to recycling.

(25) "Local government" means a county, any municipality located wholly or partly within the county, and any other political subdivision

located wholly or partly within the county when such political subdivision provides solid waste management services.

(26) "Materials Recovery Facility" means a solid waste management facility that provides for the extraction from solid waste of recoverable materials, materials suitable for use as a fuel or soil amendment, or any combination of such materials.

(27) "Motor oil" and "similar lubricants" mean the fraction of crude oil or synthetic oil that is classified for use in the crankcase, transmission, gearbox, or differential of an internal combustion engine, including automobiles, buses, trucks, lawn mowers and other household power equipment, industrial machinery, and other mechanical devices that derive their power from internal combustion engines. The terms include re-refined oil but do not include heavy greases and specialty industrial or machine oils, such as spindle oils, cutting oils, steam cylinder oils, industrial oils, electrical insulating oils, or solvents which are not sold at retail in this State.

(28) "Municipal solid waste landfill" means any sanitary landfill or landfill unit, publicly or privately owned, that receives household waste. The landfill may also receive other types of solid waste, such as commercial waste, nonhazardous sludge, and industrial solid waste.

(29) "Office" means the Office of Solid Waste Reduction and Recycling established within the Department of ~~Health and~~ Environmental ~~Control~~ Services pursuant to Section 44-96-110.

(30) "Owner/operator" means the person who owns the land on which a solid waste management facility is located or the person who is responsible for the overall operation of the facility, or both.

(31) "Person" means an individual, corporation, company, association, partnership, unit of local government, state agency, federal agency, or other legal entity.

(32) "Plastic bottle" means a plastic container intended for single use, which has a neck that is smaller than the body of the container, accepts a screw-type, snap cap, or other closure, and has a capacity of sixteen fluid ounces or more, but less than five gallons.

(33) "Plastic container" means any container having a wall thickness of not less than one one-hundredth of an inch used to contain beverages, foods, or nonfood products and composed of synthetic polymeric materials.

(34) "Recovered materials" means those materials which have known use, reuse, or recycling potential; can be feasibly used, reused, or recycled; and have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not requiring subsequent

separation and processing. At least seventy-five percent by weight of the materials received during the previous calendar year must be used, reused, recycled, or transferred to a different site for use, reuse, or recycling in order to qualify as a recovered material.

(35) "Recovered Materials Processing Facility" means a facility engaged solely in the recycling, storage, processing, and resale or reuse of recovered materials. The term does not include a solid waste processing facility; however, solid waste generated by a recovered material processing facility is subject to all applicable laws and regulations relating to the solid waste. The term does not include facilities which thermally treat solid waste principally for volume reduction or for reduction of contaminants. Records must be kept documenting the amount by weight of materials that are received at the facility and used, reused, or recycled or transferred to another site for use, reuse, or recycling. Records must also be kept which clearly document the location of final disposition of the materials. Records must be made available for inspection by department personnel upon request.

(36) "Recyclable material" means those materials which are capable of being recycled and which would otherwise be processed or disposed of as solid waste.

(37) "Recycling" means any process by which materials which would otherwise become solid waste are collected, separated, or processed and reused or returned to use in the form of raw materials or products (including composting).

(38) "Region" means a group of counties in South Carolina which is planning to or has prepared, approved, and submitted a regional solid waste management plan to the department pursuant to Section 44-96-80.

(39) "Regional solid waste management plan" means a solid waste management plan prepared, approved, and submitted by a group of counties in South Carolina pursuant to Section 44-96-80.

(40) "Resource recovery" means the process of obtaining material or energy resources from solid waste which no longer has any useful life in its present form and preparing the waste for recycling.

(41) "Resource recovery facility" means a combination of structures, machinery, or devices utilized to separate, process, modify, convert, treat, or prepare collected solid waste so that component materials or substances or recoverable resources may be used as a raw material or energy source.

(42) "Reuse" means the return of a commodity into the economic stream for use in the same kind of application as before without change in its identity.

(43) "Rigid plastic container" means any formed or molded container, other than a bottle, intended for single use, composed predominantly of plastic resin, and having a relatively inflexible finite shape or form with a capacity of eight ounces or more, but less than five gallons.

(44) "Sanitary landfill" means a land disposal site employing an engineered method of disposing of solid waste on land in a manner that minimizes environmental hazards and meets the design and operation requirements of this chapter.

(45) "Secondary lead smelter" means a facility which produces metallic lead from various forms of lead scrap, including used lead-acid batteries.

(46) "Solid waste" means any garbage, refuse, or sludge from a waste treatment facility, water supply plant, or air pollution control facility and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities. This term does not include solid or dissolved material in domestic sewage, recovered materials, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to NPDES permits under the Federal Water Pollution Control Act, as amended, or the Pollution Control Act of South Carolina, as amended, or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended. Also excluded from this definition are application of fertilizer and animal manure during normal agricultural operations or refuse as defined and regulated pursuant to the South Carolina Mining Act, including processed mineral waste, which will not have a significant adverse impact on the environment. For the purposes of this chapter, this term excludes steel slag that is a product of the electric arc furnace steelmaking process; provided, that such steel slag is sold and distributed in the stream of commerce for consumption, use, or further processing into another desired commodity and is managed as an item of commercial value in a controlled manner and not as a discarded material or in a manner constituting disposal.

(47) "Solid waste disposal facility" means any solid waste management facility or part of a facility at which solid waste is intentionally placed into or on any land or water and at which waste will remain after closure.

(48) "Solid waste management" means the systematic control of the generation, collection, source separation, storage, transportation, treatment, recovery, and disposal of solid waste.

(49) "Solid waste management facility" means any solid waste disposal area, volume reduction plant, transfer station, or other facility, the purpose of which is the storage, collection, transportation, treatment, utilization, processing, recycling, or disposal, or any combination thereof, of solid waste. The term does not include a recovered materials processing facility or facilities which use or ship recovered materials, except that portion of the facilities which is managing solid waste.

(50) "Solid Waste Management Grant Program" means the grant program established and administered by the Office of Solid Waste Reduction and Recycling pursuant to Section 44-96-130.

(51) "Solid Waste Management Trust Fund" means the trust fund established within the Department of ~~Health and~~ Environmental ~~Control~~ Services pursuant to Section 44-96-120.

(52) "Source reduction" means the reduction of solid waste before it enters the solid waste stream by methods such as product redesign or reduced packaging.

(53) "Source separation" means the act or process of removing a particular type of recyclable material from other waste at the point of generation or under control of the generator for the purposes of collection, disposition, and recycling.

(54) "Specific wastes" means solid waste which requires separate management provisions, including plastics, used oil, waste tires, lead-acid batteries, yard trash, compost, and white goods.

(55) "State solid waste management plan" means the plan which the Department of ~~Health and~~ Environmental ~~Control~~ Services is required to submit to the General Assembly and to the Governor pursuant to Section 44-96-60.

(56) "Storage" means the containment of solid waste, either on a temporary basis or for a period of years, in such manner as not to constitute disposal of such solid waste; provided, however, that storage in containers by persons of solid waste resulting from their own activities on their property, leased or rented property, if the solid waste in such containers is collected at least once a week, shall not constitute "storage" for purposes of this chapter. The term does not apply to containers provided by or under the authority of a county for the collection and temporary storage of solid waste prior to disposal.

(57) "Surface water" means lakes, bays, sounds, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within territorial limits, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private.

(58) "Tire" means the continuous solid or pneumatic rubber covering encircling the wheel of a motor vehicle, trailer, or motorcycle as defined in Section 56-3-20(2), (4), and (13). It does not include an industrial press-on tire, with a metal or solid compound rim, which may be retooled.

(59) "Tire retailing business" means the retail sale of tires in any quantity for any use or purpose by the purchaser other than for resale.

(60) "Transport" means the movement of solid waste from the point of generation to any intermediate point and finally to the point of ultimate processing, treatment, storage, or disposal.

(61) "Transporter" means a person engaged in the off-site transportation of solid waste by air, rail, highway, or water.

(62) "Treatment" means any technique designed to change the physical, chemical, or biological character or composition of any solid waste so as to render it safe for transport, amenable to storage, recovery, or recycling, safe for disposal, or reduced in volume or concentration.

(63) "Used oil" means oil that has been refined from crude oil or synthetic oil and that has been used and, as a result of that use, is contaminated by physical or chemical impurities.

(64) "Used oil collection center" means a facility which, in the course of business, accepts used oil for subsequent disposal or recycling.

(65) "Used oil energy recovery facility" means a facility that burns more than six thousand gallons of used oil annually for energy recovery.

(66) "Used oil recycling facility" means a facility that recycles more than six thousand gallons of used oil annually.

(67) "Waste tire" means a tire that is no longer suitable for its original intended purpose because of wear, damage, or defect.

(68)(a) "Waste tire collection facility" means a permitted facility used for the storage of waste tires or processed tires before recycling, processing, or disposal.

(b) "Waste tire disposal facility" means a permitted facility where processed waste tires are placed on the land in a manner which constitutes disposal.

(c) "Waste tire processing facility" means a permitted facility where equipment is used to cut, shred, burn for volume reduction, or to otherwise alter whole waste tires. The term includes mobile waste tire processing equipment.

(d) "Waste tire recycling facility" means a permitted facility where waste tires are used as a fuel source or returned to use in the form of products or raw materials.

(69) "Waste tire hauler" means a person engaged in the picking up or transporting of waste tires for the purpose of storage, processing, or disposal.

(70) "Waste tire site" means an establishment, site, or place of business, without a collector or processor permit, that is maintained, operated, used, or allowed to be used for the disposal, storing, or depositing of unprocessed used tires, but does not include a truck service facility which meets the following requirements:

(a) all vehicles serviced are owned or leased by the owner or operator of the service facility;

(b) no more than two hundred waste tires are accumulated for a period of not more than thirty days at a time;

(c) the facility does not accept any tires from sources other than its own; and

(d) all waste tires are stored under a covered structure.

(71) "Waste tire treatment site" means a permitted site used to produce or manufacture usable materials, including fuel, from waste tires.

(72) "Waters of the State" means lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial limits, and all other bodies of surface or underground water, natural or artificial, public or private, inland or coastal, fresh or salt, which are wholly or partially within or bordering the State or within its jurisdiction.

(73) "White goods" include refrigerators, ranges, water heaters, freezers, dishwashers, trash compactors, washers, dryers, air conditioners, and commercial large appliances.

(74) "Yard trash" means solid waste consisting solely of vegetative matter resulting from landscaping maintenance.

(75) "Advanced recycling" means manufacturing processes that convert post-use polymers and recovered feedstocks into basic hydrocarbon raw materials, feedstocks, chemicals, waxes, lubricants, and other products through processes that include pyrolysis, gasification, depolymerization, solvolysis, catalytic cracking, reforming, hydrogenation, and other similar technologies. The recycled products produced from advanced recycling include, but are not limited to, monomers, oligomers, plastics, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha, waxes, lubricants, coatings, and other basic hydrocarbons. Advanced recycling is not incineration, combustion, energy recovery, material recovery, or treatment. For the purpose of advanced recycling:

(a) "Depolymerization" means a manufacturing process at an advanced recycling facility where post-use polymers are broken into smaller molecules such as monomers and oligomers or raw, intermediate, or final products, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha, liquid transportation fuels, waxes, lubricants, coatings, and other basic hydrocarbons.

(b) "Gasification" means a manufacturing process at an advanced recycling facility through which recovered feedstocks are heated and converted into a fuel-gas mixture in an oxygen-deficient atmosphere and the mixture is converted to crude oil, diesel, gasoline, home heating oil or other fuels, chemicals, waxes, lubricants, chemical feedstocks, diesel and gasoline blendstocks, or other raw materials or intermediate or final products that are returned to the economic mainstream in the form of raw materials, products, or fuels.

(c) "Pyrolysis" means a manufacturing process at an advanced recycling facility through which post-use polymers or recovered feedstock are heated in the absence of oxygen until melted and thermally decomposed and are then cooled, condensed, and converted to crude oil, diesel, gasoline, home heating oil or other fuels, chemicals, waxes, lubricants, chemical feedstocks, diesel and gasoline blendstocks, or other raw materials or intermediate or final products that are returned to the economic mainstream in the form of raw materials, products, or fuels.

(d) "Solvolysis" means a manufacturing process at an advanced recycling facility through which post-use plastics are reacted with the aid of solvents while heated at low temperatures or pressurized to make useful products, while allowing additives and contaminants to be separated. The products of solvolysis include, but are not limited to, monomers, intermediates, and valuable raw materials. The process includes, but is not limited to, hydrolysis, aminolysis, ammonoloysis, methanolysis, ethanolysis, and glycolysis.

(76) "Advanced recycling facility" means a manufacturing facility that receives, separates, stores, and converts the post-use polymers and recovered feedstocks it receives using advanced recycling. An advanced recycling facility is not a solid waste processing facility, solid waste management facility, materials recovery facility, waste-to-energy facility, or incinerator, but the facility is subject to department inspections to ensure compliance. Solid waste generated by an advanced recycling facility is subject to all applicable laws and regulations for manufacturers relating to storage and disposal of solid waste. Post-use polymers and recovered feedstock may not be mixed with solid waste or hazardous waste on-site or during processing at an advanced recycling

facility. At least seventy-five percent of the weight or volume of recovered feedstocks or post-use polymers received during the previous calendar year must be processed at an advanced recycling facility or transferred to a different site for processing in order for a facility to qualify as an advanced recycling facility. If an advanced recycling facility does not comply with the requirements of this definition, then it is not an advanced recycling facility and is subject to all applicable solid waste laws and regulations as determined by the department. Within sixty days of the termination of operations at an advanced recycling facility, all unused pre-converted and post-converted post-use polymers or recovered feedstock must be sold or disposed of by the advanced recycling facility in compliance with applicable laws.

(77) "Post-use polymer" means a plastic polymer that is not solid waste when the following apply:

(a) it is derived from any industrial, commercial, agricultural, or domestic activities;

(b) its use or intended use is to manufacture crude oil, fuels, feedstocks, blendstocks, raw materials, or other intermediate products or final products using advanced recycling;

(c) it may contain incidental contaminants or impurities, such as paper labels or metal rings; and

(d) it is processed at an advanced recycling facility or held at an advanced recycling facility prior to processing.

(78)(a) "Recovered feedstock" means one or more of the following materials that has been processed so that it may be used as feedstock in an advanced recycling facility:

(i) post-use polymers;

(ii) materials for which the United States Environmental Protection Agency has made a nonwaste determination under 40 C.F.R. 241.3(c); or

(iii) materials that the United States Environmental Protection Agency has otherwise determined are feedstocks and not solid waste.

(b) Recovered feedstock does not include unprocessed municipal solid waste.

B. Section 44-96-100(A) of the S.C. Code is amended to read:

(A) Whenever the department determines that a person is in violation of a regulation promulgated pursuant to this article regarding Sections 44-96-160(X) (Used Oil), 44-96-170(H) (Waste Tires), or 44-96-190(A) (Yard trash, compost), the department may issue an order requiring the person to comply with the regulation or the department may bring civil action for injunctive relief in the appropriate court or the department may

request that the Attorney General bring civil or criminal enforcement action under this section. The department also may impose reasonable civil penalties not to exceed ten thousand dollars, for each day of violation, for violations of the regulations promulgated pursuant to this article regarding Sections 44-96-160(X), 44-96-170(H), or 44-96-190(A). After exhaustion of administrative remedies, a person against whom a civil penalty is invoked by the department may appeal the decision of the department ~~or board of the court of common pleas, pursuant to the Administrative Procedures Act~~pursuant to Section 48-6-30 and applicable law.

C. Section 44-96-440(C) of the S.C. Code is amended to read:

(C) It shall be unlawful for any person to fail to comply with this article and any regulations promulgated pursuant to this article, or to fail to comply with any permit issued under this article, or to fail to comply with any order issued by the ~~board, commissioner, or~~ department.

D. Section 44-96-450(A) of the S.C. Code is amended to read:

(A) Whenever the department finds that a person is in violation of a permit, regulation, standard, or requirement under this article, the department may issue an order requiring the person to comply with the permit, regulation, standard, or requirement, or the department may bring civil action for injunctive relief in the appropriate court, or the department may request that the Attorney General bring civil or criminal enforcement action under this section. The department also may impose reasonable civil penalties established by regulation, not to exceed ten thousand dollars for each day of violation, for violations of the provisions of this article, including any order, permit, regulation, or standard. After exhaustion of administrative remedies, a person against whom a civil penalty is invoked by the department may appeal the decision of the department ~~or board to the court of common pleas~~pursuant to Section 48-6-30 and applicable law.

SECTION X. Section 44-128-50 of the S.C. Code is amended to read:

Section 44-128-50. (A) There is established the South Carolina Youth Smoking Prevention Advisory Commission to advise the department in the development, implementation, and evaluation of the State Youth Smoking Plan.

(B) Notwithstanding the provisions of Section 8-13-770, the membership of the advisory commission is as follows:

(1) two members appointed by the Speaker of the House of Representatives from the membership of the House of Representatives;

(2) two members appointed by the President of the Senate from the membership of the Senate; and

(3) eleven members appointed by the Governor as follows:

(a) one representative of the Department of Public Health ~~and Environmental Control~~;

(b) one representative of the Department of ~~Alcohol and Other Drug~~Behavioral Health Abuse Services;

(c) three health professionals;

(d) two youths between the ages of twelve and eighteen; and

(e) five citizens of the State with knowledge, competence, experience, or interest in youth smoking prevention, or other relevant background including, but not limited to, youth education, public health, social science, and business expertise.

SECTION X. Section 44-130-70(C) of the S.C. Code is amended to read:

(C)(1) A community distributor acting in good faith may distribute an opioid antidote:

(a) obtained pursuant to a written prescription or standing order issued in accordance with this section; and

(b) pursuant to a written joint protocol issued by the Board of Medical Examiners and the Board of Pharmacy.

(2) Not later than six months after passage of this act, the Board of Medical Examiners and the Board of Pharmacy must issue a written joint protocol to authorize a community distributor to distribute an opioid antidote without a patient-specific written order or prescription to a person at risk of experiencing an opioid-related overdose or to a caregiver of such a person, and without the requirement for a pharmacist to dispense the opioid antidote.

(3) The Board of Medical Examiners and the Board of Pharmacy must appoint an advisory committee to advise and assist in the development of the joint protocol for their consideration. The membership of the committee must include, but not be limited to, a representative of the Department of Public Health ~~and Environmental Control~~, a representative of the Department of ~~Alcohol and Other Drug~~Behavioral Health ~~Abuse~~ Services, and health care professionals licensed in the State.

(4) For purposes of this subsection, "caregiver" means a person who is not at risk of an opioid overdose but who, in the judgment of the community distributor, may be in a position to assist another individual during an overdose.

SECTION X. Section 45-4-30(B) of the S.C. Code is amended to read:

(B) Regulations promulgated by the Department of Public Health ~~and Environmental Control~~ pursuant to Section 44-1-140(2), regulations promulgated by the Department of Agriculture pursuant to 46-57-50(1), or other provision of law regarding food service do not apply to a bed and breakfast providing only the food service identified in subsection (A) of this section. Instead of those regulations, a bed and breakfast must comply with the provisions of Section 45-4-40.

SECTION X. Section 46-45-80 of the S.C. Code is amended to read:

Section 46-45-80. Any setback distances given in R. 61-43, Standards for Permitting of Agricultural Animal Facilities, are minimum siting requirements as established by the Department of ~~Health and~~ Environmental ~~Control~~Services. As long as the established setbacks are achieved, the department may not require additional setback distances. Such distances from property lines or residences may be waived or reduced by written consent of the adjoining property owners. All animal facilities affected by these setback provisions must have an evergreen buffer between the facility and the affected residence as established by ~~DHEC~~ the Department of Environmental Services unless otherwise agreed to in writing by the adjoining landowners.

SECTION X. Section 46-49-60 of the S.C. Code is amended to read:

Section 46-49-60. (A) A distributor shall not engage, either directly or indirectly, in doing business in any market until he has applied for and obtained a license from the department. A store is not required to make application for a license but is considered to be a de facto licensee as required in this chapter. The department may classify licensees and may issue licenses to distributors to produce, receive, process, manufacture, or sell any of the products covered by this chapter in any particular market.

(B) The department may decline to grant a license or may suspend or revoke a license already granted upon due notice and after a hearing before the department whenever the applicant or licensee has violated the department's regulations ~~issued by the Department of Health and Environmental Control,~~ or any provisions of this chapter.

(C) The department may, in lieu of license suspensions, invoke a penalty of not less than fifty dollars nor more than five thousand dollars. All receipts from the penalties must be paid by the department to the State Treasurer.

SECTION X. Section 47-4-150 of the S.C. Code is amended to read:

Section 47-4-150. The commission by regulation may establish advisory committees which fairly reflect the particular portion of the industry being regulated as well as other concerned groups or agencies.

The members of these committees serve at the pleasure of the commission. In nominating the members of the advisory committees the director shall consult with officials of representative trade associations, the Administrator of the South Carolina Department of Consumer Affairs, the Commissioner of Agriculture, and the ~~Commissioner~~ Director of the ~~South Carolina~~ Department of ~~Health and~~ Environmental ~~Control~~Services. The committee members serve at no cost to the State.

SECTION X. Section 47-17-140(c) of the S.C. Code is amended to read:

(c) The provisions of this article shall be applied in such a manner as to maintain the support and cooperation of all State and local agencies dealing with animals, animal diseases and human diseases, and in no way shall this article restrict the authority given to the Department of Public Health~~ and Environmental Control~~, the State Department of Agriculture or any other agency under the General Statutes of South Carolina.

SECTION X. Section 48-1-85 of the S.C. Code is amended to read:

Section 48-1-85. (A) It is unlawful for a person to operate or float a houseboat on the waters of this State unless it has a marine toilet that discharges only into a holding tank.

(B) As used in this section:

(1) "Holding tank" means a container designed to receive and hold sewage and other wastes discharged from a marine toilet and constructed and installed in a manner so that it may be emptied only by pumping out its contents.

(2) "Houseboat" means watercraft primarily used as habitation and not used primarily as a means of transportation.

(3) "Marine toilet" includes equipment for installation on board a houseboat designed to receive, retain, treat, or discharge sewage. A marine toilet must be equipped with a holding tank.

(C) When an owner of a houseboat having a marine toilet applies to the Department of Natural Resources for a certificate of title pursuant to Section 50-23-20, he shall certify in the application that the toilet discharges only into a holding tank.

(D) Houseboat holding tanks may be emptied only by a pump-out system permitted by the ~~South Carolina~~ Department of ~~Health and~~ Environmental ~~Control~~Services.

(E) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars for each day's violation or imprisoned not more than thirty days, or both.

SECTION X. Section 48-2-60 of the S.C. Code is amended to read:

Section 48-2-60. A person required to pay the fees set forth in this article who disagrees with the calculation or applicability of the fee may ~~petition the department for a hearing by submitting a petition setting forth the fee which is challenged, the grounds on which relief is sought, and the total amount of the fee due~~ request a contested case hearing before the Administrative Law Court pursuant to Section 48-6-30 and the Administrative Procedures Act. The ~~petition and the fee~~request must be received by the ~~department~~ Administrative Law Court no later than thirty days after the ~~due date~~mailing of the fee decision. ~~The hearing must be conducted in accordance with contested case provisions set forth in the Administrative Procedures Act and department regulations.~~ If it is finally determined that the amount in dispute was improperly assessed, the department shall return the amount determined to be improperly assessed with interest not to exceed the statutory rate.

SECTION X. Section 48-2-80 of the S.C. Code is amended to read:

Section 48-2-80. Fees collected pursuant to Section 48-2-50 do not supplant or reduce in any way the general fund appropriation to the department from the state or federal program; and the total amount of fees authorized by this article collected in any fiscal year, may not exceed thirty-three and one-third percent of the "Total Funds" appropriated to the ~~Office of Environmental Quality Control~~Department of Environmental Services in the annual appropriations act.

SECTION X. A. Section 48-2-320 of the S.C. Code is amended to read:

Section 48-2-320. As used in this article:

(1) ~~"Commissioner"~~ "Director" means the ~~Commissioner~~ Director of the Department of ~~Health and~~ Environmental ~~Control~~Services.

(2) "Department" means the Department of ~~Health and~~ Environmental ~~Control~~Services.

(3) "Environmental Emergency" means a situation, to be determined by the ~~commissioner~~director, that constitutes an immediate threat to the environment or public health, or both, and providing immediate, but temporary relief to the situation may require the expenditure of funds to effect a solution, provide temporary relief, or retain the services of appropriate technical personnel or contractors.

(4) "Fund" means the "Environmental Emergency Fund" established pursuant to this article.

(5) "Responsible party" means a person determined to be legally responsible for any environmental pollution or threat to public health which requires expenditures from the fund.

B. Section 48-2-340(A) of the S.C. Code is amended to read:

(A) The department, through the ~~commissioner~~ director or the ~~commissioner's~~ director's designee, shall certify that funding for a specific emergency was necessary to protect the environment or public health, or both. Annually, the department shall prepare an independent accounting of all revenue in the fund. The report ~~must be submitted to the chairman of the Board of the Department of Health and Environmental Control and~~ must be made available to the public upon request.

SECTION X. A. Section 48-6-50 of the S.C. Code is amended to read:

Section 48-6-50. All rules and regulations promulgated by the department ~~shall be null and void unless approved by a concurrent resolution of the General Assembly at the session of the General Assembly following their promulgation~~must be promulgated pursuant to the Administrative Procedures Act.

B. Section 48-6-60(A) of the S.C. Code is amended to read:

(A) The Department of Environmental Services may make, adopt, promulgate, and enforce reasonable rules and regulations from time to time requiring and providing for:

(1) the classification of waters;

~~(2) the control of disease-bearing insects, including the impounding of waters;~~

~~(3)~~(2) the control of industrial plants, including the protection of workers from fumes, gases, and dust, whether obnoxious or toxic;

~~(4)~~(3) the use of water in air humidifiers;

~~(5)~~(4) the regulation of the methods of disposition of garbage or sewage and any like refuse matter in or near any village, town, or city of the State, incorporated or unincorporated, and to abate obnoxious and offensive odors caused or produced by septic tank toilets by prosecution, injunction, or otherwise; ~~and~~

~~(6)~~(5) the alteration of safety glazing material standards and the defining of additional structural locations as hazardous areas, and for notice and hearing procedures by which to effect these changes~~.~~;

(7) safety and sanitation regarding harvesting, storing, processing, handling, and transportation of mollusks, fin fish, and crustaceans; and

(8) safety, safe operation and sanitation of public swimming pools and other public bathing places, construction, tourist and trailer camps, and fairs.

SECTION X. Chapter 6, Title 48 of the S.C. Code is amended by adding:

Section 48-6-65. The department shall investigate and advise as to all matters related to water supply, sewerage, drainage, ventilation, heating, lighting, or other measures connected with public sanitation or safety.

SECTION X. Section 48-18-20 of the S.C. Code is amended to read:

Section 48-18-20. As used in this chapter:

(1) "Erosion" means the wearing away of the ground surface by the action of wind, water, gravity, or any combination thereof.

(2) "Sediment" means soil or other earth-like material that has been moved by the forces of water, wind, gravity, or any combination of them.

(3) "Sedimentation" means the process or action of depositing sediment.

(4) "Land disturbing activity" means any land change which may result in excessive erosion and sedimentation.

(5) "Stormwater" means the direct runoff of water and associated material resulting from precipitation in any form.

(6) "Local government" means any county or municipality.

(7) "Soil and water conservation district" or "conservation district" means a governmental subdivision of the State created pursuant to Chapter 9 of Title 48; and "conservation district board" means the governing body of a soil and water conservation district.

(8) "Department" means the ~~South Carolina~~ Department of ~~Health and~~ Environmental ~~Control~~Services.

(9) "Privately owned land" means all land not owned by the State, a state agency, quasi-state agency, subdivision of the State, or a federal governmental agency.

(10) "Quasi-state agency" means any entity other than a state agency but having some attributes of a state agency by virtue of the fact that the State has some authority to make rules and regulations by which it is governed. For the purpose of this chapter, the South Carolina Public Service Authority is a quasi-state agency; county and municipal governments and special purpose districts are not quasi-state agencies.

~~(11) "Board" means the board of the department.~~

SECTION X. A. Section 48-39-10 of the S.C. Code is amended to read:

Section 48-39-10. As used in this chapter:

(A) "Applicant" means any person who files an application for a permit under the provisions of this chapter.

(B) "Coastal zone" means all coastal waters and submerged lands seaward to the state's jurisdictional limits and all lands and waters in the counties of the State which contain any one or more of the critical areas.

These counties are Beaufort, Berkeley, Charleston, Colleton, Dorchester, Horry, Jasper, and Georgetown.

(C) "Division" means the ~~Coastal~~ Division of Coastal Management of the ~~South Carolina~~ Department of ~~Health and~~ Environmental ~~Control~~Services.

(D) ~~"CDPS"~~ "DCMPS" means ~~Coastal~~ Division of Coastal Management Permitting Staff.

(E) "Saline waters" means those waters which contain a measurable quantity of sea water, at least one part chloride ion per thousand.

(F) "Coastal waters" means the navigable waters of the United States subject to the ebb and flood of the tide and which are saline waters, shoreward to their mean high-water mark. Provided, however, that the department may designate boundaries which approximate the mean extent of saline waters until such time as the mean extent of saline waters can be determined scientifically.

(G) "Tidelands" means all areas which are at or below mean high tide and coastal wetlands, mudflats, and similar areas that are contiguous or adjacent to coastal waters and are an integral part of the estuarine systems involved. Coastal wetlands include marshes, mudflats, and shallows and means those areas periodically inundated by saline waters whether or not the saline waters reach the area naturally or through artificial water courses and those areas that are normally characterized by the prevalence of saline water vegetation capable of growth and reproduction. Provided, however, nothing in this definition shall apply to wetland areas that are not an integral part of an estuarine system. Further, until such time as the exact geographic extent of this definition can be scientifically determined, the department shall have the authority to designate its approximate geographic extent.

(H) "Beaches" means those lands subject to periodic inundation by tidal and wave action so that no nonlittoral vegetation is established.

(I) "Primary oceanfront sand dune" means the dune or dunes that constitute the front row of dunes adjacent to the Atlantic Ocean.

(J) "Critical area" means any of the following:

(1) coastal waters;

(2) tidelands;

(3) beaches;

(4) beach/dune system which is the area from the mean high-water mark to the setback line as determined in Section 48-39-280.

(K) "Person" means any individual, organization, association, partnership, business trust, estate trust, corporation, public or municipal corporation, county, local government unit, public or private authority

and shall include the State of South Carolina, its political subdivisions and all its departments, boards, bureaus or other agencies, unless specifically exempted by this chapter.

(L) "Estuarine sanctuary" means a research area designated as an estuarine sanctuary by the Secretary of Commerce.

(M) "Marine sanctuary" means any water and wetland areas designated as a marine sanctuary by the Secretary of Commerce.

(N) "Minor development activities" means the construction, maintenance, repair, or alteration of any private piers or erosion control structure, the construction of which does not involve dredge activities.

(O) "Dredging" means the removal or displacement by any means of soil, sand, gravel, shells, or other material, whether of intrinsic value or not, from any critical area.

(P) "Filling" means either the displacement of saline waters by the depositing into critical areas of soil, sand, gravel, shells, or other material or the artificial alteration of water levels or water currents by physical structure, drainage ditches, or otherwise.

(Q) "Submerged lands" means those river, creek, and ocean bottoms lying below mean low-water mark.

(R) "Oil" means crude petroleum oil and all other hydrocarbons, regardless of specific gravity, that are produced in liquid form by ordinary production methods, but does not include liquid hydrocarbons that were originally in a gaseous phase in the reservoir.

(S) "Gas" means all natural gas and all other fluid hydrocarbons not hereinabove defined as oil, including condensate because it originally was in the gaseous phase in the reservoir.

(T) "Fuel" means gas and oil.

(U) "Emergency" means any unusual incident resulting from natural or unnatural causes which endanger the health, safety, or resources of the residents of the State, including damages or erosion to any beach or shore resulting from a hurricane, storm, or other such violent disturbance.

(V) "Department" means the ~~South Carolina~~ Department of ~~Health and~~ Environmental ~~Control~~Services.

(W) ~~"Board"~~ "Director" means the ~~board~~ director of the department.

(X) "Maintenance dredging" means excavation to restore the depth of underwater lands or restore channels, basins, canals, or similar waterway accesses to depths and dimensions that support and maintain prior or existing levels of use that previously have been dredged pursuant to a license issued by the department or an exemption as provided in Section 48-39-130(D)(10) as added by Act 41 of 2011.

(Y) "Storm surge" means an abnormal rise of water generated by a storm over and above the predicted astronomical tide.

B. Section 48-39-35 of the S.C. Code is amended to read:

Section 48-39-35. The Coastal Division of the Department of Health and Environmental Control ~~is~~ was created July 1, 1994. The Coastal Division of the Department of Health and Environmental Control is renamed the Division of Coastal Management and is transferred to the Department of Environmental Services effective July 1, 2024.

C. Section 48-39-45 of the S.C. Code is amended to read:

Section 48-39-45. (A)(1) ~~On July 1, 2010, there~~There is created the Coastal Zone Management Advisory Council that consists of fifteen members, which shall act as an advisory council to the department's ~~Office of Ocean and~~Division of Coastal ~~Resources~~ Management.

(2) The members of the council must be constituted as follows:

(a) eight members, one from each coastal zone county, to be elected by a majority vote of the members of the House of Representatives and a majority vote of the Senate members representing the county from three nominees submitted by the governing body of each coastal zone county, each House or Senate member to have one vote; and

(b) seven members, one from each of the congressional districts of the State, to be elected by a majority vote of the members of the House of Representatives and the Senate representing the counties in that district, each House or Senate member to have one vote.

(3) The council shall elect a chairman, vice chairman, and other officers it considers necessary.

(B) Terms of all members are for four years and until successors are appointed and qualified. A vacancy must be filled in the original manner of selection for the remainder of the unexpired term.

(C) Members of the council may not be compensated for their services and are not entitled to mileage, subsistence, or per diem as provided by law for members of state boards, committees, and commissions and are not entitled to reimbursement for actual and necessary expenses incurred in connection with and as a result of their service on the council.

(D)(1) The council shall provide advice and counsel to the staff of the ~~Office of Ocean and~~Division of Coastal ~~Resources~~ Management in implementing the provisions of the South Carolina Coastal Zone Management Act. The department and the public may bring a matter concerning implementation of the provisions of this act by operation of its permitting and certification process, including the promulgation of regulations, to the council's attention.

(2) The council shall meet at the call of the chairman.

(3) Advice and counsel of the council is not binding on the department.

D. Section 48-39-50 of the S.C. Code is amended to read:

Section 48-39-50. The ~~South Carolina~~ Department of ~~Health and~~ Environmental ~~Control~~ Services shall have the following powers and duties:

(A) To employ the ~~CDPS~~ DCMPS consisting of, but not limited to, the following professional members: An administrator and other staff members to include those having expertise in biology, civil and hydrological engineering, planning, environmental engineering and environmental law.

(B) To apply for, accept and expend financial assistance from public and private sources in support of activities undertaken pursuant to this chapter and the Federal Coastal zone Management Act of 1972.

(C) To undertake the related programs necessary to develop and recommend to the Governor and the General Assembly a comprehensive program designed to promote the policies set forth in this chapter.

(D) To hold public hearings and related community forums and afford participation in the development of management programs to all interested citizens, local governments and relevant state and federal agencies, port authorities and other interested parties.

(E) To promulgate necessary rules and regulations to carry out the provisions of this chapter.

(F) To administer the provisions of this chapter and all rules, regulations and orders promulgated under it.

(G) To examine, modify, approve or deny applications for permits for activities covered by the provisions of this chapter.

(H) To revoke and suspend permits of persons who fail or refuse to carry out or comply with the terms and conditions of the permit.

(I) To enforce the provisions of this chapter and all rules and regulations promulgated by the department and institute or cause to be instituted in courts of competent jurisdiction of legal proceedings to compel compliance with the provisions of this chapter.

(J) To manage estuarine and marine sanctuaries and regulate all activities therein, including the regulation of the use of the coastal waters located within the boundary of such sanctuary.

(K) To establish, control and administer pipeline corridors and locations of pipelines used for the transportation of any fuel on or in the critical areas.

(L) To direct and coordinate the beach and coastal shore erosion control activities among the various state and local governments.

(M) To implement the state policies declared by this chapter.

(N) To encourage and promote the cooperation and assistance of state agencies, coastal regional councils of government, local governments, federal agencies and other interested parties.

(O) To exercise all incidental powers necessary to carry out the provisions of this chapter.

(P) To coordinate the efforts of all public and private agencies and organizations engaged in the making of tidal surveys of the coastal zone of this State with the object of avoiding unnecessary duplication and overlapping.

(Q) To serve as a coordinating state agency for any program of tidal surveying conducted by the federal government.

(R) To develop and enforce uniform specifications and regulations for tidal surveying.

(S) To monitor, in coordination with the South Carolina Department of Natural Resources, the waters of the State for oil spills. If such Department observes an oil spill in such waters it shall immediately report such spill to the South Carolina Department of ~~Health and~~ Environmental ~~Control~~Services, the United States Coast Guard and Environmental Protection Agency. This in no way negates the responsibility of the spiller to report a spill.

(T) To direct, as the designated state agency to provide liaison to the regional response team, pursuant to Section 1510.23 of the National Contingency Plan, state supervised removal operations of oil discharged into the waters within the territorial jurisdiction of this State and entering such waters after being discharged elsewhere within the State, and to seek reimbursement from the National Contingency Fund for removal operations cost expended by it and all other agencies and political subdivisions including county, municipal and regional governmental entities in removing such oil as provided for in Section 311(C)(2) of the Federal Water Pollution Control Act.

(U) To act as advocate, where the department deems such action appropriate, on behalf of any person who is granted a permit for a specific development by the department but is denied a permit by a federal agency for the same specific development.

(V) To delegate any of its powers and duties to the ~~CDPS~~DCMPS.

E.Section 48-39-250(4) of the S.C. Code is amended to read:

(4) Chapter 39 of Title 48, Coastal Tidelands and Wetlands, prior to 1988, did not provide adequate jurisdiction to the ~~South Carolina~~

Division of Coastal ~~Council~~ Management to enable it to effectively protect the integrity of the beach/dune system. Consequently, without adequate controls, development unwisely has been sited too close to the system. This type of development has jeopardized the stability of the beach/dune system, accelerated erosion, and endangered adjacent property. It is in both the public and private interests to protect the system from this unwise development.

F. Section 48-39-280(F) of the S.C. Code is amended to read:

(F)(1) A landowner claiming ownership of property adversely affected by the establishment of a baseline or setback line, upon submittal of substantiating evidence, must be granted a review of the baseline or setback line. Alternatively, the municipality or county in which the property is situated, acting on behalf of the landowner with his written authorization, or an organization acting on behalf of the landowner with his written authorization, upon submittal of substantiating evidence, must be granted a review of the baseline and setback line. A review is initiated by filing a request ~~for a review conference~~ with the ~~department board~~Division of Coastal Management via certified mail within one year of the establishment of the baseline or setback line and must include a one hundred-dollar-review fee per property.

~~(2) The initial decision to establish a baseline or setback line must be a department staff decision.~~

~~(3) No later than sixty calendar days after the receipt of a request for review, the board must:~~

~~(a) decline to schedule a review conference in writing; or~~

~~(b) conduct a review conference in accordance with the provisions of item (4).~~

~~(4) A review conference may be conducted by the board, its designee, or a committee of three members of the board appointed by the chair. The board shall set the place, date, and time for the conference; give twenty calendar days' written notice of the conference; and advise the landowner or the county, municipality, or organization acting on behalf of the landowner that evidence may be presented at the conference. The review conference must be held as follows:~~

~~(a) Review conferences are open to the public; however, the officers conducting the conference may meet in closed session to deliberate on the evidence presented at the conference. The burden of proof in a conference is upon the landowner or the county, municipality, or organization acting on behalf of the landowner. During the course of the review conference, the staff must explain the staff decision and the materials relied upon to support its decision. The landowner or the~~

~~county, municipality, or organization acting on behalf of the landowner shall state the reasons for contesting the staff decision and may provide evidence to support amending the staff decision. The staff may rebut information and arguments presented by the landowner or the county, municipality, or organization acting on behalf of the landowner, and the landowner or the county, municipality, or organization acting on behalf of the landowner may rebut information and arguments presented by the staff. Any review conference officer may request additional information and may question the landowner or the county, municipality, or organization acting on behalf of the landowner and the staff.~~

~~(b) After the review conference, the board, its designee, or a committee of three members of the board appointed by the chair shall issue, based upon the evidence presented, a written decision to the landowner or the county, municipality, or organization acting on behalf of the landowner via certified mail no later than thirty calendar days after the date of the review conference. The written decision must explain the basis for the decision and inform the landowner or the county, municipality, or organization acting on behalf of the landowner of the right to request a contested case hearing before the Administrative Law Court.~~

~~(5)~~(2) The landowner or the county, municipality, or organization acting on behalf of the landowner may file a request with the Administrative Law Court, in accordance with Chapter 23, Title 1, for a contested case hearing within thirty calendar days after~~:~~ the Division of Coastal Management issues the final agency decision resulting from the review.

~~(a) written notice is received by the landowner or the county, municipality, or organization acting on behalf of the landowner that the board declines to hold a review conference;~~

~~(b) the sixty-calendar-day deadline to hold the review conference has lapsed and no conference has been held; or~~

~~(c) the final agency decision resulting from the review conference is received by the landowner or the county, municipality, or organization acting on behalf of the landowner.~~"

G. Section 48-39-290(D) of the S.C. Code is amended to read:

(D) Special permits:

(1) If an applicant requests a permit to build or rebuild a structure other than an erosion control structure or device seaward of the baseline that is not allowed otherwise pursuant to Sections 48-39-250 through 48-39-360, the department may issue a special permit to the applicant authorizing the construction or reconstruction if the structure is not

constructed or reconstructed on a primary oceanfront sand dune or on the active beach and, if the beach erodes to the extent the permitted structure becomes situated on the active beach, the permittee agrees to remove the structure from the active beach if the department orders the removal. However, the use of the property authorized under this provision, in the determination of the department, must not be detrimental to the public health, safety, or welfare.

(2) The department's ~~Permitting Committee~~Division of Coastal ~~Division~~ Management shall consider applications for special permits.

(3) In granting a special permit, the ~~committee~~ division may impose reasonable additional conditions and safeguards as, in its judgment, will fulfill the purposes of Sections 48-39-250 through 48-39-360.

(4) A party aggrieved by the decision to grant or deny a special permit application may appeal pursuant to Section 48-39-150(D).

H. Section 48-39-320(C) of the S.C. Code is amended to read:

(C) Notwithstanding any other provision of law contained in this chapter, the board, or the ~~Office of Ocean and~~ Division of Coastal ~~Resource~~ Management, may allow the use in a pilot project of any technology, methodology, or structure, whether or not referenced in this chapter, if it is reasonably anticipated that the use will be successful in addressing an erosional issue in a beach or dune area. If success is demonstrated, the board, or the ~~Office of Ocean and~~ Division of Coastal ~~Resource~~ Management, may allow the continued use of the technology, methodology, or structure used in the pilot project location and additional locations.

I. Section 48-39-345 of the S.C. Code is amended to read:

Section 48-39-345. Any funds reimbursed to nonfederal project sponsors under the terms of a Local Cooperative Agreement (LCA) with the Army Corps of Engineers for a federally cost-shared beach renourishment project, where the reimbursement is for credit to the nonfederal sponsor for federally approved effort and expenditures toward the nonfederal project sponsor obligations detailed in the LCA and where the State has provided funding to the nonfederal sponsor to meet the financial cost-sharing responsibilities under the LCA, must be refunded by the nonfederal sponsor to the State with the State and the nonfederal sponsor sharing in this reimbursement in the same ratio as each contributed to the total nonfederal match specified in the LCA. The Division of Coastal ~~Division~~ Management of the ~~South Carolina~~ Department of ~~Health and~~ Environmental ~~Control~~ Services shall administer these funds and make these funds available to other beach renourishment projects.

SECTION X. A. Section 48-40-20(2) of the S.C. Code is amended to read:

(2) ~~"Office"~~ "Division" means the ~~Office of Ocean and~~Division of Coastal ~~Resource~~ Management of the Department~~ of Health and~~ Environment ~~Control~~Services.

B. Section 48-40-40(B) of the S.C. Code is amended to read:

(B) The trust fund must be administered by the ~~Office~~ Division of ~~Ocean and~~ Coastal ~~Resource~~ Management of the Department of ~~Health and~~ Environmental ~~Control~~ Services pursuant to this chapter and its regulations governing application, review, ranking, and approval procedures for grants.

C. Section 48-40-50(E) of the S.C. Code is amended to read:

(E) An application for trust fund monies for a public beach restoration or maintenance project or project to improve and enhance public beach access may be accepted by the ~~office~~ division only from a municipal or county government with a Local Beach Management Plan approved by the office.

D. Section 48-40-50(F) of the S.C. Code is amended to read:

(F) An application pursuant to this section for matching funds for a public beach renourishment project may be accepted and ranked by the ~~office~~ division only if the project first has been fully permitted and approved as otherwise provided by law.

E. Section 48-40-50(G) of the S.C. Code is amended to read:

(G) Allocations of trust fund monies may be made to approved public beach restoration or maintenance projects or projects for improvement and enhancement of public beach access only through properly executed written agreements between the ~~office~~ division and all the municipal and county project sponsors. All the trust fund monies and the nonstate matching funds required for financing the projects must be deposited in an escrow account within five business days of the execution of the agreement and receipt of the monies from the trust fund. The ~~office~~ division must be given quarterly financial status reports of this account and annual and final audit reports throughout the project's duration and at completion.

F. Section 48-40-60(B) of the S.C. Code is amended to read:

(B) This emergency reserve fund must be administered by the ~~office~~ division in consultation with the State Emergency Management Division and impacted municipal, county, and federal officials.

G. Section 48-40-70 of the S.C. Code is amended to read:

Section 48-40-70. (A) The accumulated data from annual monitoring and evaluation of erosion rates and hazard areas for all beach areas as

required of the ~~office~~ division in Sections 48-39-280, 48-39-320, and 48-39-330 must be analyzed and used in the determination of priorities of need for storm damage reduction, property protection, recreational beach restoration, and public notification of erosion and hazardous conditions.

(B) The annual analysis must be funded by the trust fund, in an annual amount not to exceed two hundred fifty thousand dollars to provide for comprehensive beach profile monitoring of all beach areas to establish annual erosion rates and to identify sand loss or accretion.

(C) In seriously eroding areas or after storms, surveys must be conducted twice annually, or more frequently as needed.

(D) The monitoring data produced pursuant to this section must be made available to the public.

(E) The ~~office~~ division and local governments must use the annual analysis to document beach restoration needs and for restoration project design.

SECTION X. A. Section 48-43-30(B)(5) and (6) of the S.C. Code is amended to read:

(5) To promulgate, after hearing and notice as hereinafter provided, such rules and regulations, and issue such orders reasonably necessary to prevent waste and oil discharges from drilling and production platforms, pipelines, gathering systems, processing facilities, storage facilities, refineries, port facilities, tankers and other facilities and vessels that may be a source of oil spills and to protect correlative rights, to govern the practice and procedure before the ~~board~~ department and to fulfill its duties and the purposes of this chapter.

(6) To regulate the exploration, drilling, production, and transportation of methane gas in and related to sanitary landfills. The department is authorized to exercise discretion in regulating such activities and may impose any requirement of this chapter as is necessary, in the opinion of the department, to prevent waste of oil and gas, to protect correlative rights and to prevent pollution of the water, air, and land by oil and gas. The department is further authorized to require any person applying for a drilling permit or otherwise producing methane gas in a sanitary landfill to comply with one of the following requirements for financial responsibility in an amount deemed sufficient by the department in its discretion in order to achieve the purpose specified in Section 48-43-30(A)(1):

(i) furnish a bond consistent with the requirements of Section 48-43-30(B)(1)(e); or

(ii) furnish proof of insurance with the State of South Carolina as beneficiary. Before the issuance of drilling permits for methane gas

recovery from sanitary landfills, the department must certify that the proposed activity is consistent with the Department of ~~Health and~~ Environmental ~~Control~~ Services regulations governing the operation, monitoring, and maintenance of the landfills and applicable permit conditions.

B. Section 48-43-50 of the S.C. Code is amended to read:

Section 48-43-50. (A) The~~ board~~department or an Administrative Law Judge shall have the power to conduct hearings, to summon witnesses, to administer oaths and to require the production of records, books and documents for examination at any hearing or investigation.

(B) Upon failure or refusal on the part of any person to comply with a subpoena issued by the ~~board~~ department pursuant to this section, or upon the refusal of any witness to testify as to any matter regarding which he may be interrogated and which is pertinent to the hearing or investigation, any circuit court in the State, upon the application of the board, may issue an order to compel such person to comply with such subpoena, and to attend before the ~~board~~ department and produce such records, books and documents for examination, and to give his testimony. Such court shall have the power to punish for contempt as in the case of disobedience to a like subpoena issued by the court, or for refusal to testify therein.

C. Section 48-43-60 of the S.C. Code is amended to read:

Section 48-43-60. Any person, who is aggrieved and has a direct interest in the subject matter of any final order issued by the ~~board~~department, may appeal such order pursuant to ~~the circuit court~~Section 48-6-30 and applicable law.

SECTION X. Section 48-46-30 of the S.C. Code is amended to read:

Section 48-46-30. As used in this chapter, unless the context clearly requires a different construction:

(1) “Allowable costs” means costs to a disposal site operator of operating a regional disposal facility. These costs are limited to costs determined by standard accounting practices and regulatory findings to be associated with facility operations.

(2) “Atlantic Compact” means the Northeast Interstate Low-Level Radioactive Waste Management Compact as defined in the “Omnibus Low-Level Radioactive Waste Compact Consent Act of 1985”, Public Law 99-240, Title II. Use of the term “Atlantic Compact” does not change in any way the substance of and is to be considered identical to the Northeast Interstate Low-Level Radioactive Waste Management Compact.

(3) "Atlantic Compact Commission" or "compact commission" means the governing body of the Atlantic Compact, consisting of voting members appointed by the governors of Connecticut, New Jersey, and South Carolina.

(4) "Decommissioning trust fund" means the trust fund established pursuant to a Trust Agreement dated March 4, 1981, among Chem-Nuclear Systems, Inc. (grantor), the State Fiscal Accountability Authority (beneficiary as the successor in interest to the South Carolina Budget and Control Board), and the South Carolina State Treasurer (trustee), whose purpose is to assure adequate funding for decommissioning of the disposal site, or any successor fund with a similar purpose.

(5) "Office" means the Office of Regulatory Staff.

(6) "Disposal rates" means the price paid by customers of a regional disposal facility for disposal of waste, including any price schedule or breakdown of the price into discrete elements or cost components.

(7) "Extended care maintenance fund" means the "escrow fund for perpetual care" that is used for custodial, surveillance, and maintenance costs during the period of institutional control and any post-closure observation period specified by the Department of ~~Health and~~ Environmental ~~Control~~ Services and for activities associated with closure of the site as provided for in Section 13-7-30(4).

(8) "Facility operator" means a public or private organization, corporation, or agency that operates a regional disposal facility in South Carolina.

(9) "Generator" means a person, organization, institution, private corporation, and government agency that produces Class A, B, or C radioactive waste.

(10) "Maintenance" means active maintenance activities as specified by the Department of ~~Health and~~ Environmental ~~Control~~Services, including pumping and treatment of groundwater and the repair and replacement of disposal unit covers.

(11) "Nonregional generator" means a waste generator who produces waste within a state that is not a member of the Atlantic Compact, whether or not this waste is sent to facilities located within the Atlantic Compact region for purposes of consolidation, treatment, or processing for disposal.

(12) "Nonregional waste" means waste produced by a nonregional generator.

(13) "Person" means an individual, corporation, business enterprise, or other legal entity, either public or private, and expressly includes states.

(14) "Price schedule" means disposal rates.

(15) "PSC" means the South Carolina Public Service Commission.

(16) "Receipts" means the total amount of money collected by the site operator for waste disposal over a given period of time.

(17) "Regional disposal facility" means a disposal facility that has been designated or accepted by the Atlantic Compact Commission as a regional disposal facility.

(18) "Regional generator" means a waste generator who produces waste within the Atlantic Compact, whether or not this waste is sent to facilities outside the Atlantic Compact region for purposes of consolidation, treatment, or processing for disposal.

(19) "Regional waste" means waste generated within a member state of the Atlantic Compact. Consistent with the regulatory position of the Department of Health and Environmental Control, Bureau of Radiological Health, dated May 1, 1986, some waste byproducts shipped for disposal that are derived from wastes generated within the Atlantic Compact region, such as residues from recycling, processing, compacting, incineration, collection, and brokering facilities located outside the Atlantic Compact region may also be considered regional waste.

(20) "Site operator" means a facility operator.

(21) "South Carolina generator" means a waste generator that produces waste within the boundaries of the State of South Carolina, whether or not this waste is sent to facilities outside South Carolina for purposes of consolidation, treatment, or processing for disposal.

(22) "Waste" means Class A, B, or C low-level radioactive waste, as defined in Title I of Public Law 99-240 and Department of ~~Health and~~ Environmental ~~Control~~ Services Regulation 61-63, 7.2.22, that is eligible for acceptance for disposal at a regional disposal facility.

SECTION X. Section 48-52-810(10) of the S.C. Code is amended to read:

(10)(a) "Major facility project" means:

(i) a state-funded new construction building project in which the building to be constructed is larger than ten thousand gross square feet;

(ii) a state-funded renovation project in which the project involves more than fifty percent of the replacement value of the facility or a change in occupancy; or

(iii) a state-funded commercial interior tenant fit-out project that is larger than seven thousand five hundred square feet of leasable area.

(b) "Major facility project" does not mean:

(i) a building, regardless of size, that does not have conditioned space as defined by Standard 90.1 of the American Society of Heating, Refrigerating and Air-Conditioning Engineers;

(ii) a public kindergarten, elementary school, middle school, secondary school, junior high school, or high school, all as defined in Section 59-1-150;

(iii) a correctional facility constructed for the Department of Corrections, Department of ~~Mental~~ Behavioral Health, or Department of Juvenile Justice;

(iv) a building project funded by the State Ports Authority, the Coordinating Council for Economic Development, or the State Infrastructure Bank; or

(v) a building project funded by the Department of ~~Health and~~ Environmental ~~Control~~ Services in which the primary purpose of the building project is for the storage of archived documents.

SECTION X. Section 48-55-10(A) of the S.C. Code is amended to read:

(A) The South Carolina Environmental Awareness Award must be presented annually by a committee of two members appointed from each of the following:

(1) South Carolina Department of ~~Health and~~ Environmental ~~Control~~ Services by its ~~commissioner~~director;

(2) State Commission of Forestry by its chairman;

(3) South Carolina Sea Grant Consortium by its executive director;

(4) Water Resources Division of the Department of ~~Natural Resources~~Environmental Services by the department's director;

(5) Wildlife and Freshwater Fish Division of the Department of Natural Resources by the department's director;

(6) Land Resources and Conservation Districts Division of the Department of Natural Resources by the department's director; and

(7) Division of Coastal ~~Division~~ Management of the Department of ~~Health and~~ Environmental ~~Control~~ Services by the department's director;

(8) Marine Resources Division of the Department of Natural Resources by the department's director.

SECTION X. Section 49-1-18 of the S.C. Code is amended to read:

Section 49-1-18. The General Assembly, pursuant to Section 7, Article I of the South Carolina Constitution, suspends the authority of the South Carolina Department of Health and Environmental Control and

its successor agency, the Department of Environmental Services, hereinafter the department, for all decisions subsequent to 2007 related to all matters pertaining to the navigability, depth, dredging, wastewater and sludge disposal, and related collateral issues in regard to the use of the Savannah River as a waterway for ocean-going container or commerce vessels, in particular the approval by the department of the application of the United States Army Corps of Engineers for a Construction in Navigable Waters Permit for the dredging of the South Carolina portion of the Savannah River, because the authority of the Savannah River Maritime Commission, hereinafter the Maritime Commission, superseded the responsibilities of the department for such approval, as established by Act 56 of 2007, and the approval by the department could present imminent and irreversible public health and environmental concerns for the South Carolina portion of the Savannah River. The Department of ~~Health and~~ Environmental ~~Control~~ Services retains authority for all matters pertaining to the Savannah River unrelated to the navigability, depth, dredging, wastewater and sludge disposal, and related collateral issues in regard to the use of the Savannah River as a waterway for ocean-going container or commerce vessels.

SECTION X. A. Section 49-4-80 of the S.C. Code is amended to read:

Section 49-4-80. (A) An application for a surface water withdrawal permit must contain the following information:

(1) the name and address of the applicant;

(2) the location of the applicant's intake facilities;

(3) the place and nature of the proposed use of the surface water withdrawn;

(4) the quantity of surface water requested and for the applicant's proposed use; and

(5) the estimated ratio between water withdrawn and consumptive use of water withdrawn.

(B) To determine whether an applicant's proposed use is reasonable, the department must consider the following criteria:

(1) the minimum instream flow or minimum water level and the safe yield for the surface water source at the location of the proposed surface water withdrawal;

(2) the anticipated effect of the applicant's proposed use on existing users of the same surface water source including, but not limited to, present agricultural, municipal, industrial, electrical generation, and instream users;

(3) the reasonably foreseeable future need for the surface water including, but not limited to, reasonably foreseeable agricultural, municipal, industrial, electrical generation, and instream uses;

(4) whether it is reasonably foreseeable that the applicant's proposed withdrawals would result in a significant, detrimental impact on navigation, fish and wildlife habitat, or recreation;

(5) the applicant's reasonably foreseeable future water needs from that surface water;

(6) the beneficial impact on the State and its political subdivisions from a proposed withdrawal;

(7) the impact of applicable industry standards on the efficient use of water, if followed by the applicant;

(8) the anticipated effect of the applicant's proposed use on the following if the permit is granted:

(a) interstate and intrastate water use;

(b) public health and welfare;

(c) economic development and the economy of the State; and

(d) applicable federal laws and interstate agreements and compacts; and

(9) any other reasonable criteria that the department promulgates by regulation that it considers necessary to make a final determination.

(C) The department shall determine the safe yield of the surface water source and the volume of supplemental water supply, if needed, necessary to sustain the applicant's proposed water use. In making the safe yield determination, the department~~, in consultation with the Department of Natural Resources,~~ may perform stream flow modeling.

(D) The department must determine the minimum instream flow requirement for the surface water body at the point of the proposed withdrawal.

(E) The department must ~~consult with the Department of Natural Resources to~~ determine which, if any, existing stream flow measuring devices should be utilized to quantify the stream flow at the point of the proposed withdrawal. If no existing measuring device is suitable, the ~~Department of Natural Resources~~department will recommend the location of a new measuring device.

(F) The department must ~~consult with the Department of Natural Resources to~~ quantify the stream flow measured at the specified measuring device that will require a reduction in the applicant's water withdrawal because of inadequate stream flow at the point of withdrawal.

(G) The department shall develop a mechanism for notifying the applicant that its withdrawal must be reduced because of inadequate stream flow at the point of the proposed withdrawal.

(H) The department must share all findings of subsections (C) through (G) with the applicant.

(I) If the department determines that a supplemental water supply is required, the applicant must demonstrate that the supplemental water supply will be comprised of sources other than the surface water source from which the surface water withdrawals are made during nonlow flow conditions. This section does not prevent a licensee from replenishing his supplemental water supply from the source of the surface water withdrawal during appropriate flows.

(J) Upon a determination by the department that, based upon its examination of the criteria in subsection (B), the applicant's use is reasonable, the department shall issue a permit to the applicant.

(K)(1) Except as provided in Section 49-4-90, upon receipt of a new surface water withdrawal permit application or an application to significantly increase the amount of water that may be withdrawn under an existing permit and the appropriate filing fee, the department must, within thirty days, provide the public with notice of the application. In addition to the department's usual public notice procedures, the department must publish notice of the application in a newspaper of statewide circulation and in the local newspaper with the greatest general circulation in the affected area and on the department's website. The public notice must contain the location and amount of the proposed withdrawal, the use for which the water will be withdrawn, and the process for requesting a public hearing concerning the application. If within thirty days of the publication of the public notice the department receives a request to hold a public hearing from at least twenty citizens or residents of the affected area, the department must conduct a hearing. The hearing must be held within ninety days at an appropriate time and in an appropriate location near the specific site from which surface water withdrawals are proposed to be made.

(2) The department shall by regulation delineate and designate river basins to be used when determining the affected area for a particular surface water withdrawal application. In undertaking this task, the department shall initially establish fifteen river basins, including the watershed of each of the following fifteen rivers or river systems:

(a) Upper Savannah;

(b) Lower Savannah;

(c) Saluda;

(d) Broad;
(e) Congaree;
(f) Catawba-Wateree;
(g) Lynches;
(h) Pee Dee;
(i) Little Pee Dee;
(j) Black;
(k) Waccamaw;
(l) Lower Santee;
(m) Edisto;
(n) Ashley-Cooper; and
(o) Combahee-Coosawhatchie.

(L) If the department determines that a new surface water withdrawal permit application or an application to significantly increase the amount of water that may be withdrawn under an existing permit must be denied because there is not enough water in the safe yield, the department may meet with the other permitted withdrawers in the affected stream segment or basin, as appropriate, to determine whether the other permitted withdrawers can reach mutually agreed upon permit reductions to accommodate the applicant.

B. Section 49-4-170(B)(1) of the S.C. Code is amended to read:

(B)(1) The department may~~, in consultation with the Department of Natural Resources,~~ negotiate agreements, accords, or compacts on behalf of and in the name of the State with other states or the United States, or both, with any agency, department, or commission of either, or both, relating to transfers of water that impact waters of this State, or are connected to or flowing into waters of this State. Any agreements, accords, or compacts made by the ~~board~~ department pursuant to this section must be approved by concurrent resolution of the General Assembly prior to being implemented. The department also may represent the State in connection with water withdrawals, diversions, or transfers occurring in other states which may affect this State. The provisions in this section do not apply to the Office of Attorney General or any pending or future criminal or civil actions, lawsuits, or causes in which the State is a party or interested.

SECTION X. A. Section 49-5-30 of the S.C. Code is amended to read:

Section 49-5-30. Unless the context otherwise requires, as used in this chapter:

(1) "Aquifer" means a geologic formation, group of these formations, or part of a formation that is water bearing.

(2) "Aquifer storage and recovery" or "ASR" means a process by which water is injected into an aquifer for storage and then subsequently withdrawn from the same aquifer from the same well or other nearby wells.

~~(3) "Board" means the Board of the Department of Health and Environmental Control.~~

~~(4)~~(3) "Coastal Plain" means:

(a) all of Aiken, Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Calhoun, Charleston, Clarendon, Colleton, Darlington, Dillon, Dorchester, Florence, Georgetown, Hampton, Horry, Jasper, Lee, Marion, Marlboro, Orangeburg, Sumter, and Williamsburg counties; and

(b) those portions of Chesterfield, Edgefield, Kershaw, Lexington, Richland, and Saluda counties east or southeast of the fall line as identified on the best available geologic map.

~~(5)~~(4) "Department" means the Department of ~~Health and~~ Environmental ~~Control~~Services.

~~(6)~~(5) "Dewatering operation" means an operation that is withdrawing groundwater from an aquifer for the purpose of draining an excavation or preventing or retarding groundwater flow into an excavation. This operation includes, but is not limited to, mining, water and sewer line construction, and excavating for a building foundation.

~~(7)~~(6) "Emergency withdrawal" means the withdrawal of groundwater, for a period not exceeding thirty calendar days, for the purpose of fire fighting, hazardous substance or waste spill response, or both, or other emergency withdrawal of groundwater as determined by the department.

~~(8)~~(7) "Existing groundwater withdrawer" means a groundwater withdrawer withdrawing groundwater or a proposed groundwater user with its wells under construction before January 1, 2000.

~~(9)~~(8) "Flowing well" means a well releasing groundwater under such pressure that pumping is not necessary to bring it above the ground surface.

~~(10)~~(9) "Groundwater" means water in the void spaces of geologic materials within the zone of saturation.

~~(11)~~(10) "Groundwater withdrawal permit" means a permit issued by the department to groundwater withdrawers in a designated capacity use area for the withdrawal of groundwater.

~~(12)~~(11) "Groundwater withdrawer" means a person withdrawing groundwater in excess of three million gallons during any one month

from a single well or from multiple wells under common ownership within a one-mile radius from any one existing or proposed well.

~~(13)~~(12) "New groundwater withdrawer" means a person who becomes a groundwater withdrawer after December 31, 1999, except for a proposed groundwater withdrawer with its wells under construction before January 1, 2000.

~~(14)~~(13) "Nonconsumptive use" means the use of water from an aquifer that is returned to the aquifer from which it was withdrawn, at or near the point from which it was withdrawn, without diminishing the quantity any more than three million gallons in any one month or without substantial impairment in quality.

~~(15)~~(14) "Permit to construct" means a permit issued by the department after consideration of proposed well location, depth, rated capacity, and withdrawal rate.

~~(16)~~(15) "Permittee" means a person having obtained a permit to construct or a groundwater withdrawal permit issued in accordance with Sections 49-5-60 and 49-5-110.

~~(17)~~(16) "Person" means an individual, firm, partnership, association, public or private institution, municipality or political subdivision, governmental agency, public water system, or a private or public corporation organized under the laws of this State or any other state or county.

~~(18)~~(17) "Public water system" means a water system as defined in Section 44-55-20 of the State Safe Drinking Water Act.

~~(19)~~(18) "Rated capacity" means the amount, in gallons per minute (gpm), of groundwater that is capable of being withdrawn from the completed well with the pump installed.

~~(20)~~(19) "Surface water" means all water which is open to the atmosphere and subject to surface runoff which includes lakes, streams, ponds, and reservoirs.

~~(21)~~(20) "Type I well" means a well constructed with an open hole in a bedrock aquifer.

~~(22)~~(21) "Well" means an excavation that is cored, bored, drilled, jetted, dug, or otherwise constructed for the purpose of locating, testing, or withdrawing groundwater or for evaluating, testing, developing, draining, or recharging a groundwater reservoir or aquifer or that may control, divert, or otherwise cause the movement of groundwater from or into an aquifer.

B. Section 49-5-60 of the S.C. Code is amended to read:

Section 49-5-60. (A) In the State where excessive groundwater withdrawal presents potential adverse effects to the natural resources or

poses a threat to public health, safety, or economic welfare or where conditions pose a significant threat to the long-term integrity of a groundwater source, including salt water intrusion, the ~~board~~department, after notice and public hearing, in accordance with the Administrative Procedures Act, shall designate a capacity use area. The department, local government authorities, other government agencies, or groundwater withdrawers may initiate the capacity use area designation process. The notice and public hearing must be conducted such that local government authorities, groundwater withdrawers, or the general public may provide comments concerning the capacity use area designation process. A capacity use area must be designated by the ~~board~~ department based on scientific studies and evaluation of groundwater resources and may or may not conform to political boundaries.

(B) After notice and public hearing, the department shall coordinate the affected governing bodies and groundwater withdrawers to develop a groundwater management plan to achieve goals and objectives stated in Section 49-5-20. In those areas where the affected governing bodies and withdrawers are unable to develop a plan, the department shall take action to develop the plan. The plan must be approved by the ~~board~~ department before the department may issue groundwater withdrawal permits for the area.

(C) Once the ~~board~~ department approves the groundwater management plan for a designated capacity use area, each groundwater withdrawer shall make application for a groundwater withdrawal permit. The department shall issue groundwater withdrawal permits in accordance with the approved plan.

(D) A person or entity affected may appeal a decision of the ~~board~~ department on a capacity use area designation within thirty days after the filing of the decision to the court of common pleas of any county which is included in whole or in part within the disputed capacity use area. The department shall certify to the court the record in the hearing. The court shall review the record and the regularity and the justification for the decision. The court may not substitute its judgment for that of the agency as to the weight of the evidence on questions of fact. The court may affirm the decision of the agency or remand the case for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the administrative findings, inferences, conclusions, or decisions are:

(1) in violation of constitutional or statutory provisions;

(2) in excess of the statutory authority of the agency;

(3) made upon unlawful procedure;

(4) affected by other error of law;

(5) clearly erroneous in view of the reliable, probative, and substantial evidence on the record; or

(6) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

SECTION X.A. Section 49-6-10 of the S.C. Code is amended to read:

Section 49-6-10. (A) There is hereby created the South Carolina Aquatic Plant Management Program for the purpose of preventing, identifying, investigating, managing, and monitoring aquatic plant problems in public waters of South Carolina. The program will coordinate the receipt and distribution of available federal, state, and local funds for aquatic plant management activities and research in public waters.

(B) The Department of ~~Natural Resources (department)~~Environmental Services is designated as the state agency to administer the Aquatic Plant Management Program and to apply for and receive grants and loans from the federal government or such other public and private sources as may be available for the Aquatic Plant Management Program and to coordinate the expenditure of such funds.

B. Section 49-6-30 of the S.C. Code is amended to read:

Section 49-6-30. There is hereby established the South Carolina Aquatic Plant Management Council, hereinafter referred to as the council, which shall be composed of ten members as follows:

1. The council shall include one representative from each of the following agencies, to be appointed by the chief executive officer of each agency:

(a) Water Resources Division of the Department of ~~Natural Resources~~Environmental Services;

(b) ~~South Carolina~~ Department of ~~Health and~~ Environmental ~~Control~~Services;

(c) Wildlife and Freshwater Fish Division of the Department of Natural Resources;

(d) South Carolina Department of Agriculture;

(e) ~~Coastal~~ Division of Coastal Management of the Department of ~~Health and~~ Environmental ~~Control~~Services;

(f) South Carolina Public Service Authority;

(g) Land Resources and Conservation Districts Division of the Department of Natural Resources;

(h) South Carolina Department of Parks, Recreation and Tourism;

(i) Clemson University, Department of Fertilizer and Pesticide Control.

2. The council shall include one representative from the Governor's Office, to be appointed by the Governor.

3. The representative of the Water Resources Division of the Department of ~~Natural Resources~~Environmental Services shall serve as chairman of the council and shall be a voting member of the council.

The council shall provide interagency coordination and serve as the principal advisory body to the department on all aspects of aquatic plant management and research. The council shall establish management policies, approve all management plans, and advise the department on research priorities.

SECTION X. A. Section 49-11-170(E) of the S.C. Code is amended to read:

(E) The owner of a dam or reservoir determined through a preliminary inspection not to be maintained in good repair or operating condition or to be unsafe and a danger to life or property may request a hearing before the Administrative Law Court pursuant to Section 48-6-30 and the Administrative Procedures Act ~~board of the department~~ within thirty days after notice of the findings are ~~delivered~~mailed. ~~The owner may submit written or present oral evidence which must be considered by the board of the department in the issuance of the order.~~

B. Section 49-11-260 of the S.C. Code is amended to read:

Section 49-11-260. (A) A person violating this article is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred nor more than five hundred dollars. Each day the violation continues after notice to take corrective action is a separate offense.

(B) The department may assess an administrative fine of not less than one hundred nor more than one thousand dollars against a person who violates this article or an order issued or regulation promulgated pursuant to it. In determining the amount of the fine the department shall consider the degree and extent of harm caused by the violation and the cost of rectifying the damage. Fines assessed under this subsection may be appealed to the ~~department who~~Administrative Law Court pursuant to Section 48-6-30 and the Administrative Procedures Act. The Administrative Law Court may reduce ~~them~~ the fines based on information presented at the appeal hearing.

(C) Upon a violation of this article or related regulations the department may institute legal action to obtain injunctive relief in the name of the department.

(D) A person against whom a final order or decision has been made, except for emergencies specified in Section 49-11-190, may appeal to the ~~board under~~Administrative Law Court pursuant to Section 48-6-30

and the Administrative Procedures Act. The burden of proof is on the party attacking an order or a decision of the department to show that the order is unlawful or unreasonable.

(E) Civil fines collected under this article must be deposited in a special account of the department to fund educational activities relating to dams and reservoirs safety, including, but not limited to, workshops, seminars, manuals, and brochures.

SECTION X. A. Section 50-5-360(C) of the S.C. Code is amended to read:

(C) A person or entity required to obtain a wholesale seafood dealer license who receives molluscan shellfish must first be licensed for molluscan shellfish. The fee for a resident to acquire a molluscan shellfish license is an additional ten dollars, and the fee for a nonresident is an additional fifty dollars. Prior to obtaining a molluscan shellfish license, a person or entity must complete any shellfish training required by regulations promulgated by the ~~South Carolina~~ Department of ~~Health and~~ Environmental ~~Control~~ Services pursuant to Section ~~44-1-140~~48-6-60.

B. Section 50-5-965(B) of the S.C. Code is amended to read:

(B) In order to obtain an individual harvesting permit, a person must be a licensed commercial saltwater fisherman, hold all other appropriate valid commercial licenses, and complete any shellfish training required by regulations promulgated by the South Carolina Department of ~~Health and~~ Environmental ~~Control~~ Services pursuant to Section ~~44-1-140~~48-6-60.

C. Section 50-5-997 of the S.C. Code is amended to read:

Section 50-5-997. (A) The department may issue an out-of-season harvest permit to a Shellfish Mariculture permittee for the privilege of harvesting or selling maricultured shellfish out of season. The department may consider a permittee's past compliance with the provisions of this chapter in making its determination to issue an out-of-season harvest permit.

(B) In order to obtain an out-of-season harvest permit, a mariculture permittee must provide the following to the department:

(1) a shellfish operations plan that meets requirements established by regulations promulgated by the ~~South Carolina~~ Department of ~~Health and~~ Environmental ~~Control~~ Services pursuant to Section ~~44-1-140~~48-6-60; and

(2) a list of authorized harvesters and wholesale dealers that will possess the permittee's out-of-season shellfish.

(C) Out-of-season harvest permits issued pursuant to this section may include conditions related to:

(1) harvest times and harvest areas;

(2) species;

(3) testing;

(4) reporting, record keeping, and inspection requirements;

(5) genetic strains including ploidy;

(6) tagging;

(7) authorized harvesters; and

(8) protection of the natural resources of this State.

(D) An authorized harvester acting under the provisions of a permittee's out-of-season harvest permit must first complete any shellfish training required by regulations promulgated by the ~~South Carolina~~ Department of ~~Health and~~ Environmental ~~Control~~ Services pursuant to Section ~~44-1-140~~48-6-60. A Mariculture permittee must ensure that an authorized harvester acting under the permittee's out-of-season harvest permit abides by the conditions of the permit, receives proper training, and holds all required permits and licenses.

(E) The department may suspend or revoke a mariculture permittee's out-of-season harvest permit for a violation of a permit condition by the permittee or by an authorized harvester of the permittee. The filing of a judicial appeal does not act as an automatic stay of enforcement of the out-of-season permit suspension or revocation.

SECTION X. Section 50-11-90 of the S.C. Code is amended to read:

Section 50-11-90. The department may obtain and utilize Schedule III nonnarcotics and Schedule IV controlled substances for the capture and immobilization of wildlife. The department must apply for a Controlled Substance Registration Certificate from the federal Drug Enforcement and Administration (DEA) and a State Controlled Substances Registration from the Department of Public Health ~~and Environmental Control (DHEC)~~(DPH). The administration of tranquilizing agents must be done only by department employees trained and certified for this purpose. Department applicants issued a certificate by the DEA and a registration by ~~DHEC~~ DPH are responsible for maintaining their respective records regarding the inventory, storage, and administration of controlled substances and are subject to inspection and audit by ~~DHEC~~ DPH and the DEA.

SECTION X. Section 50-19-1935 of the S.C. Code is amended to read:

Section 50-19-1935. The Department of ~~Health and~~ Environmental ~~Control~~Services, in conjunction with the Department of Natural

Resources shall, from the funds appropriated in the General Appropriations Act, monitor the striped bass fishery in the Wateree-Santee riverine system.

Both departments shall have oversight responsibility for any studies which may be required as a condition of a ~~DHEC~~ DES permit.

SECTION X. Section 54-6-10(B) of the S.C. Code is amended to read:

(B) The commission shall be composed of twelve members as follows:

(1) the Governor or his designee;

(2) the Speaker of the House of Representatives or his designee;

(3) the President of the Senate or his designee;

(4) the Attorney General of South Carolina or his designee;

(5) the ~~Chairman of the Board~~Director of the Department of ~~Health and~~ Environmental ~~Control~~ Services to serve ex officio or his designee;

(6) the Chairman of the Board of Natural Resources to serve ex officio or his designee;

(7) the Chairman of the State Ports Authority to serve ex officio or his designee;

(8) the Chairman of the Senate Finance Committee or his designee;

(9) the Chairman of the Senate Transportation Committee or his designee;

(10) the Chairman of the House Ways and Means Committee or his designee;

(11) the Chairman of the House Education and Public Works Committee or his designee; and

(12) one resident of Jasper County appointed by the Jasper County Council to serve at the pleasure of the council.

The Governor or his designee shall serve as chairman of the commission.

SECTION X. Section 56-1-221(A) of the S.C. Code is amended to read:

(A) There is created an advisory board composed of thirteen members. One member must be selected by the ~~Commissioner~~ Director of the Department of Public Health ~~and Environmental Control~~ from his staff, ten members must be appointed by the South Carolina Medical Association, and two members must be appointed by the South Carolina Optometric Association. The member selected by the ~~Commissioner~~ Director of the Department of Public Health ~~and Environmental Control~~ must be the administrative officer of the advisory board. To the maximum extent possible, the members of the board appointed by the South Carolina Medical Association and the South Carolina Optometric

Association must be representative of the disciplines of the medical and optometric community treating the mental or physical disabilities that may affect the safe operation of motor vehicles. The identity of physicians and optometrists serving on the board, other than the administrative officer, may not be disclosed except as necessary in proceedings under Sections 56-1-370 or 56-1-410. The members of the board may receive no compensation.

SECTION X. Section 56-5-170(A) of the S.C. Code is amended to read:

(A) Authorized emergency vehicles for purposes of this section include the following:

(1) fire department vehicles;

(2) police vehicles;

(3) ambulances and rescue squad vehicles which are publicly owned;

(4) vehicles of coroners and deputy coroners of the forty-six counties as designated by the coroners;

(5) emergency vehicles designated by the fire department or the chief of police of a municipality;

(6) county government litter enforcement vehicles used by certified law enforcement Class 3 litter control officers;

(7) Department of Natural Resources vehicles, federal natural resources vehicles, and forestry commission vehicles when being used in the performance of law enforcement duties;

(8) public and private vehicles while transporting individuals actually engaged in emergency activities because one or more occupants belong to a fire department, volunteer fire department, police department, sheriff's office, authorized county government litter enforcement office, rescue squad, or volunteer rescue squad;

(9) county or municipal government jail or corrections vehicles used by certified jail or corrections officers, and emergency vehicles designated by the Director of the South Carolina Department of Corrections;

(10) vehicles designated by the ~~Commissioner~~ Director of the Department of Public Health and the Director of the Department of Environmental ~~Control~~ Services when being used in the performance of law enforcement or emergency response duties.

(11) federal law enforcement, military, and emergency vehicles; and

(12) organ procurement organization vehicles, which means vehicles operated by organizations that perform or coordinate the

procurement, preservation, and transport of organs and maintain systems for locating prospective recipients for available organs.

SECTION X. Section 59-47-10 of the S.C. Code is amended to read:

Section 59-47-10. The Board of Commissioners of the South Carolina School for the Deaf and the Blind shall consist of eleven members appointed by the Governor for terms of six years and until their successors are appointed and qualify. Each congressional district must be represented by one board member, who must be a resident of that district, and four members must be appointed at large from the State. Of the members appointed at large, one must be deaf, one must be blind, one must represent the interests of persons with multiple handicaps, and one shall represent the general public. Vacancies must be filled in the manner of the original appointment for the remainder of the unexpired term. The State Superintendent of Education and the ~~Executive Officer~~Director of the Department of Public Health ~~and Environmental Control~~ are ex officio members of the board.

SECTION X. Section 59-123-125 of the S.C. Code is amended to read:

Section 59-123-125. The funds appropriated to the Medical University of South Carolina for the "Rural Physician Program" shall be administered by the South Carolina Area Health Education Consortium physician recruitment office. The Medical University of South Carolina shall be responsible for the fiscal management of funds to ensure that state policies and guidelines are adhered to. A board is hereby created to manage and allocate these funds in the best interests of the citizens of South Carolina. The board shall be composed of the following: the Executive Director, or his designee, of the South Carolina Primary Care Association; the Dean, or his designee, of the University of South Carolina School of Medicine; the Executive Director, or his designee, of the South Carolina Medical Association; two representatives from rural health care settings, one to be appointed by the Chairman of the Senate Medical Affairs Committee and one to be appointed by the Chairman of the House Medical, Military, Public and Municipal Affairs Committee; the ~~Commissioner~~Director, or his designee, of the Department of Public Health ~~and Environmental Control~~; the Commissioner, or his designee, of the South Carolina Hospital Association; the Commissioner, or his designee, of the Commission on Higher Education; and the Director, or his designee, of the Department of Health ~~and Human Services~~Financing. The Chairman, with the concurrence of the board, shall appoint three at-large members with two

representing nursing and one representing allied health services in South Carolina.

SECTION X. Section 59-152-60(C) of the S.C. Code is amended to read:

(C) In accordance with the bylaws established by the board of trustees, appointed members shall comprise a voting majority of the board.

(1) No more than four may be elected to sit on a First Steps Partnership Board.

(2) Each county legislative delegation shall appoint six members to a local partnership board. In multicounty partnerships, the legislative delegations shall modify their appointments based on the plan approved by the South Carolina First Steps to School Readiness Board of Trustees pursuant to Section 59-152-70(E).

(3) Each of the following entities located within a particular First Steps Partnership coverage area shall recommend one member to the legislative delegation for appointment by the delegation to serve as a member of the local First Steps Partnership Board:

(a) Department of Social Services;

(b) Department of Public Health ~~and Environmental Control~~; and

(c) Head Start or early Head Start.

(4) The county public library system staff located within a particular First Steps Partnership coverage area shall recommend one employee of the system for appointment by its county council to serve as a member of the partnership, and the council either shall make the appointment or reject the appointment and ask the library staff to make another recommendation.

(5) Each public school district board located within a particular First Steps Partnership coverage area shall appoint one of its employees to serve as a member of the local First Steps Partnership.

(6) The legislative delegation may by resolution delegate some or all of its appointments to county council.

SECTION X. Section 62-1-302(a) of the S.C. Code is amended to read:

(a) To the full extent permitted by the Constitution, and except as otherwise specifically provided, the probate court has exclusive original jurisdiction over all subject matter related to:

(1) estates of decedents, including the contest of wills, construction of wills, determination of property in which the estate of a decedent or a protected person has an interest, and determination of heirs and successors of decedents and estates of protected persons, except that the circuit court also has jurisdiction to determine heirs and successors as

necessary to resolve real estate matters, including partition, quiet title, and other actions pending in the circuit court;

(2) subject to Part 7, Article 5:

(i) protective proceedings and guardianship proceedings under Article 5;

(ii) gifts made pursuant to the South Carolina Uniform Transfers to Minors Act under Article 6, Chapter 5, Title 63;

(iii) matters involving the establishment, administration, or termination of a special needs trust for disabled individuals;

(3) trusts, inter vivos or testamentary, including the appointment of successor trustees;

(4) the issuance of marriage licenses, in form as provided by the Bureau of Vital Statistics of the Department of Public Health ~~and Environmental Control~~; record, index, and dispose of copies of marriage certificates; and issue certified copies of the licenses and certificates;

(5) the performance of the duties of the clerk of the circuit and family courts of the county in which the probate court is held when there is a vacancy in the office of clerk of court and in proceedings in eminent domain for the acquisition of rights of way by railway companies, canal companies, governmental entities, or public utilities when the clerk is disqualified by reason of ownership of or interest in lands over which it is sought to obtain the rights of way; and

(6) the involuntary commitment of persons suffering from mental illness, intellectual disability, ~~alcoholism, drug addiction~~substance or alcohol use disorder, and active pulmonary tuberculosis.

SECTION X. Section 63-7-1210(D) of the S.C. Code is amended to read:

(D) The Department of Social Services must investigate an allegation of abuse or neglect of a child where the child is in the custody of or a resident of a residential treatment facility or intermediate care facility for persons with intellectual disability licensed by the Department of Public Health ~~and Environmental Control~~ or operated by the Department of ~~Mental~~ Behavioral Health.

SECTION X. Section 63-11-1930(A) of the S.C. Code is amended to read:

(A) There is created a State Child Fatality Advisory Committee composed of:

(1) the Director of the ~~South Carolina~~ Department of Social Services;

(2) the Director of the ~~South Carolina~~ Department of Public Health ~~and Environmental Control~~;

(3) the State Superintendent of Education;

(4) the Executive Director of the South Carolina Criminal Justice Academy;

(5) the Chief of the State Law Enforcement Division;

~~(6) the Director of the Department of Alcohol and Other Drug Abuse Services;~~

~~(7)~~(6) the Director of the ~~State~~ Department of ~~Mental~~ Behavioral Health;

~~(8)~~(7) the Director of the Department of Intellectual and Related Disabilities ~~and Special Needs~~;

~~(9)~~(8) the Director of the Department of Juvenile Justice;

~~(10)~~(9) the Chief Executive Officer of the Children's Trust of South Carolina;

~~(11)~~(10) one senator to be appointed by the President of the Senate;

~~(12)~~(11) one representative to be appointed by the Speaker of the House of Representatives;

~~(13)~~(12) an attorney with experience in prosecuting crimes against children;

~~(14)~~(13) a county coroner or medical examiner;

~~(15)~~(14) a board certified or eligible for board certification child abuse pediatrician, appointed from recommendations submitted by the State Chapter of the American Academy of Pediatrics;

~~(16)~~(15) a solicitor;

~~(17)~~(16) a forensic pathologist;

~~(18)~~(17) two members of the public at large, one of whom shall represent a private nonprofit organization that advocates children services; and

~~(19)~~(18) the State Child Advocate.

SECTION X. Section 63-11-2240(A) of the S.C. Code is amended to read:

(A) The State Child Advocate is responsible for ensuring that children receive adequate protection and care from services or programs offered by the Department of Social Services, the Department of ~~Mental~~ Behavioral Health, the Department of Health ~~and Human~~Financing ~~Services~~, the Department of Juvenile Justice, the Department of Public Health ~~and Environmental Control~~, the Department of Intellectual and Related Disabilities ~~and Special Needs~~, the John de la Howe School, the Wil Lou Gray Opportunity School, and the School for the Deaf and the Blind.

SECTION X. Section 63-11-2290 of the S.C. Code is amended to read:

Section 63-11-2290. (A) The Department of Children's Advocacy shall establish a toll-free public telephone number and an electronic complaint submission form on the department's website for the purpose of receiving complaints relative to the provision of services to children by a state agency. The department shall transfer a complainant to the appropriate agency if the complainant's submission is related to abuse, neglect, or an open matter within another agency.

(B) The following agencies must post the toll-free public telephone number and the web address of the department's electronic complaint submission form prominently in clear view of all employees and the public and in a conspicuous location on the agency's website:

(1) Department of Social Services;

(2) Department of ~~Mental~~ Behavioral Health;

(3) Department of Juvenile Justice;

(4) Department of Public Health ~~and Environmental Control~~;

(5) Department of Health ~~and Human Services~~Financing;

(6) Department of Intellectual and Related Disabilities ~~and Special Needs~~;

(7) John de la Howe School;

(8) School for the Deaf and the Blind; and

(9) Wil Lou Gray Opportunity School.

SECTION X.A. Section 44-52-10 of the S.C. Code is amended to read:

Section 44-52-10. (1) "Chemical dependency" means a chronic disorder manifested by repeated use of alcohol or other drugs to an extent that it interferes with a person's health, social, or economic functioning; some degree of habituation, dependence, or addiction may be implied.

(2) "Chemically dependent person in need of emergency commitment" means a person who is suffering from chemical dependency and, as a result of this condition, poses a substantial risk of physical harm to himself or others if not immediately provided with emergency care and treatment.

(3) "Patient" means a person who is under the care and treatment of a treatment facility as a chemically dependent person.

(4) "Treatment facility" means any facility licensed or approved by the Department of Public Health ~~and Environmental Control~~ equipped to provide for the care and treatment of chemically dependent persons including the Division of Alcohol and Drug Addiction Services of the South Carolina Department of ~~Mental~~ Behavioral Health, and any other treatment facility approved by the Director of the Department of ~~Mental~~ Behavioral Health.

(5) “Licensed physician” means an individual licensed under the laws of this State to practice medicine or a medical officer of the Government of the United States while in this State in the performance of his official duties.

(6) “Head of a treatment facility” means the individual in charge of a treatment facility or his designee.

(7) “Treatment” means the broad range of emergency, outpatient, inpatient services and care, including diagnostic evaluation, medical, psychiatric, psychological, or social service care, rehabilitation, and counseling which may be extended to a chemically dependent person.

(8) “Individualized treatment plan” means a plan developed during a patient's period of treatment in a treatment facility and which is specifically tailored to the individual patient's needs. Each plan shall clearly state:

(a) treatment goals and objectives based upon and related to a proper evaluation, which may be reasonably achieved within a designated time interval;

(b) treatment methods and procedures to be used to obtain these goals;

(c) identification of the types of professional personnel who shall carry out these procedures; and

(d) documentation of patient involvement.

(9) “Division” means the Division of Alcohol and Drug Addiction Services of the ~~South Carolina~~ Department of ~~Mental~~ Behavioral Health.

(10) “Court” means the Probate Court.

(11) “Chemically dependent person in need of involuntary commitment” means a person who is suffering from chemical dependency as demonstrated by:

(a) recent overt acts or recent expressed acts of violence;

(b) episodes of recent serious physical problems related to the habitual and excessive use of drugs or alcohol, or both;

(c) incapacitation by drugs or alcohol, or both, on a habitual and excessive basis as evidenced by numerous appearances before the court within the preceding twelve months, repeated incidences involving law enforcement, multiple prior treatment episodes, or testimony by family or by members of the community known to the person relating to a lifestyle adversely affected by alcohol or drugs, or both.

B. Section 44-52-165 of the S.C. Code is amended to read:

Section 44-52-165. (A) It is unlawful for a patient receiving inpatient services in a program under the jurisdiction of the division in a treatment facility operated by the ~~South Carolina~~ Department of ~~Mental~~ Behavioral

Health to possess alcoholic beverages, firearms, dangerous weapons, or controlled substances as defined by Section 44-53-110. A patient who violates the provisions of this section while in a treatment facility is guilty, in the case of:

(1) alcoholic beverages, of a misdemeanor and, upon conviction, must be fined not less than one hundred nor more than two hundred dollars or imprisoned for not more than thirty days;

(2) controlled substances, of a misdemeanor and, upon conviction, must be punished in accordance with Section 44-53-370;

(3) firearms or dangerous weapons, of a felony and, upon conviction, must be fined not less than one thousand nor more than ten thousand dollars or imprisoned for not less than one year nor more than ten years, or both.

(B) A person who intentionally or negligently allows a patient, as defined in subsection (A), access to or possession of items in violation of that subsection or who attempts to furnish:

(1) alcoholic beverages or controlled substances, is guilty of a felony and, upon conviction, must be fined not less than one hundred nor more than ten thousand dollars or imprisoned not more than ten years, or both;

(2) firearms or dangerous weapons, is guilty of a felony and, upon conviction, must be fined not less than one thousand nor more than ten thousand dollars or imprisoned not less than one nor more than ten years, or both.

C. Section 44-52-200 of the S.C. Code is amended to read:

Section 44-52-200. The ~~State~~ Department of ~~Mental~~ Behavioral Health may prescribe the form of applications, reports, records, and medical certificates provided for under this chapter, and the information required to be contained; require reports from the head of any treatment facility relating to the admission, examination, diagnosis, release, or discharge of any patient; visit each facility regularly; review the admission procedures of all new patients admitted between visits; provide care and treatment for involuntary admissions of chemically dependent persons; investigate by personal visit complaints made by any patient or by any person on behalf of a patient; and adopt regulations not inconsistent with the provisions of this chapter which it finds to be reasonably necessary for proper and efficient hospitalization and care of chemically dependent persons.

D. Section 44-52-210 of the S.C. Code is amended to read:

Section 44-52-210. (A) The ~~Division~~ division shall establish a comprehensive and coordinated program of treatment for chemically

dependent persons utilizing, to the extent financial resources allow, services of other state agencies, local facilities, and private treatment facilities. The program may include:

(1) emergency treatment provided by a physician affiliated with or part of the medical service of a general hospital;

(2) inpatient treatment; and

(3) outpatient treatment and follow-up treatment, or all of them.

(B) The ~~Division~~ division may contract for the use of any public or private facility as an approved treatment facility if the ~~Division~~division, subject to the approval of the Department of ~~Mental~~ Behavioral Health, considers this to be an effective and economical course to follow.

SECTION X. Section 11-37-200(A) of the S.C. Code is amended to read:

(A) There is established by this section the Water Resources Coordinating Council which shall establish the priorities for all sewer, wastewater treatment, and water supply facility projects addressed in this chapter~~, except as otherwise established by Section 48-6-40~~. The council shall consist of a representative of the Governor, the Director of the Department of ~~Health and~~ Environmental ~~Control~~Services, the Director of the South Carolina Department of Natural Resources, the Director of the Rural Infrastructure Authority, the Secretary of Commerce, the Chairman of the Jobs Economic Development Authority, and the Chairman of the Joint Bond Review Committee. These representatives may designate a person to serve in their place on the council, and the Governor shall appoint the chairman from among the membership of the council for a one-year term. The council shall establish criteria for the review of applications for projects. Not less often than annually, the council shall determine its priorities for projects. The council after evaluating applications shall notify the authority of the priority projects. The South Carolina Jobs Economic Development Authority shall provide the staff to receive, research, investigate, and process applications for projects made to the coordinating council and assist in the formulating of priorities. Upon notification by the council, the authority shall proceed under the provisions of this chapter. The authority may consider applications for projects based upon the existence of a documented emergency consistent with regulations that may be promulgated by the authority. In determining which local governments are to receive grants, the local governments shall provide not less than a fifty percent match for any project. The authority may provide financing for the local matching funds on terms and conditions determined by the authority.

SECTION X. Section 40-61-20 of the S.C. Code is amended to read:

Section 40-61-20. (A) There is created the South Carolina State Board of Examiners for Registered Environmental Sanitarians composed of six members appointed by the Governor, one of whom is the ~~executive officer~~director of the Department of ~~Health and~~ Environmental ~~Control~~ Services or his designee, three environmental sanitarians who are qualified by education and experience to be registered environmental sanitarians, and two public members who are not environmental sanitarians or do not have any pecuniary interests in any entity engaged in the business of environmental sanitarians. All members of the board must be residents of the State and serve for terms of four years and until their successors are appointed and qualify. Members of the board are eligible for reappointment but cannot serve more than two consecutive terms.

(B) The board is responsible for examining applicants for registered environmental sanitarians, investigating complaints, and investigating and prosecuting violations of this chapter.

(C) The board may promulgate regulations to carry out the provisions of this chapter.

(D) The Governor may remove any member of the board who has been guilty of continued neglect of his duties or who is found to be incompetent, unprofessional, or dishonorable. No member must be removed without first giving him an opportunity to refute the charges filed against him. He must be given a copy of the charges at the time they are filed.

(E) Vacancies on the board are filled in the same manner as the original appointment for the unexpired portion of the term.

SECTION X. Section 44-55-410 of the S.C. Code is amended to read:

Section 44-55-410. In order to protect the public health and environment, all persons engaged in manufacturing in this State and furnishing, by renting and otherwise, directly or indirectly, houses to their employees shall furnish to their employees occupying such houses sewage closets with necessary sewage connections for them.

SECTION X. Section 44-55-610 of the S.C. Code is amended to read:

Section 44-55-610. In each county in this State containing a city having a population of more than seventy thousand according to the official United States census, the construction, installation and use of septic tanks shall be regulated by the provisions of this article and specifications and rules and regulations adopted by the ~~county board of health~~Department of Environmental Services and shall be approved by the ~~county board of health~~department, whose certificate of approval shall

be accepted by all agencies and the courts of this State as evidence of such approval and of installation in compliance with the provisions of this article and of such specifications, rules and regulations.

SECTION X. Section 44-55-620 of the S.C. Code is amended to read:

Section 44-55-620. The ~~county board of health of any such county~~Department of Environmental Services may promulgate specifications, rules and regulations governing septic tanks and their installation which shall accord with approved engineering standards in general and shall contain the following standards and requirements in particular:

(1) ~~No~~ no septic tank shall be installed which has a net liquid capacity of less than five hundred gallons;

(2) ~~The~~ the length of each tank shall be at least two but not more than three times the width;

(3) ~~The~~ the uniform liquid depth of each tank shall be not less than two feet six inches; and

(4) ~~The~~ the theoretical detention period of each tank shall be not less than twenty-four hours based upon the average daily flow.

SECTION X. Section 44-55-630 of the S.C. Code is amended to read:

Section 44-55-630. The plans for each septic tank having a capacity of one thousand gallons or more shall have the approval of the ~~county health officer~~Department of Environmental Services before the tank is installed. Each such tank shall have a second or effluent compartment not longer than one third the total length of the tank nor shorter than three feet and shall be equipped with a dosing chamber and siphon if a tile field or filter is used for secondary treatment of the tank effluent.

SECTION X. Section 44-55-640 of the S.C. Code is amended to read:

Section 44-55-640. Each septic tank shall be installed so as to receive the approval of the ~~county board of health~~Department of Environmental Services through a duly authorized agent.

SECTION X. Section 44-55-640 of the S.C. Code is amended to read:

Section 44-55-640. Each septic tank shall be installed so as to receive the approval of the ~~county board of health~~Department of Environmental Services through a duly authorized agent.

SECTION X. Section 44-55-670 of the S.C. Code is amended to read:

Section 44-55-670. All septic tanks shall have a minimum of one hundred feet of distribution pipe laid and installed in the manner required by the specifications, rules and regulations promulgated by the ~~county board of health~~Department of Environmental Services.

SECTION X. Section 44-55-680 of the S.C. Code is amended to read:

Section 44-55-680. No septic tank effluent shall be discharged into any stream without special approval of the ~~county board of health~~Department of Environmental Services through a duly authorized agent.

SECTION X. Section 44-55-690 of the S.C. Code is amended to read:

Section 44-55-690. The ~~county board of health~~Department of Environmental Services may permit and approve the installation of temporary septic tanks in the case of unusual, temporary or emergency conditions. ~~Such~~ A temporary septic tank shall be constructed and installed in accordance with the specifications, rules and regulations promulgated by the ~~county board of health~~department relating to the use of ~~such~~ temporary tanks, and the ~~board~~ department may determine the period of time for which ~~such~~ a temporary septic tank may be used.

SECTION X. Section 44-55-700 of the S.C. Code is amended to read:

Section 44-55-700. The use, construction, or installation of any septic tank in any ~~such~~ county without the prior approval of the ~~county board of health~~Department of Environmental Services as herein provided for shall be deemed a misdemeanor, punishable by a fine of not less than ten dollars nor more than fifty dollars or imprisonment of not less than five days nor more than twenty days, and each day during which such violation shall continue shall constitute a separate offense.

SECTION X. Section 44-55-820 of the S.C. Code is amended to read:

Section 44-55-820. No private or public utility, municipality, or electric cooperative supplying power shall connect temporary or permanent power to a new site of any mobile, modular or permanently constructed building or facility until such time as the power supplier is presented with a certificate, license, or permit by the county or municipality when the proposed connection is to be made within the corporate limits thereof authorizing such connection. No such certificate, license, or permit shall be issued by the county or municipality without a permit from the ~~county health department~~Department of Environmental Services approving the method of sewage disposal; nor shall such permit, certificate or license be issued until evidence is presented that all other appropriate safety and health regulations, permits, codes and ordinances have been complied with. Such permits, certificates or licenses shall state the location of the approved site. The governing body of each county or municipality shall provide one office to issue evidence that all such requirements have been met by the applicant.

SECTION X. Section 44-55-830 of the S.C. Code is amended to read:

Section 44-55-830. The purchaser or owner shall obtain the permit and provide to any person who sells a mobile home a copy of the certificate of ~~health department~~the Department of Environmental Services' approval required by Section 44-55-820 before placing such mobile home upon the new site for occupancy.

SECTION X. Section 44-55-860 of the S.C. Code is amended to read:

Section 44-55-860. Whenever any lot or parcel of land without improvement thereon upon which an owner intends to construct a building or place a mobile home is not accessible to a sewer line for a tap-on and the ~~county board of health~~Department of Environmental Services or other appropriate agency in which the lot or parcel of land is situated certifies that ~~such~~ the lot or land is not suitable to accommodate a septic tank or other individual sewage disposal system, the ~~board~~ department or agency shall state in writing to the owner within thirty days following inspection of the property the reason ~~such~~ that a septic tank or system cannot be used. At the same time the ~~board~~ department or agency shall inform the owner of the property in detail of any corrective measures that may be taken to remedy the sewage problem.

SECTION X. Section 46-9-120 of the S.C. Code is amended to read:

Section 46-9-120. Every farmer, agriculturalist, county extension agent, agricultural products processor, crop advisor, or other person working in agriculture, or person having responsibility for agricultural production or processing must report agricultural products having or suspected of having any disease or infection from any crop pest whatsoever that may be caused by chemical terrorism, bioterrorism, radiological terrorism, epidemic or pandemic disease, or novel and highly infectious agents and which might cause serious agricultural threat to the State. The report must be made by telephone, in writing, or by compatible electronic format within twenty-four hours to the Director, Regulatory and Public Service Programs, Clemson University, and must include as much of the following information as is available: the geographic location of the agricultural product and/or its origin; the name and address of any known owner, the name and address of any known shipper; the name and address of the owner of the point of origin; and the name and address of the reporting individual. The director must report to the Department of Public Health ~~and Environmental Control~~ any incidents which affect public health, or which create a public health emergency, as defined in Section 44-4-130. The director must report to the Director of the Department of Public Health any incidents related to radiological terrorism. For purposes of this section, the terms chemical

terrorism, bioterrorism, and radiological terrorism have the same meanings as provided in Section 44-4-130.

SECTION X. Section 46-57-50 of the S.C. Code is amended to read:

Section 46-57-50. Section effective July 1, 2024.

The Department of Agriculture may make, adopt, promulgate, and enforce reasonable rules and regulations from time to time requiring and providing for:

(1) the sanitation of hotels, restaurants, cafes, drugstores, hot dog and hamburger stands, all other places or establishments providing eating or drinking facilities~~, and all other places known as private nursing homes or places of similar nature,~~ operated for gain or profit, except that this shall not apply to food services provided at health care facilities or other facilities regulated by the Department of Public Health pursuant to the State Health Facility Licensure Act unless the services are provided to the general public; and

(2) the production, storing, labeling, transportation, and selling of milk and milk products, filled milk and filled milk products, imitation milk and imitation milk products, synthetic milk and synthetic milk products, milk derivatives, and any other products made in semblance for milk or milk products; and

(3) the sanitation and control of abattoirs, meat markets, whether the same be definitely provided for that purpose or used in connection with other businesses, and bottling plants; and

~~(4) the sanitation and control of abattoirs, meat markets, whether the same be definitely provided for that purpose or used in connection with other business, and bottling plants.~~

SECTION X. Section 44-7-1590 of the S.C. Code is amended to read:

Section 44-7-1590. (A) No bonds may be issued pursuant to the provisions of this article until the proposal of the county board to issue the bonds receives the approval of the authority. Whenever a county board proposes to issue bonds pursuant to the provisions of this article, it shall file its petition with the authority setting forth:

(1) a brief description of the hospital facilities proposed to be undertaken and the refinancing or refunding proposed;

(2) a statement setting forth the action taken by the Department of Health and Environmental Control in connection with the hospital facilities;

(3) a reasonable estimate of the cost of hospital facilities;

(4) a general summary of the terms and conditions of the proposed loan agreement; and

(5) such other information as the authority requires.

(B) Upon the filing of the petition the authority, as soon as practicable, shall conduct the review as it considers advisable, and if it finds that the proposal of the governing board is intended to promote the purposes of this article, it is authorized to approve the proposal. At any time following the approval, the county board may proceed with the issuance of the bonds in accordance with the proposal as approved by the authority. Notice of the approval of the proposal by the authority must be published at least once by the authority in a newspaper having general circulation in the county where the hospital facilities are or are to be located. The notice must set forth the action taken by the county board pursuant to Section 44-7-1480 and the action taken by the Department of Health and Environmental Control pursuant to Section 44-7-1490.

(C) Any interested party, within twenty days after the date of the publication of the notice, but not afterwards, may challenge the action so taken by the authority~~,~~ or the county board~~, or the Department of Health and Environmental Control, by action de novo in the court of common pleas in any county where the hospital facilities are to be located~~.

SECTION X. Section 44-7-1690 of the S.C. Code is amended to read:

Section 44-7-1690. (A) Notice of the approval by a county board of any intergovernmental loan agreement or subsidiary loan agreement must be published at least once in a newspaper having general circulation in each county by the respective county board prior to the execution of such agreements. With respect to a subsidiary loan agreement, the notice must set forth the action taken by the county board and the South Carolina Department of Public Health~~ and Environmental Control~~ pursuant to Section 44-7-1660. The intergovernmental loan agreement and subsidiary loan agreement must be filed with the clerk of court of the authorizing issuer and the clerk of court of the project county prior to the issuance of the bonds authorized thereby.

(B) Any interested party may, within twenty days after the date of the publication of the notice, challenge the action taken by the county board of the authorizing issuer or the project county in approving the intergovernmental loan agreement by action de novo in the court of common pleas of the project county or the authorizing issuer.

(C) Any interested party may, within twenty days after the date of the publication of the notice, challenge the action taken by the county board in approving the subsidiary loan agreement~~ or the Department of Health and Environmental Control with respect to the hospital facilities~~ by action de novo in the court of common pleas in any county where the hospital facilities are to be located.

SECTION X. Chapter 3, Title 49 of the S.C. Code is amended by adding:

Section 49-3-55. (A) For purposes of this section, "return flow" means water that is discharged directly or indirectly to a reservoir from a water reclamation facility.

(B) Notwithstanding another provision of law, an entity that has contracted for the right to store water in a reservoir owned by the United State Army Corps of Engineers has exclusive rights to any return flows generated directly or indirectly to that reservoir by the entity. The rights conferred by this subsection must be subject to any regulatory requirements imposed by the South Carolina Department of Environmental Control Services and to the availability to the entity of unused storage capacity within the reservoir to store such return flows.

SECTION X. Section 23-3-810(B) of the S.C. Code is amended to read:

(B) In accordance with Article 1, Chapter 35, Title 43, the unit shall receive and coordinate the referral of all reports of alleged abuse, neglect, or exploitation of vulnerable adults in facilities operated or contracted for operation by the Department of Mental Health, the Department of Veterans' Affairs, or the Department of Disabilities and Special Needs. The unit shall establish a toll-free number, which must be operated twenty-four hours a day, seven days a week, to receive the reports.

SECTION X. Section 23-3-810(F) of the S.C. Code is amended to read:

(F) The South Carolina Law Enforcement Division may develop policies, procedures, and memorandum of agreement with other agencies to be used in fulfilling the requirements of this article. However, the South Carolina Law Enforcement Division must not delegate its responsibility to investigate criminal reports of alleged abuse, neglect, and exploitation to the agencies, facilities, or entities that operate or contract for the operation of the facilities. Nothing in this article precludes the Department of Mental Health, the Department of Veterans' Affairs, the Department of Disabilities and Special Needs, or their contractors from performing administrative responsibilities in compliance with applicable state and federal requirements.

SECTION X. Section 43-35-10 of the S.C. Code is amended to read:

Section 43-35-10. As used in this chapter:

(1) "Abuse" means physical abuse or psychological abuse.

(2) "Caregiver" means a person who provides care to a vulnerable adult, with or without compensation, on a temporary or permanent or full or part-time basis and includes, but is not limited to, a relative, household

member, day care personnel, adult foster home sponsor, and personnel of a public or private institution or facility.

(3) "Exploitation" means:

(a) causing or requiring a vulnerable adult to engage in activity or labor which is improper, unlawful, or against the reasonable and rational wishes of the vulnerable adult. Exploitation does not include requiring a vulnerable adult to participate in an activity or labor which is a part of a written plan of care or which is prescribed or authorized by a licensed physician attending the patient;

(b) an improper, unlawful, or unauthorized use of the funds, assets, property, power of attorney, guardianship, or conservatorship of a vulnerable adult by a person for the profit or advantage of that person or another person; or

(c) causing a vulnerable adult to purchase goods or services for the profit or advantage of the seller or another person through: (i) undue influence, (ii) harassment, (iii) duress, (iv) force, (v) coercion, or (vi) swindling by overreaching, cheating, or defrauding the vulnerable adult through cunning arts or devices that delude the vulnerable adult and cause him to lose money or other property.

(4) "Facility" means a nursing care facility, community residential care facility, a psychiatric hospital, or any residential program operated or contracted for operation by the Department of ~~Mental~~ Behavioral Health or the Department of Intellectual and Related Disabilities ~~and Special Needs~~.

(5) "Investigative entity" means the Long Term Care Ombudsman Program, the Adult Protective Services Program in the Department of Social Services, the Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division, or the Medicaid Fraud Control Unit of the Office of the Attorney General.

(6) "Neglect" means the failure or omission of a caregiver to provide the care, goods, or services necessary to maintain the health or safety of a vulnerable adult including, but not limited to, food, clothing, medicine, shelter, supervision, and medical services and the failure or omission has caused, or presents a substantial risk of causing, physical or mental injury to the vulnerable adult. Noncompliance with regulatory standards alone does not constitute neglect. Neglect includes the inability of a vulnerable adult, in the absence of a caretaker, to provide for his or her own health or safety which produces or could reasonably be expected to produce serious physical or psychological harm or substantial risk of death.

(7) "Occupational licensing board" means a health professional licensing board which is a state agency that licenses and regulates health

care providers and includes, but is not limited to, the Board of Long Term Health Care Administrators, State Board of Nursing for South Carolina, State Board of Medical Examiners, State Board of Social Work Examiners, and the State Board of Dentistry.

(8) "Physical abuse" means intentionally inflicting or allowing to be inflicted physical injury on a vulnerable adult by an act or failure to act. Physical abuse includes, but is not limited to, slapping, hitting, kicking, biting, choking, pinching, burning, actual or attempted sexual battery as defined in Section 16-3-651, use of medication outside the standards of reasonable medical practice for the purpose of controlling behavior, and unreasonable confinement. Physical abuse also includes the use of a restrictive or physically intrusive procedure to control behavior for the purpose of punishment except that a therapeutic procedure prescribed by a licensed physician or other qualified professional or that is part of a written plan of care by a licensed physician or other qualified professional is not considered physical abuse. Physical abuse does not include altercations or acts of assault between vulnerable adults.

(9) "Protective services" means those services whose objective is to protect a vulnerable adult from harm caused by the vulnerable adult or another. These services include, but are not limited to, evaluating the need for protective services, securing and coordinating existing services, arranging for living quarters, obtaining financial benefits to which a vulnerable adult is entitled, and securing medical services, supplies, and legal services.

(10) "Psychological abuse" means deliberately subjecting a vulnerable adult to threats or harassment or other forms of intimidating behavior causing fear, humiliation, degradation, agitation, confusion, or other forms of serious emotional distress.

(11) "Vulnerable adult" means a person eighteen years of age or older who has a physical or mental condition which substantially impairs the person from adequately providing for his or her own care or protection. This includes a person who is impaired in the ability to adequately provide for the person's own care or protection because of the infirmities of aging including, but not limited to, organic brain damage, advanced age, and physical, mental, or emotional dysfunction. A resident of a facility is a vulnerable adult.

(12) "Operated facility" means those facilities directly operated by the Department of ~~Mental~~ Behavioral Health, the Department of Veterans' Affairs, or the Department of Intellectual and Related Disabilities ~~and Special Needs~~.

(13) "Contracted facility" means those public and private facilities contracted for operation by the Department of ~~Mental~~ Behavioral Health, the Department of Veterans' Affairs, or the Department of Intellectual and Related Disabilities ~~and Special Needs~~.

SECTION X. Section 43-35-15 of the S.C. Code is amended to read:

Section 43-35-15. (A) The Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division shall receive and coordinate the referral of all reports of alleged abuse, neglect, or exploitation of vulnerable adults in facilities operated or contracted for operation by the Department of ~~Mental~~ Behavioral Health, the Department of Veterans' Affairs, or the Department of Intellectual and Related Disabilities ~~and Special Needs~~. The unit shall establish a toll free number, which must be operated twenty-four hours a day, seven days a week, to receive the reports. The unit shall investigate or refer to appropriate law enforcement those reports in which there is reasonable suspicion of criminal conduct. The unit also shall investigate vulnerable adult fatalities as provided for in Article 5, Chapter 35, Title 43. The unit shall refer those reports in which there is no reasonable suspicion of criminal conduct to the appropriate investigative entity for investigation. Upon conclusion of a criminal investigation of abuse, neglect, or exploitation of a vulnerable adult, the unit or other law enforcement shall refer the case to the appropriate prosecutor when further action is necessary. The South Carolina Law Enforcement Division may develop policies, procedures, and memorandum of agreement with other agencies to be used in fulfilling the requirements of this article. However, the South Carolina Law Enforcement Division must not delegate its responsibility to investigate criminal reports of alleged abuse, neglect, and exploitation to the agencies, facilities, or entities that operate or contract for the operation of the facilities. Nothing in this subsection precludes the Department of ~~Mental~~ Behavioral Health, the Department of Veterans' Affairs, the Department of Intellectual and Related Disabilities ~~and Special Needs~~, or their contractors from performing administrative responsibilities in compliance with applicable state and federal requirements.

(B) Except as otherwise provided in subsection (D), the Long Term Care Ombudsman Program shall investigate or cause to be investigated noncriminal reports of alleged abuse, neglect, and exploitation of vulnerable adults occurring in facilities. The Long Term Care Ombudsman Program may develop policies, procedures, and memoranda of agreement to be used in reporting these incidents and in furthering its investigations. The Long Term Care Ombudsman Program

must not delegate its responsibility to investigate noncriminal reports of alleged abuse, neglect, and exploitation to the facilities or to the entities that operate or contract for the operation of the facilities. Nothing in this subsection precludes the Department of Mental Health, the Department of Veterans' Affairs, the Department of Intellectual and Related Disabilities ~~and Special Needs~~, or their contractors from performing administrative responsibilities in compliance with applicable state and federal requirements. The Long Term Care Ombudsman Program shall refer reports of abuse, neglect, and exploitation to the Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division if there is reasonable suspicion of criminal conduct.

(C) The Adult Protective Services Program in the Department of Social Services shall investigate or cause to be investigated noncriminal reports of alleged abuse, neglect, and exploitation of vulnerable adults occurring in all settings other than those facilities for which the Long Term Care Ombudsman Program is responsible for the investigation pursuant to this section. The Adult Protective Services Program may promulgate regulations and develop policies, procedures, and memoranda of agreement to be used in reporting these incidents, in furthering its investigations, and in providing protective services. The Adult Protective Services Program shall refer reports of abuse, neglect, and exploitation to the Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division if there is reasonable suspicion of criminal conduct.

(D) Notwithstanding another provision of law, the Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division shall refer reports of abuse, neglect, and exploitation involving residents committed to the Department of ~~Mental~~ Behavioral Health pursuant to Chapter 48, Title 44 in which there is no reasonable suspicion of criminal conduct to the Department of ~~Mental~~ Behavioral Health's Client Advocacy Program for investigation.

SECTION X. Section 43-35-25(D) of the S.C. Code is amended to read:

(D) A person required to report under this section must report the incident within twenty-four hours or the next working day. A report must be made in writing or orally by telephone or otherwise to:

(1) the Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division for incidents occurring in facilities operated or contracted for operation by the Department of ~~Mental~~ Behavioral Health, the Department of Veterans' Affairs, or the Department of Intellectual and Related Disabilities ~~and Special Needs~~;

(2) the Long Term Care Ombudsman Program for incidents occurring in facilities, except those facilities provided for in item (1); and

(3) the Adult Protective Services Program for incidents occurring in all other settings.

SECTION X. Section 43-35-35(B) of the S.C. Code is amended to read:

(B) All deaths involving a vulnerable adult in a facility operated or contracted for operation by the Department of ~~Mental~~ Behavioral Health, the Department of Veterans' Affairs, the Department of Intellectual and Related Disabilities ~~and Special Needs~~, or their contractors must be referred to the Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division for investigation pursuant to Section 43-35-520.

SECTION X. Section 43-35-220(B) of the S.C. Code is amended to read:

(B) The assessment conducted by the guardian ad litem pursuant to subsection (A) must include, but is not limited to:

(1) obtaining and reviewing relevant documents including, but not limited to, the vulnerable adult's medical records; records from the place of residence if the vulnerable adult is living in a facility or other institution; records related to assets and debts of the vulnerable adult in cases of alleged exploitation; and records from the Department of Social Services, Department of ~~Mental~~ Behavioral Health, the Department of Veterans' Affairs, Department of Intellectual and Related Disabilities ~~and Special Needs~~, or other public entities providing services to the vulnerable adult;

(2) meeting with and observing the vulnerable adult on at least one occasion;

(3) visiting the home setting if appropriate;

(4) interviewing family, caregivers, medical providers, law enforcement, and others with knowledge relevant to the case;

(5) exploring available resources within the family and community to meet the needs of the vulnerable adult;

(6) obtaining the criminal history of a party if determined necessary; and

(7) determining the wishes of the vulnerable adult and informing the court of these wishes.

SECTION X. Section 43-35-520 of the S.C. Code is amended to read:

Section 43-35-520. The Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division, created pursuant to Section

23-3-810, shall, in addition to its investigation responsibilities under that section or Article 1, investigate cases of vulnerable adult fatalities in facilities operated or contracted for operation by the Department of ~~Mental~~ Behavioral Health, the Department of Veterans' Affairs, or the Department of Intellectual and Related Disabilities ~~and Special Needs~~. Provided, that in a nursing home, as defined in Section 44-7-130, contracted for operation by the Department of ~~Mental~~ Behavioral Health or the Department of Veterans' Affairs, the Vulnerable Adults Investigations Unit shall investigate those fatalities for which there is suspicion that the vulnerable adult died as a result of abuse or neglect, the death is suspicious in nature, or the death is referred by a coroner or medical examiner as provided in Section 43-35-35(A). In the event that a coroner rules that the death of an individual in a veterans' nursing home under the authority of the Department of ~~Mental Health~~Veterans' Affairs results from natural causes, the State Law Enforcement Division is not required to conduct an investigation regarding the individual's death.

SECTION X. Section 46-57-20(E) of the S.C. Code is amended to read:

(E) ~~Home-based food operations only may sell, or offer to sell, food items directly to a person for his own use and not for resale. A home-based food operation may not sell, or offer to sell, food items at wholesale. Food produced from a home-based food production operation must not be considered to be from an approved source, as required of a retail food establishment pursuant to Regulation 61-25.~~Home based food operations may only sell, or offer to sell, food items directly to a person, including online and by mail order, or to retail stores, including grocery stores. Food produced from a home-based food production operation shall be considered to be from an approved source, as required of a retail food establishment pursuant to Regulation 61.25. Any retail stores, including grocery stores, that sell or offer to sell home-based food products must post clearly visible signage indicating that home-based food products are not subject to commercial food regulations.

SECTION X. Section 46-57-20(G) of the S.C. Code is amended to read:

(G) The provisions of this section do not apply to an operation with net earnings of less than ~~five hundred~~one thousand five hundred dollars annually but that would otherwise meet the definition of a home-based food operation provided in subsection (A)(1).

SECTION X. Section 46-57-20 of the S.C. Code is amended by adding:

(H) The provisions of this section apply in the absence of a local ordinance to the contrary.

SECTION X. The Code Commissioner is directed to change the references in the following sections of the S.C. Code from "Department of Health and Environmental Control" or "DHEC" to "Department of Public Health" or "DPH" as appropriate: 1-25-60(A)(1)(b), 7-5-186(B), 7-5-310(B)(2), 11-11-170(B)(1)(d) and (e), 11-11-230(A), 11-58-70(B)(4), 11-58-80(F), 12-23-810(A), 12-23-815, 14-1-201(2), 14-23-1150(b), 16-3-740, 16-3-2050(B), 16-17-500(F) and (J), 16-17-650(E), 16-25-320(A), 20-1-240(1), 20-1-320, 20-1-340, 20-1-350, 20-1-720, 20-3-230, 20-3-235, 23-1-230(A), 23-3-535(C), 25-11-70(A), 25-11-75(B), 30-2-30(4), 30-2-320(4), 32-8-305(17), 37-11-20(2), 37-11-50(B), 38-7-20(B), 38-70-60, 38-71-46, 38-71-1520(3), 39-23-20(a), 39-23-30(b), 39-23-40, 39-23-50, 39-23-60, 39-23-70, 39-23-100, 39-23-110, 39-23-120, 39-23-130, 40-7-60, 40-7-230, 40-13-60, 40-13-110(A), 40-15-85(6), 40-15-102, 40-15-110, 40-25-20(1), 40-29-170, 40-33-30(D) and (E), 40-35-20, 40-43-72(A), 40-43-83, 40-43-86(C), 40-43-86(FF), 40-43-190, 40-43-195(B) and (F), 40-43-200(A), 40-45-300(B), 40-47-31(A) and (E), 40-47-32(E), 40-47-34(A), 40-69-255, 40-71-10(B), 40-71-20(B) and (C), 40-81-20(13), 40-84-120(2), 41-27-80, 43-5-24, 43-5-910(1), 43-5-1185, 43-25-30(7), 44-3-10, 44-3-110, 44-3-130, 44-3-150, 44-4-300 through 44-4-340, 44-4-500 through 44-4-570, 44-5-20(1), 44-6-5(10), 44-6-150(A), 44-6-170(B) and (I), 44-7-77, 44-7-80(6), 44-7-90, 44-8-10, 44-8-20(5), 44-8-60, 44-29-10, 44-29-15(A), 44-29-20, 44-29-40(A), 44-29-50, 44-29-60, 44-29-70, 44-29-80, 44-29-90, 44-29-100, 44-29-110, 44-29-115, 44-29-120, 44-29-130, 44-29-135, 44-29-140, 44-29-180, 44-29-185(A), 44-29-230(B), 44-29-240, 44-29-250, 44-31-10, 44-31-20, 44-31-30, 44-31-110(A), 44-31-610, 44-30-20(3), 44-30-90, 44-32-10(2), 44-32-20(A), 44-32-120(G), 44-33-10, 44-33-310, 44-34-10(1), 44-34-20(A), 44-34-100(G), 44-35-10, 44-35-20(A), 44-35-30(A), 44-35-40, 44-35-70, 44-35-80, 44-35-90, 44-35-100, 44-36-20(A), 44-36-30(B), 44-36-50, 44-36-320(10), 44-36-520, 44-37-20, 44-37-30(A), 44-37-50, 44-40-30, 44-40-60, 44-41-10, 44-41-60, 44-41-340, 44-44-20, 44-44-30(A), 44-53-10, 44-53-50, 44-53-110, , 44-53-362(B), 44-53-375(E), 44-53-620, 44-53-630, 44-53-710, 44-53-720, 44-53-750, 44-53-1320, 44-53-1630, 44-53-1640(A), 44-61-320, 46-61-510(1), 46-61-520(A), 44-61-540(B), 44-61-650(A), 44-63-10, 44-63-20, 44-63-30, 44-63-80(C), 44-63-86, 44-63-161(A), 44-63-163, 44-69-30, 44-70-20, 48-18-15, 44-78-65, 44-80-10, 44-81-30, 44-99-10(3), 44-99-30, 44-99-50(A), 44-113-20, 44-115-80(A), 44-115-130, 44-117-50, 44-122-50, 44-125-20(A), 44-128-20(A), 44-130-20, 44-

139-40(A), 44-139-50(B), 46-1-130, 46-3-240, 46-7-100, 46-9-120, 47-1-80, 47-3-420, 47-5-20, 48-1-280, 50-16-30, 55-1-100(B), 56-3-9800, 59-1-380(D), 59-1-450, 59-31-330, 59-32-10, 59-32-30(A), 59-36-20(A), 59-63-75, 59-63-95, 63-1-50(A), 63-9-730(B), 63-9-910(C), 63-11-1720(C), 63-13-80(A), 63-13-180(A), and 63-17-70(C).

SECTION X. The Code Commissioner is directed to change the references in the following sections of the S.C. Code from the "Department of Health and Environmental Control" or "DHEC" to "Department of Environmental Services" or "DES" as appropriate: 1-11-20(D), 3-5-40, 3-5-50, 3-5-60, 3-5-80, 3-5-100, 3-5-120, 3-5-150, 3-5-160, 3-5-190, 3-5-320, 3-5-330, 3-5-340, 3-5-360, 4-12-30(B)(3), 4-29-67(B)(3), 5-31-2010, 6-1-150(A)(1)(a)(ii), 6-11-290, 6-11-1210, 6-11-1230(4), 6-11-1430, 6-15-30, 6-19-35(2), 6-19-40(A), 6-21-400, 10-9-10, 10-9-30, 10-9-40, 10-9-110, 10-9-200, 10-9-260, 10-9-320, 11-37-200(A), 12-6-3370(D), 12-6-3420(C)(2), 12-6-3350(C) through (H), 12-28-2355(B), 12-37-220(A)(8), 12-37-220(B)(44), 12-44-30(14), 13-1-380(E), 13-7-10(8), (11), and (12), 13-7-20(3), 13-7-30(4), 13-7-40(A), 13-7-45(A)(1), 13-7-60, 13-7-70(1), 13-7-90, 13-7-120(B), 13-7-160(B), 14-7-1610(F), 14-7-1630(A)(12), 27-16-90(G), 27-31-100(f), 33-36-1315(A), 38-71-145(E), 38-78-10(B), 40-10-230, 40-23-20(20), 40-23-110(A), 40-23-280(C), 40-23-300(A), 40-23-305, 40-23-310(A), 40-43-87(B), 44-2-20, 44-2-40(A), 44-2-60(C), 44-55-420, 44-55-430, 44-55-440, 44-55-460, 44-55-822(A) and (B), 44-55-1310(2), 44-55-2390(B) and (D), 44-56-60(a), 44-56-160(A), 44-56-200, 44-56-210, 44-56-405, 44-56-410(2), 44-56-840(A), 44-59-10, 44-74-50(A), 44-87-10, 44-93-160(B), 44-96-60(C), 44-96-85(A), 44-96-120(C), 44-96-165, 44-96-170(N), (P), and (Q), 44-96-250, 45-4-70, 46-1-140, 46-7-110(A) and (B), 46-13-110, 46-13-150, 46-45-10, 46-45-60, 46-51-20, 47-9-60, 47-20-165(A), 48-1-10, 48-1-20, 48-1-55, 48-1-95, 48-1-100, 48-1-110(b), 48-2-20, 48-2-70, 48-2-330, 48-3-10, 48-3-140(A), 48-5-20, 48-18-50, 48-20-30, 48-20-40, 48-20-70(3), 48-21-20, 48-34-40(B), 48-39-270(3), 48-43-10(B) and (W), 48-43-40(D), 48-43-100, 48-43-390(A), 48-43-510, 48-43-520, 48-43-570, 48-46-40(B), 48-46-50(A), 48-46-80, 48-46-90, 48-52-865(A), 48-56-20(3), 48-57-20(1), 48-60-20(11), 48-62-30, 49-1-15, 49-1-16, 49-4-20, 49-11-120(3), 49-23-60(A), 50-5-35(B), 50-5-360(A), 50-5-910(C), 50-5-955(B), 50-15-430(B), 50-21-30(C), 54-6-10(F), 56-5-2720, 56-35-50(B), 56-35-60, 56-35-80, 58-27-255, 58-33-140(1), and 59-111-720(A).

SECTION X. The Code Commissioner is directed to change the references in Chapter 4, Title 44, related to Emergency Health Powers, from "DHEC" to "DPH". The Code Commissioner is directed to change

the references in Chapter 4, Title 44, related to Emergency Health Powers, from "Commissioner" to "Director".

SECTION X. The Code Commissioner is directed to change the references in the following sections of the S.C. Code from the "Department of Health and Environmental Control" or "DHEC" to "Department of Agriculture": 47-17-40(b), 47-17-120(D), 47-17-130, 47-17-140(b), 47-17-320, 47-19-35(D), 61-4-220, 61-4-1515(B), 61-4-1750, 61-6-1610(H), and 61-6-2410.

Amend the bill further, SECTION 5, by striking item (1) and inserting:

(1) Article 1, Chapter 6, Title 44 shall be styled as "Department of Health Financing";

Amend the bill further, SECTION 5, by striking i and inserting:

(3) Chapter 20, Title 44 shall be styled as "Department of Intellectual and Related Disabilities"; and

(4) Chapter 9, Title 44 shall be styled as "Department of Behavioral Health".

Amend the bill further, by striking SECTION 6 and inserting:

SECTION 6. Chapter 49, Title 44 of the S.C. Code is repealed.

SECTION X. Section 44-7-180 of the S.C. Code is repealed.

SECTION X. Section 48-43-10(X) and Section 48-43-510(13) of the S.C. Code are repealed.

SECTION X. When an agency, department, entity, or official is transferred to or consolidated with another agency, department, division, entity, or official, regulations promulgated by that transferred agency, department, entity, or official under the authority of former provisions of law pertaining to it are continued and are considered to be promulgated under the authority of present provisions of law pertaining to it. When powers and duties of an agency, department, entity, or official are transferred to and devolved upon another department, agency, or subdivision thereof, the power and duty to promulgate regulations is also transferred to and devolved upon that department, agency, or subdivision thereof.

References to the names of agencies, departments, entities, or public officials changed by this act, to their duties or functions herein devolved upon other agencies, departments, entities, or officials, or to provisions of law consolidated with or transferred to other parts of the S.C. Code are considered to be and must be construed to mean appropriate references.

Unless otherwise provided herein or by law, all fines, fees, forfeitures, or revenues imposed or levied by agencies, personnel, or portions thereof, so transferred to other agencies or departments must continue to

be used and expended for those purposes provided prior to the effective date of this act. If a portion of these fines, fees, forfeitures, or revenues were required to be used for the support, benefit, or expense of personnel transferred, these funds must continue to be used for these purposes.

Amend the bill further, by striking SECTION 8 and inserting:

SECTION 8. (A) Except for personnel and funds transferred pursuant to subsection (B) of this Section, the Departments of Health Financing, Public Health, Aging, and Intellectual and Related Disabilities shall operate as component departments of the Executive Office of Health and Policy in the 2024-25 fiscal year using the authority and funds appropriated to the Departments of Health and Human Services, Public Health, Aging, and Disabilities and Special Needs as standalone agencies in the appropriations act of 2024. Except for personnel and funds transferred pursuant to subsection (B) of this section, the Department of Behavioral Health shall operate as a component department of the Executive Office of Health and Policy in the 2024-25 fiscal year using the authority and funds appropriated to the Departments of Mental Health and Alcohol and Other Drug Abuse Services as standalone agencies in the appropriations act of 2024.

(B) Upon appointment and confirmation, the Secretary of Health and Policy may cause the transfer to the Executive Office of Health and Policy such: (1) personnel and attendant funding included in the administrative areas of the 2024 appropriations act and (2) operating expenses included in the administrative areas of the 2024 appropriations act of one or more of the component departments of the Office as, in the determination of the Secretary, is necessary to carry out the duties of the Office. The Department of Administration shall cause all necessary actions to be taken to accomplish any such transfer and shall in consultation with the Secretary prescribe the manner in which the transfer provided for in this section shall be accomplished. The Department of Administration's action in facilitating the provisions of this section are ministerial in nature and shall not be construed as an approval process over any of the transfers.

(C) Except for those positions transferred pursuant to this section or otherwise specifically referenced in this act, employees of the Departments of Health and Human Services, Public Health, Aging, Disabilities and Special Needs, Mental Health, or Alcohol and Other Drug Abuse Services shall maintain their same status with the appropriate component department of the Executive Office of Health and Policy. Employees of the Departments of Public Health and Aging shall become employees of their respective departments within the Executive

Office of Health and Policy. Employees of the Department of Health and Human Services shall become employees of the Department of Health Financing within the Executive Office of Health and Policy. Employees of the Departments of Mental Health and Alcohol and Other Drug Abuse Services shall become employees of the Department of Behavioral Health within the Executive Office of Health and Policy.

(D) Nothing in this act affects bonded indebtedness, if applicable, real and personal property, assets, liabilities, contracts, regulations, or policies of the Departments of Health and Human Services, Public Health, Aging, Disabilities and Special Needs, Mental Health, or Alcohol and Other Drug Abuse Services existing on the effective date. All applicable bonded indebtedness, real and personal property, assets, liabilities, contracts, regulations, or policies shall continue in effect in the name of the Executive Office of Health and Policy or the appropriate component division.

SECTION X. Section 44-53-160(C) of the S.C. Code is amended to read:

(C) If a substance is added, deleted, or rescheduled as a controlled substance pursuant to federal law or regulation, the department's director shall~~, at the first regular or special meeting of the South Carolina Board of Health and Environmental Control~~ within thirty days after publication in the federal register of the final order designating the substance as a controlled substance or rescheduling or deleting the substance, add, delete, or reschedule the substance in the appropriate schedule. The addition, deletion, or rescheduling of a substance by the department pursuant to this subsection has the full force of law unless overturned by the General Assembly. The addition, deletion, or rescheduling of a substance by the department pursuant to this subsection must be in substance identical with the order published in the federal register effecting the change in federal status of the substance. Upon the addition, deletion, or rescheduling of a substance, the department shall forward copies of the change to the Chairmen of the Medical Affairs Committee and the Judiciary Committee of the Senate, the Chairman of the Medical, Military, Public and Municipal Affairs Committee, the Chairman of the Judiciary Committee of the House of Representatives, the Clerks of the Senate and House, and the Code Commissioner, and shall post the schedules on the department's website indicating the change and specifying the effective date of the change.

SECTION X. Article 7, Chapter 111, Title 59 of the S.C. Code, relating to Medical and Dental Loans, is repealed.

SECTION X. Section 44-3-110 through 44-3-140 of the S.C. Code, relating to the Catawba Health District, are repealed. These provisions are no longer necessary because the Catawba Health District no longer exists. The counties within the former Catawba Health District are now served by the Midlands Region Office for Public Health.

SECTION X. Section 44-7-310 of the S.C. Code is repealed.

SECTION X. Section 49-3-60 of the S.C. Code, as amended by Act 60 of 2023, is repealed.

SECTION X. Section 44-11-30 and Section 44-11-40 of the S.C. Code are repealed.

SECTION X. (A) The addition of Section 48-6-30 by Act 60 of 2023 and the amendment to Section 44-1-60 by Act 60 of 2023 and any further amendments to those sections in this act are intended to provide a uniform procedure for contested cases and appeals from the Department of Environmental Services and the Department of Public Health, as the case may be. To the extent that Section 48-6-30 or Section 44-1-60 conflict with another statute, the provisions of Section 48-6-30 or Section 44-1-60 are controlling. This provision does not apply to decisions under the South Carolina Mining Act, Section 48-20-10, et. seq. of the S.C. Code.

(B) The Code Commissioner is directed to change or correct remaining references in the S.C. Code to the former Department of Health and Environmental Control, its board, or other agencies referenced in Act 60 of 2023 to reflect the transfer to the Department of Public Health, the Department of Environmental Services, or other agencies referenced in Act 60. References to the names of the relevant agencies and offices in the S.C. Code or other provisions of law are considered to be and must be construed to mean appropriate references.

(C) Nothing contained in Act 60 of 2023 or in this act shall modify decisions of the former Department of Health and Environmental Control or its board that occurred prior to July 1, 2024. After July 1, 2024 all decisions, including, but not limited to, orders, permits, licenses, registrations, and certifications issued by the Department of Health and Environmental Control or its board will remain in full force and effect under the same terms and conditions.

SECTION 9. This act takes effect July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

The amendment was adopted.

Amendment No. 1

Senators MARTIN and CORBIN proposed the following amendment (SR-915.KM0010S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-12-40(1) and inserting:

(1) shall develop a cohesive, coordinated, and comprehensive State Health Services Plan for public health services provided by the component departments housed within the office so that there is a maximum level of coordination among the component departments. The plan should serve as a blueprint for the State to assess and improve the quality of care that South Carolinians receive. The plan should be continually updated and must include, at a minimum, an inventory, projections, and standards for health services, facilities, equipment, and workforce which have the potential to substantially impact delivery of care, costs, and accessibility within the State. The plan should also address how to improve health services delivery in the State, recognize operational efficiencies, and maximize resource utilization. The secretary shall establish and appoint members to a health planning advisory committee to provide advice in the development of the plan. Members of the advisory committee shall include health care providers, consumers, payers, and public health professionals. Members of the advisory committee are allowed the usual mileage and subsistence as provided for members of boards, committees, and commissions;

Amend the bill further, SECTION 1, by striking Section 44-12-40(4) and inserting:

(4) shall have the authority to determine the appropriate course of treatment for patients with complex or co-occurring diagnoses necessitating involvement of two or more component departments, provided that the determination may not preempt or override treatment decisions arrived at between a patient and his physician;

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Amendment No. 2A

Senators DAVIS, HUTTO and SETZLER proposed the following amendment (SR-915.KM0012S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-12-10 and inserting:

Section 44-12-10. There is created within the executive branch of the state government an agency to be known as the Executive Office of Health and Policy with the organization, duties, functions, and powers defined in this chapter and other applicable provisions of law.

Amend the bill further, SECTION 1, by striking Section 44-12-30(4) and inserting:

(4) "State Health Services Plan" means the cohesive, coordinated, and comprehensive State Plan for public health services developed by the Secretary.

Amend the bill further, SECTION 1, by striking Section 44-12-40(1) and inserting:

(1) shall develop a cohesive, coordinated, and comprehensive State Health Services Plan for public health services provided by the component departments housed within the office so that there is a maximum level of coordination among the component departments. The plan should serve as a blueprint for the State to assess and improve the quality of care that South Carolinians receive. The plan should be continually updated and must include, at a minimum, an inventory, projections, and standards for health services, facilities, equipment, and workforce which have the potential to substantially impact delivery of care, costs, and accessibility within the State. The plan should also address how to improve health services delivery in the State, recognize operational efficiencies, and maximize resource utilization. The plan should address how to ensure that service and support for South Carolinians with disabilities are, to the greatest extent possible, provided in the community instead of in an institutional setting in accordance with the requirements of the American's with Disabilities Act and the U.S. Supreme Court's decision in Olmstead v. L.C., 527 U.S. 581. The secretary shall appoint a South Carolina Director of Community Living Integration who will be responsible for providing oversight in the assessment of the current state of community integration in South Carolina and in the creation of the community integration goals and objectives to be included in the State Health Services Plan. The South Carolina Director of Community Living Integration will report to the Secretary of Health and Policy and shall select an American's with Disabilities Coordinator. The secretary shall establish and appoint

members to a health planning advisory committee to provide advice in the development of the plan. Members of the advisory committee should include health care providers, consumers, payers, representatives from the disabled community, disability advocacy agencies, and public health professionals. When developing the community integration goals and objectives, the committee must seek input from people with disabilities of different types and varying levels of severity, family members of people with disabilities, and people currently providing services to the disabled community. The committee must identify objectives for the successful implementation of the community integration program. Members of the advisory committee are allowed the usual mileage and subsistence as provided for members of boards, committees, and commissions;

Amend the bill further, SECTION 1, by striking Section 44-12-50(5) and inserting:

(5) the Department of Behavioral Health.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Amendment No. 3

Senator DAVIS proposed the following amendment (LC-915.DG0017S), which was adopted:

Amend the bill, as and if amended, on page [915-77] by striking Section 12-33-245(B) and inserting:

(B) In addition to amounts distributed pursuant to Section 6-27-40(B), eleven percent of the revenue generated by the excise tax provided for in subsection (A) must be placed on deposit with the State Treasurer and credited to a fund separate and distinct from the general fund of the State. On a quarterly basis, the State Treasurer shall allocate this revenue to the Department of Health Financing ~~counties on a per capita basis according to the most recent United States Census. The State Treasurer must notify each county of the allocation pursuant to this subsection in addition to the funds allocated pursuant to Section 6-27-40(B),~~ and ~~the combination of~~ these funds must be used ~~by counties for educational purposes relating to the use of alcoholic liquors and~~ for reimbursement of services related to the rehabilitation of ~~alcoholics and drug addicts~~people with substance or alcohol use disorder. ~~A county may pool these funds with other~~

~~counties and may combine these funds with other funds for the same purpose.~~

Amend the bill further, on page [915-78], by deleting Section 6-27-40.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Amendment No. 4

Senator HUTTO proposed the following amendment (LC-915.VR0014S), which was adopted:

Amend the bill, as and if amended, by adding a SECTION to read:

SECTION X. Article 1, Chapter 6, Title 44 of the S.C. Code is amended by adding:

Section 44-6-75. The department must monitor and undertake evaluations at least twice a year of third-party transportation-related contracts including, but not limited to, consideration of necessary rate changes due to inflation of fuel or other expenses.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	*Johnson, Kevin*	*Johnson, Michael*

Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Corbin

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 2:55 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, February 21, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Jeremiah 32:8b-9

The prophet Jeremiah tells us: " '. . . so I bought a field at Anatoth from my cousin Hanamel and weighed out for him seventeen shekels of silver.' "

Let us pray, friends: Hearing this passage afresh, Lord, we are led back to remembering how Jeremiah tried during difficult times to offer a bit of hope to his people. So he performed this symbolic act of buying land -- investing in the future, if you will. And we think, well, there are symbolic acts which on occasion are important. Yet we know further, O God, that what South Carolinians want today is not simply more symbolism. Rather, they want -- they expect -- results. And so we pray that this Senate will continue addressing the actual challenges our people face. May each Senator and every aide be more determined than ever to move our State forward, and to do so by working together with renewed confidence in a future that truly benefits everyone. May it be so to Your glory, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Doctor of the Day

Senator RICE introduced Dr. Lori Carnsew of Pickens, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator BENNETT, at 1:34 P.M., Senator TURNER was granted a leave of absence until 3:00 P.M.

Leave of Absence

On motion of Senator HUTTO, at 4:29 P.M., Senator HARPOOTLIAN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator K. JOHNSON, at 4:43 P.M., Senator TEDDER was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 55 Sen. Devine
S. 235 Sen. McLeod
S. 251 Sen. Devine
S. 615 Sens. McLeod and Devine
S. 845 Sen. Malloy
S. 855 Sen. Gustafson
S. 857 Sen. Senn
S. 877 Sens. McLeod and Devine
S. 881 Sens. McLeod and Devine
S. 944 Sen. Young
S. 947 Sen. McLeod
S. 953 Sen. Turner
S. 969 Sens. Setzler and K. Johnson
S. 995 Sen. McLeod
S. 996 Sen. McLeod

RECALLED

S. 479 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME CHALK STREET IN THE RICHLAND COUNTY TOWN OF EASTOVER FROM POULTRY LANE TO MAIN STREET "FREDDIE E. CAMPBELL, SR. MEMORIAL STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND COMMITTED

S. 866 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-48-30, RELATING TO DEFINITIONS, SO AS TO PROVIDE A REASONABLE EXPECTATION STANDARD FOR THE DETERMINATION OF WHETHER SOMEONE IS LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE; AND BY AMENDING SECTION 44-48-20, RELATING TO LEGISLATIVE FINDINGS, SO AS TO CLARIFY THE METHOD OF DETERMINATION FOR THE LIKELIHOOD THAT A PERSON WILL ENGAGE IN FUTURE ACTS OF SEXUAL VIOLENCE.

On motion of Senator VERDIN, with unanimous consent, the Bill was recalled from the Committee on Medical Affairs and committed to the Committee on Judiciary.

RECALLED AND ADOPTED

S. 1042 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE SOUTH CAROLINA SECTION OF THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS FOR ITS NEARLY SEVENTY YEARS OF SERVING AS A TRUSTED RESOURCE FOR MEDICAL INFORMATION RELATING TO WOMEN'S HEALTH AND TO DECLARE WEDNESDAY, FEBRUARY 21, 2024, AS ACOG DAY IN SOUTH CAROLINA.

Senator SHEALY asked unanimous consent to make a motion to recall the Resolution from the Committee on Medical Affairs.

The Resolution was recalled from the Committee on Medical Affairs.

Senator SHEALY asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator SHEALY, the Resolution was adopted.

RECALLED

H. 4319 -- Rep. Erickson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE NEW HARBOR ISLAND BRIDGE IN BEAUFORT COUNTY THE "GEORGE J. 'GEORDIE' MADLINGER III BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4833 -- Rep. Burns: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION PLACE APPROPRIATE MARKERS OR SIGNS AT THE STATE-MAINTAINED ROAD ENTRANCES TO THE TOWN OF SLATER-MARRIETTA IN GREENVILLE COUNTY CONTAINING THE WORDS "HOME OF THE SLATER-MARIETTA HIGH SCHOOL GREEN WAVE FIVE-TIME SOUTH CAROLINA BOYS STATE BASKETBALL CHAMPIONS: 1953, 1962, 1964, 1966, AND 1971".

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1072 -- Senator Sabb: A SENATE RESOLUTION TO CONGRATULATE JUDGE ISAAC LESTER PYATT, SR. UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0595km-vc24.docx

The Senate Resolution was adopted.

S. 1073 -- Senator Sabb: A SENATE RESOLUTION TO CONGRATULATE RICHARD TREME UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0594km-vc24.docx

The Senate Resolution was adopted.

S. 1074 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS OF A CMA, SO AS TO CHANGE THE REQUIREMENTS FOR A QUALIFIED CMA; AND BY AMENDING SECTION 40-47-196, RELATING TO DELEGATION OF TASKS, SO AS TO PROVIDE THAT A PHYSICIAN OR PHYSICIAN ASSISTANT, PURSUANT TO THE PHYSICIAN ASSISTANT'S SCOPE OF PRACTICE GUIDELINES, MAY DELEGATE NURSING TASKS TO UAP UNDER THE SUPERVISION OF THE PHYSICIAN OR PHYSICIAN ASSISTANT.
sr-0131jg24.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 1075 -- Senators Alexander, Peeler, Talley, Turner, Martin, Massey, Corbin, Gambrell and Harpootlian: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE CLEMSON UNIVERSITY MEN'S SOCCER TEAM MEMBERS AND COACHES FOR AN EXTRAORDINARY SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2023 NCAA MEN'S NATIONAL CHAMPIONSHIP TITLE.
sr-0562km-hw24.docx

The Senate Resolution was adopted.

S. 1076 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-219 SO AS TO ESTABLISH A WORK ZONE SAFETY PROGRAM; BY AMENDING SECTION 56-1-15, RELATING TO THE ADMINISTRATION OF DRIVER'S LICENSE EXAMINATIONS, SO AS TO REQUIRE THAT DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM; AND BY AMENDING SECTION 56-1-130, RELATING TO LICENSE EXAMINATIONS AND BASIC AND CLASSIFIED LICENSES, SO

AS TO REQUIRE THAT DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM.
sr-0507km24.docx

Read the first time and referred to the Committee on Transportation.

S. 1077 -- Senator McLeod: A SENATE RESOLUTION TO CELEBRATE THE CARDINAL NEWMAN SCHOOL WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS FOR A LUMINOUS SEASON AND TO CONGRATULATE THEM ON CAPTURING THE 2024 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION DUALS STATE CHAMPIONSHIP TITLE.
lc-0525cm-gt24.docx

The Senate Resolution was adopted.

S. 1078 -- Senators Malloy and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-61-100, RELATING TO EXEMPTIONS FOR EMERGENCY MEDICAL SERVICES, SO AS TO ALLOW FIREFIGHTERS TO TRANSPORT PATIENTS IN VEHICLES OTHER THAN AMBULANCES WHEN FIREFIGHTERS ARRIVE BEFORE EMERGENCY MEDICAL SERVICE PROVIDERS AND THERE IS A PATIENT SUFFERING FROM A CONDITION REQUIRING AN EMERGENCY RESPONSE.
sr-0132jg24.docx

Read the first time and referred to the Committee on Medical Affairs.

Senator MALLOY spoke on the Bill.

S. 1079 -- Senator Garrett: A SENATE RESOLUTION TO CONGRATULATE DR. FAY SPROUSE, SUPERINTENDENT OF WARE SHOALS SCHOOL DISTRICT 51, ON HER RETIREMENT AFTER AN HONORED CAREER OF FORTY YEARS IN THE FIELD OF EDUCATION AND TO EXTEND BEST WISHES FOR MUCH FULFILLMENT AND JOY IN THE DAYS TO COME.
lc-0364ph-rm24.docx

The Senate Resolution was adopted.

S. 1080 -- Senator Harpootlian: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE C. TOLBERT GOOLSBY, JR., FOR HIS DISTINGUISHED SERVICE TO THE STATE OF SOUTH CAROLINA.
lc-0633wab-wab24.docx

The Senate Resolution was adopted.

S. 1081 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR A'JA WILSON, A HIGHLY ACCOMPLISHED PROFESSIONAL BASKETBALL PLAYER FOR THE TWO-TIME WORLD CHAMPION LAS VEGAS ACES OF THE WOMEN'S NATIONAL BASKETBALL ASSOCIATION, AND TO CONGRATULATE HER FOR INCLUSION IN THE 2024 SOUTH CAROLINA AFRICAN AMERICAN HISTORY CALENDAR.
lc-0365ph-gm24.docx

The Senate Resolution was adopted.

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 235 -- Senators Adams, Gustafson, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAW BY ADDING SECTION 23-3-340 SO AS TO PROVIDE THAT UPON REQUEST OF A LAW ENFORCEMENT AGENCY, A WIRELESS TELECOMMUNICATIONS CARRIER SHALL PROVIDE CALL LOCATION INFORMATION CONCERNING THE TELECOMMUNICATIONS DEVICE OF THE USER TO THE LAW ENFORCEMENT AGENCY IN ORDER TO RESPOND TO A CALL FOR EMERGENCY SERVICES OR IN AN EMERGENCY SITUATION THAT INVOLVES THE RISK OF DEATH OR SERIOUS PHYSICAL HARM, TO PROVIDE A CIVIL OR CRIMINAL ACTION MAY NOT BE BROUGHT AGAINST A WIRELESS SERVICE PROVIDER UNDER THIS SECTION UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE SLED SHALL OBTAIN CONTACT INFORMATION FROM WIRELESS SERVICE PROVIDERS TO FACILITATE A REQUEST FROM A LAW ENFORCEMENT AGENCY.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 250 -- Senators M. Johnson and Malloy: A BILL TO AMEND SECTION 42-3-20 OF THE SOUTH CAROLINA CODE OF LAWS, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION, SO AS TO PROVIDE FOR QUALIFICATIONS TO SERVE AS A COMMISSIONER; TO AMEND SECTION 42-3-40, RELATING TO COMMISSIONERS' SALARIES, SO AS TO PROVIDE THAT COMMISSIONERS ARE ENTITLED TO JUDICIAL RETIREMENT AS PROVIDED UNDER THE PROVISIONS OF CHAPTER 8 OF TITLE 9; TO AMEND SECTION 9-8-10(16), RELATING TO THE DEFINITION OF "JUDGE", TO INCLUDE COMMISSIONERS OF THE WORKERS' COMPENSATION COMMISSION; AND TO AMEND SECTION 9-8-40, RELATING TO MEMBERSHIP IN THE SYSTEM, SO AS TO PROVIDE FOR THE MEMBERSHIP OF COMMISSIONERS OF THE WORKERS' COMPENSATION COMMISSION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 251 -- Senators M. Johnson, Adams, Gustafson and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 42-9-50 SO AS TO PROVIDE BENEFITS TO FIRST RESPONDERS MEDICALLY DIAGNOSED WITH POST-TRAUMATIC STRESS DISORDER ARISING FROM A SIGNIFICANT TRAUMATIC EXPERIENCE OR SITUATION IN THE COURSE AND SCOPE OF EMPLOYMENT, THE FIRST RESPONDER HAS AN INCAPACITY TO WORK AS DETERMINED BY THE TREATING PHYSICIAN, AND THE FIRST RESPONDER IS PARTICIPATING IN AND RECEIVING CLINICAL CARE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 615 -- Senators Hutto, Setzler, Jackson, Allen, McLeod and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-2410 SO AS TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN

DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 755 -- Senators Young, Malloy, Massey, Campsen, Bennett, Rankin, Hembree, Matthews, Corbin, Talley, M. Johnson, Garrett, McLeod, Hutto, McElveen, Senn, Harpootlian, Sabb and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING PART 4 TO ARTICLE 6, CHAPTER 6, TITLE 62 SO AS TO PROVIDE FOR TRANSFER ON DEATH DESIGNATIONS FOR CERTAIN CATEGORIES OF TITLED PERSONAL PROPERTY; BY AMENDING SECTION 50-23-60, RELATING TO APPLICATIONS FOR CERTIFICATE OF TITLE FOR WATERCRAFT OR OUTBOARD MOTORS, SO AS TO PROVIDE FOR TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 50-23-70, RELATING TO FEES FOR WATERCRAFT AND OUTBOARD MOTOR CERTIFICATES OF TITLE SO AS TO ESTABLISH A FEE FOR TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 50-23-90, RELATING TO THE CONTENTS OF WATERCRAFT AND OUTBOARD MOTOR CERTIFICATES OF TITLE, SO AS TO REQUIRE CERTAIN INFORMATION REGARDING TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 50-23-130, RELATING TO TRANSFER OF OWNERSHIP OF WATERCRAFT AND OUTBOARD MOTORS BY OPERATION OF LAW, SO AS TO INCLUDE TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 56-19-290, RELATING TO CONTENTS OF A CERTIFICATE OF TITLE ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REQUIRE CERTAIN INFORMATION REGARDING TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 56-19-420, RELATING TO DEPARTMENT OF MOTOR VEHICLE FEES TO ISSUE OR TRANSFER A CERTIFICATE OF TITLE, SO AS TO ESTABLISH A FEE FOR TRANSFER ON DEATH DESIGNATIONS; AND BY AMENDING SECTION 62-6-101, RELATING TO DEFINITIONS, SO AS TO REVISE AND INCLUDE CERTAIN DEFINITIONS PERTAINING TO TRANSFERS ON DEATH FOR TITLED PERSONAL PROPERTY.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 839 -- Senators Alexander and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-85, RELATING TO HOMICIDE BY CHILD ABUSE, SO AS TO INCREASE THE AGE OF A CHILD UNDER THIS SECTION FROM UNDER THE AGE OF ELEVEN TO UNDER THE AGE OF EIGHTEEN.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 845 -- Senators Rankin, Sabb, Talley and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-108, RELATING TO PROBATE, TESTACY, AND APPOINTMENT PROCEEDINGS; ULTIMATE TIME LIMIT, SO AS TO ALLOW APPROPRIATE APPOINTMENT PROCEEDINGS FOR AN ESTATE OF AN INDIVIDUAL REGARDLESS OF THE DATE OF DEATH, TO ALLOW APPOINTMENT PROCEEDINGS FOR THE PURPOSE OF ALLOWING A CLAIM PURSUANT TO THE "HONORING OUR PACT ACT OF 2022".

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 877 -- Senators Senn, Shealy, Gustafson, McLeod and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-90 SO AS TO DEFINE NECESSARY TERMS, CREATE THE OFFENSE OF LURING A CHILD INTO A CONVEYANCE, DWELLING, OR STRUCTURE, AND PROVIDE A PENALTY AND DEFENSES TO PROSECUTION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 881 -- Senators M. Johnson, McLeod and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING THE "PROHIBITION OF UNFAIR REAL ESTATE SERVICE AGREEMENTS ACT"; AND TO MAKE THE PROHIBITIONS EFFECTIVE FOR ANY UNFAIR REAL ESTATE SERVICE

AGREEMENTS THAT ARE RECORDED ON THE EFFECTIVE DATE OF THIS ACT OR THAT ARE EXECUTED MODIFIED, EXTENDED, OR AMENDED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 947 -- Senators Hembree, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-910, RELATING TO KIDNAPPING, SO AS TO ALLOW SENTENCING FOR THE CRIME OF KIDNAPPING AND OTHER CRIMES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 954 -- Senators Hembree and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 995 -- Senators Hutto, Shealy, Reichenbach, Devine, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO SECTIONS 16-15-385 THROUGH 16-15-425, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE; BY AMENDING SECTION 16-15-395, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-405, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED

IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-410, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 996 -- Senators Hutto, Shealy, Reichenbach, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

S. 1005 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1320, RELATING TO MOTOR RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROVIDE THAT A BOAT, WATERCRAFT, OR OTHER TYPE OF VESSEL POWERED BY AN OUTDRIVE OR INBOARD MOTOR HAVING AN ENGINE AUTOMOTIVE HORSEPOWER RATING IN EXCESS OF TWO HUNDRED HORSEPOWER IS PERMITTED AND THAT PERSONAL WATERCRAFT MAY NOT EXCEED ONE HUNDRED NINETY HORSEPOWER; AND BY AMENDING SECTION 50-25-1350, RELATING TO WATER SKIING AND TOWING RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROHIBIT THE OPERATION OF PERSONAL WATERCRAFT, SPECIALTY PROPCRAFT, OR VESSELS IN EXCESS OF IDLE SPEED WITHIN ONE HUNDRED FEET OF A WHARF, DOCK,

BULKHEAD, OR PIER OR WITHIN FIFTY FEET OF A MOORED OR ANCHORED VESSEL OR PERSON IN THE WATER.

Ordered for consideration tomorrow.

Appointment Reported

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina Forestry Commission, with the term to commence June 30, 2022, and to expire June 30, 2028

At-Large, Public:

Eric W. Smith, 332 Eagle Ridge Road, Summerville, SC 29485-8499 *VICE* Harry S. Morrison

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3866 -- Rep. Rutherford: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-7-95 SO AS TO CLARIFY THAT, WHEN THE ATTORNEY GENERAL PROCEEDS IN THE PUBLIC INTEREST, THE ATTORNEY GENERAL DOES NOT UNDERTAKE REPRESENTATION OF STATE AGENCIES AND CANNOT BE CONSIDERED TO HAVE POSSESSION, CUSTODY, OR CONTROL OVER STATE AGENCY DOCUMENTS OR ELECTRONICALLY STORED INFORMATION; AND BY ADDING SECTION 39-5-55 SO AS TO SPECIFY THAT THE ATTORNEY GENERAL IS ACTING IN THE PUBLIC INTEREST OF THE STATE IN UNFAIR TRADE PRACTICE PROCEEDINGS, AND TO PROVIDE AN EXCEPTION.

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

S. 862 -- Senators Shealy and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-30, RELATING TO CAREGIVER REQUIREMENTS, SO AS

TO PROVIDE FOR EDUCATIONAL AND PRE-SERVICE TRAINING REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG proposed the following amendment (SR-862.JG0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 63-13-30(A) and inserting:

(A) A caregiver ~~who begins employment~~ in a licensed or approved childcare center in South Carolina ~~after June 30, 1994,~~ must have at least a high school diploma ~~or~~, General Educational Development (GED), Certificate of Completion, or a South Carolina High School Employability Credential ~~and at least six months' experience as a caregiver in a licensed or approved childcare facility. If a caregiver does not meet the experience requirements, the caregiver must be directly supervised for six months by a staff person with at least one year experience as a caregiver in a licensed or approved childcare facility~~. Within ~~six three months~~ five days of being employed, a caregiver must ~~have six clock hours of training in child growth and development and early childhood education or shall continue to be under the direct supervision of a caregiver who has at least one year of experience as a caregiver in a licensed or approved childcare facility~~complete fifteen hours of health and safety service provider training. The caregiver shall be directly supervised for a period of at least thirty days by a staff person with at least one year of experience as a caregiver in a licensed or approved childcare facility and until such time as the caregiver has completed the required health and safety service provider training, provided the caregiver is also in compliance with Section 63-13-40 relating to required background checks.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill was ordered sent to the House with amendments.

AMENDED, CARRIED OVER

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS

IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO

PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (SJ-3518.MF0048S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 3 and inserting:

SECTION 3. This act takes effect on May 19, 2024.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Objection

Senator MALLOY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

Senator MATTHEWS objected.

The motion failed.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH

ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING

TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

On motion of Senator CORBIN, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 578 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-54-240, RELATING TO DISCLOSURE OF RECORDS OF AND REPORTS AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE,

SO AS TO AUTHORIZE THE DISCLOSURE OF DOCUMENTS UNDER CERTAIN CIRCUMSTANCES.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (LC-578.DG0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 12-54-240(B)(23) and inserting:

(23) disclosure of any information on any return that has been filed with the Department of Revenue to the Department of Health and Human Services or the Attorney General for the purpose of verifying Medicaid eligibility or investigating Medicaid fraud;

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Objection

Senator MALLOY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

Senator MATTHEWS objected.

The motion failed.

On motion of Senator MALLOY, the Bill was carried over.

READ THE SECOND TIME

S. 944 -- Senators Gambrell, Bennett, Turner, Fanning and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PAID FAMILY LEAVE INSURANCE ACT" BY ADDING CHAPTER 103 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH FAMILY LEAVE BENEFITS, OUTLINE REQUIREMENTS OF FAMILY LEAVE INSURANCE POLICIES, AND PROVIDE EXCLUSIONS, AMONG OTHER THINGS.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 538 -- Senators Kimbrell, M. Johnson, Adams, Reichenbach, Rice, Verdin, Grooms and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-101-15 SO AS TO LIMIT TENURE AND TO PROVIDE THAT INSTITUTIONS OF HIGHER LEARNING MUST CREATE A TENURE REVIEW PROCESS.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

Senator SENN objected to further consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 946 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-1210, RELATING TO THE STATE ADVISORY COMMITTEE ON THE REGULATION OF CHILDCARE FACILITIES, SO AS TO CHANGE THE ORGANIZATION OF THE MEMBERS; AND BY AMENDING SECTION 63-13-1220, RELATING TO COMMITTEE DUTIES, SO AS TO CHANGE THE QUORUM OF MEMBERS REQUIRED TO VOTE FROM EIGHT TO SIX.

The Senate proceeded to a consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (SR-946.JG0001S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 63-13-1210 of the S.C. Code is amended to read:

Section 63-13-1210. (A) A State Advisory Committee on the Regulation of Childcare Facilities is established. It consists of ~~seventeen~~ fifteen members appointed by the Governor, in accordance with the following:

(1) ~~Five~~ Four of the members appointed must be parents of children who are receiving childcare services at the time of appointment, with no less than ~~three~~ two representing the entrepreneurial facilities.

(2) ~~Eight~~ Seven of the members appointed must be representative of owners and operators of childcare facilities, one of which must be an operator of a childcare home. No less than five other appointees must be operators of facilities subject to regulation who are actively engaged in the operation for profit.

(3) One member appointed shall represent the educational community of the State.

Nominees for membership on the advisory committee pursuant to items (1), (2), and (3) must be made from lists furnished the Governor by South Carolina organizations representing the various types of childcare facilities defined in this chapter.

(4) One member appointed shall represent the business community of the State. Nominees for membership pursuant to this item must be

made from lists furnished the Governor by the South Carolina Chamber of Commerce.

(5) Two members appointed shall represent church-operated childcare centers, one of whom must be an operator of a church childcare center and one of whom must be a parent of a child who is receiving childcare services in a church-operated childcare center at the time of appointment.

(B) Members shall serve for terms of three years and until their successors are appointed and qualify, except that of those initially appointed five shall serve for one year, five for two years, and five for three years. A member shall not serve on the advisory committee in a hold-over capacity at the conclusion of his term for more than 90 days. Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term only. Reappointment to serve a full term may ensue at the discretion of the Governor, however, no member may be permitted to succeed himself after serving a full term.

(C) The chairman of the committee must be designated by the Governor from among the appointees selected pursuant to the provisions of items (1) and (2) of subsection (A) of this section.

SECTION 2. Section 63-13-1220 of the S.C. Code is amended to read:

Section 63-13-1220. The State Advisory Committee on the Regulation of Childcare Facilities shall:

(1) Review changes in the regulations and suggested standards proposed by the director or his designee and make recommendations on these changes to the director or his designee. The committee shall evaluate the regulations and suggested standards at the three-year review period (subsection (C) of Section 63-13-180) and recommend necessary changes. No regulation may be promulgated if the standard has been disapproved by a simple majority of the committee.

(2) Advise the department regarding the improvement of the regulation of childcare facilities.

(3) Advise the department on matters of regulatory policy, planning, and priorities.

(4) As it considers necessary, hold a public hearing at least thirty days before adoption of the regulations.

(5) Plan with the department for the procedures to be used in notifying licensees, approved operators, and registrants regarding regulatory changes sixty days before intended promulgation.

(6) Maintain through the department the essential liaison with other departments and agencies of state and local government so as to preclude

imposition of duplicate requirements upon operators subject to regulations under this chapter.

(7) Act to move the adoption of its recommendations and other pertinent disposition of matters before it by decision of a simple majority of those members present and voting, provided there is a quorum of ~~eight members~~a majority of the members appointed and found qualified.

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 974 -- Senator Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 59-104-20, 59-149-10, AND 59-150-370, ALL RELATING TO THE DEFINITION OF "PUBLIC OR INDEPENDENT INSTITUTION" FOR PURPOSES OF THE PALMETTO FELLOWS SCHOLARSHIPS, THE LEGISLATIVE INCENTIVES FOR FUTURE EXCELLENCE (LIFE) SCHOLARSHIPS, AND THE SC HOPE SCHOLARSHIPS, RESPECTIVELY, SO AS TO ADD AN INSTITUTION ACCREDITED BY THE ACCREDITING COMMISSION OF CAREER SCHOOLS AND COLLEGES TO THE DEFINITION.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (SEDU-974.DB0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-104-20(c) and inserting:

(c) not for profit institutions accredited by the Accrediting Commission of Career Schools and Colleges.

Amend the bill further, SECTION 2, by striking Section 59-149-10(3) and inserting:

(3) not for profit institutions accredited by the Accrediting Commission of Career Schools and Colleges.

Amend the bill further, SECTION 3, by striking Section 59-150-370(3) and inserting:

(3) not for profit institutions accredited by the Accrediting Commission of Career Schools and Colleges.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1054 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 5231, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to a consideration of the Resolution.

Senator YOUNG explained the Resolution.

The question being the second reading of the Resolution.

On motion of Senator YOUNG, the Resolution was carried over.

READ THE SECOND TIME

S. 1001 -- Senator Martin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-3-430, RELATING TO THE AUTHORIZATION OF INMATE LABOR IN PRIVATE INDUSTRY AND REQUIREMENTS AND CONDITIONS, SO AS TO PROVIDE THAT NO INMATE PARTICIPATING IN THE PROGRAM MAY EARN LESS THAN THE FEDERAL MINIMUM WAGE.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

H. 4002 -- Reps. G.M. Smith, W. Newton, Hiott, Davis, B. Newton, Erickson, Bannister, Haddon, Sandifer, Thayer, Carter, Robbins, Blackwell, Forrest and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATION DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE PENALTIES.

Senator M. JOHNSON objected to consideration of the Bill.

POINT OF ORDER

S. 1064 -- Senator Turner: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CONDUCT A REVIEW OF THE CURRENT LAW REGARDING COMMUNITY RESIDENTIAL CARE FACILITIES INCLUDING, BUT NOT LIMITED TO, QUALIFICATIONS FOR A FACILITY TO IDENTIFY AND ADVERTISE AS AN ALZHEIMER'S SPECIAL CARE UNIT, EVALUATION OF STAFFING LEVELS FOR A FACILITY'S ALZHEIMER'S SPECIAL CARE UNIT, AND A REVIEW OF THE NEED FOR REGISTERED NURSING COVERAGE IN A FACILITY'S ALZHEIMER'S SPECIAL CARE UNIT; AND TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY BY JANUARY 1, 2025, FOR UPDATING AND IMPROVING THE LAW'S REQUIREMENTS FOR ALZHEIMER'S SPECIAL CARE UNITS HOUSED IN COMMUNITY RESIDENTIAL CARE FACILITIES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 2:29 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

S. 418 -- Senators Hembree, Turner, Gustafson and Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-155-180, RELATING TO PRE-SERVICE AND IN-SERVICE TEACHER EDUCATION PROGRAMS, SO AS TO UPDATE THE ENDORSEMENT REQUIREMENTS OF READ TO SUCCEED.

On motion of Senator MASSEY, the Bill was carried over.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE THIRD TIME
SENT TO THE HOUSE

S. 915 -- Senators Peeler, Alexander, Setzler, Verdin, Davis, Hutto, Kimbrell, Young, Senn and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO CREATE THE EXECUTIVE OFFICE OF HEALTH AND POLICY AND PROVIDE FOR THE DUTIES OF THE SECRETARY OF THE AGENCY; BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DISSOLVE SEVERAL DEPARTMENTS AND CREATE THE STATE OFFICE OF THE SECRETARY OF PUBLIC HEALTH AND POLICY; BY AMENDING SECTION 8-17-370, RELATING TO THE MEDIATION OF GRIEVANCES BY THE STATE HUMAN RESOURCES DIRECTOR SO AS TO ADD THE SECRETARY OF HEALTH AND POLICY, THE DIRECTORS OF THE COMPONENT DEPARTMENTS OF THE EXECUTIVE OFFICE OF HEALTH AND POLICY, AND ALL DIRECT REPORTS TO THE SECRETARY AND

TO DIRECTORS OF THE COMPONENT DEPARTMENTS; BY AMENDING SECTION 43-21-70, RELATING TO THE EMPLOYMENT OF THE DIRECTOR OF THE DEPARTMENT AND ADVISORY COUNCIL ON AGING, SO AS TO PROVIDE THAT THE SECRETARY OF HEALTH AND POLICY SHALL APPOINT A DIRECTOR TO BE THE ADMINISTRATIVE OFFICER OF THE DEPARTMENT ON AGING; AND TO REPEAL TITLE 44, CHAPTER 9 RELATING TO THE STATE DEPARTMENT OF MENTAL HEALTH.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Verdin
Williams	Young	

Total--44

NAYS

Corbin

Total--1

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House of Representatives with amendments.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE AND LOCAL CALENDAR.

CARRIED OVER

S. 708 -- Senators Young, Shealy and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-11-420, RELATING TO DEFINITIONS PERTAINING TO THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM, SO AS TO DEFINE CHILD ABUSE MEDICAL SERVICES; AND BY AMENDING SECTION 63-11-430, RELATING TO PROGRAM REQUIREMENTS, SO AS TO PROVIDE FOR THE INCLUSION OF SOUTH CAROLINA NETWORK OF CHILDREN'S ADVOCACY CENTERS AND CHILDREN'S HOSPITALS IN THE PROGRAM.

On motion of Senator MASSEY, the Bill was carried over.

READ THE THIRD TIME
SENT TO THE HOUSE

S. 903 -- Senator Campsen: A BILL TO AMEND SECTION 5 OF ACT 91 OF 2021, RELATING TO FLOUNDER CATCH LIMITS, SO AS TO REPEAL THE SUNSET CLAUSE.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN spoke on the Bill.

Senator CAMPSEN explained the Bill.

Motion Adopted

On motion of Senator CLIMER, with unanimous consent, Senators GAMBRELL, BENNETT, ALLEN, SENN and CLIMER were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Senator CAMPSEN resumed speaking on the Bill.

Objection

Senator MALLOY asked unanimous consent, with Senator CAMPSEN retaining the floor, to give the Bill a third reading.

Senator MATTHEWS objected.

Senator MATTHEWS spoke on the Bill.

Senator MATTHEWS moved to recommit the Bill to the Committee on Fish, Game and Forestry.

Senator YOUNG moved to table the motion to recommit the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 9

AYES

Adams	Alexander	Bennett
Campsen	Cash	Corbin
Cromer	Davis	Garrett
Goldfinch	Grooms	Gustafson
Hembree	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Talley
Turner	Verdin	Young

Total--27

NAYS

Devine	Fanning	*Johnson, Kevin*
Matthews	McLeod	Sabb
Shealy	Stephens	Tedder

Total--9

The motion to recommit the Bill was laid on the table.

Expression of Personal Interest

Senator SABB rose for an Expression of Personal Interest.

Remarks by Senator SABB

Thank you, Mr. PRESIDENT and members. I've been asked to speak for five hours; I intend to speak for five minutes or less. There is something that troubles me a little bit, and as a result, I decided that I

would talk about it. Truthfully, it's more procedural than it is substantive because I have an appreciation for what occurred with several of the Bills that we've advanced this session. Grant you, I was on the losing end of most of those Bills, but we debated the Bills.

People who had amendments got an opportunity to put their amendments up and they were heard fully on their amendments. That's the South Carolina Senate that I knew I had come to. When I was in the House, it wasn't often that I watched the Senate and what they did, but the few times I did watch, I watched with great interest. I watched one of our Senators take the well and discuss an issue about whether or not one individual should have more than one position, whether or not that was too much of a consolidation of power, and just observed it, where an individual has an opinion, and he gets to fully express it. We witnessed a lot of that I think this week. I think that's a tradition of the Senate that in my mind keeps it a deliberative body, which I believe is important for the State of South Carolina. I experienced something in my short time in the Senate that won't leave me. The idea of not being able to be heard on a matter of importance will not leave me. We were debating critical race theory, and I'm going to tie it into the Flounder Bill in a minute but we were debating critical race theory. To me, the substance of critical race theory is in direct opposition to the Education Improvement Act. If you read the Act, it talks about the discussions that minorities had on education in our State and if you compare what critical race theory does to that, in my mind, it overrules a substantial portion of it. However -- never got to talk about it because of how some view the need to move on and to pass a Bill.

To me, that's not this Body and frankly, it won't leave me. I believe, not because of me or my ego -- I think that there's a part of me, and I'll probably never be as much of an institutionalist as Senator SHEALY, Senator PEELER or several other Senators that I could call by name. I don't know that I'll ever grow to appreciate the institution of the Senate as I've witnessed them display in this Body. I couldn't sit idle because, as I listened to Senator MATTHEWS talk, it just didn't seem right to me that an individual could object to a Bill on Tuesday and want to deal with it responsibly. Then a day or so later, we're on the Bill because of how we've used the rules to pass the Bill quickly. I just don't believe that's how we ought to operate. I have a fundamental problem with it, and obviously, because I have a fundamental problem with it doesn't mean it's got to change, and perhaps it won't. However, in my mind, I have an obligation to speak out about it because I think it's wrong. I think it's wrong for our institution, and I don't believe there's any right way,

regardless of how we manipulate rules -- I don't think there's any right way to do a wrong thing. I think to the extent that we are to remain a deliberative body that listens to each other, not necessarily agree, but at least listen to each other. I think that's what this institution is all about. Today we are where we are, on this Lord's Day, but there will be a tomorrow. If God's gracious unto us, perhaps we'll see some days beyond that. I don't just want the precedent of the Senate to be that we're all about passing as much Legislation as we can, as quickly as we can. I want, at the end of the day, for each and every one of us to be able to leave the Chambers knowing that we've done everything we could to be a part of trying to channel Legislation in the right direction for the benefit of every South Carolinian. A lot of Legislation that we deal with doesn't deal with the masses. Quite frankly, I believe that some of what we deal with are bullies in certain settings of the segments of our society, and to the extent that there is one in this chamber that feels a connection to that individual. That individual has a right to have one of us champion their cause. Then our goal, of course, is to try to get a majority of the Body to agree with whatever situation, whatever circumstance we believe that person is entitled to because everyone has rights. I feel my five minutes easing away and I was serious when I said I wanted to talk for five minutes. I guess I would conclude by saying that Dr. Charles A. Murray, my high school principal, said a bunch of profound things, but one of the things that he said was that people do according to their understanding -- that people do according to their understanding. My understanding is that this is, not was, but that this is a deliberative body -- that's my understanding.

We are the South Carolina Senate, and we are a deliberative body. I intend to govern myself accordingly. Now, the history of the Senate will prove me right or will prove me wrong, but if it's an institution that we believe in, then she's worth fighting for. If she serves as the bedrock of our State, as many of us believe, then she's worth fighting for. I'm just urging us to please, ma'ams and sirs, consider each other as it relates to the issue of whether or not we ought to have the opportunity to be fully heard. It becomes a due process right, in my opinion, of every Senator. Thank you, Mr. PRESIDENT.

On motion of Senator FANNING, with unanimous consent, the remarks of Senator SABB were ordered printed in the Journal.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Devine	Matthews	McLeod

Total--3

The Bill was read the third time, ordered sent to the House.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator BENNETT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Phillip Rizzo of St. George, S.C. Phillip earned a marketing degree from Florida State University and a master's degree from Florida Metropolitan University. He was the Head of School at Robert E. Lee Academy, Clarendon Hall and most recently Dorchester Academy. He was the SCISA Headmaster's Association President, a member of the Executive Committee and served on the Athletic Committee and Master Teacher Selection Team. Phillip served two terms as President of the St. George Rotary Club. Phillip was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 4:47 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 22, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

2 Chronicles 1:10a

We remember that Solomon implored the Lord God to: " 'Give me wisdom and knowledge, that I may lead this people.' "

Bow in prayer with me, please: O Wondrous God, our world cries out for wise, well-informed and truly caring leaders. The demands of modern-day life require such, of course. But even moreso, our citizens also expect every Senator and each staff member serving here always to use their gifts wisely and well, to be dedicated to providing the absolute best level of governance possible. Therefore, by Your Spirit's grace, Lord, empower these talented leaders to work together as they move our State and all of her people ever forward. And bless us -- as well as all of our women and men in uniform serving around the globe. In Your loving name we humbly pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens

Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Leave of Absence

At 11:07 A.M., Senator GAMBRELL requested a leave of absence for today.

Leave of Absence

At 12:35 P.M., Senator DAVIS requested a leave of absence for the balance of the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 418 Sen. Kimbrell
S. 1017 Sen. Setzler

RECALLED AND READ THE SECOND TIME

S. 912 -- Senator Davis: A JOINT RESOLUTION TO EXPRESS SUPPORT FOR THE SC NEXUS FOR ADVANCED RESILIENT ENERGY AND TO ENCOURAGE THE CONTINUED GLOBAL LEADERSHIP TO REDUCE THE STATE'S ENVIRONMENTAL IMPACT WHILE ENHANCING THE ECONOMIC OUTPUT.

Senator RANKIN asked unanimous consent to make a motion to recall the Resolution from the Committee on Judiciary.

The Resolution was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration today.

Senator RANKIN asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the second reading of the Resolution.

On motion of Senator RANKIN with unanimous consent, the Resolution was read the second time, passed and ordered to a third reading.

Recorded Vote

Senators CORBIN, TURNER and CASH desired to be recorded as voting against the second reading of the Resolution.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1082 -- Senators Goldfinch and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3760 SO AS TO PROVIDE FOR AN INDIVIDUAL INCOME TAX CREDIT AGAINST THE INCOME TAX LIABILITY OF A TAXPAYER EQUAL TO FIFTY PERCENT OF THE COSTS INCURRED BY THE TAXPAYER FOR HABITAT MANAGEMENT FOR WILD TURKEY; AND BY AMENDING SECTION 50-11-525, RELATING TO THE AUTHORITY OF THE DEPARTMENT OF NATURAL RESOURCES TO PROMULGATE CERTAIN REGULATIONS, SO AS TO REQUIRE THE DEPARTMENT TO ESTABLISH GUIDELINES FOR HABITAT MANAGEMENT FOR WILD TURKEY.

sfgf-0024bc24.docx

Read the first time and referred to the Committee on Finance.

S. 1083 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-17-310, RELATING TO THE DEFINITION OF MOBILE HOME, SO AS TO PROVIDE A DEFINITION; AND BY AMENDING SECTION 31-17-320, RELATING TO LICENSE REQUIREMENTS FOR MOBILE HOMES, SO AS TO PROVIDE SEPARATE REQUIREMENTS FOR THE ISSUING OF A LICENSE FOR A MOBILE HOME TO A LICENSED DEALER.

sr-0593km24.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1084 -- Senator Allen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 43-21-210 SO AS TO ESTABLISH THE SENIOR CALL-CHECK SERVICE AND

NOTIFICATION PROGRAM WITHIN THE DEPARTMENT ON AGING.
lc-0386hdb24.docx

Read the first time and referred to the Committee on Family and Veterans' Services.

S. 1085 -- Senators Jackson and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15-41-30, RELATING TO PROPERTY EXEMPT FROM ATTACHMENT, LEVY, AND SALE, SO AS TO PROVIDE THAT A DEBTOR'S INTEREST IN REAL PROPERTY USED AS A PRIMARY RESIDENCE MAY NOT BE SOLD IF THE ACTION WAS INSTITUTED BY A HOMEOWNERS ASSOCIATION ATTEMPTING TO COLLECT UNPAID DUES, FEES, OR FINES; BY AMENDING SECTION 27-30-130, RELATING TO THE ENFORCEABILITY OF A HOMEOWNERS ASSOCIATION'S GOVERNING DOCUMENTS, SO AS TO PROHIBIT THE ENFORCEABILITY OF A PROVISION GRANTING A HOMEOWNERS ASSOCIATION THE AUTHORITY TO FORECLOSE ON PROPERTY; AND BY ADDING SECTION 29-3-810 SO AS TO PROHIBIT A FORECLOSURE ACTION NOT AUTHORIZED BY STATUTE.
smin-0119aa24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1086 -- Senator Jackson: A SENATE RESOLUTION TO HONOR JACKIE J. WHITMORE FOR THE CONTRIBUTIONS HE HAS MADE TO THIS GREAT STATE AS A HISTORIAN AND TO CONGRATULATE HIM FOR BEING FEATURED IN THE 2024 SOUTH CAROLINA AFRICAN AMERICAN HISTORY CALENDAR.
lc-0383dg-bl24.docx

The Senate Resolution was adopted.

S. 1087 -- Senators Jackson and Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE LIFE OF MR. BISHOP ELVIN CLEVELAND OF WALHALLA AND CELEBRATE HIS ACHIEVEMENT AS THE FIRST BLACK MAN TO DRIVE A CAR IN THE TOWN OF WALHALLA.
lc-0620wab-ar24.docx

The Senate Resolution was adopted.

S. 1088 -- Senators Young, Hutto and Massey: A BILL TO AMEND SECTION 2 OF ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2026.
sj-0014bj24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1089 -- Senators Kimbrell, M. Johnson, Loftis, Talley, Adams and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 55-1-1, RELATING TO THE DIVISION OF AERONAUTICS, SO AS TO TRANSFER THE DIVISION FROM THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO THE DEPARTMENT OF TRANSPORTATION TO BE GOVERNED BY THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 55-1-5, RELATING TO AERONAUTICS GENERALLY, SO AS TO PROVIDE THAT THE EXECUTIVE DIRECTOR OF THE DIVISION OF AERONAUTICS IS APPOINTED BY THE SECRETARY OF TRANSPORTATION UPON THE ADVICE AND CONSENT OF THE SENATE AND TO MAKE OTHER CONFORMING CHANGES; BY AMENDING SECTIONS 55-11-10, 55-15-10, 13-1-10, 1-30-25, 2-13-240, 11-35-1550, 12-36-1710, 23-33-20, AND 46-13-60, ALL RELATING TO THE DIVISION OF AERONAUTICS, SO AS TO MAKE A CONFORMING CHANGE; AND BY REPEALING ARTICLES 6 AND 7 OF CHAPTER 1, TITLE 13 RELATING TO THE AERONAUTICS COMMISSION AND DIVISION OF AERONAUTICS.
lc-0350dg24.docx

Read the first time and referred to the Committee on Transportation.

S. 1090 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO LICENSE PLATES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5227, PURSUANT TO THE

PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0636wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1091 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO SELF-INSURERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5228, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0637wab-rt24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1092 -- Senators Jackson, Sabb, Stephens, Devine, K. Johnson and McElveen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR PAUL MITCHELL, CHAIRMAN OF OPTUS BANK, AND TO EXPRESS DEEP APPRECIATION TO HIM FOR THE POSITIVE IMPACT HIS LEADERSHIP HAS PROVIDED TO OPTUS BANK AND TO ECONOMIC DEVELOPMENT IN THE PALMETTO STATE.
lc-0635wab-gm24.docx

The Senate Resolution was adopted.

S. 1093 -- Senators Campsen, Goldfinch, Turner, Senn, Kimbrell and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-39-165 SO AS TO REQUIRE AN APPEALS PROCESS FOR AN ALLEGED RULE VIOLATION OF A VOLUNTARY ASSOCIATION THAT ESTABLISHES AND ENFORCES BYLAWS OR RULES FOR INTERSCHOLASTIC SPORTS COMPETITION FOR PUBLIC SECONDARY SCHOOLS IN THE STATE MUST INCLUDE THE PROCEDURAL DUE PROCESS PROTECTIONS OF THE FOURTEENTH AMENDMENT INCLUDING, BUT NOT LIMITED TO, THE RIGHT OF AN ALLEGED RULE VIOLATOR TO CROSS-EXAMINE TESTIMONY MADE AGAINST THE ALLEGED RULE VIOLATOR; AND TO PROVIDE A DECISION OF A VOLUNTARY ASSOCIATION THAT ESTABLISHES AND ENFORCES BYLAWS OR RULES FOR INTERSCHOLASTIC SPORTS COMPETITION FOR PUBLIC

SECONDARY SCHOOLS IN THE STATE, OR AN APPELLATE PANEL OF THE ASSOCIATION, THAT PENALIZES A HIGH SCHOOL ATHLETICS TEAM DUE TO AN ALLEGED RULE VIOLATION THAT OCCURRED IN JANUARY 2024 IS VOID.
sfgf-0027bc24.docx

Read the first time and referred to the Committee on Education.

S. 1094 -- Senator McElveen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-3-16010 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "SOUTH CAROLINA BEEKEEPERS ASSOCIATION" SPECIAL LICENSE PLATES.
smin-0111aa24.docx

Read the first time and referred to the Committee on Transportation.

S. 1095 -- Senator M. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATIONS DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATIONS DEVICE", AND TO PROVIDE PENALTIES.
sr-0598km24.docx

Read the first time and referred to the Committee on Corrections and Penology.

REPORTS OF STANDING COMMITTEES

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

S. 780 -- Senator Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-18-30, RELATING TO APPLICABILITY AND EXCEPTIONS FOR THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, SO AS TO PROVIDE THAT AN INDIVIDUAL IS ALLOWED TO OPERATE A SUPER-KART IF THEY ARE EIGHTEEN YEARS OF AGE OR OLDER OR ARE FIFTEEN YEARS OF AGE OR OLDER AND HOLD A VALID DRIVER'S LICENSE OR PERMIT.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 3355 -- Reps. Moss and Lawson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-5-4072 SO AS TO PROVIDE THAT A TOWING TRUCK WITH A FIFTH WHEEL ASSEMBLY MAY TOW ONE ADDITIONAL VEHICLE, TO PROVIDE A MAXIMUM LENGTH FOR THIS COMBINATION OF VEHICLES, TO PROVIDE THE MAXIMUM WEIGHT FOR THE FINAL TRAILING VEHICLE, AND TO PROVIDE A TRUCK OPERATING A TOWING COMBINATION MUST INCLUDE A VIDEO SYSTEM WHICH ALLOWS THE DRIVER TO MONITOR THE FINAL TRAILING VEHICLE AS IT IS BEING TOWED AND BE EQUIPPED WITH CERTAIN SAFETY DEVICES.

Ordered for consideration tomorrow.

Appointments Reported

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointments

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2023, and to expire June 30, 2027

Massage/Bodywork Therapist:

Sherri Rees, 157 Regent Avenue, Bluffton, SC 29910-8841 *VICE* Jennifer Griffith

Received as information.

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2023, and to expire June 30, 2027

General Public:

Nina Spinelli, 727 Dawsons Park Way, Lexington, SC 29072-1906

Received as information.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2024, and to expire June 30, 2028

6th Congressional District:

Douglas D. Elliott, City of Columbia Parks and Recreation Department, Columbia, SC 29203-6411 *VICE* Steven K. Dean

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

H. 4868 -- Reps. Kirby, Lowe, Jordan and Williams: A BILL TO AMEND ACT 84 OF 2011, AS AMENDED, RELATING TO THE TIME AND METHOD BY WHICH THE NINE MEMBERS OF THE FLORENCE COUNTY SCHOOL DISTRICT NUMBER THREE BOARD OF TRUSTEES ARE ELECTED, TO REAPPORTION THE FIVE SINGLE-MEMBER DISTRICTS AND THE TWO MULTIMEMBER DISTRICTS FROM WHICH THESE NINE MEMBERS MUST BE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

On motion of Senator SABB.

H. 4868--Ordered to a Third Reading

On motion of Senator SABB, H. 4868 was ordered to receive a third reading on Friday, February 23, 2024.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House:

S. 944 -- Senators Gambrell, Bennett, Turner, Fanning and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PAID FAMILY LEAVE INSURANCE ACT" BY ADDING CHAPTER 103 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH FAMILY LEAVE BENEFITS, OUTLINE REQUIREMENTS OF FAMILY LEAVE INSURANCE POLICIES, AND PROVIDE EXCLUSIONS, AMONG OTHER THINGS.

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

S. 946 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-1210, RELATING TO THE STATE ADVISORY COMMITTEE

ON THE REGULATION OF CHILDCARE FACILITIES, SO AS TO CHANGE THE ORGANIZATION OF THE MEMBERS; AND BY AMENDING SECTION 63-13-1220, RELATING TO COMMITTEE DUTIES, SO AS TO CHANGE THE QUORUM OF MEMBERS REQUIRED TO VOTE FROM EIGHT TO SIX.

The Senate proceeded to a consideration of the Bill.

Senator ALEXANDER proposed the following amendment (SR-946.JG0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 63-13-1210(A)(4) and inserting:

(4) One member appointed shall represent the business community of the State. ~~Nominees for membership pursuant to this item must be made from lists furnished the Governor by the South Carolina Chamber of Commerce.~~

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

S. 974 -- Senator Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 59-104-20, 59-149-10, AND 59-150-370, ALL RELATING TO THE DEFINITION OF "PUBLIC OR INDEPENDENT INSTITUTION" FOR PURPOSES OF THE PALMETTO FELLOWS SCHOLARSHIPS, THE LEGISLATIVE INCENTIVES FOR FUTURE EXCELLENCE (LIFE) SCHOLARSHIPS, AND THE SC HOPE SCHOLARSHIPS, RESPECTIVELY, SO AS TO ADD AN INSTITUTION ACCREDITED BY THE ACCREDITING

COMMISSION OF CAREER SCHOOLS AND COLLEGES TO THE DEFINITION.

S. 1001 -- Senator Martin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-3-430, RELATING TO THE AUTHORIZATION OF INMATE LABOR IN PRIVATE INDUSTRY AND REQUIREMENTS AND CONDITIONS, SO AS TO PROVIDE THAT NO INMATE PARTICIPATING IN THE PROGRAM MAY EARN LESS THAN THE FEDERAL MINIMUM WAGE.

CARRIED OVER

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES,

TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

The Senate proceeded to a consideration of the Bill.

Motion Failed

Senator MALLOY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

Senator MATTHEWS objected.

The motion failed.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A

REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS

INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

On motion of Senator CORBIN, the Bill was carried over.

OBJECTION

S. 578 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-54-240, RELATING TO DISCLOSURE OF RECORDS OF AND REPORTS AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE, SO AS TO AUTHORIZE THE DISCLOSURE OF DOCUMENTS UNDER CERTAIN CIRCUMSTANCES.

Senator MALLOY objected to consideration of the Bill.

RECOMMITTED

S. 1026 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO PHARMACY SERVICES ADMINISTRATIVE ORGANIZATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5241, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator BENNETT, the Resolution was recommitted to Committee on Banking and Insurance.

RECOMMITTED

S. 1027 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO PHARMACY BENEFITS MANAGERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5240, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator BENNETT, the Resolution was recommitted to Committee on Banking and Insurance.

CARRIED OVER

S. 1054 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 5231,

PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator SHEALY, the Resolution was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4002 -- Reps. G.M. Smith, W. Newton, Hiott, Davis, B. Newton, Erickson, Bannister, Haddon, Sandifer, Thayer, Carter, Robbins, Blackwell, Forrest and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATION DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE PENALTIES.

The Senate proceeded to a consideration of the Bill.

The Committee on Corrections and Penology proposed the following amendment (LC-4002.CM0005S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by deleting Section 24-3-980(C).

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Objection

Senator MALLOY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

Senator MATTHEWS objected.

The motion failed.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1064 -- Senator Turner: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CONDUCT A REVIEW OF THE CURRENT LAW REGARDING COMMUNITY RESIDENTIAL CARE FACILITIES INCLUDING, BUT NOT LIMITED TO, QUALIFICATIONS FOR A FACILITY TO IDENTIFY AND ADVERTISE AS AN ALZHEIMER'S SPECIAL CARE UNIT, EVALUATION OF STAFFING LEVELS FOR A FACILITY'S ALZHEIMER'S SPECIAL CARE UNIT, AND A REVIEW OF THE NEED FOR REGISTERED NURSING COVERAGE IN A FACILITY'S ALZHEIMER'S SPECIAL CARE UNIT; AND TO MAKE RECOMMENDATIONS TO

THE GENERAL ASSEMBLY BY JANUARY 1, 2025, FOR UPDATING AND IMPROVING THE LAW'S REQUIREMENTS FOR ALZHEIMER'S SPECIAL CARE UNITS HOUSED IN COMMUNITY RESIDENTIAL CARE FACILITIES.

On motion of Senator TURNER, the Resolution was carried over.

POINT OF ORDER

S. 235 -- Senators Adams, Gustafson, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-3-340 SO AS TO PROVIDE THAT UPON REQUEST OF A LAW ENFORCEMENT AGENCY, A WIRELESS TELECOMMUNICATIONS CARRIER SHALL PROVIDE CALL LOCATION INFORMATION CONCERNING THE TELECOMMUNICATIONS DEVICE OF THE USER TO THE LAW ENFORCEMENT AGENCY IN ORDER TO RESPOND TO A CALL FOR EMERGENCY SERVICES OR IN AN EMERGENCY SITUATION THAT INVOLVES THE RISK OF DEATH OR SERIOUS PHYSICAL HARM, TO PROVIDE A CIVIL OR CRIMINAL ACTION MAY NOT BE BROUGHT AGAINST A WIRELESS SERVICE PROVIDER UNDER THIS SECTION UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE SLED SHALL OBTAIN CONTACT INFORMATION FROM WIRELESS SERVICE PROVIDERS TO FACILITATE A REQUEST FROM A LAW ENFORCEMENT AGENCY.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 250 -- Senators M. Johnson and Malloy: A BILL TO AMEND SECTION 42-3-20 OF THE SOUTH CAROLINA CODE OF LAWS, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION, SO AS TO PROVIDE FOR QUALIFICATIONS TO SERVE AS A COMMISSIONER; TO AMEND SECTION 42-3-40, RELATING TO COMMISSIONERS' SALARIES, SO AS TO PROVIDE THAT COMMISSIONERS ARE ENTITLED TO JUDICIAL RETIREMENT AS PROVIDED UNDER THE PROVISIONS OF CHAPTER 8 OF

TITLE 9; TO AMEND SECTION 9-8-10(16), RELATING TO THE DEFINITION OF "JUDGE", TO INCLUDE COMMISSIONERS OF THE WORKERS' COMPENSATION COMMISSION; AND TO AMEND SECTION 9-8-40, RELATING TO MEMBERSHIP IN THE SYSTEM, SO AS TO PROVIDE FOR THE MEMBERSHIP OF COMMISSIONERS OF THE WORKERS' COMPENSATION COMMISSION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 251 -- Senators M. Johnson, Adams and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 42-9-50 SO AS TO PROVIDE BENEFITS TO FIRST RESPONDERS MEDICALLY DIAGNOSED WITH POST-TRAUMATIC STRESS DISORDER ARISING FROM A SIGNIFICANT TRAUMATIC EXPERIENCE OR SITUATION IN THE COURSE AND SCOPE OF EMPLOYMENT, THE FIRST RESPONDER HAS AN INCAPACITY TO WORK AS DETERMINED BY THE TREATING PHYSICIAN, AND THE FIRST RESPONDER IS PARTICIPATING IN AND RECEIVING CLINICAL CARE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 615 -- Senators Hutto, Setzler, Jackson, Allen, McLeod and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-2410 SO AS TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 755 -- Senators Young, Malloy, Massey, Campsen, Bennett, Rankin, Hembree, Matthews, Corbin, Talley, M. Johnson, Garrett, McLeod, Hutto, McElveen, Senn, Harpootlian, Sabb and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING PART 4 TO ARTICLE 6, CHAPTER 6, TITLE 62 SO AS TO PROVIDE FOR TRANSFER ON DEATH DESIGNATIONS FOR CERTAIN CATEGORIES OF TITLED PERSONAL PROPERTY; BY AMENDING SECTION 50-23-60, RELATING TO APPLICATIONS FOR CERTIFICATE OF TITLE FOR WATERCRAFT OR OUTBOARD MOTORS, SO AS TO PROVIDE FOR TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 50-23-70, RELATING TO FEES FOR WATERCRAFT AND OUTBOARD MOTOR CERTIFICATES OF TITLE SO AS TO ESTABLISH A FEE FOR TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 50-23-90, RELATING TO THE CONTENTS OF WATERCRAFT AND OUTBOARD MOTOR CERTIFICATES OF TITLE, SO AS TO REQUIRE CERTAIN INFORMATION REGARDING TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 50-23-130, RELATING TO TRANSFER OF OWNERSHIP OF WATERCRAFT AND OUTBOARD MOTORS BY OPERATION OF LAW, SO AS TO INCLUDE TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 56-19-290, RELATING TO CONTENTS OF A CERTIFICATE OF TITLE ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REQUIRE CERTAIN INFORMATION REGARDING TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 56-19-420, RELATING TO DEPARTMENT OF MOTOR VEHICLE FEES TO ISSUE OR TRANSFER A CERTIFICATE OF TITLE, SO AS TO ESTABLISH A FEE FOR TRANSFER ON DEATH DESIGNATIONS; AND BY AMENDING SECTION 62-6-101, RELATING TO DEFINITIONS, SO AS TO REVISE AND INCLUDE CERTAIN DEFINITIONS PERTAINING TO TRANSFERS ON DEATH FOR TITLED PERSONAL PROPERTY.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 839 -- Senators Alexander and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-85, RELATING TO HOMICIDE BY CHILD ABUSE, SO AS TO INCREASE THE AGE OF A CHILD UNDER THIS SECTION FROM UNDER THE AGE OF ELEVEN TO UNDER THE AGE OF EIGHTEEN.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 845 -- Senators Rankin, Sabb, Talley and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-108, RELATING TO PROBATE, TESTACY, AND APPOINTMENT PROCEEDINGS; ULTIMATE TIME LIMIT, SO AS TO ALLOW APPROPRIATE APPOINTMENT PROCEEDINGS FOR AN ESTATE OF AN INDIVIDUAL REGARDLESS OF THE DATE OF DEATH, TO ALLOW APPOINTMENT PROCEEDINGS FOR THE PURPOSE OF ALLOWING A CLAIM PURSUANT TO THE “HONORING OUR PACT ACT OF 2022”.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 877 -- Senators Senn, Shealy, Gustafson and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-90 SO AS TO DEFINE NECESSARY TERMS, CREATE THE OFFENSE OF LURING A CHILD INTO A CONVEYANCE, DWELLING, OR STRUCTURE, AND PROVIDE A PENALTY AND DEFENSES TO PROSECUTION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 881 -- Senators M. Johnson and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING THE "PROHIBITION OF UNFAIR REAL ESTATE SERVICE AGREEMENTS ACT"; AND TO MAKE THE PROHIBITIONS EFFECTIVE FOR ANY UNFAIR REAL ESTATE SERVICE AGREEMENTS THAT ARE RECORDED ON THE EFFECTIVE DATE OF THIS ACT OR THAT ARE EXECUTED MODIFIED, EXTENDED, OR AMENDED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 947 -- Senators Hembree, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-910, RELATING TO KIDNAPPING, SO AS TO ALLOW SENTENCING FOR THE CRIME OF KIDNAPPING AND OTHER CRIMES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 954 -- Senators Hembree and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 995 -- Senators Hutto, Shealy, Reichenbach, Devine, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO SECTIONS 16-15-385 THROUGH 16-15-425, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE; BY AMENDING SECTION 16-15-395, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-405, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-410, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE

GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 996 -- Senators Hutto, Shealy, Reichenbach, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1005 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1320, RELATING TO MOTOR RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROVIDE THAT A BOAT, WATERCRAFT, OR OTHER TYPE OF VESSEL POWERED BY AN OUTDRIVE OR INBOARD MOTOR HAVING AN ENGINE AUTOMOTIVE HORSEPOWER RATING IN EXCESS OF TWO HUNDRED HORSEPOWER IS PERMITTED AND THAT PERSONAL WATERCRAFT MAY NOT EXCEED ONE HUNDRED NINETY HORSEPOWER; AND BY AMENDING SECTION 50-25-1350, RELATING TO WATER SKIING AND TOWING RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROHIBIT THE OPERATION OF PERSONAL WATERCRAFT,

SPECIALTY PROPCRAFT, OR VESSELS IN EXCESS OF IDLE SPEED WITHIN ONE HUNDRED FEET OF A WHARF, DOCK, BULKHEAD, OR PIER OR WITHIN FIFTY FEET OF A MOORED OR ANCHORED VESSEL OR PERSON IN THE WATER.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 479 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME CHALK STREET IN THE RICHLAND COUNTY TOWN OF EASTOVER FROM POULTRY LANE TO MAIN STREET "FREDDIE E. CAMPBELL, SR. MEMORIAL STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

H. 4319 -- Rep. Erickson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE NEW HARBOR ISLAND BRIDGE IN BEAUFORT COUNTY THE "GEORGE J. 'GEORDIE' MADLINGER III BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4833 -- Rep. Burns: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION PLACE APPROPRIATE MARKERS OR SIGNS AT THE STATE-MAINTAINED ROAD ENTRANCES TO THE TOWN OF SLATER-MARRIETTA IN GREENVILLE COUNTY CONTAINING THE WORDS "HOME OF THE SLATER-MARIETTA HIGH SCHOOL GREEN WAVE FIVE-TIME SOUTH CAROLINA BOYS STATE BASKETBALL CHAMPIONS: 1953, 1962, 1964, 1966, AND 1971".

The Resolution was adopted, ordered returned to the House.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

Remarks by Senator HARPOOTLIAN

Thank you, Mr. PRESIDENT. Earlier I was talking to Senator KIMBRELL about a matter of international interest. It reminded me that I have been enthralled with a new television series called "The Masters of the Air". It is the story of the 8th Air Force B-17 bomber group that bombed Germany into submission -- in the sense that they had to pull their fighters back to cover Germany and left the channel open which led to D-Day. My dad was a member of the 8th Air Force B-17s out of a town near Cambridge. He went on thirty missions and bombed Berlin three or four times. As I watched the show it made me realize and remember these were teenagers. My dad was twenty-four -- the old man; thousands of them died. Thousands of them died. I pulled out something I hadn't pulled out in a long time, that is his diary that he kept on every mission. I want to share just one entry from January 6, 1944. This was his third mission, “We had no fighter cover over the target and on the way home boy was it rough. The fighters peppered us at will. A twenty-millimeter shell went off in the cockpit and wounded my co-pilot, Clements, in the leg. He was sitting in my seat. He says, ‘The pathetic part about it is we lost two ships in our squadron, Born and Powell.’ That is ten boys per ship that went down, twenty men dead. Born's brother had come over to visit him the day before the raid. They had not seen each other for over two years. The kid stayed here overnight and the next day Born went down. And so it goes, killed, damn, I hate it.” How did we get there? In 1939, Hitler annexed and invaded countries that he considered part of Germany -- the Sudetenland, Austria, and that is how it began. From 1939 to 1941, until the Japanese bombed Pearl Harbor, we stayed out of it. Now we did win these, but we said not our problem. And as a result, World War II ended in hundreds of thousands of American men and women dead. He lived through it. Many did not. We refuse to confront a tyrant, a thug, a murderer, and as a result World War II -- millions dead internationally.

Now, why am I talking about this today? Because we have another thug, a dictator killing thousands of people under the guise that Ukraine is a Russian territory. His goal is to expand and take countries to expand to the old USSR boundaries. He is a thug and a murderer. His political opponents, he throws out of windows, or poisons them, or most recently this week, Navalny was killed in a prison. This man’s crime was speaking out for democracy against a dictator. We have supported

Ukraine, but we are now floundering in that process. We are not living up to our commitments. If we continue our current path, that democracy will be taken by a thug dictator who will subjugate them and do away with democracy in that part of the world. I visit that part of the world. As you all know my wife is an ambassador in that part of the world. They are scared that we will fail to keep our commitments. So, talking to Senator KIMBRELL a while ago, who has relatives -- I believe his wife is from Ukraine. He understands that we as a country must support democracies like Ukraine. This is not some third world country. This is a democracy in the middle of Europe. If we do not support them with money and arms, your children or grandchildren may end up doing what my father had to do. Thank you.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator HARPOOTLIAN were ordered printed in the Journal.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 12:05 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 418 -- Senators Hembree, Turner, Gustafson, Loftis and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-155-180, RELATING TO PRE-SERVICE AND IN-SERVICE TEACHER EDUCATION PROGRAMS, SO AS TO UPDATE THE ENDORSEMENT REQUIREMENTS OF READ TO SUCCEED.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

The Committee on Education proposed the following amendment (SEDU-418.KG0012S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 59-155-110 of the S.C. Code is amended to read:

Section 59-155-110. ~~There is established within the~~ The South Carolina Department of Education ~~the South Carolina Read to Succeed Office to~~ shall implement a comprehensive, systemic approach to reading which will ensure~~ that~~:

(1) classroom teachers use ~~evidence-based~~scientifically-based reading instruction in prekindergarten through grade ~~twelve~~five, to include oral language, phonological awareness, phonics, fluency, vocabulary, and comprehension; administer and interpret valid and reliable assessments; analyze data to inform reading instruction; and provide ~~evidence-based~~scientifically-based interventions as needed so that all students develop proficiency with literacy skills and comprehension;

(2) ~~classroom teachers~~each district, in consultation with classroom teachers, periodically reassess ~~their~~ curriculum and ~~instructional~~ instructional materials for alignment with foundational literacy skills and exclusion of materials that employ the three-cueing system model of reading, visual memory as the primary basis for teaching word recognition, or the three-cueing system model of reading based on meaning, structure and syntax, and visual cues~~ to determine if they are helping each student progress as a proficient reader and make modifications as appropriate~~;

(3) each student who cannot yet comprehend grade-level text is identified and served as early as possible and at all stages of his or her educational process;

(4) each student receives targeted, effective, ~~comprehension~~ comprehensive support from the classroom teacher and, if needed, supplemental support from a reading interventionist so that ultimately all students can comprehend grade-level texts;

(5) after each administration of a universal reading screener or formative assessment as defined in this chapter, each student and his parent or guardian ~~is continuously~~are informed in writing of:

(a) the student's reading proficiency needs, progress, and ability to comprehend ~~and write~~ grade-level texts;

(b) specific actions the classroom teacher and other reading professionals have taken and will take to help the student comprehend ~~and write grade-level~~ texts; and

(c) specific actions that the parent or guardian can take to help the student comprehend grade-level texts~~ by providing access to books, assuring time for the student to read independently, reading to students, and talking with the student about books~~;

(6) classroom teachers receive pre-service and in-service coursework based in the science of reading, structured literacy, and foundational literacy skills~~ which prepares them to help all students comprehend grade-level texts~~;

(7) all students develop reading and writing proficiency to prepare them to graduate and to succeed in their career and post-secondary education;~~ and~~

(8) each school district publishes annually a comprehensive ~~research-based~~scientifically-based reading plan that includes intervention options available to students and funding for these services; and~~.~~

(9) all programs focused on early childhood literacy development promote parental involvement in children's literacy and development of foundational literacy skills.

SECTION 2. Section 59-155-120 of the S.C. Code is amended to read:

Section 59-155-120. As used in this chapter:

(1) "Board" means the State Board of Education.

(2) "Department" means the State Department of Education.

~~(3) "Discipline-specific literacy" means the ability to read, write, listen, and speak across various disciplines and content areas including, but not limited to, English/language arts, science, mathematics, social studies, physical education, health, the arts, and career and technology education.~~

(3) "Foundational literacy skills" means phonological and phonemic awareness, phonics, fluency, vocabulary, and reading comprehension and excludes models based on meaning, structure, syntax, and visual cues.

(4) "Formative Assessment" means nationally - normed, formative - assessments approved by the board and aligned with state standards used during the school year to analyze general strengths and weaknesses in learning and instruction, to include reading comprehension, of students individually as to adapt instruction, make decisions about appropriate

intervention services, and inform placement and instructional planning for the next grade level.

(5) "Literacy" means the mastery of foundational literacy skills and the use of those skills to comprehend texts and write proficiently to meet grade-level English/Language Arts standards.

~~(4)~~(6) "Readiness assessment" means an ~~assessments~~ assessment used to analyze students' ~~literacy, mathematical, physical, social, and emotional-behavioral competencies~~ competency in prekindergarten or kindergarten.

~~(5)~~(7) "Reading interventions" means individual or group assistance in the classroom and supplemental support based on curricular and instructional decisions made by classroom teachers who have proven effectiveness in teaching reading and a~~n add-on~~ literacy endorsement or reading/literacy coaches who meet the minimum qualifications established in guidelines published by the ~~Department of Education~~department.

~~(6) "Reading portfolio" means an organized collection of evidence and assessments documenting that the student has demonstrated mastery of the state standards in reading equal to at least a level above the lowest achievement level on the state reading assessment.~~

~~(7)~~(8) "Reading proficiency" means the ability of students to meet state reading standards in kindergarten through grade ~~twelve~~five, demonstrated by readiness, formative, or summative assessments.

~~(8)~~(9) "Reading proficiency skills" means the ability to understand how written language works at the word, sentence, paragraph, and text level and mastery of the skills, strategies, and oral and written language needed to comprehend grade-level texts.

~~(9) "Research-based formative assessment" means assessments used within the school year to analyze strengths and weaknesses in reading comprehension of students individually to adapt instruction to meet student needs, make decisions about appropriate intervention services, and inform placement and instructional planning for the next grade level.~~

(10) "Science of reading" means the comprehensive body of scientific research on how proficient reading develops, why some students have difficulty learning to read, and the scientifically-based approaches to effectively, explicitly, and systematically teach students to read, including foundational literacy skills. The science of reading also addresses the developmental stages of reading, effective instructional strategies, the identification and support of diverse learners to include those with reading difficulties such as dyslexia, and the application of

these research findings in an educational setting to ensure effective reading instruction and literacy develops for all students.

(11) "Scientifically based" means reading instruction, interventions, programs, and other reading services provided to students that are aligned with the science of reading. These approaches and methods must be grounded in systematic and objective research conforming to established scientific principles.

~~(10)~~(12) "Substantially fails to demonstrate third-grade reading proficiency" means a student who does not demonstrate reading proficiency at the end of the third grade as indicated by scoring Does Not Meet Expectations or at the lowest achievement level on the statewide summative reading assessment~~ that equates to Not Met 1 on the Palmetto Assessment of State Standards (PASS)~~.

~~(11)~~(13) "Summative assessment" means state-approved assessments administered in grades three through eight and any statewide assessment used in grades nine through twelve to determine student mastery of grade-level or content standards.

~~(12)~~(14) "Summer reading camp" means an educational program offered ~~in the summer~~ by each local school district or consortia of school districts for students who are unable to comprehend grade-level texts and who qualify for mandatory retention.

~~(13)~~(15) "Third-grade reading proficiency" means the ability to read grade-level texts by the end of a student's third grade year as demonstrated by scoring Meets or Exceeds Expectations as a ~~the~~ result~~s~~ of state-approved summative reading assessments administered to third grade students, or through other assessments as noted in this chapter and adopted by the board.

(16) "Universal reading screener" means a nationally normed formative assessment used to screen and monitor the progress of students in foundational literacy skills to identify or predict students at risk of not meeting grade level proficiency and determine effectiveness of instruction and intervention. All universal reading screeners must be aligned with state standards to English/Language Arts, meet the criteria of a nationally normed formative assessment, and be recommended by the department and approved by the board.

~~(14) "Writing proficiency skills" means the ability to communicate information, analysis, and persuasive points of view effectively in writing.~~

SECTION 3. Section 59-155-130 of the S.C. Code is amended to read:

Section 59-155-130. (A) The ~~Read to Succeed Office~~department ~~must~~ shall guide and support districts and collaborate with ~~university teacher training~~ educator preparation programs to increase reading proficiency through the following functions~~,~~ including, but not limited to:

(1) providing professional development to teachers, school principals, and other administrative staff ~~on reading and writing instruction and reading assessment that informs instruction~~ based in the science of reading, structured literacy, and foundational literacy skills;

~~(2) providing professional development to teachers, school principals, and other administrative staff on reading and writing in content areas;~~

~~(3)~~(2) working collaboratively with institutions of higher learning offering courses in reading and writing for initial certification in early childhood, elementary, and special education, and ~~those institutions of higher education offering~~ accredited master's degrees in reading-literacy to design coursework leading to a literacy teacher ~~add-on~~ endorsement by the State;

~~(4)~~(3) providing ~~professional development in reading and~~ coaching for already certified reading/literacy coaches and literacy teachers based in the science of reading, structured literacy, and foundational literacy skills;

~~(5)~~(4) developing information and resources that school districts can use to provide workshops for parents about how they can support their children as readers and writers;

~~(6)~~(5) assisting school districts in the development and implementation of their district reading proficiency plans ~~for research-based reading instruction programs and assisting each of their schools to develop its own implementation plan aligned with the district and state plans~~as provided for in Section 59-155-140;

~~(7)~~(6) annually ~~designing content and questions for and reviewing~~ reviewing and ~~approving~~ approving the reading proficiency plan of each district;

~~(8)~~(7) ~~monitor~~monitoring and ~~report~~ reporting to the ~~State Board of Education~~ board the yearly success rate of summer reading camps. Districts must provide the department with ~~statistical~~ data to include the:

(a) number of students enrolled in camps;

(b) number of students by grade level who successfully complete the camps;

(c) number of third graders promoted to fourth grade;

(d) number of third graders retained; ~~and~~

(e) total expenditures ~~made on operating~~ to operate the camps ~~by~~ to include source of funds ~~to~~ and ~~include~~ in-kind donations;

(f) number of third graders promoted using a good cause exemption as provided in this chapter;

(g) number of first and second graders who are projected to score Does Not Meet and Approaches Expectations or at the lowest levels of the statewide summative reading assessment; and

~~(9)~~(8) ~~provide~~ providing an annual report to the General Assembly regarding the implementation of the South Carolina Read to Succeed Act ~~and~~ to include the State and ~~the~~ district's progress toward ensuring ~~that~~ at least ninety-five percent of all students are reading at grade level.

(B) Districts failing to provide reports on summer reading camps pursuant to Section 59-155-130 are ineligible to receive state funding for summer reading camps for the following fiscal year; however, districts must continue to operate summer reading camps as defined in this act.

SECTION 4. Section 59-155-140 of the S.C. Code is amended to read:

Section 59-155-140. (A)(1) The department, with approval by the ~~State Board of Education~~board, shall develop, implement, evaluate, and continuously refine a comprehensive state plan to improve reading achievement in public schools. The State Reading Proficiency Plan must be approved by the board ~~by February 1, 2015~~annually, and must include, but not be limited to, sections addressing the following components:

(a) reading process;

(b) professional development to increase teacher reading expertise;

(c) professional development to increase reading expertise and literacy leadership of principals and assistant principals;

(d) reading instruction;

(e) reading assessment;

~~(f) discipline-specific literacy;~~

~~(g) writing;~~

~~(h)~~(f) support for struggling readers;

~~(i)~~(g) early childhood interventions;

~~(j)~~(h) family support of literacy development;

~~(k)~~(i) district guidance and support for reading proficiency;

~~(l)~~(j) state guidance and support for reading proficiency;

~~(m)~~(k) accountability; and

~~(n)~~(l) urgency to improve reading proficiency.

(2) The state plan must be based on ~~reading~~ research and ~~proven-effective~~evidence-based practices, aligned to the science of reading, structured literacy, and foundational literacy skills, and applied to the conditions prevailing in reading-literacy education in this State, with special emphasis on addressing instructional and institutional deficiencies~~ that can be remedied through faithful implementation of research-based practices~~. The plan must ~~provide standards, format, and guidance for districts to use to develop and annually update their plans, as well as to~~ present and explain the ~~research-based~~scientifically-based rationale for state-level actions to be taken. The plan must be updated annually and ~~must~~ incorporate a state reading proficiency progress report.

(3) The state plan must include specific details and explanations for all substantial uses of state, local, and federal funds promoting reading-literacy and best judgment estimates of the cost of ~~research-supported,~~ scientifically-based, thoroughly analyzed proposals for initiation, expansion, or modification of major funding programs addressing reading and writing. Analyses of funding requirements must be prepared by the department for incorporation into the plan.

(B)(1) ~~Beginning in Fiscal Year 2015-2016, e~~Each district must prepare a comprehensive annual reading proficiency plan for prekindergarten through ~~twelfth~~ fifth grade~~ consistent with the plan by responding to questions and presenting specific information and data in a format specified by the Read to Succeed Office. Each district's PK-12 reading proficiency plan must present the rationale and details of its blueprint for action and support at the district, school, and classroom levels. Each district shall develop a comprehensive plan for supporting the progress of students as readers and writers, monitoring the impact of its plan, and using data to make improvements and to inform its plan for the subsequent years. The district plan piloted in school districts in Fiscal Year 2013-2014 and revised based on the input of districts shall be used as the initial district reading plan framework in Fiscal Year 2014-2015 to provide interventions for struggling readers and fully implemented in Fiscal Year 2015-2016 to align with the state plan~~.

(2) Each district ~~PK-12~~ reading proficiency plan shall:

(a) document ~~the~~ how reading and writing assessment and instruction ~~planned~~ for all PK~~-12~~-5 students is aligned to the science of reading, structured literacy, and foundational literacy skills~~and the interventions in prekindergarten through twelfth grade to be provided to all struggling readers who are not able to comprehend grade-level texts. Supplemental instruction shall be provided by teachers who have a~~

~~literacy teacher add-on endorsement and offered during the school day and, as appropriate, before or after school in book clubs, through a summer reading camp, or both~~;

(b) document scientifically-based interventions being provided to students who have failed to demonstrate grade-level reading proficiency;

~~(b)~~(c) include a system for helping parents understand how they can support the student as a reader at home;

~~(c)~~(d) provide for the monitoring of reading achievement and growth at the classroom, school, and district levels with decisions about intervention based on all available data; and

~~(d) ensure that students are provided with wide selections of texts over a wide range of genres and written on a wide range of reading levels to match the reading levels of students;~~

~~(e)~~(e) explain how the district will provide teacher training based in the science of reading, structured literacy, and foundational literacy skills from an approved list provided by the department. ~~and writing instruction; and~~

~~(f) include strategically planned and developed partnerships with county libraries, state and local arts organizations, volunteers, social service organizations, and school media specialists to promote reading.~~

(3)(a) The ~~Read to Succeed Office~~ department shall develop the format for the plan and the deadline for districts to submit their plans ~~to the office~~ for ~~its~~ approval. A ~~school~~ district that does not submit a plan or whose plan is not approved shall not receive any state funds for reading until it submits a plan that is approved. All district reading plans must be reviewed and approved by the ~~Read to Succeed Office~~department. The ~~office~~ department shall provide written comments to each district on its plan and to all districts on common issues raised in prior or newly submitted district reading plans.

(b) The ~~Read to Succeed Office~~department shall monitor the district and school plans and use their findings to inform the training and support the office provides to districts and schools.

(c) The department may direct a district that is persistently unable to prepare an acceptable PK-12 reading proficiency plan or to help all students comprehend grade-level texts to enter into a multidistrict or contractual arrangement to develop an effective intervention plan.

(C) Each school serving students in grades kindergarten through fifth grade must prepare, submit to the district, and post on its website prior to the start of each year an implementation plan aligned with the district reading proficiency plan to enable the district to monitor and support implementation at the school level. The school plan must be a component

of the school's strategic plan required by Section 59-18-1310. A school implementation plan shall be sufficiently detailed to provide practical guidance for classroom teachers. Proposed strategies for assessment, instruction, and other activities specified in the school plan must be sufficient to provide to classroom teachers and other instructional staff helpful guidance that can be related to the critical reading and writing needs of students in the school. In consultation with the School Improvement Council, each school must include in its implementation plan the training and support that will be provided to parents as needed to maximize their promotion of reading and writing by students at home and in the community.

(D) The department shall identify schools serving students in sixth through eighth grade with fifty percent or more of its students scoring at the lowest achievement level on the statewide summative assessment. Each year identified, the school shall prepare, submit to the district, and post on its website prior to the start of the school year a school implementation plan aligned with the district's reading proficiency plan to enable the district to monitor and support implementation at the school level. The school implementation plan shall be sufficiently detailed to provide classroom teachers and instructional staff with strategies based in the science of reading, structured literacy, and foundational literacy skills for assessments, instruction, and other activities related to the critical reading and writing needs of students. In consultation with the School Improvement Council, the implementation plan shall include training and supports provided to parents as needed to maximize the promotion of reading and writing by students at home and in the community.

SECTION 5. Section 59-155-150 of the S.C. Code is amended to read:

Section 59-155-150. ~~(A) With the enactment of this chapter, the~~The State Superintendent of Education shall ensure ~~that~~ every student entering ~~publically~~publicly funded prekindergarten and kindergarten ~~beginning in Fiscal Year 2014-2015~~ will be administered a board-approved readiness assessment within the first forty-five days of school. ~~readiness assessment by the forty-fifth day of the school year. Initially the assessment shall focus on early language and literacy development. Beginning in Fiscal Year 2016-2017, the assessment must assess each child's early language and literacy development, mathematical thinking, physical well-being, and social-emotional development. The assessment may include multiple assessments, all of which must be approved by the board.~~ The approved assessments of academic readiness must be aligned

with first and second grade standards for English/language arts and mathematics. The purpose of the assessment is to provide teachers and parents or guardians with information to address the readiness needs of each student~~, especially~~ by identifying early language and literacy development, physical well-being, and cognitive development~~, social, emotional, health~~ ~~problems, and concerning~~ to inform and assist appropriate instruction for each child. The results of the assessment and the developmental intervention strategies recommended to address the child's identified needs must be provided, in writing, to the parent or guardian. Reading instructional strategies and developmental activities for children whose oral language skills are assessed to be below the norm of their peers in the State must be aligned with the district's reading proficiency plan for addressing the readiness needs of each student. The results of each assessment with the date of when the assessment was administered~~ also~~ must be reported to the ~~Read to Succeed Office~~department.

(B) A district superintendent or charter school authorizer may submit a request to the department to waive the minimum one hundred eighty-day school attendance requirement for kindergarten and South Carolina Child Early Reading Development and Education Program (CERDEP) students for the purpose of scheduling readiness assessments. Upon approval of the waiver request, the approved school may allow kindergarten and CERDEP students to be administered the assessments during a shortened school day within the first five days of the academic year.

~~(B) Any student enrolled in prekindergarten, kindergarten, first grade, second grade, or third grade who is substantially not demonstrating proficiency in reading, based upon formal diagnostic assessments or through teacher observations, must be provided intensive in-class and supplemental reading intervention immediately upon determination. The intensive interventions must be provided as individualized and small group assistance based on the analysis of assessment data. All sustained interventions must be aligned with the district's reading proficiency plan. These interventions must be at least thirty minutes in duration and be in addition to ninety minutes of daily reading and writing instruction provided to all students in kindergarten through grade three. The district must continue to provide intensive in-class intervention and at least thirty minutes of supplemental intervention until the student can comprehend and write text at grade level independently. In addition, the parent or guardian of the student must be notified, in writing, of the child's inability to read grade level texts, the interventions to be provided, and~~

~~the child's reading abilities at the end of the planned interventions. The results of the initial assessments and progress monitoring also must be provided to the Read to Succeed Office.~~

~~(C) Programs that focus on early childhood literacy development in the State are required to promote:~~

~~(1) parent training and support for parent involvement in developing children's literacy; and~~

~~(2) development of oral language, print awareness, and emergent writing; and are encouraged to promote community literacy including, but not limited to, primary health care providers, faith-based organizations, county libraries, and service organizations.~~

~~(D) Districts that fail to provide reports on summer reading camps pursuant to Section 59-155-130(8) are ineligible to receive state funding for summer reading camps for the following fiscal year; however, districts must continue to operate summer reading camps as defined in this act.~~

SECTION 6. Chapter 155, Title 59 of the S.C. Code is amended by adding:

Section 59-155-155. (A) Beginning with the 2025-2026 school year, the board shall approve no more than five reliable and valid universal reading screeners for selection and use by districts for kindergarten through fifth grade and shall use the same process as required by Section 59-18-310 to ensure the validity and reliability of the instruments and to periodically reevaluate approved instruments. All districts shall use one of the approved universal reading screeners.

(B) Each approved universal reading screener must:

(1) provide screening and diagnostic capabilities for monitoring student progress in reading;

(2) measure, at minimum, foundational literacy skills;

(3) identify students who have a reading deficiency, including identifying students with characteristics of dyslexia; and

(4) meet the criteria of a nationally normed formative assessment.

(C) In determining which instrument to approve, the board shall consider the following factors:

(1) the time required to conduct the assessments with the intention of minimizing the impact on instructional time;

(2) the level of integration of assessment results with instructional supports offered to teachers and students;

(3) the timeliness in reporting assessment results to teachers, administrators, and parents; and

(4) the recommendation of the department.

(D) In order to determine student progression in reading, a district shall administer a universal reading screener three times per school year with the first administration occurring within the first forty-five days of school, the second administration occurring at the midpoint of the school year, and the third administration occurring by the end of the school year. Within fifteen days of each administration, the district shall notify the parent or guardian regarding the performance of their student and whether the student may be considered for retention. For each student demonstrating literacy deficiencies and not meeting grade-level proficiencies based on the data received from the administration of the universal reading screeners, the district shall create an individualized reading plan and include a copy in the notification to the parent or guardian.

(E) The department shall:

(1) provide technical assistance and support to districts and classroom teachers in administering universal reading screeners and in understanding the results so teachers are able to provide appropriate, scientifically-based interventions;

(2) require districts and approved universal reading screeners to annually submit data as requested by the department for purposes of determining whether the screening instruments are accurately identifying students in need;

(3) reimburse districts for the cost of the universal reading screener upon receipt of the data as requested by the department as funding allows;

(4) annually report, on a grade-level basis, data received from districts and approved universal reading screeners; and

(5) implement an online reporting system to monitor the effectiveness of universal reading screeners which must:

(a) track, screen, and monitor the reading progress of students in kindergarten through third grade toward reading proficiency;

(b) create a consistent statewide reporting mechanism to identify students with a reading deficiency to include students with characteristics of dyslexia; and

(c) be used to receive the annual reporting requirements pursuant to Section 59-33-540.

(F) Administration of a universal reading screener may be replaced with an alternative assessment and progress monitoring tool for students who qualify for an alternative assessment based on a cognitive disability in grades kindergarten through third grade.

SECTION 7. Section 59-155-160 of the S.C. Code is amended to read:

Section 59-155-160. (A) Beginning with the ~~2017-2018~~ 2024-2025 School Year, a student must be retained in the third grade if the student fails to demonstrate reading proficiency at the end of the third grade as indicated by scoring Does Not Meet Expectations or at the lowest achievement level on the state summative reading assessment ~~that equates to Not Met 1 on the Palmetto Assessment of State Standards (PASS)~~. A student may be exempt for good cause from the mandatory retention but shall continue to receive instructional support and services and reading intervention appropriate for their age and reading level. Good cause exemptions include students:

(1) with limited English proficiency and less than two years of instruction in English as a Second Language program;

(2) with disabilities whose ~~iIndividual eEducation pPlan~~ Individualized Education Program indicates the use of alternative assessments or alternative reading interventions and students with disabilities whose ~~Individual~~ Individualized Education ~~Plan~~ Program or Section 504 Plan reflects that the student has received intensive remediation in reading for more than two years but still does not substantially demonstrate reading proficiency;

(3) who successfully participate in a summer reading camp at the conclusion of third grade and demonstrate reading proficiency by achieving Approaches Expectations, or at least a level above the lowest level, on the state summative reading assessment.

~~(3)~~(4) who demonstrate third-grade reading proficiency by scoring the equivalent of Approaches Expectations, or the level above the lowest level, on the statewide summative assessment on ~~an~~ a norm-referenced alternative assessment approved by the board for use in summer reading camps ~~and which teachers may administer following the administration of the state assessment of reading~~; or

~~(4)~~(5) who have received two years of reading intervention and were previously retained.~~;~~

~~(5) who through a reading portfolio document, the student's mastery of the state standards in reading equal to at least a level above the lowest achievement level on the state reading assessment. Such evidence must be an organized collection of the student's mastery of the state English/language arts standards that are assessed by the grade three state reading assessment. The Read to Succeed Office shall develop the assessment tool for the student portfolio; however, the student portfolio must meet the following minimum criteria:~~

~~(a) be selected by the student's English/language arts teacher or summer reading camp instructor;~~

~~(b) be an accurate picture of the student's ability and only include student work that has been independently produced in the classroom;~~

~~(c) include evidence that the benchmarks assessed by the grade three state reading assessment have been met. Evidence is to include multiple choice items and passages that are approximately sixty percent literary text and forty percent information text, and that are between one hundred and seven hundred words with an average of five hundred words. Such evidence could include chapter or unit tests from the district or school's adopted core reading curriculum that are aligned with the state English/language arts standards or teacher-prepared assessments;~~

~~(d) be an organized collection of evidence of the student's mastery of the English/language arts state standards that are assessed by the grade three state reading assessment. For each benchmark there must be at least three examples of mastery as demonstrated by a grade of seventy percent or above; and~~

~~(e) be signed by the teacher and the principal as an accurate assessment of the required reading skills; and~~

~~(6) who successfully participate in a summer reading camp at the conclusion of the third grade year and demonstrate through either a reading portfolio or through a norm-referenced, alternative assessment, selected from a list of norm-referenced, alternative assessments approved by the Read to Succeed Office for use in the summer reading camps, that the student's mastery of the state standards in reading is equal to at least a level above the lowest level on the state reading assessment.~~

(B) The superintendent of the local ~~school~~ district ~~must~~ may determine whether a student in the district may be exempt from the mandatory retention by taking all of the following steps:

(1) The teacher of a student eligible for ~~exemption~~ retention must submit to the principal documentation on the proposed exemption and evidence that promotion of the student is appropriate based on the student's academic record. This evidence must be limited to the student's ~~individual education program~~Individualized Education Program, performance on the statewide summative assessment, or performance on an alternative assessment. ~~s, or student reading portfolio. The Read to Succeed Office must provide districts with a standardized form to use in the process.~~

(2) The principal must review the documentation and determine whether the student should be promoted. If the principal determines the student should be promoted, the principal must submit a written

recommendation for promotion, to include an individualized reading plan providing additional supports to be offered to the student to ensure reading proficiency is achieved, to the district superintendent for final determination.

(3) The district superintendent's acceptance or rejection of the recommendation, as well as the individualized reading plan provided by the principal, must be in writing and a copy must be provided to the parent or guardian of the child.

(4) A parent or legal guardian may appeal the decision to retain a student to the district superintendent if there is a compelling reason why the student should not be retained. A parent or legal guardian must appeal, in writing, within two weeks after the notification of retention. The letter must be addressed to the district superintendent and specify the reasons why the student should not be retained. The district superintendent shall render a decision in writing ~~and provide copies~~ to the parent or legal guardian and the principal.

~~(C)(1) Students eligible for retention under the provisions in Section 59-155-160(A) may enroll in a summer reading camp provided by their school district or a summer reading camp consortium to which their district belongs prior to being retained the following school year. Summer reading camps must be at least six weeks in duration with a minimum of four days of instruction per week and four hours of instruction per day, or the equivalent minimum hours of instruction in the summer. The camps must be taught by compensated teachers who have at least an add-on literacy endorsement or who have documented and demonstrated substantial success in helping students comprehend grade level texts. The Read to Succeed Office shall assist districts that cannot find qualified teachers to work in the summer camps. Districts also may choose to contract for the services of qualified instructors or collaborate with one or more districts to provide a summer reading camp. Schools and school districts are encouraged to partner with county or school libraries, institutions of higher learning, community organizations, faith-based institutions, businesses, pediatric and family practice medical personnel, and other groups to provide volunteers, mentors, tutors, space, or other support to assist with the provision of the summer reading camps. A parent or guardian of a student who does not substantially demonstrate proficiency in comprehending texts appropriate for his grade level must make the final decision regarding the student's participation in the summer reading camp.~~

~~(2) A district may include in the summer reading camps students who are not exhibiting reading proficiency at any grade and do not meet~~

~~the good cause exemption. Districts may charge fees for these students to attend the summer reading camps based on a sliding scale pursuant to Section 59-19-90, except where a child is found to be reading below grade level in the first, second, or third grade and does not meet the good cause exemption.~~

~~(D) Retained students must be provided intensive instructional services and support, including a minimum of ninety minutes of daily reading and writing instruction, supplemental text-based instruction, and other strategies prescribed by the school district. These strategies may include, but are not limited to, instruction directly focused on improving the student's individual reading proficiency skills through small group instruction, reduced teacher-student ratios, more frequent student progress monitoring, tutoring or mentoring, transition classes containing students in multiple grade spans, and extended school day, week, or year reading support. The school must report to the Read to Succeed Office on the progress of students in the class at the end of the school year and at other times as required by the office based on the reading progression monitoring requirements of these students.~~

~~(E)~~(C) Prior to the decision for a student to be retained, ~~If~~if the student is not demonstrating third ~~-~~grade reading proficiency by the end of the second grading period of the third grade:

(1)(a) his parent or guardian timely must be notified, in writing, that the student is being considered for retention and a conference with the parent or guardian must be held prior to a determination regarding retention is made, and conferences must be documented;

(b) within two weeks following the parent/teacher conference, copies of the conference form must be provided to the principal, parent or guardian, teacher and other school personnel who are working with the child on literacy, and summary statements must be sent to parents or legal guardians who do not attend the conference; and

(c) following the parent/teacher retention conference, the principal, classroom teacher, and other school personnel who are working with the child on literacy must review the recommendation for retention and provide suggestions for supplemental instruction.~~; and~~

~~(d) recommendations and observations of the principal, teacher, parent or legal guardian, and other school personnel who are working with the child on literacy must be considered when determining whether to retain the student.~~

(2) The parent or guardian may designate another person as an education advocate also to act on their behalf to receive notification and to assume the responsibility of promoting the reading success of the

child. The parent or guardian of a retained student must be offered supplemental tutoring for the retained student in ~~evidenced-based~~scientifically-based services outside the instructional day.

(D) Retained students must be provided intensive instructional services and support, including a minimum of ninety minutes of daily reading instruction, supplemental foundational literacy skill instruction, and other strategies grounded in the science of reading prescribed by the district. These strategies may include, but are not limited to, instruction directly focused on improving the student's individual foundational literacy skills through small group instruction, reduced teacher-student ratios, more frequent student progress monitoring, high dose low ratio tutoring or mentoring as prescribed by the department, transition classes containing students in multiple grade spans, and extended school day, week, or year reading support. The delivery of additional supports and interventions shall not result in a student losing access to regular instruction in subject areas identified in the defined program for grades K-5 as established by the board. The school must report to the department on the progress of students in the class at the end of the school year and at other times as required by the department based on the reading progression monitoring requirements of these students.

(E)(1) For students in kindergarten through second grade who are not demonstrating reading proficiency, additional support in foundational literacy skills shall be provided. These interventions must be based in the science of reading, be at least thirty minutes daily, and be in addition to the minimum of ninety minutes of daily reading and writing instruction provided to all students in kindergarten through second grade. The delivery of additional supports and interventions shall not result in a student losing access to regular instruction in subject areas identified in the defined program for grades K-5 as established by the board. The district must continue to provide intensive interventions until the student is meeting grade-level reading proficiency.

(2) To ensure early interventions, districts are encouraged to retain students in kindergarten through second grade who are not demonstrating grade-level reading proficiency. In making retention decisions, districts shall seek recommendations from the student's teacher(s) and principal.

(F) ~~For students~~ For students in grades four and above who are ~~substantially~~ not demonstrating reading proficiency~~, interventions~~ shall be provided ~~by~~ additional reading ~~interventionists~~ interventions which may include services from a reading interventionist in the classroom ~~and~~

or supplementally by teachers with a literacy teacher ~~add-on~~ endorsement or reading/literacy coaches. This supplemental support will be provided during the school day and, as appropriate, before or after school, as documented in the district reading plan, and may include ~~book clubs~~high dose low ratio tutoring or mentoring as prescribed by the department, or in summer reading camps.

(G) Students eligible for retention pursuant to this section shall enroll in a summer reading camp provided by their district or a summer reading camp consortium to which their districts belong prior to being retained the following school year. Summer reading camps must be at least the equivalent of ninety-six hours of instruction. The camps must be taught by compensated teachers who have at least a literacy endorsement or who have documented and demonstrated substantial success in helping students achieve proficiency of grade-level reading standards. The department shall assist districts that cannot find qualified teachers to work in the summer camps. Districts may choose to contract for the services of qualified instructors or collaborate with one or more districts to provide a summer reading camp. Schools and districts are encouraged to partner with county or school libraries, institutions of higher learning, community organizations, faith-based institutions, businesses, pediatric and family practice medical personnel, and other groups to provide volunteers, mentors, tutors, space, or other support to assist with the provision of the summer reading camps. A parent or guardian of a student who does not demonstrate reading proficiency for his grade level shall make the final decision regarding the student's participation in the summer reading camp.

(H) A district shall include in the summer reading camps first and second grade students who are not exhibiting grade-level reading proficiency. This shall be implemented beginning with the 2025-2026 School Year by including first grade students not exhibiting grade-level reading proficiency and beginning with the 2026-2027 School Year by including second grade students not demonstrating grade-level reading proficiency. Students at any other grade who are not exhibiting reading proficiency may be included in summer reading camps at the discretion of the district. Districts may charge fees for these students to attend the summer reading camps based on a sliding scale pursuant to Section 59-19-90, except where a child is found to be reading below grade level in the first through third grade and does not meet the good cause exemption.

SECTION 8. Section 59-155-170 of the S.C. Code is amended to read:

Section 59-155-170. ~~(A) To help students develop and apply their reading and writing skills across the school day in all the academic disciplines, including, but not limited to, English/language arts, mathematics, science, social studies, the arts, career and technology education, and physical and health education, teachers of these content areas at all grade levels must focus on helping students comprehend print and nonprint texts authentic to the content area. The Read to Succeed Program is intended to institutionalize in the public schools a comprehensive system to promote high achievement in the content areas described in this chapter through extensive reading and writing. Research-based practices must be employed to promote comprehension skills through, but not limited to:~~

~~(1) vocabulary;~~

~~(2) connotation of words;~~

~~(3) connotations of words in context with adjoining or prior text;~~

~~(4) concepts from prior text;~~

~~(5) personal background knowledge;~~

~~(6) ability to interpret meaning through sentence structure features;~~

~~(7) questioning;~~

~~(8) visualization; and~~

~~(9) discussion of text with peers.~~

~~(B) These practices must be mastered by teachers through high-quality training and addressed through well-designed and effectively executed assessment and instruction implemented with fidelity to research-based instructional practices presented in the state, district, and school reading plans. All teachers, administrators, and support staff must be trained adequately in reading comprehension in order to perform effectively their roles enabling each student to become proficient in content area reading and writing.~~

~~(C)~~(A) ~~During Fiscal Year 2014-2015, the Read to Succeed Office~~The department shall establish a set of essential competencies ~~that describe~~describing what certified teachers ~~at the~~ in early childhood, elementary, ~~middle or secondary levels~~ middle and secondary levels, and special education must know and be able to do so that all students can comprehend grade-level texts. These competencies, developed collaboratively with the faculty of higher education institutions and based on ~~research and national standards~~the science of reading, must then be incorporated into the coursework required by Section 59-155-180. ~~The Read to Succeed Office, in collaboration with South Carolina Educational Television,~~ The department shall provide

professional development courses to ensure that educators have access to multiple avenues of receiving endorsements.

(B)(1) The department shall deliver professional development that has demonstrated success in establishing deep knowledge of foundational literacy skills grounded in the science of reading and promoting student reading achievement. Each district shall participate in the implementation of this foundational literacy skills training with the goal of statewide implementation to include all kindergarten through third grade teachers certified in early childhood, elementary, or special education, and elementary administrators. This training shall be offered at no cost to the district or teacher.

(2) Successful completion of this training shall satisfy the requirements of the literacy endorsement provided for in Section 59-155-180.

SECTION 9. Section 59-155-180(C) of the S.C. Code is amended to read:

(C)(1) To ensure that practicing professionals possess the knowledge and skills necessary to assist all children ~~and adolescents~~ in becoming proficient readers, multiple pathways are needed for developing this capacity.

(2) A reading/literacy coach shall be employed in each elementary school. Reading coaches shall serve as job-embedded, stable resources for professional development throughout schools in order to generate improvement in reading and literacy instruction and student achievement. Reading coaches shall support and provide initial and ongoing professional development to teachers based on an analysis of student assessment and the provision of differentiated instruction and intensive intervention. The reading coach shall:

(a) model effective instructional strategies for teachers by working weekly with students in whole, and small groups, or individually;

(b) facilitate study groups;

(c) train teachers in data analysis and using data to differentiate instruction;

(d) coaching and mentoring colleagues;

(e) work with teachers to ensure that ~~research-based~~scientifically-based reading programs are implemented with fidelity;

(f) work with all teachers (including content area and elective areas) at the school they serve, and help prioritize time for those teachers,

activities, and roles that will have the greatest impact on student achievement, namely coaching and mentoring in the classrooms; and

(g) help lead and support reading leadership teams.

(3) The reading coach must not be assigned a regular classroom teaching assignment, must not perform administrative functions that deter from the flow of improving reading instruction and reading performance of students and must not devote a significant portion of his or her time to administering or coordinating assessments. ~~By August 1, 2014, t~~The department must publish guidelines that define the minimum qualifications for a reading coach. ~~Beginning in Fiscal Year 2014-2015, reading/literacy coaches are required to earn the add-on certification within six years, except as exempted in items (4) and (5), by completing the necessary courses or professional development as required by the department for the add-on. During the six-year period, to increase the number of qualified reading coaches, the Read to Succeed Office shall identify and secure courses and professional development opportunities to assist educators in becoming reading coaches and in earning the literacy add-on endorsement. In addition, the Read to Succeed Office will establish a process through which a district may be permitted to use state appropriations for reading coaches to obtain in-school services from department-approved consultants or vendors, in the event that the school is not successful in identifying and directly employing a qualified candidate.~~ Districts must provide to the ~~Read to Succeed Office~~department information on the name and qualifications of reading coaches funded by the state appropriations.

(4) ~~Beginning in Fiscal Year 2015-2016, early childhood and elementary education certified classroom teachers, reading interventionists, and those special education teachers who provide learning disability and speech services to students who need to substantially improve their low reading and writing proficiency skills, are required to earn the literacy teacher add-on endorsement within ten years of their most recent certification by taking at least two courses or six credit hours every five years, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office, consistent with existing recertification requirements. Inservice hours earned through professional development for the literacy teacher endorsement must be used for renewal of teaching certificates in all subject areas. The courses and professional development leading to the endorsement must be approved by the State Board of Education and must include foundations, assessment, content area reading and writing, instructional strategies, and an embedded or stand-alone practicum.~~

~~Whenever possible these courses shall be offered at a professional development rate which is lower than the certified teacher rate. Early childhood and elementary education certified classroom teachers, reading specialists, and special education teachers who provide learning disability and speech services to students who need to improve substantially their reading and writing proficiency and who already possess their add-on reading teacher certification can take a content area reading course to obtain their literacy teacher add-on endorsement. Individuals who possess a literacy teacher add-on endorsement or who have earned a master's or doctorate degree in reading are exempt from this requirement. Individuals who have completed an intensive and prolonged professional development program like Reading Recovery, Project Read, the South Carolina Reading Initiative, or another similar program should submit their transcripts to the Office of Educator Licensure to determine if they have completed the coursework required for the literacy teacher add-on certificate.~~The board is authorized to approve guidelines on an annual basis for professional development, coursework, certification, and endorsement requirements for teachers of early childhood and elementary education, including special education teachers, interventionists, reading specialists, and administrators, whose responsibilities, either directly or indirectly, substantially relate to reading and literacy instruction, support, or interventions as provided in this section. The guidelines approved by the board shall also include the issuance of appropriate credit to individuals who have completed a department - approved intensive and prolonged professional development program. Local school districts, working with the department, shall offer the required professional development, coursework, certification, and endorsements at no charge to teachers. In-service hours earned through professional development must be used for renewal of teaching certificates in all subject areas.

(5) ~~Beginning in Fiscal Year 2015-2016, middle and secondary licensed classroom teachers are required to take at least one course or three credit hours, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office, to improve reading instruction within five years of their most recent certification. The courses and professional development must be approved by the State Board of Education and include courses and professional development leading to the literacy teacher add-on endorsement. Coursework and professional development in reading must include a course in reading in the content areas. Whenever possible these courses will be offered at a professional development rate which is lower than the certified teacher~~

~~rate. Individuals who possess a literacy teacher add-on endorsement or who have earned a master's or doctorate degree in reading are exempt from this requirement. Individuals who have completed an intensive, prolonged professional development program like Reading Recovery, Project Read, the South Carolina Reading Initiative, or another similar program should submit their transcripts the to the Office of Educator Licensure to determine if they have completed the coursework or professional development required for the literacy teacher add-on certificate.~~Beginning September 1, 2026, early childhood, elementary, and special education teacher candidates seeking their initial certification in South Carolina must earn a passing score on a rigorous test of scientifically-based reading instruction and intervention and data-based decision making principles as approved by the board. The objective of this item is to ensure that teacher candidates understand the foundations of reading and are prepared to teach reading to all students.

(6) ~~Beginning in Fiscal Year 2015-2016, principals and administrators who are responsible for reading instruction or intervention and school psychologists in a school district or school are required to take at least one course or three credit hours within five years of their most recent certification, or the equivalent professional development hours as determined by the South Carolina Read to Succeed Office. The course or professional development shall include information about reading process, instruction, assessment, or content area literacy and shall be approved by the Read to Succeed Office.~~ The board shall approve guidelines and procedures to allow in-service teachers the option of utilizing the test in item (5) to exempt requirements established by the board pursuant to item (4). As part of this process, the board shall set a minimum cut score for an in-service teacher to achieve to take advantage of this provision. A teacher's score on this assessment may not be used for evaluation purposes. Contingent upon funding by the General Assembly, this test shall be provided at no cost to the teacher.

(7) ~~The Read to Succeed Office shall publish by August 1, 2014, the guidelines and procedures used in evaluating all courses and professional development, including virtual courses and professional development, leading to the literacy teacher add-on endorsement. Annually by January first, the Read to Succeed Office shall publish the approved courses and approved professional development leading to the literacy teacher add-on endorsement.~~Teachers, administrators, and other certified faculty and staff are exempt from having to earn the literacy endorsement to maintain certification only if they are not educating or serving students in a school or other educational setting. The literacy

endorsement must be earned before an individual who was previously exempt pursuant to this item returns to a position where they educate or otherwise serve students.

(8) Annually by August first, the department shall publish guidelines and procedures used in evaluating all courses offered to teachers, including virtual courses and professional development, leading to the literacy endorsement. The department shall publish the approved courses and professional development leading to the literacy endorsement no later than January first, annually.

(9) Prior to August 1, 2026, and continuing every five years thereafter, the department will conduct an evaluation of approved courses used for compliance of this section. The evaluation should include survey data from prior course participants. The department shall remove any courses receiving an unsatisfactory evaluation from the list of approved courses and professional development under this section.

SECTION 10. Section 59-155-200 of the S.C. Code is amended to read:

Section 59-155-200. The ~~Read to Succeed Office~~department and each school district must plan for and act decisively to engage the families of students as full participating partners in promoting the reading ~~and writing~~ habits and skills development of their children. With support from the ~~Read to Succeed Office,~~ department, districts and individual schools shall provide families with information about how children progress as readers and writers and how they can support this progress. ~~This family support must include providing time for their child to read, as well as reading to the child. To ensure that all families have access to a considerable number and diverse range of books appealing to their children, schools should develop plans for enhancing home libraries and for accessing books from county libraries and school libraries and to inform families about their child's ability to comprehend grade level texts and how to interpret information about reading that is sent home. The districts and schools shall help families learn about reading and writing through open houses, South Carolina Educational Television, video and audio tapes, websites, and school family events and collaborations that help link the home and school of the student. The information should enable family members to understand the reading and writing skills required for graduation and essential for success in a career. Each institution of higher learning may operate a year-round program similar to a summer reading camp to assist students not reading at grade level.~~

SECTION 11. Section 59-155-210 of the S.C. Code is amended to read:

Section 59-155-210. The ~~board and~~ department shall translate the statutory requirements for reading and writing specified in this chapter into ~~standards, practices, and procedures~~ guidance for ~~school~~ districts, boards, and ~~their employees and for~~ other organizations as appropriate. In this effort, they shall solicit the advice of education stakeholders who have a deep understanding of the science of reading, as well as school boards, administrators, and others who play key roles in facilitating support for and implementation of effective reading instruction.

SECTION 12. Section 59-18-310(D) of the S.C. Code is amended to read:

(D)(1) Beginning with the 2025-2026 School Year, ~~The~~the State Board of Education shall create a statewide adoption list of no more than five nationally-normed formative assessments for use in ~~grades~~ kindergarten through ~~nine~~ eighth grade aligned with the state content standards in English/language arts and mathematics that satisfies professional measurement standards in accordance with criteria jointly determined by the Education Oversight Committee and the State Department of Education. The formative assessments must provide diagnostic information in a timely manner to all school districts for each student during the course of the school year. ~~For use beginning with the 2009-2010 School Year, and s~~Subject to appropriations by the General Assembly for the assessments, local districts must be allocated resources to select and administer formative assessments from the statewide adoption list to use to improve student performance in accordance with district improvement plans.

(2) Districts shall ensure all students in kindergarten through eighth grade are assessed using a state-approved, nationally-normed formative assessment tool during the fall, winter, and spring each year. School districts shall provide all formative assessment data and scores by grade level and school to the department from the prior school year. The department is directed to compile the information received and submit a comprehensive report regarding performance on the formative assessments to the General Assembly by June 1, annually. Any school district failing to provide this data to the department shall have ten percent of their State Aid to Classroom funding withheld until the data is provided. ~~However, if a local district already administers formative assessments, the district may continue to use the assessments if they meet the state standards and criteria pursuant to this subsection.~~

(3) The State approved, nationally-normed formative assessments shall be periodically reevaluated pursuant to a timeline established by the department not to exceed four years.

SECTION 13. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Senator LOFTIS spoke on the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Devine	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--41

NAYS

Fanning	McLeod

Total--2

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

Expression of Personal Interest

Senator CAMPSEN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator FANNING rose for an Expression of Personal Interest.

MOTION TO VARY THE ORDER OF THE DAY ADOPTED

Senator MASSEY moved under Rule 32A to vary the order of the day and proceed to the reading of the box.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Karl Huggins Smith of Bishopville, S.C. Karl was a graduate of the University of South Carolina and the University of South Carolina School of Law. He practiced law in Hartsville for over forty-four years. Karl enjoyed playing golf, watching the South Carolina Gamecocks, antiquing and spending time with family. Karl was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Patrick D'Alessio of Camden, S.C. Patrick was a U.S. Army veteran and the first recipient of the South Carolina State Guard "Pasquale Francesco D'Alessio Unsung Hero Award" which honored his leadership and dedication to community service. He was a member of St. David's Episcopal Church where he served as a lay reader and acolyte. Previously, he served as senior warden, member of the vestry and leader of several ministries at St. Stephens Episcopal Church in North Myrtle Beach, S.C. Patrick was a loving husband, devoted father and loving grandfather who will be dearly missed.

ADJOURNMENT

At 1:11 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Tuesday, February 27, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Ezekiel 47:6

Ezekiel reports that the Lord God said to him: " 'Mortal, have you seen this?' Then he led me back along the bank of the river."

Friends, join me as we bow in prayer: O wondrous God, in the same manner that You called upon Ezekiel "to take note of the river," so are all of us urged to pause and think of not only how many flounder we can catch, but also about all of our water resources themselves. For indeed, our rivers and lakes, streams and creeks, ponds and wetlands are among our great treasures in this State that we all love. We therefore pray, O Father, that You will give each Senator and staff member a renewed determination to do all that he or she can to stem the tide of any casual abuse of South Carolina's waterways, and to protect and preserve these treasures for future generations. In Your loving name we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator RANKIN moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach

Rice	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Privilege of the Chamber

On motion of Senator ADAMS, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to Margaret, Sam, Wyatt and Cole Fenamore.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:
Document No. 5269
Agency: State Board of Education
Chapter: 43
Statutory Authority: 1976 Code Sections 59-5-60 and 60-9-30
SUBJECT: School and Classroom Library Materials
Received by President of the Senate February 26, 2024
Referred to Committee on Education

Doctor of the Day

Senator McLEOD introduced Dr. Patricia Seals of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 12:35 P.M., Senator CAMPSEN was granted a leave of absence for today.

Expression of Personal Interest

Senator K. JOHNSON rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator GROOMS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:
S. 1044 Sen. Setzler
S. 1064 Sen. Young

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1096 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE THE 2023 PINEVIEW DIXIE YOUTH BASEBALL COACH PITCH ALL-STAR TEAM FOR A GREAT SEASON AND HONOR THEM FOR THEIR VICTORY IN THE DISTRICT 4 COACH'S PITCH TOURNAMENT.
sr-0600km-vc24.docx

The Senate Resolution was adopted.

S. 1097 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE THE 2023 PINEVIEW DIXIE YOUTH BASEBALL ROOKIE BALL ALL-STAR TEAM FOR SECURING THEIR SPOTS AS THE DIXIE YOUTH BASEBALL DISTRICT 4 ROOKIE BALL CHAMPIONS AND AS THE STATE DIXIE YOUTH BASEBALL ROOKIE BALL RUNNER-UP CHAMPIONS.
sr-0599km-vc24.docx

The Senate Resolution was adopted.

S. 1098 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE SOUTH CAROLINA'S ATHLETIC TRAINERS FOR THEIR HONORABLE WORK IN KEEPING THE COMMUNITY HEALTHY AND TO DECLARE MARCH 1, 2024, AS "SOUTH CAROLINA ATHLETIC TRAINING DAY".
lc-0409vr-kar24.docx

The Senate Resolution was adopted.

S. 1099 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-360, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.
lc-0404hdb24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1100 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE MARCH 6, 2024, AS "OSTEOPATHIC MEDICINE DAY" IN SOUTH CAROLINA IN HONOR OF THE IMPORTANT ROLE THAT DOCTORS OF OSTEOPATHIC MEDICINE PLAY IN MEETING THE HEALTHCARE NEEDS OF THE CITIZENS OF

SOUTH CAROLINA, THE UNITED STATES MILITARY, AND THE NATION.

sr-0605km-vc24.docx

The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 1101 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 38 ALONG INTERSTATE HIGHWAY 95 IN HAMPTON COUNTY "MAJOR GENERAL ARNOLD FIELDS INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0596km-vc24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1102 -- Senator Alexander: A CONCURRENT RESOLUTION TO EXPRESS APPRECIATION TO PROFESSIONALS WHO ADVOCATE ON BEHALF OF THOSE SUFFERING FROM MENTAL ILLNESS, AS WELL AS TO THE VOLUNTEERS WHO ASSIST THEM, AND TO DECLARE WEDNESDAY, MARCH 6, 2024, AS "MENTAL HEALTH ADVOCACY DAY" IN SOUTH CAROLINA.

sr-0601km-hw24.docx

The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

S. 1103 -- Senators Alexander, Adams, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Tedder, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE SYM SINGH AS HE CONTINUES HIS CAREER, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0603km-vc24.docx

The Senate Resolution was adopted.

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Tuesday, March 5, 2024 - 5:00 p.m. - 7:00 p.m.
Members, Reception, The Palmetto Club, hosted by the **SOUTH CAROLINA RETAIL ASSOCIATION**

Tuesday, March 5, 2024 - 6:00 p.m. - 8:00 p.m.
Members, Reception, University of South Carolina Alumni Center, 900 Senate Street, hosted by the **TRANSPORTATION ASSOCIATION OF SOUTH CAROLINA**

Wednesday, March 6, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA BEVERAGE ASSOCIATION**

Wednesday, March 6, 2024 - 11:30 a.m. - 2:00 p.m.
Members and Staff, Luncheon, State House Grounds, hosted by the **SOUTH CAROLINA HOSPITAL ASSOCIATION**

Wednesday, March 6, 2024 - 5:30 p.m. - 7:00 p.m.
Members and Staff, Reception, The Palmetto Club, hosted by the **SOUTH CAROLINA INSTITUTE FOR MEDICINE AND PUBLIC HEALTH**

Wednesday, March 6, 2024 - 6:00 p.m. - 8:00 p.m.
Members and Staff, Reception, Columbia Museum of Art, hosted by the **FLORENCE COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP / FLORENCE COUNTY PROGRESS – "FLORENCE COUNTY NIGHT"**

Wednesday, March 6, 2024 - 6:30 p.m. - 8:30 p.m.
Members and Staff, Reception, South Carolina Farm Bureau, 724 Knox Abbot Drive, Cayce, hosted by the **SOUTH CAROLINA FARM BUREAU / THE SOUTH CAROLINA SHELLFISH GROWERS' ASSOCIATION – "CELEBRATE THE HARVEST"**

Thursday, March 7, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by the **FORESTRY ASSOCIATION OF SOUTH CAROLINA**

Tuesday, March 19, 2024 - 5:00 p.m. - 7:00 p.m.
Members and Staff, Reception, The Palmetto Club, hosted by the **CAROLINA RECYCLING ASSOCIATION**

Wednesday, March 20, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA ASSOCIATION OF COMMUNITY ACTION PARTNERSHIPS**

Wednesday, March 20, 2024 - 11:30 a.m. - 2:00 p.m.
Members, Luncheon, 112 Blatt Building, hosted by **SOUTH CAROLINA FOR RESTORATIVE JUSTICE, DREAM.ORG**

Thursday, March 21, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA HUMAN SERVICES PROVIDERS ASSOCIATION**

Tuesday, March 26, 2024 - 6:00 p.m. - 8:00 p.m.
Members, Reception and Dinner, Seawell's, 1125 Rosewood Drive, hosted by the **HOME BUILDERS' ASSOCIATION OF SOUTH CAROLINA – "BIRD SUPPER"**

Wednesday, March 27, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA BROADCASTERS' ASSOCIATION**

Wednesday, March 27, 2024 - 11:30 a.m. - 2:00 p.m.
Members and Staff, Luncheon, State House Grounds, hosted by the **JASPER COUNTY CHAMBER OF COMMERCE – "JASPER COUNTY ON THE MOVE"**

Wednesday, March 27, 2024 - 5:00 p.m. - 7:00 p.m.
Members and Staff, Reception, The Palmetto Club, hosted by the **ASSOCIATED BUILDERS AND CONTRACTORS, CAROLINAS CHAPTER**

Thursday, March 28, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA CONVENIENCE AND PETROLEUM MARKETERS' ASSOCIATION**

REPORTS OF STANDING COMMITTEES

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 968 -- Senator Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-80(A)(6) AND (B), RELATING TO APPLICATIONS FOR DRIVER'S LICENSE OR PERMIT, SO AS TO ALLOW AN APPLICANT TO VOLUNTARILY DISCLOSE HIS BLOOD TYPE.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., January 27, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 3594 -- Reps. B.J. Cox, G.M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A.M. Morgan, T.A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M.M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B.L. Cox, Vaughan, White, Collins, J.E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES,

AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE

ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM “CRIME

PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR".

asks for a Committee of Conference, and has appointed Reps. Caskey, B. Cox and Bamberg to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

H. 3594--CONFERENCE COMMITTEE APPOINTED

H. 3594 -- Reps. B.J. Cox, G.M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A.M. Morgan, T.A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M.M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B.L. Cox, Vaughan, White, Collins, J.E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW

ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE

CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM “CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR”.

Whereupon, Senators MARTIN, HUTTO and MASSEY were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4002 -- Reps. G.M. Smith, W. Newton, Hiott, Davis, B. Newton, Erickson, Bannister, Haddon, Sandifer, Thayer, Carter, Robbins, Blackwell, Forrest and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATION DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE PENALTIES.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House:

S. 912 -- Senator Davis: A JOINT RESOLUTION TO EXPRESS SUPPORT FOR THE SC NEXUS FOR ADVANCED RESILIENT ENERGY AND TO ENCOURAGE THE CONTINUED GLOBAL LEADERSHIP TO REDUCE THE STATE'S ENVIRONMENTAL IMPACT WHILE ENHANCING THE ECONOMIC OUTPUT.

The Senate proceeded to a consideration of the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin

Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Resolution was read the third time, passed and ordered sent to the House.

CARRIED OVER

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS,

ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION

40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

On motion of Senator CORBIN, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 3592 -- Reps. Hyde and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO REMOVE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-43-86, RELATING TO COMPOUNDING OF MEDICATIONS BY PHARMACIES , SO AS TO REVISE REQUIREMENTS FOR COMPOUNDING PHARMACIES; BY AMENDING SECTION 40-43-87, RELATING TO NUCLEAR/RADIOLOGIC PHARMACY PRACTICES, SO AS TO REMOVE REQUIREMENTS CONCERNING NUCLEAR PHARMACY FACILITIES; AND BY AMENDING SECTION 40-43-88, RELATING TO STANDARDS FOR PREPARATION, LABELING, AND DISTRIBUTION OF STERILE PRODUCTS BY PHARMACIES, SO AS TO REMOVE CERTAIN STANDARDS.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-3592.JG0002S), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X. Section 40-43-30 of the S.C. Code is amended by adding:

(93) "Outsourcing facility" means a facility registered with the United States Food and Drug Administration to operate under Section 503B of the Federal Food and Cosmetic Act.

SECTION X. Chapter 43, Title 40 of the S.C. Code is amended by adding:

Section 40-43-197. Any person or entity authorized to dispense drugs including, but not limited to, a pharmacy, institutional pharmacy, or practitioner, may:

(1) purchase or otherwise acquire drugs compounded or repackaged by an outsourcing facility directly from the outsourcing facility without an order from a practitioner other than, when applicable, the practitioner purchasing or acquiring the drug; and

(2) administer and dispense drugs purchased or acquired pursuant to item (1) to the same extent as drugs acquired through other authorized means.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator VERDIN proposed the following amendment (SR-3592.KM0005S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. The Board of Pharmacy must promulgate regulations for outsourcing facilities as defined in Section 40-43-30. The board must:

(1) develop these regulations based on a review of available compendia literature, medical or scientific literature, and/or practical experience in the art of compounding; and

(2) promulgate these regulations within eighteen months after the effective date of this act.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder

Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 578 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-54-240, RELATING TO DISCLOSURE OF RECORDS OF AND REPORTS AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE, SO AS TO AUTHORIZE THE DISCLOSURE OF DOCUMENTS UNDER CERTAIN CIRCUMSTANCES.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy

Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 1064 -- Senators Turner and Young: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CONDUCT A REVIEW OF THE CURRENT LAW REGARDING COMMUNITY RESIDENTIAL CARE FACILITIES INCLUDING, BUT NOT LIMITED TO, QUALIFICATIONS FOR A FACILITY TO IDENTIFY AND ADVERTISE AS AN ALZHEIMER'S SPECIAL CARE UNIT, EVALUATION OF STAFFING LEVELS FOR A FACILITY'S ALZHEIMER'S SPECIAL CARE UNIT, AND A REVIEW OF THE NEED FOR REGISTERED NURSING COVERAGE IN A FACILITY'S ALZHEIMER'S SPECIAL CARE UNIT; AND TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY BY JANUARY 1, 2025, FOR UPDATING AND IMPROVING THE LAW'S REQUIREMENTS FOR ALZHEIMER'S SPECIAL CARE UNITS HOUSED IN COMMUNITY RESIDENTIAL CARE FACILITIES.

The Senate proceeded to a consideration of the Resolution.

Senator TURNER explained the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer

Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 235 -- Senators Adams, Gustafson, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAW BY ADDING SECTION 23-3-340 SO AS TO PROVIDE THAT UPON REQUEST OF A LAW ENFORCEMENT AGENCY, A WIRELESS TELECOMMUNICATIONS CARRIER SHALL PROVIDE CALL LOCATION INFORMATION CONCERNING THE TELECOMMUNICATIONS DEVICE OF THE USER TO THE LAW ENFORCEMENT AGENCY IN ORDER TO RESPOND TO A CALL FOR EMERGENCY SERVICES OR IN AN EMERGENCY SITUATION THAT INVOLVES THE RISK OF DEATH OR SERIOUS PHYSICAL HARM, TO PROVIDE A CIVIL OR CRIMINAL ACTION MAY NOT BE BROUGHT AGAINST A WIRELESS SERVICE PROVIDER UNDER THIS SECTION UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE SLED SHALL OBTAIN CONTACT INFORMATION FROM WIRELESS SERVICE PROVIDERS TO FACILITATE A REQUEST FROM A LAW ENFORCEMENT AGENCY.

On motion of Senator MALLOY, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
AMENDMENT PROPOSED, OBJECTION

S. 250 -- Senators M. Johnson and Malloy: A BILL TO AMEND SECTION 42-3-20 OF THE SOUTH CAROLINA CODE OF LAWS, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION, SO AS TO PROVIDE FOR QUALIFICATIONS TO SERVE AS A COMMISSIONER; TO AMEND SECTION 42-3-40, RELATING TO COMMISSIONERS' SALARIES, SO AS TO PROVIDE THAT COMMISSIONERS ARE ENTITLED TO JUDICIAL RETIREMENT AS PROVIDED UNDER THE PROVISIONS OF CHAPTER 8 OF TITLE 9; TO AMEND SECTION 9-8-10(16), RELATING TO THE DEFINITION OF "JUDGE", TO INCLUDE COMMISSIONERS OF THE WORKERS' COMPENSATION COMMISSION; AND TO AMEND SECTION 9-8-40, RELATING TO MEMBERSHIP IN THE SYSTEM, SO AS TO PROVIDE FOR THE MEMBERSHIP OF COMMISSIONERS OF THE WORKERS' COMPENSATION COMMISSION.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-250.MB0005S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 42-3-20(A)(1) and (2) and inserting:

(1) The commission shall consist of seven members appointed by the Governor with the advice and consent of the Senate for terms of six years and until their successors are appointed and qualify. Effective for appointments made on or after July 1, 2024, a person is eligible to be a commissioner if, at the time of his appointment, he is a citizen of the United States and of this State, has attained the age of thirty-two years upon his appointment, has been a licensed attorney for at least eight years upon his appointment, and has been a resident of this State for five years immediately preceding his appointment.

(2) Notwithstanding the provisions of this section, commissioners serving on July 1, 2024, are not required to be a licensed attorney to be eligible to continue serving as a commissioner.

(3) In the event the Governor does not fill a vacancy within sixty days after the vacancy occurs, the commission by majority vote shall deputize a person with suitable experience, training, and knowledge to serve as a deputy commissioner to serve until such time as the Governor fills the vacancy. As soon as the Governor appoints a replacement who

is confirmed by the Senate, the deputy commissioner shall immediately cease to serve in that office. While serving as a deputy commissioner, the deputy commissioner has the power and authority to swear or cause the witnesses to be sworn and shall transmit all testimony and shall make a recommendation to the commission for an award. The commission must determine the award based upon testimony received by the deputy commissioner and may consider the deputy commissioner~~'~~s recommendation.

Amend the bill further, SECTION 2, by striking Section 42-3-40(B) and inserting:

(B) A commissioner shall be entitled to judicial retirement as provided under the provisions of Chapter 8 of Title 9, provided the commissioner meets all eligibility requirements under Section 42-3-20(A) effective at the commissioner's initial appointment after July 1, 2024.

Amend the bill further, SECTION 4, by striking Section 9-8-40(A)(3) and inserting:

(3) All commissioners of the Workers' Compensation Commission, who have not retired and are eligible pursuant to Section 42-3-20, may elect to become a member of the system. Commissioners making that election may transfer prior service into the system as provided in Section 9-8-50, and to the extent the service thus transferred occurred after the member took office as a commissioner, that service is deemed earned service in the system.

Amend the bill further, by striking SECTION 5 and inserting:

SECTION 5. This act takes effect upon approval by the Governor and applies to commissioners with an initial appointment on or after July 1, 2024, and to their subsequent reappointments.

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

Senator MASSEY proposed the following amendment (SR-250.KM0006S):

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

SECTION X. Section 42-3-20 of the S.C. Code is amended to read:

Section 42-3-20. (A)(1) The commission shall consist of seven members appointed by the Governor with the advice and consent of the

Senate for terms of six years and until their successors are appointed and qualify. A person is eligible to be a commissioner if, at the time of the appointment, he is a citizen of the United States and of this State, has attained the age of thirty-two years upon his appointment, has been a licensed attorney for at least eight years upon his appointment, and has been a resident of this State for five years immediately preceding his appointment.

(2) In the event the Governor does not fill a vacancy within sixty days after the vacancy occurs, the commission by majority vote shall deputize a person with suitable experience, training, and knowledge to serve as a deputy commissioner to serve until such time as the Governor fills the vacancy. As soon as the Governor appoints a replacement who is confirmed by the Senate, the deputy commissioner shall immediately cease to serve in that office. While serving as a deputy commissioner, the deputy commissioner has the power and authority to swear or cause the witnesses to be sworn and shall transmit all testimony and shall make a recommendation to the commission for an award. The commission must determine the award based upon testimony received by the deputy commissioner and may consider the deputy commissioner's recommendation.

(B) A commissioner shall be entitled to judicial retirement as provided under the provisions of Chapter 8 of Title 9, provided that the commissioner meets all eligibility requirements set forth in subsection (A) effective at the commissioner's initial appointment after July 1, 2024.

~~(B)~~(C) The Governor, with the advice and consent of the Senate, shall designate one of the seven commissioners as chairman for a term of two years. At the conclusion of a commissioner's two-year term as chairman, the Governor shall appoint or reappoint a commissioner to serve as chairman. If the Governor does not appoint or reappoint a chairman at the expiration of the two-year term, a majority of the commission shall elect from among their members an interim chairman who shall serve until the Governor appoints another chairman. A deputy commissioner is not eligible to serve as chairman. Any person appointed to the commission is subject to removal as provided in Section 1-3-240(C).

(D) No member of the Senate, or an individual with whom he is associated may represent a client for a fee before the commission if the Senator does not completely recuse himself from consideration of an appointee during the confirmation process. The Senator's recusal includes, but is not limited to, refraining from any participation in the questioning of an appointee during any debate, discussion, or

consideration of whether an appointee should be confirmed at a subcommittee or full committee meeting or before the full Senate.

~~(C)~~(E) The commissioners shall hear and determine all contested cases, conduct informal conferences when necessary, approve settlements, hear applications for full commission reviews, and handle such other matters as may come before the department for judicial disposition. Full commission reviews shall be conducted by all commissioners, excluding the original hearing commissioner, or by three-member panels, excluding the original hearing commissioner, appointed by the chairman. The chairman, with approval of a majority of the other commissioners, shall determine which full commission reviews shall be assigned to panels. The decisions of three-member panels have the same force and effect as full commission reviews.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. The eligibility provisions contained in Section 42-3-20(A), as amended by this act, are effective for appointments made on or after July 1, 2024. Notwithstanding the eligibility provisions contained in Section 42-3-20(A), as amended by this act, Commissioners serving on July 1, 2024, are not required to be a licensed attorney in order to continue serving on the commission for the remainder of the term to which the commissioner was elected.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The question being the adoption of the amendment.

Senator SABB objected to further consideration of the Bill.

OBJECTION

S. 251 -- Senators M. Johnson, Adams, Gustafson and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 42-9-50 SO AS TO PROVIDE BENEFITS TO FIRST RESPONDERS MEDICALLY DIAGNOSED WITH POST-TRAUMATIC STRESS DISORDER ARISING FROM A SIGNIFICANT TRAUMATIC EXPERIENCE OR SITUATION IN THE COURSE AND SCOPE OF EMPLOYMENT, THE FIRST RESPONDER HAS AN INCAPACITY TO WORK AS DETERMINED BY THE TREATING PHYSICIAN, AND THE FIRST

RESPONDER IS PARTICIPATING IN AND RECEIVING CLINICAL CARE.

Senator MASSEY objected to consideration of the Bill.

READ THE SECOND TIME

S. 755 -- Senators Young, Malloy, Massey, Campsen, Bennett, Rankin, Hembree, Matthews, Corbin, Talley, M. Johnson, Garrett, McLeod, Hutto, McElveen, Senn, Harpootlian, Sabb and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING PART 4 TO ARTICLE 6, CHAPTER 6, TITLE 62 SO AS TO PROVIDE FOR TRANSFER ON DEATH DESIGNATIONS FOR CERTAIN CATEGORIES OF TITLED PERSONAL PROPERTY; BY AMENDING SECTION 50-23-60, RELATING TO APPLICATIONS FOR CERTIFICATE OF TITLE FOR WATERCRAFT OR OUTBOARD MOTORS, SO AS TO PROVIDE FOR TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 50-23-70, RELATING TO FEES FOR WATERCRAFT AND OUTBOARD MOTOR CERTIFICATES OF TITLE SO AS TO ESTABLISH A FEE FOR TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 50-23-90, RELATING TO THE CONTENTS OF WATERCRAFT AND OUTBOARD MOTOR CERTIFICATES OF TITLE, SO AS TO REQUIRE CERTAIN INFORMATION REGARDING TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 50-23-130, RELATING TO TRANSFER OF OWNERSHIP OF WATERCRAFT AND OUTBOARD MOTORS BY OPERATION OF LAW, SO AS TO INCLUDE TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 56-19-290, RELATING TO CONTENTS OF A CERTIFICATE OF TITLE ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REQUIRE CERTAIN INFORMATION REGARDING TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 56-19-420, RELATING TO DEPARTMENT OF MOTOR VEHICLE FEES TO ISSUE OR TRANSFER A CERTIFICATE OF TITLE, SO AS TO ESTABLISH A FEE FOR TRANSFER ON DEATH DESIGNATIONS; AND BY AMENDING SECTION 62-6-101, RELATING TO DEFINITIONS, SO AS TO REVISE AND INCLUDE CERTAIN DEFINITIONS PERTAINING TO TRANSFERS ON DEATH FOR TITLED PERSONAL PROPERTY.

The Senate proceeded to a consideration of the Bill.

Senator M. JOHNSON explained the amendment.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 839 -- Senators Alexander and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-85, RELATING TO HOMICIDE BY CHILD ABUSE, SO AS TO INCREASE THE AGE OF A CHILD UNDER THIS SECTION FROM UNDER THE AGE OF ELEVEN TO UNDER THE AGE OF EIGHTEEN.

On motion of Senator MALLOY, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 845 -- Senators Rankin, Sabb, Talley and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-108, RELATING TO PROBATE, TESTACY, AND APPOINTMENT PROCEEDINGS; ULTIMATE TIME LIMIT, SO AS TO ALLOW APPROPRIATE APPOINTMENT PROCEEDINGS FOR AN ESTATE OF AN INDIVIDUAL REGARDLESS OF THE DATE OF DEATH, TO ALLOW APPOINTMENT PROCEEDINGS FOR THE PURPOSE OF ALLOWING A CLAIM PURSUANT TO THE "HONORING OUR PACT ACT OF 2022".

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-845.MB0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 62-3-108(A)(2)(d) and inserting:

(d) appropriate appointment proceedings may be maintained in relation to the estate of an individual for the sole purpose of allowing a claim to be made pursuant to Section 804 of the "Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022", United States Public Law 117-168, as amended, regardless of the date of that individual's death.

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell

Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 877 -- Senators Senn, Shealy, Gustafson, McLeod and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-90 SO AS TO DEFINE NECESSARY TERMS, CREATE THE OFFENSE OF LURING A CHILD INTO A CONVEYANCE, DWELLING, OR STRUCTURE, AND PROVIDE A PENALTY AND DEFENSES TO PROSECUTION.

Senators KIMBRELL and HARPOOTLIAN objected to consideration of the Bill.

OBJECTION

S. 881 -- Senators M. Johnson, McLeod and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING THE "PROHIBITION OF UNFAIR REAL ESTATE SERVICE AGREEMENTS ACT"; AND TO MAKE THE PROHIBITIONS EFFECTIVE FOR ANY UNFAIR REAL ESTATE SERVICE AGREEMENTS THAT ARE RECORDED ON THE EFFECTIVE DATE OF THIS ACT OR THAT ARE EXECUTED MODIFIED,

EXTENDED, OR AMENDED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT.

Senator CORBIN objected to consideration of the Bill.

CARRIED OVER

S. 947 -- Senators Hembree, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-910, RELATING TO KIDNAPPING, SO AS TO ALLOW SENTENCING FOR THE CRIME OF KIDNAPPING AND OTHER CRIMES.

On motion of Senator HEMBREE, the Bill was carried over.

CARRIED OVER

S. 954 -- Senators Hembree and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

On motion of Senator HEMBREE, the Bill was carried over.

CARRIED OVER

S. 995 -- Senators Hutto, Shealy, Reichenbach, Devine, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO SECTIONS 16-15-385 THROUGH 16-15-425, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE; BY AMENDING SECTION 16-15-395, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-405, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-410, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; AND BY AMENDING SECTION 23-3-430, RELATING

TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER.

On motion of Senator RANKIN, the Bill was carried over.

CARRIED OVER

S. 996 -- Senators Hutto, Shealy, Reichenbach, Senn and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY.

On motion of Senator RANKIN, the Bill was carried over.

READ THE SECOND TIME

S. 1005 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1320, RELATING TO MOTOR RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROVIDE THAT A BOAT, WATERCRAFT, OR OTHER TYPE OF VESSEL POWERED BY AN OUTDRIVE OR INBOARD MOTOR HAVING AN ENGINE AUTOMOTIVE HORSEPOWER RATING IN EXCESS OF TWO HUNDRED HORSEPOWER IS PERMITTED AND THAT PERSONAL WATERCRAFT MAY NOT EXCEED ONE HUNDRED NINETY HORSEPOWER; AND BY AMENDING SECTION 50-25-1350, RELATING TO WATER SKIING AND TOWING RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROHIBIT THE OPERATION OF PERSONAL WATERCRAFT, SPECIALTY PROPCRAFT, OR VESSELS IN EXCESS OF IDLE SPEED WITHIN ONE HUNDRED FEET OF A WHARF, DOCK, BULKHEAD, OR PIER OR WITHIN FIFTY FEET OF A MOORED OR ANCHORED VESSEL OR PERSON IN THE WATER.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 780 -- Senator Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-18-30, RELATING TO APPLICABILITY AND EXCEPTIONS FOR THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, SO AS TO PROVIDE THAT AN INDIVIDUAL IS ALLOWED TO OPERATE A SUPER-KART IF THEY ARE EIGHTEEN YEARS OF AGE OR OLDER OR ARE FIFTEEN YEARS OF AGE OR OLDER AND HOLD A VALID DRIVER’S LICENSE OR PERMIT.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1090 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO LICENSE PLATES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5227, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1091 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO SELF-INSURERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5228, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3355 -- Reps. Moss and Lawson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-5-4072 SO AS TO PROVIDE THAT A TOWING TRUCK WITH A FIFTH WHEEL ASSEMBLY MAY TOW ONE ADDITIONAL VEHICLE, TO PROVIDE A MAXIMUM LENGTH FOR THIS COMBINATION OF VEHICLES, TO PROVIDE THE MAXIMUM

WEIGHT FOR THE FINAL TRAILING VEHICLE, AND TO PROVIDE A TRUCK OPERATING A TOWING COMBINATION MUST INCLUDE A VIDEO SYSTEM WHICH ALLOWS THE DRIVER TO MONITOR THE FINAL TRAILING VEHICLE AS IT IS BEING TOWED AND BE EQUIPPED WITH CERTAIN SAFETY DEVICES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 1:34 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, February 28, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 31:24

The Psalmist writes: "Be strong, and let your heart take courage, all you who wait for the Lord."

Let us pray: One can surely say it is a truism, O Lord, that anyone who wants to be an honorable leader has to be strong, strong in courage surely, as well as in determination to work for the betterment of those he or she is chosen to serve. And especially in a world like the one we live in today, dear Father, how important it is for each of these Senators to be like that: to possess the courage to make wise decisions which genuinely benefit the people of South Carolina. Moreover, Lord, that is also our fervent prayer for each man and woman serving here in our State at every other level of government, as well, whatever his or her responsibilities. And as always, dear Lord, to You be the glory. In Your loving name we pray. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Jackson	*Johnson, Kevin*
Kimbrell	Loftis	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn

Setzler	Shealy	Stephens
Talley	Turner	Verdin
Young		

A quorum being present, the Senate resumed.

Doctor of the Day

Senator MARTIN introduced Dr. Jennifer Hanke of Oconee, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 1:08 P.M., Senator CAMPSEN was granted a leave of absence for today.

Leave of Absence

On motion of Senator MASSEY, at 4:40 P.M., Senator MARTIN was granted a leave of absence until 9:58 a.m. on Tuesday, March 5, 2024.

Leave of Absence

On motion of Senator BENNETT, at 4:45 P.M., Senator HEMBREE was granted a leave of absence for today.

Expression of Personal Interest

Senator VERDIN rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 235 Sen. Matthews
S. 839 Sens. Rankin and Shealy
S. 881 Sen. Rankin
S. 947 Sen. Rankin
S. 954 Sen. Rankin
S. 968 Sen. Rankin
S. 969 Sen. Young
S. 995 Sen. Rankin
S. 996 Sen. Rankin
S. 1108 Sens. Shealy and Reichenbach

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 1078 Sen. Talley

RECALLED

S. 988 -- Senator Shealy: A CONCURRENT RESOLUTION TO AUTHORIZE AMERICAN LEGION AUXILIARY PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 14, 2024.

Senator SHEALY asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Operations and Management.

The Concurrent Resolution was recalled from the Committee on Operations and Management and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1037 -- Senators Adams and Grooms: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF ROYLE ROAD IN BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 17A/NORTH MAIN STREET TO ITS INTERSECTION WITH TREELAND DRIVE "WADE ARNETTE ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF ROADWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1041 -- Senator Grooms: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF US HIGHWAY 17A IN BERKELEY COUNTY FROM ITS INTERSECTION WITH HARRISTOWN ROAD TO ITS INTERSECTION WITH HOODTOWN ROAD "REV. LARRY A. BRADBERRY HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4608 -- Reps. Hayes and Atkinson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE LUMBER RIVER ALONG UNITED STATES HIGHWAY 76 AND SOUTH CAROLINA HIGHWAY 9 AT THE BORDER OF MARION AND HORRY COUNTIES "PLAN LANNEAU ELVINGTON, SR. MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1104 -- Senators Jackson, Sabb, Stephens, Devine, K. Johnson and McElveen: A SENATE RESOLUTION TO HONOR THE ACHIEVEMENTS OF PROMINENT AFRICAN AMERICAN BUSINESSWOMAN DIANE E. SUMPTER OF COLUMBIA.
lc-0402hdb-rm24.docx

The Senate Resolution was adopted.

S. 1105 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE THE SOUTH CAROLINA HERITAGE TRUST PROGRAM UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE PROGRAM FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
sr-0597km-vc24.docx

The Senate Resolution was adopted.

S. 1106 -- Senator Massey: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SARAH BAKER JOHNSON.
sr-0604km-vc24.docx
The Senate Resolution was adopted.

S. 1107 -- Senator Fanning: A SENATE RESOLUTION TO DECLARE FEBRUARY 28, 2024, AS "ROSENWALD SCHOOL DAY" IN THE STATE OF SOUTH CAROLINA.
lc-0634wab-gm24.docx
The Senate Resolution was adopted.

S. 1108 -- Senators Hutto, Shealy and Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-63-285 SO AS TO DEFINE TERMS RELATED TO THE SUSPENSION OR EXPULSION OF PRESCHOOL STUDENTS, TO PROVIDE FOR EDUCATION AND TRAINING FOR ADMINISTRATORS, TEACHERS, AND STAFF, TO REQUIRE EFFORTS TOWARD MAINTAINING STUDENT ENROLLMENT, AND TO PROVIDE FOR RELEVANT DATA COLLECTION.
sr-0125jg24.docx
Read the first time and referred to the Committee on Education.

S. 1109 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-10, RELATING TO DEFINITIONS, SO AS TO DEFINE VARIOUS TERMS RELATING TO DRIVERS' LICENSES, PERMITS, AND IDENTIFICATION CARDS; AND BY ADDING SECTION 56-1-555 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ESTABLISH A SYSTEM FOR ISSUING OPTIONAL ELECTRONIC OR DIGITALLY ISSUED CARDS.
lc-0536cm24.docx
Read the first time and referred to the Committee on Transportation.

S. 1110 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1170, RELATING TO THE RETIREMENT INCOME DEDUCTION FROM TAXABLE INCOME, SO AS TO INCREASE THE INDIVIDUAL DEDUCTION FROM FIFTEEN THOUSAND DOLLARS TO TWENTY THOUSAND DOLLARS, TO INCREASE THE DEDUCTION FOR MARRIED TAXPAYERS WHO FILE A JOINT FEDERAL INCOME TAX RETURN FROM THIRTY THOUSAND

DOLLARS TO FORTY THOUSAND DOLLARS, AND TO PROVIDE FOR AN ANNUAL INFLATION ADJUSTMENT.
sr-0612km24.docx

Read the first time and referred to the Committee on Finance.

S. 1111 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-37, RELATING TO PRACTICE OF TELEMEDICINE, SO AS TO REMOVE THE PROHIBITION ON PRESCRIBING LIFESTYLE MEDICATIONS UNLESS APPROVED BY THE BOARD OF MEDICAL EXAMINERS.
sr-0611km24.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 1112 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-2340, RELATING TO FINGERPRINT REVIEW, SO AS TO PROVIDE FOR FINGERPRINT-BASED BACKGROUND CHECKS FOR PERSONS APPLYING FOR LICENSURE AS A FOSTER PARENT, ADOPTIVE PARENT, LEGAL GUARDIAN, OR EMPLOYEE OR VOLUNTEER OF A CHILD PLACING AGENCY, RESIDENTIAL TREATMENT PROGRAM, OR CONTRACTED SERVICE PROVIDER WHO HAS DIRECT UNSUPERVISED CONTACT WITH CHILDREN; BY AMENDING SECTION 63-7-2345, RELATING TO PAYMENT OF COSTS OF FEDERAL BUREAU OF INVESTIGATION FINGERPRINT REVIEWS, SO AS TO PROVIDE THAT COSTS FOR FINGERPRINT-BASED BACKGROUND CHECKS MUST BE PAID BY THE INDIVIDUAL OR ENTITY REQUESTING THE BACKGROUND CHECKS; BY AMENDING SECTION 63-7-2350, RELATING TO RESTRICTIONS ON FOSTER CARE, ADOPTION, OR LEGAL GUARDIAN PLACEMENTS, SO AS TO PROVIDE THAT A CHILD MAY BE PLACED IN THE HOME OF A KIN OR FICTIVE KIN CAREGIVER WHO HAS BEEN CONVICTED OR PLED GUILTY TO A CRIMINAL OFFENSE IF MORE THAN FIVE YEARS HAVE PASSED SINCE THE CONVICTION AND THE OFFENSE WAS NOT A FELONY INVOLVING VIOLENCE OR ANY CRIME AGAINST A CHILD; BY AMENDING SECTION 63-13-50, RELATING TO FINGERPRINT EXEMPTIONS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-60, RELATING TO CRIMINAL HISTORY REVIEW FEE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION

63-13-190, RELATING TO FINGERPRINT REVIEWS OF DEPARTMENT OF SOCIAL SERVICES PERSONNEL, SO AS TO PROVIDE THAT VOLUNTEERS OR EMPLOYEES OF A CONTRACTOR OR SUBCONTRACTOR WHO CONTRACTS FOR DELIVERY OF PROTECTIVE SERVICES, FAMILY PRESERVATION SERVICES, FOSTER CARE SERVICES, FAMILY REUNIFICATION SERVICES, ADOPTION SERVICES AND OTHER RELATED SERVICES OR PROGRAMS OR A PERSON WHO HAS DIRECT UNSUPERVISED CONTACT WITH A CHILD IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES SHALL UNDERGO A STATE FINGERPRINT-BASED BACKGROUND CHECK; BY AMENDING SECTION 63-13-420, RELATING TO LICENSURE REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-430, RELATING TO LICENSE RENEWAL, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-620, RELATING TO STATEMENT OF APPROVAL REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-630, RELATING TO APPROVAL RENEWAL, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-820, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-830, RELATING TO STATEMENT OF REGISTRATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-1010, RELATING TO REGISTRATION REQUIRED FOR CHURCH AND RELIGIOUS CENTERS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-11-70, RELATING TO BACKGROUND CHECKS AND PARDONS, SO AS TO MAKE CONFORMING CHANGES.

sr-0117jg24.docx

Read the first time and referred to the Committee on Family and Veterans' Services.

S. 1113 -- Senators Gambrell and Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 4-37-30, RELATING TO SALES AND USE TAXES OR TOLLS AS REVENUE FOR TRANSPORTATION FACILITIES, SO AS TO

PROVIDE FOR CERTAIN EXEMPTIONS FOR UNPREPARED FOOD ITEMS.
lc-0522sa24.docx

Read the first time and referred to the Committee on Finance.

S. 1114 -- Senators Bennett and Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 1 OF CHAPTER 23, TITLE 50, SECTION 50-23-345, AND SECTION 50-23-375, ALL RELATING TO THE TITLING OF WATERCRAFT AND OUTBOARD MOTORS, SO AS TO DELETE THE REQUIREMENT THAT OUTBOARD MOTORS BE TITLED; BY AMENDING SECTION 12-37-3210, RELATING TO TAX NOTICES FOR BOATS, BOAT MOTORS, AND WATERCRAFT, SO AS TO ALLOW THE AUDITOR TO CONSOLIDATE THE TAX NOTICE; BY AMENDING SECTION 12-37-890, RELATING TO A PLACE WHERE PROPERTY SHALL BE RETURNED FOR TAXATION, SO AS TO PROVIDE THAT BOATS, BOAT MOTORS, AND WATERCRAFT MUST BE RETURNED TO THE COUNTY IN WHICH THE BOAT, BOAT MOTOR, OR WATERCRAFT IS PRINCIPALLY LOCATED FOR TAXATION; BY AMENDING SECTION 12-37-3220, RELATING TO PROPERTY TAX RETURNS FOR BOATS, BOAT MOTORS, AND WATERCRAFT, SO AS TO PROVIDE THAT SUCH PROPERTY TAX RETURNS MUST BE SUBMITTED TO THE COUNTY IN WHICH THE BOAT, BOAT MOTOR, OR WATERCRAFT IS PRINCIPALLY LOCATED IF THAT IS DIFFERENT THAN THE OWNER'S COUNTY OF RESIDENCE; BY AMENDING SECTION 50-23-340, RELATING TO APPLICATION FOR AND ISSUANCE OF NUMBER AND CERTIFICATE FEES, SO AS TO PROVIDE THAT APPLICATIONS FOR MOTORBOAT NUMBERS MUST INCLUDE A DECLARATION OF THE COUNTY IN WHICH THE MOTORBOAT IS PRINCIPALLY LOCATED; AND BY AMENDING SECTION 50-23-370, RELATING TO EXPIRATION AND RENEWAL, SO AS TO PROVIDE THAT CERTIFICATE RENEWAL NOTICES MUST BE SENT TO OWNERS OF WATERCRAFT PRINCIPALLY LOCATED IN THE COUNTY.
lc-0381dg24.docx

Read the first time and referred to the Committee on Finance.

S. 1115 -- Senators Williams, Malloy, Fanning, Setzler and Stephens: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-159-10 SO AS TO ESTABLISH THE ADAPTIVE KINDERGARTEN READINESS PROGRAM IN THE STATE; BY ADDING SECTION 59-159-20 SO AS TO CREATE RELEVANT DEFINITIONS FOR THE ADAPTIVE KINDERGARTEN READINESS PROGRAM; BY ADDING SECTION 59-159-30 SO AS TO ESTABLISH GOALS FOR THE PROGRAM AND ESTABLISH SELECTION STANDARDS FOR SELECTION OF A PROVIDER; BY ADDING SECTION 59-159-40 SO AS TO ENSURE THE AVAILABILITY OF THE PROGRAM; BY ADDING SECTION 59-159-50 SO AS TO ESTABLISH ENROLLMENT REQUIREMENTS AND GUIDELINES FOR RECRUITMENT PLANS FOR THE PROGRAM; BY ADDING SECTION 59-159-60 SO AS TO REQUIRE AN ANNUAL REPORT ON THE PROGRAM AND REQUIRE CERTAIN INFORMATION BE INCLUDED.
sr-0607km24.docx

Read the first time and referred to the Committee on Education.

S. 1116 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE APRIL 26, 2024, AS "DARE TO BE BRAVE DAY" IN SOUTH CAROLINA.
sr-0606km-vc24.docx

The Senate Resolution was adopted.

S. 1117 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO WILDERNESS THERAPEUTIC CAMPS FOR CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 5232, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0649wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1118 -- Senator Verdin: A CONCURRENT RESOLUTION TO RECOGNIZE MARCH 6, 2024, AS "OSTEOPATHIC MEDICINE DAY" IN SOUTH CAROLINA IN HONOR OF THE IMPORTANT ROLE THAT DOCTORS OF OSTEOPATHIC MEDICINE PLAY IN

MEETING THE HEALTHCARE NEEDS OF THE CITIZENS OF SOUTH CAROLINA, THE UNITED STATES MILITARY, AND THE NATION.
sr-0609km-vc24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1119 -- Senator Climer: A SENATE RESOLUTION TO RECOGNIZE MARCH 5, 2024 AS "4-H DAY" IN SOUTH CAROLINA, HONOR MRS. SHERRY DAVIS-LIVINGSTON, MRS. SHANNON HERNDON, MRS. TERRI SUMPTER, AND MRS. GAYLE WILLIFORD FOR THEIR TWENTY-FIVE YEARS OF DEDICATED SERVICE TO THE YOUTH OF OUR STATE, AND COMMEND STATE 4-H TEEN COUNCIL AND THE 4-H PROGRAM TEAM ON THEIR NUMEROUS ACCOMPLISHMENTS OVER THE 2023-2024 YEAR AND FOR THE LEADERSHIP AND IMPACT THEY HAVE DEMONSTRATED.
sr-0615km-vc24.docx

The Senate Resolution was introduced and referred to the Committee on Agriculture and Natural Resources.

S. 1120 -- Senators Reichenbach, Williams, K. Johnson and Sabb: A SENATE RESOLUTION TO RECOGNIZE AND HONOR PEARL MOORE OF FLORENCE COUNTY FOR HER ACHIEVEMENTS ON AND OFF THE BASKETBALL COURT.
lc-0412vr-kar24.docx

The Senate Resolution was adopted.

S. 1121 -- Senators Matthews, Hutto, Devine, Gustafson and Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "IN VITRO FERTILIZATION PROTECTION ACT"; AND TO PROVIDE A DEFINITION OF ASSISTIVE REPRODUCTIVE TECHNOLOGIES AND PROVIDE PROTECTIONS.
smin-0060mw24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1122 -- Senators Young, M. Johnson, Kimbrell, Turner, Grooms, Cromer, Rankin, Adams, Alexander, Hembree, Climer, Gambrell, Bennett, Rice, Verdin, Massey, Talley, Garrett, Corbin, Gustafson, Setzler, Davis, Williams, McLeod, McElveen, K. Johnson, Stephens, Tedder, Matthews, Sabb, Loftis, Hutto, Harpootlian, Senn and Fanning:

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-29-15, RELATING TO THE REQUIREMENT THAT CURSIVE WRITING BE TAUGHT IN PUBLIC ELEMENTARY SCHOOLS, SO AS TO SPECIFY THAT THE CURSIVE WRITING INSTRUCTION MUST BEGIN IN SECOND GRADE AND CONTINUE IN EACH GRADE THROUGH FIFTH GRADE.
sr-0617km24.docx

Read the first time and referred to the Committee on Education.

S. 1123 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 BYPASS IN FAIRFIELD COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 213 TO 392 UNITED STATES HIGHWAY 321 BYPASS "DR. J. R. GREEN HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.
lc-0538cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4386 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-13-647 SO AS TO PROHIBIT THE TAKING, HARMING, OR KILLING OF ROBUST REDHORSE.
lc-0239ph23.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4387 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO INCLUDE REFERENCES TO HYBRID BASS.
lc-0240ph23.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4875 -- Reps. Ott, Brewer, Atkinson and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-1910, RELATING TO THE SALE OF DEER OR DEER PARTS, SO AS TO ALLOW A PROCESSOR TO PROCESS A LEGALLY TAKEN DOE DONATED BY A HUNTER AND RECOVER THE COSTS OF PROCESSING FROM SOMEONE OTHER THAN THE HUNTER WHO DONATED THE DOE, AND TO INCREASE PENALTIES.
lc-0324ph24.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 5141 -- Reps. Erickson, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO COMMEND AMIKIDS FOR FIFTY-FIVE YEARS OF GUIDING AT-RISK YOUTH TO POSITIVE, PRODUCTIVE ALTERNATIVES TO PAST BEHAVIOR WHILE ENABLING THEM TO BECOME SUCCESSFUL CITIZENS OF THIS GREAT STATE AND TO DECLARE THURSDAY, APRIL 18, 2024, AS AMIKIDS DAY AT THE STATE HOUSE.
lc-0289ha-rm24.docx

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 99 -- Senators Campsen and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-70, RELATING TO JUDICIAL CANDIDATES SEEKING PLEDGES FROM MEMBERS OF THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT PLEDGES FOR JUDICIAL CANDIDATES MAY NOT BE DIRECTLY OR INDIRECTLY SOUGHT OR GIVEN UNTIL TWELVE DAYS AFTER THE INITIAL RELEASE OF THE REPORT CONCERNING NOMINEES TO MEMBERS OF THE GENERAL ASSEMBLY; AND BY AMENDING SECTION 2-19-80, RELATING TO THE NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT A PERIOD OF AT LEAST TWENTY-TWO DAYS MUST ELAPSE BETWEEN THE DATE OF THE JUDICIAL MERIT SELECTION COMMISSION'S INITIAL REPORT OF NOMINATIONS TO THE GENERAL ASSEMBLY AND THE DATE THE GENERAL ASSEMBLY CONDUCTS THE ELECTION FOR THESE JUDGESHIPS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

S. 107 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCLUDE LIVESTOCK TRAILERS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 650 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-150-70, RELATING TO TEMPORARY REGULATIONS OF THE SOUTH CAROLINA EDUCATION LOTTERY, INITIAL AVAILABILITY OF TICKETS, AND ALTERNATE USE FOR NONWINNING TICKETS, SO AS TO ALLOW PAYMENT BY DEBIT CARD; AND BY ADDING SECTION 59-150-145 SO AS TO EXEMPT CERTAIN PERSONALLY IDENTIFIABLE INFORMATION CONCERNING LOTTERY CLAIMS FROM NONCONSENSUAL DISCLOSURE OR

RELEASE UNDER THE FREEDOM OF INFORMATION ACT, TO PROVIDE THE LOTTERY COMMISSION MAY DISCLOSE CERTAIN INFORMATION CONCERNING LOTTERY CLAIMS WITHOUT CONSENT, AND TO PROVIDE AN EXCEPTION FOR PARTICIPANTS IN CERTAIN PROMOTIONS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

S. 859 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "STATE EMPLOYMENT SKILLS BASED HIRING ACT"; BY ADDING SECTION 8-11-188 SO AS TO REQUIRE THE OFFICE OF HUMAN RESOURCES TO CONDUCT PERIODIC REVIEWS OF THE EDUCATIONAL, EXPERIENTIAL, AND TRAINING REQUIREMENTS FOR ALL EXECUTIVE BRANCH JOBS WITH A SPECIAL EMPHASIS ON WHETHER A FOUR-YEAR COLLEGE DEGREE IS NECESSARY, TO PROVIDE THAT THE OFFICE OF HUMAN RESOURCES SHALL REDUCE THE REQUIREMENTS IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE OFFICE OF HUMAN RESOURCES SHALL REPORT ITS ACTIONS PURSUANT TO THIS ACT; AND SO AS TO PROVIDE THAT THE FIRST PERIODIC REVIEW SHALL COMMENCE WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS ACT.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

S. 969 -- Senators Alexander, Peeler, Setzler and K. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

S. 1017 -- Senators M. Johnson, Peeler, Climer and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS; AND BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY ASSESSED AS AGRICULTURAL OR RELATED THERETO MAY NOT BE ANNEXED BY A MUNICIPALITY.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

S. 1021 -- Senator Davis: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT TO 2035; AND TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-67-140, RELATING TO THE ABANDONED BUILDINGS TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE MAXIMUM TAX CREDIT THAT MAY BE EARNED.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST

APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable report on:

S. 1047 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-610, RELATING TO DENMARK TECHNICAL COLLEGE AREA COMMISSION MEMBERS, SO AS TO PROVIDE THAT THE MANNER BY WHICH COMMISSIONERS ARE APPOINTED SHALL BE BY APPOINTMENT OF THE GOVERNOR UPON THE RECOMMENDATION OF A MAJORITY OF THE MEMBERS OF THE GENERAL ASSEMBLY REPRESENTING ALLENDALE, BAMBERG, AND BARNWELL COUNTIES.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

H. 3121 -- Reps. Hyde, Carter, B. Newton, Neese, T. Moore, Pope, Bauer, Davis, M.M. Smith, Willis, Brewer, Robbins, Felder, Stavrinakis, Wetmore and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3810 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO A PROPERTY OWNER WHO ENCUMBERS HIS PROPERTY WITH A PERPETUAL RECREATIONAL TRAIL EASEMENT.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable report on:

H. 3295 -- Reps. Collins, Erickson, Bradley and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-210 SO AS TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-39-290 SO AS TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT, ESTABLISH, AND PROMULGATE NECESSARY RULES AND REGULATIONS; BY ADDING SECTION 59-19-360 SO AS TO PROVIDE A PROCESS FOR THE EXEMPTION OF COMPETENCY-BASED SCHOOLS FROM CERTAIN APPLICABLE LAWS AND REGULATIONS, TO PROVIDE REQUIREMENTS FOR IMPLEMENTING COMPETENCY-BASED EDUCATION IN SCHOOLS, AND TO PROVIDE RELATED REQUIREMENTS FOR THE STATE DEPARTMENT OF EDUCATION AND THE COMMISSION ON HIGHER EDUCATION; BY AMENDING SECTION 59-1-425, RELATING TO THE

STATUTORY ANNUAL SCHOOL CALENDAR, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-39-100, RELATING TO REQUIRED UNITS FOR A HIGH SCHOOL DIPLOMA, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable report on:

H. 3309 -- Reps. Gilliam, Pope, Erickson, Bradley, Davis, Caskey and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SEIZURE SAFE SCHOOLS ACT" BY ADDING SECTION 59-63-97 SO AS TO REQUIRE THE ESTABLISHMENT OF SEIZURE ACTION PLANS IN PUBLIC SCHOOLS, AND TO PROVIDE REQUIREMENTS FOR SUCH PLANS AND THEIR IMPLEMENTATION, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

H. 3608 -- Reps. Hixon, Bailey and Brittain: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-39-260, RELATING TO RECORDS OF SALES OR CONVEYANCES AND RESULTING CHANGES IN DUPLICATES AND ENDORSEMENT OF DEEDS BY AUDITORS, SO AS TO PROVIDE GUIDELINES FOR THE RECORDS OF COUNTY REAL PROPERTY SALES AND TO REMOVE COUNTY AUDITOR FEES; BY AMENDING SECTION 30-5-120, RELATING TO THE VALIDATION OF CERTAIN CONVEYANCES NOT ENDORSED BY A COUNTY AUDITOR, SO AS TO PROVIDE THAT ANY CONVEYANCE MEETING THE STATUTORY PREREQUISITES FOR RECORDING ARE VALID AND BINDING; BY REPEALING SECTION 30-5-80 RELATING TO THE REQUIREMENT OF THE AUDITOR'S ENDORSEMENT BEFORE THE RECORDATION OF DEEDS; AND BY REPEALING SECTION 8-21-130 RELATING TO FEES COLLECTED BY COUNTY AUDITORS FOR AN ENDORSEMENT ON A DEED.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

H. 3811 -- Rep. Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3585, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE FOR AN INCREASE IN THE AGGREGATE CREDIT FROM NINE MILLION TO TWELVE MILLION DOLLARS FOR TAX YEARS AFTER 2022.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

H. 3880 -- Reps. M.M. Smith, Herbkersman, Davis, Elliott, B.J. Cox, B.L. Cox and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-2420, RELATING TO THE ADMISSIONS TAX, SO AS TO PROVIDE THAT NO TAX MAY BE CHARGED OR COLLECTED ON ANNUAL OR MONTHLY DUES PAID TO A GOLF CLUB.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

H. 4376 -- Reps. B.J. Cox, M.M. Smith, Caskey, T. Moore, Wooten, J.L. Johnson, Davis, Sessions, Guffey, Ligon, O'Neal, Pope, Hart and J. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 25-12-10, 25-12-30, AND 25-12-50, ALL RELATING TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN, SO AS TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ALSO APPLY TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN AND TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ARE MANDATORY UNDER CERTAIN CIRCUMSTANCES; AND BY AMENDING SECTION 17-5-590, RELATING TO THE DISPOSITION OF REMAINS OF UNIDENTIFIED DEAD BODIES, SO AS TO REQUIRE CORONERS TO RELEASE CERTAIN HUMAN REMAINS THAT HAVE BEEN DETERMINED TO BE THOSE OF AN UNCLAIMED DECEASED VETERAN TO A FUNERAL HOME, FUNERAL ESTABLISHMENT, OR MORTUARY FOR DISPOSITION PURSUANT TO CHAPTER 12, TITLE 25.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

H. 4720 -- Rep. Bannister: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2024-2025 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE’S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND

PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80

RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., February 28, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 298 -- Senators Bennett, Turner, Kimbrell, Campsen and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-2320, RELATING TO ALTERNATE METHODS FOR THE ALLOCATION AND APPORTIONMENT OF INCOME FOR STATE INCOME TAX PURPOSES, SO AS TO SET FORTH A PROCESS FOR THE DEPARTMENT OF REVENUE AND TAXPAYERS TO ACCURATELY DETERMINE NET INCOME.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 1065 -- Senator Alexander: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, DANIEL J. SEEHAFER, AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 6, 2024.

Returned with concurrence.

Received as information.

S. 1066 -- Senator Young: A CONCURRENT RESOLUTION TO CONGRATULATE JUDITH WARNER UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER THIRTY YEARS OF DEDICATED SERVICE TO AIKEN COUNTY AND THE STATE OF SOUTH CAROLINA, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

Returned with concurrence.

Received as information.

S. 1070 -- Senator Jackson: A CONCURRENT RESOLUTION TO CONGRATULATE AND HONOR FIRE CHIEF AUBREY D. JENKINS FOR HIS FORTY-FIVE YEARS OF DEDICATED SERVICE TO THE COLUMBIA-RICHLAND FIRE DEPARTMENT AND TO THANK HIM FOR HIS CONTRIBUTIONS TO THE STATE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

S. 1071 -- Senator Bennett: A CONCURRENT RESOLUTION TO CONGRATULATE MARK LEIENDECKER FOR HIS SUCCESSFUL LEGAL CAREER AND TO WISH HIM A HAPPY AND RESTFUL RETIREMENT.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

S. 1025 -- Senators Young, Massey, Setzler and Hutto: A BILL TO AMEND ACT 588 OF 1986, AS AMENDED, RELATING TO THE ESTABLISHMENT OF SINGLE-MEMBER ELECTION DISTRICTS FOR THE SCHOOL BOARD OF AIKEN COUNTY, SO AS TO REAPPORTION THE DISTRICTS BEGINNING WITH THE SCHOOL BOARD ELECTIONS IN 2024, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS MAY BE FOUND, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REAPPORTIONED ELECTION DISTRICTS.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the Bill.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3592 -- Reps. Hyde and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO REMOVE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-43-86, RELATING TO COMPOUNDING OF MEDICATIONS BY PHARMACIES , SO AS TO REVISE REQUIREMENTS FOR COMPOUNDING PHARMACIES; BY AMENDING SECTION 40-43-87, RELATING TO NUCLEAR/RADIOLOGIC PHARMACY PRACTICES, SO AS TO REMOVE REQUIREMENTS CONCERNING NUCLEAR PHARMACY FACILITIES; AND BY AMENDING SECTION 40-43-88, RELATING TO STANDARDS FOR PREPARATION, LABELING, AND DISTRIBUTION OF STERILE PRODUCTS BY PHARMACIES, SO AS TO REMOVE CERTAIN STANDARDS.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills and Resolution were read the third time and ordered sent to the House:

S. 578 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-54-240, RELATING TO DISCLOSURE OF RECORDS OF AND REPORTS AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE, SO AS TO AUTHORIZE THE DISCLOSURE OF DOCUMENTS UNDER CERTAIN CIRCUMSTANCES.

S. 1064 -- Senators Turner and Young: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CONDUCT A REVIEW OF THE CURRENT LAW REGARDING COMMUNITY RESIDENTIAL CARE FACILITIES INCLUDING, BUT NOT LIMITED TO, QUALIFICATIONS FOR A FACILITY TO IDENTIFY AND ADVERTISE AS AN ALZHEIMER'S SPECIAL CARE UNIT, EVALUATION OF STAFFING LEVELS FOR A FACILITY'S ALZHEIMER'S SPECIAL CARE UNIT, AND A REVIEW OF THE NEED FOR REGISTERED NURSING COVERAGE IN A FACILITY'S ALZHEIMER'S SPECIAL CARE UNIT; AND TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY

BY JANUARY 1, 2025, FOR UPDATING AND IMPROVING THE LAW'S REQUIREMENTS FOR ALZHEIMER'S SPECIAL CARE UNITS HOUSED IN COMMUNITY RESIDENTIAL CARE FACILITIES.

S. 755 -- Senators Young, Malloy, Massey, Campsen, Bennett, Rankin, Hembree, Matthews, Corbin, Talley, M. Johnson, Garrett, McLeod, Hutto, McElveen, Senn, Harpootlian, Sabb and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING PART 4 TO ARTICLE 6, CHAPTER 6, TITLE 62 SO AS TO PROVIDE FOR TRANSFER ON DEATH DESIGNATIONS FOR CERTAIN CATEGORIES OF TITLED PERSONAL PROPERTY; BY AMENDING SECTION 50-23-60, RELATING TO APPLICATIONS FOR CERTIFICATE OF TITLE FOR WATERCRAFT OR OUTBOARD MOTORS, SO AS TO PROVIDE FOR TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 50-23-70, RELATING TO FEES FOR WATERCRAFT AND OUTBOARD MOTOR CERTIFICATES OF TITLE SO AS TO ESTABLISH A FEE FOR TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 50-23-90, RELATING TO THE CONTENTS OF WATERCRAFT AND OUTBOARD MOTOR CERTIFICATES OF TITLE, SO AS TO REQUIRE CERTAIN INFORMATION REGARDING TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 50-23-130, RELATING TO TRANSFER OF OWNERSHIP OF WATERCRAFT AND OUTBOARD MOTORS BY OPERATION OF LAW, SO AS TO INCLUDE TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 56-19-290, RELATING TO CONTENTS OF A CERTIFICATE OF TITLE ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REQUIRE CERTAIN INFORMATION REGARDING TRANSFER ON DEATH DESIGNATIONS; BY AMENDING SECTION 56-19-420, RELATING TO DEPARTMENT OF MOTOR VEHICLE FEES TO ISSUE OR TRANSFER A CERTIFICATE OF TITLE, SO AS TO ESTABLISH A FEE FOR TRANSFER ON DEATH DESIGNATIONS; AND BY AMENDING SECTION 62-6-101, RELATING TO DEFINITIONS, SO AS TO REVISE AND INCLUDE CERTAIN DEFINITIONS PERTAINING TO TRANSFERS ON DEATH FOR TITLED PERSONAL PROPERTY.

S. 845 -- Senators Rankin, Sabb, Talley and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-108, RELATING TO PROBATE, TESTACY, AND APPOINTMENT PROCEEDINGS; ULTIMATE TIME LIMIT, SO AS TO ALLOW APPROPRIATE APPOINTMENT PROCEEDINGS FOR AN ESTATE OF AN INDIVIDUAL REGARDLESS OF THE DATE OF DEATH, TO ALLOW APPOINTMENT PROCEEDINGS FOR THE PURPOSE OF ALLOWING A CLAIM PURSUANT TO THE "HONORING OUR PACT ACT OF 2022".

S. 1005 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1320, RELATING TO MOTOR RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROVIDE THAT A BOAT, WATERCRAFT, OR OTHER TYPE OF VESSEL POWERED BY AN OUTDRIVE OR INBOARD MOTOR HAVING AN ENGINE AUTOMOTIVE HORSEPOWER RATING IN EXCESS OF TWO HUNDRED HORSEPOWER IS PERMITTED AND THAT PERSONAL WATERCRAFT MAY NOT EXCEED ONE HUNDRED NINETY HORSEPOWER; AND BY AMENDING SECTION 50-25-1350, RELATING TO WATER SKIING AND TOWING RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROHIBIT THE OPERATION OF PERSONAL WATERCRAFT, SPECIALTY PROPCRAFT, OR VESSELS IN EXCESS OF IDLE SPEED WITHIN ONE HUNDRED FEET OF A WHARF, DOCK, BULKHEAD, OR PIER OR WITHIN FIFTY FEET OF A MOORED OR ANCHORED VESSEL OR PERSON IN THE WATER.

READ THE SECOND TIME

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS

IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO

PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED AMENDED, READ THE SECOND TIME

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO

PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS

INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-4116.WAB0020S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 40-19-295 and inserting:

Section 40-19-295. No licensee whose license has been suspended or revoked, or who has applied for a license but whose application has been denied, may participate in any manner in a business licensed by the board until that person has obtained a license or the person's license has been restored. No business licensed by the board may permit or allow a person whose license has been suspended or revoked, or any person who has applied for a license but whose application has been denied, to participate in any manner in the business licensed by the board.

Amend the bill further, SECTION 2, by striking Section 32-7-100(A)(1) and inserting:

(1) misdemeanor, if the value of money obtained or sought to be obtained is ~~two~~ ten thousand dollars or less and, upon conviction or plea, the person ~~must~~may be fined ~~not less than one~~ up to twenty-five thousand dollars, or imprisoned for not more than ~~thirty days~~ six months, or both;

Amend the bill further, SECTION 2, by striking Section 32-7-100(A)(~~4~~3) and inserting:

~~(4)~~ (3) in addition, a person convicted of a misdemeanor ~~or a felony~~ pursuant to this section may be prohibited from entering into further preneed funeral contracts, if the department, in its discretion, finds that the offense is sufficiently grievous. A person convicted of a felony pursuant to this chapter is subject to the following additional penalties when the value of the money obtained or sought to be obtained is:

(a) twenty-five thousand dollars or less, upon conviction or plea, the person is subject to a two-year suspension from conducting preneed funeral contract sales, and restitution as may be ordered by the court;

(b) greater than twenty-five thousand dollars, but less than one hundred thousand dollars, upon conviction or plea, the person is subject to a five-year suspension from conducting preneed funeral contract sales, and restitution as may be ordered by the court;

(c) greater than one hundred thousand dollars, upon conviction or plea, the person is subject to a ten-year suspension from conducting

preneed funeral contract sales, and restitution as may be ordered by the court.

Amend the bill further, SECTION 5, by striking Section 32-8-360(B) and inserting:

(B) A person who violates a provision of this chapter is subject to a civil fine ~~not to exceed five~~ of up to twenty-five thousand dollars. A licensed funeral director or embalmer who violates a provision of this chapter must be reported to the State Board of Funeral Service for immediate investigation and disciplinary proceedings.

Amend the bill further, SECTION 6, by striking Section 32-8-385(B)(3), (4), and (5) and (D) and inserting:

(3) have not been convicted of or pled guilty to a crime that directly relates to the duties, responsibilities, or fitness of the occupation or profession; and

(4) pay a fee as established in regulation not to exceed fifty dollars.

(D) Registered trained individuals are subject to applicable provisions of Sections 40-1-110, Chapter 19 of Title 40, Chapter 8 of Title 32, and board regulations.

Amend the bill further, by deleting SECTIONS 7 and 8.

Amend the bill further, SECTION 10, by striking Section 40-19-30 and inserting:

Section 40-19-30. (A) It is unlawful for a person to engage in the practice of funeral service unless the person is licensed in accordance with this chapter. A person who engages or participates in the active management of a funeral establishment and who performs any of the tasks defined in Section 40-19-20(19) is considered to be in the practice of funeral service.

(B) No permit to operate a funeral home may be issued to a corporation, partnership, or individual when the name of either an unlicensed person or a person whose license has been revoked or is suspended appears in the name of the corporation, partnership, or individually owned business. This prohibition does not apply to established funeral homes existing prior to July 1, 1969.

Amend the bill further, SECTION 11, by striking Section 40-19-70 and inserting:

Section 40-19-70. In addition to the powers and duties provided for in this chapter, the board also has those powers and duties set forth in Section 40-1-70. A member of the board, or its committees or employees, may not be liable for acts performed in the course of their official duties, except when gross negligence is shown and proven in a court of competent jurisdiction in this State.

Amend the bill further, SECTION 12, by striking Section 40-19-80 and inserting:

Section 40-19-80. The board shall employ ~~an inspector~~ at least two inspectors who must be ~~a~~ licensed ~~embalmer~~ embalmers and ~~funeral director~~funeral directors with ~~not~~ no fewer than five consecutive years' experience as a licensee under this chapter but who have not been disciplined during the time of their past or current licensure under this chapter.

Amend the bill further, SECTION 15, by striking Section 40-19-200 and inserting:

Section 40-19-200. A person who practices or offers to practice funeral service or who aids and abets any unlicensed person or unlicensed entity to engage in the practice of funeral service in this State in violation of this chapter or who knowingly submits false information for the purpose of obtaining a license is guilty of a misdemeanor and, upon conviction, ~~must~~may be fined ~~not less than five hundred dollars or more than twenty-five hundred~~ up to twenty-five thousand dollars or imprisoned for not more than six months, or both.

Amend the bill further, SECTION 16, by striking Section 40-19-230(2) and inserting:

(2) has not been convicted of ~~a violent crime or found guilty of a felony or crime of moral turpitude~~or pled guilty to a crime that directly relates to the duties, responsibilities, or fitness of the occupation or profession;

Amend the bill further, SECTION 16, by striking Section 40-19-230(5) and inserting:

(5) has completed a minimum of twenty-four months of service pursuant to Section 40-19-240 as an apprentice under the direct supervision of a licensed embalmer actively engaged in the practice of embalming in this State;

Amend the bill further, SECTION 16, by striking Section 40-19-230(B)(2) and inserting:

(2) has not been convicted of ~~a violent crime or found guilty of a felony or crime of moral turpitude~~or pled guilty to a crime that directly relates to the duties, responsibilities, or fitness of the occupation or profession;

Amend the bill further, SECTION 16, by striking Section 40-19-230(B)(4) and inserting:

(4) has completed a minimum of twenty-four months of service pursuant to Section 40-19-240 as an apprentice funeral director under the

direct supervision of a licensed funeral director actively engaged in the practice of funeral directing in this State;

Amend the bill further, by deleting SECTION 17.

Amend the bill further, SECTION 18, by striking Section 40-19-250 and inserting:

Section 40-19-250. The board shall develop in regulation a continuing education program and each licensee must attend a minimum of ~~three~~ four credit hours annually, of which one credit hour must be an ethics in funeral service course. This continuing education program must be offered, at a minimum, four times a year at locations easily accessible to participants. ~~and~~ Three of the four required hours must be available through correspondence courses, with at least two of the four hours requiring the physical attendance of the licensee. This continuing education requirement does not apply to a person who is not the manager of record of a funeral home, funeral establishment, or mortuary if the person has been licensed for thirty or more years ~~or~~ and is sixty years old or older.

Amend the bill further, SECTION 19, by striking Section 40-19-265(A)(4) and inserting:

(4) designates a manager who meets the requirements of Section 40-19-20(16) and is current and in good standing with the board and lives within a radius of ~~twenty-five~~fifty miles of the establishment;

Amend the bill further, SECTION 19, by striking Section 40-19-265(B)(4) and inserting:

(4) designates a manager who meets the requirements of Section 40-19-20(16) and is current and in good standing with the board and lives within a radius of ~~twenty-five~~ fifty miles of the establishment;

Amend the bill further, SECTION 19, by striking Section 40-19-265(D)(4) and inserting:

(4) designates a manager who meets the requirements of Section 40-19-20(16) and is current and in good standing with the board and lives within a radius of ~~twenty-five~~fifty miles of the establishment;

Amend the bill further, by striking SECTION 20 and inserting:

SECTION X. Section 40-19-20 (6) and (7) of the S.C. Code is amended to read:

(6) "Cremation" means ~~the reduction of the dead body by intense heat to residue~~the technical process using either alkaline hydrolysis or heat and flame that reduces human remains to components of either liquid and bone, or bone fragments, and which may include the pulverization of the bone fragments.

(7) "Crematory" means an establishment in which ~~the dead body is reduced to residue by intense heat~~cremation occurs.

Amend the bill further, SECTION 21, by striking Section 40-19-290(E) and inserting:

(E) Other than payments received for at-need funeral merchandise and funeral services, all payments received by any establishment licensed under this chapter for funeral merchandise being purchased must be placed in a trust account in a federally insured institution until the merchandise is delivered for its intended funeral services use as provided in the contract and in accordance with the sales agreement ~~or in the physical possession of the purchaser~~. Upon its own initiative or upon receipt of a complaint, the South Carolina Department of Consumer Affairs shall undertake investigations; review the books, records, and accounts of any establishment licensed under this chapter; subpoena witnesses; require audits and reports; and conduct hearings to determine if payments are being received in violation of the provisions of Chapter 7, Title 32.

Amend the bill further, by striking SECTION 23 and inserting:

SECTION 23. This act takes effect July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

Senator DAVIS proposed the following amendment (LC-4116.WAB0025S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 13 and inserting:

SECTION 13. Section 40-19-110(9) of the S.C. Code is amended to read:

(9) refusing to properly release a dead human body to the custody of the person or entity ~~who~~ that has the legal right to ~~effect~~ accomplish a release. The release must include payment for the actual services provided by the initial funeral home as transferor of the dead human body over to the receiving transferee. The receiving transferee funeral home is responsible for the payment to the transferring funeral home at the time of the transfer of the dead human body;

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Corbin
Cromer	Davis	Devine
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Climer

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
AMENDMENT PROPOSED, CARRIED OVER

S. 620 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-51-50, RELATING TO SALES OF PROPERTY BY A COUNTY RESULTING FROM DELINQUENT TAXES, SO AS TO ALLOW AN

ELECTRONIC SALE AND TO PROVIDE FOR THE PROCEDURES OF AN ELECTRONIC SALE; AND BY AMENDING SECTION 12-51-60, RELATING TO PAYMENT BY THE SUCCESSFUL BIDDER IN A TAX SALE, SO AS TO PROVIDE FOR THE DISTRIBUTION OF PROCEEDS DERIVED FROM AN ELECTRONIC TAX SALE.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (LC-620.DG0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 12-51-50(A) and inserting:

Section 12-51-50. (A) The property duly advertised must be sold~~,~~ by the person officially charged with the collection of delinquent taxes~~,~~ at public auction at the courthouse or other convenient place within the county, electronically as provided in subsection (B), or a combination of both, if designated and advertised, on the advertised date for legal tender payable in full by cash, cashier's check, certified check, credit card, wire or automated clearing house transfer of cash funds, or money order ~~on the date of the sale~~. If the defaulting taxpayer or the grantee of record of the property has more than one item advertised to be sold, as soon as sufficient funds have been accrued to cover all of the delinquent taxes, assessments, penalties, and costs, further items must not be sold.

Amend the bill further, SECTION 1, by striking Section 12-51-50(B) and inserting:

(B) Should the person officially charged with the collection of delinquent taxes decide to conduct the sale of real or personal property pursuant to this section by electronic means, then such electronic sales must comply with the following:

(1) Electronic proxy bidding may be allowed, and bidders may be required to advance sufficient funds to pay a deposit. The deposit method and amount must be determined by the person officially charged with the collection of delinquent taxes;

(2) Additional charges may be levied for services in conducting or contracting for the electronic sale; and

(3) Notice of the electronic sale must be given in the same manner required by Section 12-51-40(d) and a link to the sale must be posted on the county's website.

Amend the bill further, SECTION 2, by striking Section 12-51-60 and inserting:

Section 12-51-60. The successful bidder at the delinquent tax sale shall pay legal tender as provided in Section 12-51-50 to the person officially charged with the collection of delinquent taxes in the full amount of the bid ~~on the~~within one business day after the end of the sale. Upon payment, the person officially charged with the collection of delinquent taxes shall furnish the purchaser a receipt for the purchase money. He must attach a copy of the receipt to the execution with the endorsement of his actions, which must be retained by him. Expenses of the sale must be paid first, and the balance of all delinquent tax sale monies collected must be turned over to the treasurer. If using an auction vendor to conduct a tax sale, the delinquent tax collector may permit successful bidders to pay the full amount of the bid to the auction vendor within three business days after the end of the electronic sale, and such funds must be deposited from the auction vendor to the county treasurer within five business days after the end of the electronic sale. Upon receipt of the funds, the treasurer shall mark immediately the public tax records regarding the property sold as follows: Paid by tax sale held on (insert date). All other monies received, including any excess after payment of delinquent taxes, assessments, penalties, and costs, must be retained, paid out, and accounted for by the delinquent tax collector. Once a tax deed has been issued, the defaulting taxpayer and the owner of record immediately before the end of the redemption period must be notified in writing by the delinquent tax collector of any excess due. The notice must be addressed and mailed in the manner provided in Section 12-51-40(b) for taking exclusive possession of real property. Expenses of providing this notice are considered costs of the sale for purposes of determining the amount, if any, of the excess.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senators DAVIS and MATTHEWS proposed the following amendment (SR-620.JG0002S):

Amend the bill, as and if amended, SECTION 1, Section 12-51-50, by adding a subsection to read:

(C) The county treasurer or tax collector shall follow the procedures of the State Procurement Code, as found in Chapter 35 of Title 11, or the

procedures of the county procurement code, in the awarding of a contract with a private, online, auction vendor company.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The question being the adoption of the amendment.

On motion of Senator DAVIS, the Bill was carried over.

CARRIED OVER

S. 1052 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5251, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator HUTTO, the Resolution was carried over.

CARRIED OVER

S. 1053 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF REGISTRATION FOR FORESTERS, RELATING TO QUORUM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5187, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator HUTTO, the Resolution was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 235 -- Senators Adams, Gustafson, Senn, McLeod and Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAW BY ADDING SECTION 23-3-340 SO AS TO PROVIDE THAT UPON REQUEST OF A LAW ENFORCEMENT AGENCY, A WIRELESS TELECOMMUNICATIONS CARRIER SHALL PROVIDE CALL LOCATION INFORMATION CONCERNING THE TELECOMMUNICATIONS DEVICE OF THE USER TO THE LAW

ENFORCEMENT AGENCY IN ORDER TO RESPOND TO A CALL FOR EMERGENCY SERVICES OR IN AN EMERGENCY SITUATION THAT INVOLVES THE RISK OF DEATH OR SERIOUS PHYSICAL HARM, TO PROVIDE A CIVIL OR CRIMINAL ACTION MAY NOT BE BROUGHT AGAINST A WIRELESS SERVICE PROVIDER UNDER THIS SECTION UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE SLED SHALL OBTAIN CONTACT INFORMATION FROM WIRELESS SERVICE PROVIDERS TO FACILITATE A REQUEST FROM A LAW ENFORCEMENT AGENCY.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-235.BJ0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 23-3-340(A), (B), (C), and (D) and inserting:

(A) Upon request of a law enforcement agency, acting in the course of its official duties at the time of the request, a wireless service provider shall provide location information concerning the telecommunications device of a user to the requesting law enforcement agency within a reasonable period of time after receipt of the request. A law enforcement agency may not request information under this section unless for the purposes of responding to a call for emergency services that involves the risk of death or serious physical harm at the time of the request or in an emergency situation that involves the risk of death or serious physical harm.

(B) A wireless service provider may establish protocols by which the carrier voluntarily discloses location information.

(C) A civil or criminal action may not be brought in a court against a wireless service provider or another person for providing location information if acting in good faith and under this section.

(D) The State Law Enforcement Division (SLED) shall obtain contact information from all wireless service providers authorized to do business in this State to facilitate a request from a law enforcement agency for location information under this section. SLED shall disseminate the contact information to each law enforcement agency in this State.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Devine
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 839 -- Senators Alexander, Senn, Rankin and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-85, RELATING TO HOMICIDE BY CHILD ABUSE, SO AS TO INCREASE THE AGE OF A CHILD UNDER THIS SECTION FROM UNDER THE AGE OF ELEVEN TO UNDER THE AGE OF EIGHTEEN.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.
Senator MALLOY spoke on the Bill.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

S. 877 -- Senators Senn, Shealy, Gustafson, McLeod and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-90 SO AS TO DEFINE NECESSARY TERMS, CREATE THE OFFENSE OF LURING A CHILD INTO A CONVEYANCE, DWELLING, OR STRUCTURE, AND PROVIDE A PENALTY AND DEFENSES TO PROSECUTION.

On motion of Senator TEDDER, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 881 -- Senators M. Johnson, McLeod, Devine and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING THE "PROHIBITION OF UNFAIR REAL ESTATE SERVICE AGREEMENTS ACT"; AND TO MAKE THE PROHIBITIONS EFFECTIVE FOR ANY UNFAIR REAL ESTATE SERVICE AGREEMENTS THAT ARE RECORDED ON THE EFFECTIVE DATE OF THIS ACT OR THAT ARE EXECUTED MODIFIED, EXTENDED, OR AMENDED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-881.PB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 27-28-30(C)(4) and inserting:

(4) a declaration created pursuant to Chapters 30 (Homeowner Association Act), 31 (Horizontal Property Act), and 32 (Vacation Time Share Plan) of this title or created pursuant to Chapter 31 of Title 33 (Nonprofit Corporation Act);

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Devine
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 947 -- Senators Hembree, Senn, McLeod and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-910, RELATING TO KIDNAPPING, SO AS TO ALLOW SENTENCING FOR THE CRIME OF KIDNAPPING AND OTHER CRIMES.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 954 -- Senators Hembree, Senn and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

S. 995 -- Senators Hutto, Shealy, Reichenbach, Devine, Senn, McLeod and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO SECTIONS 16-15-385 THROUGH 16-15-425, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE; BY AMENDING SECTION 16-15-395, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-405, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-410, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER.

Senator MALLOY objected to consideration of the Bill.

CARRIED OVER

S. 996 -- Senators Hutto, Shealy, Reichenbach, Senn, McLeod and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-996.MB0003S):

Amend the bill, as and if amended, SECTION 1, by striking the first undesignated paragraph in Section 16-15-390 and inserting:

Section 16-15-390. (A) As used in this section:

Amend the bill further, SECTION 1, by striking Section 16-15-390(D) and inserting:

(D) The offense is a misdemeanor to be heard by the family court if the person charged under this section is a minor, and the minor has no prior adjudication under this statute or for any offense for which a person may be included in the sex offender registry. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

(E) It is not a required element of any offense under this section that the minor depicted actually exists.

(F) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a prosecuting agency, including the South Carolina Attorney General's Office, or the South Carolina Department of Corrections who, while acting within the employee's official capacity in the course of an investigation or criminal proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation. An employee's official capacity in the course of such investigation or criminal proceeding includes making materials available for inspection to the defendant's counsel in response to discovery requests.

Amend the bill further, SECTION 2, by striking Section 23-3-430(C)(2)(i) and inserting:

(i) obscene visual representations of child sexual abuse (Section 16-15-390). If the person is under eighteen years of age and was adjudicated in the family court, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The question being the adoption of the amendment.

On motion of Senator HUTTO, the Bill was carried over.

READ THE SECOND TIME

S. 780 -- Senator Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-18-30, RELATING TO APPLICABILITY AND EXCEPTIONS FOR THE

SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, SO AS TO PROVIDE THAT AN INDIVIDUAL IS ALLOWED TO OPERATE A SUPER-KART IF THEY ARE EIGHTEEN YEARS OF AGE OR OLDER OR ARE FIFTEEN YEARS OF AGE OR OLDER AND HOLD A VALID DRIVER'S LICENSE OR PERMIT.

The Senate proceeded to a consideration of the Bill.

Senator GUSTAFSON explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 5

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Jackson	*Johnson, Michael*
Kimbrell	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Harpootlian	Hutto	*Johnson, Kevin*
Malloy	Massey	

Total--5

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3355 -- Reps. Moss and Lawson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-5-4072 SO AS TO PROVIDE THAT A TOWING TRUCK WITH A FIFTH WHEEL ASSEMBLY MAY TOW ONE ADDITIONAL VEHICLE, TO PROVIDE A MAXIMUM LENGTH FOR THIS COMBINATION OF VEHICLES, TO PROVIDE THE MAXIMUM WEIGHT FOR THE FINAL TRAILING VEHICLE, AND TO PROVIDE A TRUCK OPERATING A TOWING COMBINATION MUST INCLUDE A VIDEO SYSTEM WHICH ALLOWS THE DRIVER TO MONITOR THE FINAL TRAILING VEHICLE AS IT IS BEING TOWED AND BE EQUIPPED WITH CERTAIN SAFETY DEVICES.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (SR-3355.KM0002S):

Amend the bill, as and if amended, SECTION 1, by striking Section 56-5-4072 and inserting:

Section 56-5-4072. The operator of a vehicle utilizing a fifth wheel assembly may tow one additional trailing vehicle, provided that:

(1) the operator has been issued a classified driver's license by the department;

(2) the operation is for private, recreational purposes only;

(3) the combined length of all three vehicles does not exceed sixty-five feet, inclusive of front and rear bumpers and load;

(4) the weight of the final trailer with its load does not exceed three thousand pounds;

(5) the towing truck is equipped with a functioning video system that enables the operator to monitor the final trailer as it is being towed; and

(6) in addition to the drawbar, tongue, trailer hitch, or other primary connection, the final trailer is attached by a safety chain, safety cable, or equivalent safety device. Both the primary connection and the safety device must be of sufficient strength to retain the connection between the fifth wheel assembly and the final trailer under all conditions while the final trailer is being towed.

Amend the bill further, by striking SECTION 2 and inserting:

SECTION 2. This act takes effect sixty days after approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The question being the adoption of the amendment.

On motion of Senator CLIMER, the Bill was carried over.

POINT OF ORDER

S. 968 -- Senators Peeler and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-80(A)(6) AND (B), RELATING TO APPLICATIONS FOR DRIVER'S LICENSE OR PERMIT, SO AS TO ALLOW AN APPLICANT TO VOLUNTARILY DISCLOSE HIS BLOOD TYPE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MADE SPECIAL ORDER

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT

SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

Senator MASSEY moved that the Bill be made a Special Order.

Senator HEMBREE argued in favor of the motion.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 11

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Shealy
Talley	Turner	Verdin
Young		

Total--31

NAYS

Allen	Devine	Fanning
Hutto	Jackson	*Johnson, Kevin*
Matthews	McLeod	Stephens
Tedder	Williams	

Total--11

The Bill was made a Special Order.

MOTION ADOPTED

At 3:56 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

Senator MASSEY asked unanimous consent to proceed to H. 4895.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE AND LOCAL CALENDAR.

AMENDED, ADOPTED
HOUSE BILL RETURNED

H. 4895 -- Reps. Caskey, Jordan and Rutherford: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 7, 2024, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUSTICE OF THE SUPREME COURT, UPON HIS

RETIREMENT ON OR BEFORE JULY 31, 2024, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JULY 31, 2034; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 9, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM

WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 2, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 4, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 8, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 11, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH EXPIRES JUNE 30, 2026; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 16, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A JUDGE TO A NEWLY

CREATED SEAT FOR THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 6, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 1, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE JULY 1, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024.

Amendment No. 1

Senators ALEXANDER, MASSEY and RANKIN proposed the following amendment (SR-4895.KM0001S), which was adopted:

Amend the concurrent resolution, as and if amended, by striking the undesignated paragraphs and inserting:

The General Assembly by this resolution agrees to bind itself subject to the terms of this resolution and to the requirements of Art. III, Section 20 and Section 22 of the South Carolina Constitution and the provisions of Chapter 19, Title 2 of the South Carolina Code of Laws, relating to elections of members of the judiciary.

That the Senate and the House of Representatives shall meet in joint assembly in the Hall of the House of Representatives on Wednesday,

March 6, 2024, at 1:00 p.m. to elect a successor to the Honorable Donald W. Beatty, Chief Justice of the Supreme Court, upon his retirement on or before July 31, 2024, and the successor will serve a new term of that office, which will expire July 31, 2034;

Further, that the Senate and the House of Representatives shall meet in joint assembly in the Hall of the House of Representatives on Wednesday, April 17, 2024, at 12:00 noon to elect a successor to the Honorable Jerry Deese Vinson, Jr., Judge of the Court of Appeals, Seat 8, whose term will expire June 30, 2024; to elect a successor to the Honorable David Garrison "Gary" Hill, Judge of the Court of Appeals, Seat 9, and the successor will serve the remainder of the unexpired term, which will expire June 30, 2028; to elect a judge to a newly created seat on the Circuit Court, Second Judicial Circuit, Seat 2, whose term will be from July 1, 2024, until June 30, 2030; to elect a successor to the Honorable Ralph Ferrell Cothran, Jr., Judge of the Circuit Court, Third Judicial Circuit, Seat 1, upon his retirement on or before December 31, 2024, and the successor will serve the remainder of the unexpired term, which will expire June 30, 2028; to elect a successor to the Honorable Kristi Fisher Curtis, Judge of the Circuit Court, Third Judicial Circuit, Seat 2, whose term will expire June 30, 2024; to elect a successor to the Honorable Michael S. Holt, Judge of the Circuit Court, Fourth Judicial Circuit, Seat 2, whose term will expire June 30, 2024; to elect a successor to the Honorable Deandre Gist Benjamin, Judge of the Circuit Court, Fifth Judicial Circuit, Seat 1, and the successor will serve the remainder of the unexpired term, which will expire June 30, 2025; to elect a successor to the Honorable Daniel McLeod Coble, Judge of the Circuit Court, Fifth Judicial Circuit, Seat 2, whose term will expire June 30, 2024; to elect a successor to the Honorable J. Derham Cole, Judge of the Circuit Court, Seventh Judicial Circuit, Seat 1, upon his retirement on or before December 31, 2024, and the successor will serve the remainder of the unexpired term, which will expire June 30, 2025; to elect a successor to the Honorable Grace Gilchrist Knie, Judge of the Circuit Court, Seventh Judicial Circuit, Seat 2, whose term will expire June 30, 2024; to elect a successor to the Honorable Eugene C. Griffith, Jr., Judge of the Circuit Court, Eighth Judicial Circuit, Seat 2, whose term will expire June 30, 2024; to elect a judge to a newly created seat on the Circuit Court, Ninth Judicial Circuit, Seat 4, whose term will be from July 1, 2024, until June 30, 2030; to elect a successor to the Honorable R. Scott Sprouse, Judge of the Circuit Court, Tenth Judicial Circuit, Seat 2, whose term will expire June 30, 2024; to elect a successor to the Honorable William Paul Keesley, Judge of the Circuit Court, Eleventh Judicial

Circuit, Seat 1, whose term will expire June 30, 2024; to elect a successor to the Honorable Walton J. McLeod IV, Judge of the Circuit Court, Eleventh Judicial Circuit, Seat 2, whose term will expire June 30, 2024; to elect a successor to the Honorable Michael G. Nettles, Judge of the Circuit Court, Twelfth Judicial Circuit, Seat 1, whose term will expire June 30, 2024; to elect a successor to the Honorable Letitia H. Verdin, Judge of the Circuit Court, Thirteenth Judicial Circuit, Seat 2, and the successor will serve a new term of that office, which will expire June 30, 2030; to elect a successor to the Honorable Alex Kinlaw, Jr., Judge of the Circuit Court, Thirteenth Judicial Circuit, Seat 4, upon his retirement on or before December 31, 2024, and the successor will serve the remainder of the unexpired term, which will expire June 30, 2028; to elect a successor to the Honorable Robert Bonds, Judge of the Circuit Court, Fourteenth Judicial Circuit, Seat 1, whose term will expire June 30, 2024; to elect a judge to a newly created seat on the Circuit Court, Fourteenth Judicial Circuit, Seat 3, whose term will be from July 1, 2024, until June 30, 2030; to elect a judge to a newly created seat on the Circuit Court, Fifteenth Judicial Circuit, Seat 3, whose term will be from July 1, 2024, until June 30, 2030; to elect a successor to the Honorable Edward W. “Ned” Miller, Judge of the Circuit Court, At-Large, Seat 4, and the successor will serve the remainder of the unexpired term, which will expire June 30, 2027; to elect a successor to the Honorable David Craig Brown, Judge of the Circuit Court, At-Large, Seat 8, and the successor will serve the remainder of the unexpired term, which will expire June 30, 2027; to elect a successor to the Honorable Alison Renee Lee, Judge of the Circuit Court, At-Large, Seat 11, and the successor will serve the remainder of the unexpired term, which will expire June 30, 2026; to elect a successor to the Honorable Donald Bruce Hocker, Judge of the Circuit Court, At-Large, Seat 16, upon his retirement on or before December 31, 2024, and the successor will serve the remainder of the unexpired term, which will expire June 30, 2025; to elect a judge to a newly created seat on the Family Court, First Judicial Circuit, Seat 4, whose term will be from July 1, 2024, until June 30, 2030; to elect a judge to a newly created seat on the Family Court, Seventh Judicial Circuit, Seat 4, whose term will be from July 1, 2024, until June 30, 2030; to elect a successor to the Honorable Wayne M. Creech, Judge of the Family Court, Ninth Judicial Circuit, Seat 4, and the successor will serve the remainder of the unexpired term, which will expire June 30, 2025; to elect a successor to the Honorable Jack A. Landis, Judge of the Family Court, Ninth Judicial Circuit, Seat 6, and the successor will serve the remainder of the unexpired term, which will expire June 30, 2028; to

elect a successor to the Honorable Edgar H. Long, Judge of the Family Court, Tenth Judicial Circuit, Seat 1, and the successor will serve the remainder of the unexpired term, which will expire June 30, 2025; to elect a successor to the Honorable Thomas H. White IV, Judge of the Family Court, Sixteenth Judicial Circuit, Seat 1, and the successor will serve the remainder of the unexpired term, which will expire June 30, 2028; to elect a judge to a newly created seat on the Family Court, Sixteenth Judicial Circuit, Seat 3, whose term will be from July 1, 2024, until June 30, 2030; and to elect a successor to the Honorable Ralph King "Tripp" Anderson III, Judge of the Administrative Law Court, Seat 1, whose term will expire June 30, 2024.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the amendment.

The question then was the adoption of the Resolution.

The Resolution was adopted and returned to the House with amendments.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Corrections and Penology Committee, the following appointment was confirmed in open session:

Initial Appointment, Juvenile Parole Board, with the term to commence June 30, 2023, and to expire June 30, 2027

At-Large, Public:

Tammy Johns, 227 Lominack Road, Prosperity, SC 29127-9140 *VICE* Suzanne Prosser

On motion of Senator MARTIN, the question was confirmation of Tammy Johns.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The appointment of Tammy Johns was confirmed.

Having received a favorable report from the Fish, Game and Forestry Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Forestry Commission, with the term to commence June 30, 2022, and to expire June 30, 2028

At-Large, Public:

Eric W. Smith, 332 Eagle Ridge Road, Summerville, SC 29485-8499 *VICE* Harry S. Morrison

On motion of Senator CAMPSEN, the question was confirmation of Eric W. Smith.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The appointment of Eric W. Smith was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2024, and to expire June 30, 2028

6th Congressional District:

Douglas D. Elliott, City of Columbia Parks and Recreation Department, 111 Recreation Dr., Columbia, SC 29203-6411 *VICE* Steven K. Dean

On motion of Senator DAVIS, the question was confirmation of Douglas D. Elliott.

Senator MASSEY spoke on the candidate.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The appointment of Douglas D. Elliott was confirmed.

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2023, and to expire June 30, 2027

General Public:

Nina Spinelli, 727 Dawsons Park Way, Lexington, SC 29072-1906 *VICE* Jenny Vaught

On motion of Senator DAVIS, the question was confirmation of Nina Spinelli.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The appointment of Nina Spinelli was confirmed.

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2023, and to expire June 30, 2027

Massage/Bodywork Therapist:

Sherri Rees, 157 Regent Avenue, Bluffton, SC 29910-8841 *VICE* Jennifer Griffith

On motion of Senator DAVIS, the question was confirmation of Sherri Rees.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell

Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The appointment of Sherri Rees was confirmed.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Johnny Paul Singleton of Westminster, S.C. Johnny was the beloved son of James and Janice Singleton. He was a disabled veteran of the United States Marine Corps and worked as a lineman with the city of Wilson, North Carolina. Johnny was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senators SETZLER, SHEALY, MASSEY and CROMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Betty Bodie Knotts of West Columbia, S.C. Betty was the beloved wife of former Senator Jake Knotts for fifty-nine years. Betty worked for the South Carolina Highway Department from 1968-1983, owned Jake's Party Shop for the next five years and owned and operated Knotts Process Service with her husband from 1988 to present. Betty was an avid sports fan who enjoyed watching the Atlanta Braves and Alabama Crimson Tide. She loved animals and cared for many dogs and cats over the years. Betty was a loving wife, devoted mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 4:55 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 29, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Amos 5:24

Hear the Lord's Word to us from the prophet, Amos: "But let justice roll down like waters, and righteousness like an ever-flowing stream."

Friends, let us bow in prayer: O gracious Heavenly Father, during this month of February we have found ourselves once again being reminded that in this Nation we still have a long, long way to go before we are truly the one people You would have us become. We do thank You for your blessings, dear Lord, as well as for the many dedicated leaders--throughout our State and here in this Senate -- who have worked diligently to bring about opportunity and justice for all of our citizens. Yet we cannot help but recall the words of the poet Robert Frost, that we still "have promises to keep, and miles to go before we sleep." So by Your Spirit's grace keep the flame of hope alive, O God, and continue to guide us as we all labor further onward. In Your loving name we pray, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Massey	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn

Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Doctor of the Day

Senator WILLIAMS introduced Dr. John Ropp of Darlington, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 11:55 A.M., Senator CAMPSEN was granted a leave of absence for today.

Leave of Absence

On motion of Senator TEDDER, at 11:56 A.M., Senator MALLOY was granted a leave of absence until 12:30 P.M.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 1121 Sen. McLeod

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1124 -- Senator Stephens: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MINNIE SUE BROWN CRAIG AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
sr-0591km-hw24.docx

The Senate Resolution was adopted.

S. 1125 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-5-1507, RELATING TO THE COMMERCIAL FISHING OF HERRING, SO AS TO REVISE THE SEASON FOR THE COMMERCIAL FISHING OF HERRING ON CERTAIN WATERS OF THIS STATE.
sfgf-0028bc24.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 1126 -- Senators Kimbrell, Peeler, Rice, M. Johnson, Adams, Climer, Garrett, Cash, Young, Alexander and Reichenbach: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 4, ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO VOTER QUALIFICATIONS, SO AS TO CLARIFY THAT ONLY A CITIZEN OF THE UNITED STATES AND OF THIS STATE OF THE AGE OF EIGHTEEN AND UPWARDS WHO IS PROPERLY REGISTERED IS ENTITLED TO VOTE AS PROVIDED BY LAW.
sr-0616km24.docx

Senator KIMBRELL spoke on the Resolution.

Read the first time and referred to the Committee on Judiciary.

S. 1127 -- Senators Grooms, Young, McElveen, Goldfinch, Matthews and Fanning: A JOINT RESOLUTION TO DIRECT CERTAIN MONIES IN THE STATE TREASURY BE PLACED IN A SEPARATE AND DISTINCT FUND UNTIL THERE IS RESOLUTION CONCERNING THE ORIGIN, OWNERSHIP, AND CLASSIFICATION OF THOSE MONIES AND THE ORIGIN, OWNERSHIP, AND CLASSIFICATION OF THOSE MONIES IS CERTIFIED BY THE STATE TREASURER AND STATE AUDITOR.
sr-0619km24.docx

Senator GROOMS spoke on the Resolution.

Read the first time and referred to the Committee on Finance.

H. 5174 -- Reps. May, Ballentine, Calhoon, Caskey, Forrest, Kilmartin, McCabe, Ott, Taylor, White, Wooten, Alexander, Anderson, Atkinson, Bailey, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Carter, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Thayer, Thigpen, Trantham, Vaughan, Weeks, West,

Wetmore, Wheeler, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF BETTY LEE BODIE KNOTTS OF WEST COLUMBIA, TO CELEBRATE HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

lc-0650wab-rm24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

REPORTS OF STANDING COMMITTEE

Senator CROMER from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 434 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-78-55 SO AS TO PROVIDE THAT NO CLAUSE OF A SERVICE CONTRACT WHICH STATES THAT THE TERM OF THE CONTRACT SHALL BE DEEMED RENEWED FOR A SPECIFIED ADDITIONAL PERIOD, UNLESS THE SERVICE CONTRACT HOLDER GIVES NOTICE TO THE PROVIDER OF HIS INTENTION TO TERMINATE THE CONTRACT AT THE EXPIRATION OF THE TERM, SHALL BE ENFORCEABLE AGAINST THE SERVICE CONTRACT HOLDER.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

S. 746 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 34-21-10, RELATING TO THE REQUIRED WRITTEN APPROVAL TO CONDUCT TRUST BUSINESS, SO AS TO PROVIDE THAT WRITTEN APPLICATION MUST BE MADE TO THE STATE BOARD OF FINANCIAL INSTITUTIONS AND TO DEFINE "TRUST BUSINESS".

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS

TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

H. 3255 -- Reps. Jefferson, Henegan, Anderson, Sandifer, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-63-110 SO AS TO PROHIBIT ISSUERS OF INDIVIDUAL LIFE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-65-130 SO AS TO PROHIBIT ISSUERS OF GROUP LIFE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-71-105 SO AS TO PROHIBIT ISSUERS OF DISABILITY INCOME INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; AND BY ADDING SECTION 38-72-110 SO AS TO PROHIBIT ISSUERS OF LONG-TERM CARE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., February 28, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4895 -- Reps. Caskey, Jordan and Rutherford: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 7, 2024, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUSTICE OF THE SUPREME COURT, UPON HIS RETIREMENT ON OR BEFORE JULY 31, 2024, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JULY 31, 2034; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 8, WHOSE

TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 9, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF

THE CIRCUIT COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 2, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE CIRCUIT COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 4, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 8, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 11, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH EXPIRES JUNE 30, 2026; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 16, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE FAMILY COURT, SEVENTH

JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 6, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 1, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE JULY 1, 2024, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A JUDGE TO A NEWLY CREATED SEAT FOR THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024.

Very respectfully,

Speaker of the House

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House:

S. 1025 -- Senators Young, Massey, Setzler and Hutto: A BILL TO AMEND ACT 588 OF 1986, AS AMENDED, RELATING TO THE ESTABLISHMENT OF SINGLE-MEMBER ELECTION DISTRICTS FOR THE SCHOOL BOARD OF AIKEN COUNTY, SO AS TO REAPPORTION THE DISTRICTS BEGINNING WITH THE SCHOOL BOARD ELECTIONS IN 2024, TO REDESIGNATE THE

MAP NUMBER ON WHICH THESE DISTRICTS MAY BE FOUND, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REAPPORTIONED ELECTION DISTRICTS.

On motion of Senator YOUNG.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments:

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION

THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES;

BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING

SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

S. 235 -- Senators Adams, Gustafson, Senn, McLeod and Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-3-340 SO AS TO PROVIDE THAT UPON REQUEST OF A LAW ENFORCEMENT AGENCY, A WIRELESS TELECOMMUNICATIONS CARRIER SHALL PROVIDE CALL LOCATION INFORMATION CONCERNING THE TELECOMMUNICATIONS DEVICE OF THE USER TO THE LAW ENFORCEMENT AGENCY IN ORDER TO RESPOND TO A CALL FOR EMERGENCY SERVICES OR IN AN EMERGENCY SITUATION THAT INVOLVES THE RISK OF DEATH OR SERIOUS PHYSICAL HARM, TO PROVIDE A CIVIL OR

CRIMINAL ACTION MAY NOT BE BROUGHT AGAINST A WIRELESS SERVICE PROVIDER UNDER THIS SECTION UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE SLED SHALL OBTAIN CONTACT INFORMATION FROM WIRELESS SERVICE PROVIDERS TO FACILITATE A REQUEST FROM A LAW ENFORCEMENT AGENCY.

S. 881 -- Senators M. Johnson, McLeod, Devine and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING THE "PROHIBITION OF UNFAIR REAL ESTATE SERVICE AGREEMENTS ACT"; AND TO MAKE THE PROHIBITIONS EFFECTIVE FOR ANY UNFAIR REAL ESTATE SERVICE AGREEMENTS THAT ARE RECORDED ON THE EFFECTIVE DATE OF THIS ACT OR THAT ARE EXECUTED MODIFIED, EXTENDED, OR AMENDED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT.

S. 947 -- Senators Hembree, Senn, McLeod and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-910, RELATING TO KIDNAPPING, SO AS TO ALLOW SENTENCING FOR THE CRIME OF KIDNAPPING AND OTHER CRIMES.

S. 780 -- Senator Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-18-30, RELATING TO APPLICABILITY AND EXCEPTIONS FOR THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, SO AS TO PROVIDE THAT AN INDIVIDUAL IS ALLOWED TO OPERATE A SUPER-KART IF THEY ARE EIGHTEEN YEARS OF AGE OR OLDER OR ARE FIFTEEN YEARS OF AGE OR OLDER AND HOLD A VALID DRIVER'S LICENSE OR PERMIT.

READ THE SECOND TIME

S. 962 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-71-2330, RELATING TO DUTIES OF PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS, SO AS TO REMOVE THE REQUIREMENT THAT PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS MUST ACT AS FIDUCIARIES TO PHARMACIES.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1052 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5251, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator HUTTO, the Resolution was carried over.

RECOMMITTED

S. 1053 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF REGISTRATION FOR FORESTERS, RELATING TO QUORUM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5187, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator GOLDFINCH, the Resolution was recommitted to Committee on Fish, Game and Forestry.

READ THE SECOND TIME

S. 839 -- Senators Alexander, Senn, Rankin and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-85, RELATING TO HOMICIDE BY CHILD ABUSE, SO AS TO INCREASE THE AGE OF A CHILD UNDER THIS SECTION FROM UNDER THE AGE OF ELEVEN TO UNDER THE AGE OF EIGHTEEN.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy

Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

S. 877 -- Senators Senn, Shealy, Gustafson, McLeod and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-90 SO AS TO DEFINE NECESSARY TERMS, CREATE THE OFFENSE OF LURING A CHILD INTO A CONVEYANCE, DWELLING, OR STRUCTURE, AND PROVIDE A PENALTY AND DEFENSES TO PROSECUTION.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-877.SW0005S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 63-5-90(B)(1) and (2) and inserting:

(B)(1) A person eighteen years of age or older who, with the intent to commit a crime, lures, entices, or attempts to lure or entice a child who is thirteen years of age or older into a conveyance, dwelling, or structure without the consent, express or implied, of the child's parent or legal guardian for a:

(a) first offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than one year; or

(b) second or subsequent offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than three years, or both.

(2) A person eighteen years of age or older who, with the intent to commit a crime, lures, entices, or attempts to lure or entice a child who is under the age of thirteen years into a conveyance, dwelling, or

structure without the consent, express or implied, of the child's parent or legal guardian for a:

(a) first offense, is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years; or

(b) second or subsequent offense, is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.

Amend the bill further, SECTION 1, by striking Section 63-5-90(C) and inserting:

(C) Mistake of age is not a defense to prosecution pursuant to the provisions of this section.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator HARPOOTLIAN proposed the following amendment (SJ-877.SW0006S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Chapter 5, Title 63 of the S.C. Code is amended by adding:

Section 63-5-90. (A) As used in this section, the term:

(1) "Child" means a person under sixteen years of age.

(2) "Conveyance" means any motor vehicle as defined in Section 56-1-10, ship, vessel, railroad car, trailer, aircraft, or sleeping car.

(3) "Dwelling" means a building or conveyance of any kind, either temporary or permanent, mobile or immobile, which has a roof over it and is designed to be occupied by persons lodging together, including the surrounding area.

(4) "Structure" means a building of any kind, either temporary or permanent, which has a roof over it, including the surrounding area.

(B) Unless the circumstances reasonably indicate that the child is in need of assistance, a person eighteen years of age or older who lures, entices, or attempts to lure or entice a child into a conveyance, dwelling, or structure without the consent, express or implied, of the child's parent or legal guardian is guilty of a felony and, upon conviction, must be fined

not more than ten thousand dollars or imprisoned not more than ten years, or both.

(C) Mistake of age is not a defense to prosecution pursuant to the provisions of this section. However, it is an affirmative defense to prosecution pursuant to the provisions of this section if the:

(1) person lured, enticed, or attempted to lure or entice, the child into the conveyance, dwelling, or structure for a lawful purpose; or

(2) person's actions were otherwise reasonable under the circumstances, and he did not have the intent to harm the health, safety, or welfare of the child.

(D) The penalties provided in this section are in addition to other penalties as provided by law for kidnapping or any other offense, as warranted. The offense of luring a child is not intended to be a lesser included offense of kidnapping or any other offense.

SECTION 2. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator HARPOOTLIAN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder

Turner Verdin Williams
Young

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 954 -- Senators Hembree, Senn and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

S. 995 -- Senators Hutto, Shealy, Reichenbach, Devine, Senn, McLeod and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO SECTIONS 16-15-385 THROUGH 16-15-425, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE; BY AMENDING SECTION 16-15-395, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-405, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-410, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; AND BY AMENDING SECTION 23-3-430, RELATING

TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER.

Senator MALLOY objected to consideration of the Bill.

COMMITTEE AMENDMENT TABLED
AMENDED, READ THE SECOND TIME

S. 996 -- Senators Hutto, Shealy, Reichenbach, Senn, McLeod and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-996.MB0003S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking the first undesignated paragraph in Section 16-15-390 and inserting:

Section 16-15-390. (A) As used in this section:

Amend the bill further, SECTION 1, by striking Section 16-15-390(D) and inserting:

(D) The offense is a misdemeanor to be heard by the family court if the person charged under this section is a minor, and the minor has no prior adjudication under this statute or for any offense for which a person may be included in the sex offender registry. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

(E) It is not a required element of any offense under this section that the minor depicted actually exists.

(F) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a prosecuting agency, including the South Carolina Attorney General's Office, or the South Carolina Department of Corrections who, while acting within the employee's official capacity in the course of an investigation or criminal proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a

state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation. An employee's official capacity in the course of such investigation or criminal proceeding includes making materials available for inspection to the defendant's counsel in response to discovery requests.

Amend the bill further, SECTION 2, by striking Section 23-3-430(C)(2)(i) and inserting:

(i) obscene visual representations of child sexual abuse (Section 16-15-390). If the person is under eighteen years of age and was adjudicated in the family court, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO moved to lay the amendment on the table.

The amendment was laid on the table.

Senator HUTTO proposed the following amendment (SJ-996.MB0006S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-15-390 and inserting:

Section 16-15-390. (A) As used in this section:

(1) "Obscene" has the same meaning as Section 16-15-305.

(2) "Visual depiction or representation" means and includes undeveloped film and videotape, and data stored on a computer disk or by electronic means that is capable of conversion into a visual image, and also includes any photograph, film, video, picture, digital image or picture, computer image or picture, or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means.

(B) Any person who knowingly produces, distributes, receives, or possesses with intent to distribute, a visual depiction or representation of any kind, including a drawing, cartoon, sculpture, or painting that depicts a minor engaging in sexually explicit conduct, sexually explicit activity, or sexually explicit nudity, and is obscene, or attempts or conspires to do so, is guilty of a felony and, upon conviction, must be imprisoned not less than two years nor more than ten years. No part of the minimum sentence may be suspended nor is the individual convicted eligible for parole until he has served the minimum sentence.

(C) Any person who knowingly possesses a visual depiction or representation of any kind, including a drawing, cartoon, sculpture, or painting, that depicts a minor engaging in sexually explicit conduct, sexually explicit activity, or sexually explicit nudity, and is obscene, or attempts or conspires to do so is guilty of a felony and, upon conviction, must be imprisoned no more than ten years.

(D) The offense is a misdemeanor to be heard by the family court if the person charged under this section is a minor, and the minor has no prior adjudication under this section or for any offense for which a person may be included in the sex offender registry. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

(E) It is not a required element of any offense under this section that the minor depicted actually exists.

(F) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a prosecuting agency, including the South Carolina Attorney General's Office, or the South Carolina Department of Corrections, who, while acting within the employee's official capacity in the course of an investigation or criminal proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation. An employee's official capacity in the course of such investigation or criminal proceeding includes making materials available for inspection to the defendant's counsel in response to discovery requests.

Amend the bill further, by striking SECTION 2 and inserting:

SECTION X. Sections 23-3-430(C)(1) and (2) of the S.C. Code are amended to read:

(C)(1) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses, shall be referred to as a Tier I offender:

(a) criminal sexual conduct in the third degree (Section 16-3-654);

(b) kidnapping (Section 16-3-910) of a person eighteen years of age or older except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;

(c) incest (Section 16-15-20);

(d) buggery (Section 16-15-120);

(e) peeping, voyeurism, or aggravated voyeurism (Section 16-17-470);

(f) a person, regardless of age, who has been convicted or pled guilty or nolo contendere in this State, or who has been convicted or pled guilty or nolo contendere in a comparable court in the United States, or who has been convicted or pled guilty or nolo contendere in the United States federal courts of indecent exposure or of a similar offense in other jurisdictions is required to register pursuant to the provisions of this article if the court makes a specific finding on the record that, based on the circumstances of the case, the convicted person should register as a sex offender;

(g) sexual intercourse with a patient or trainee (Section 44-23-1150);

(h) administering, distributing, dispensing, delivering, or aiding, abetting, attempting, or conspiring to administer, distribute, dispense, or deliver a controlled substance or gamma hydroxy butyrate to an individual with the intent to commit a crime listed in Section 44-53-370(f), except petit larceny or grand larceny;

(i) any other offense as described in Section 23-3-430(D), or

(j) any other offense required by Title I of the federal Adam Walsh Child Protection and Safety Act of 2006 (Pub. L. 109-248), the Sex Offender Registration and Notification Act (SORNA)~~.~~; or

(k) obscene visual representation of child sexual abuse (Section 16-15-390). If the person is under eighteen years of age and was adjudicated in the family court, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article.

(2) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses, shall be referred to as a Tier II offender:

(a) criminal sexual conduct in the second degree (Section 16-3-653);

(b) engaging a child for sexual performance (Section 16-3-810);

(c) producing, directing, or promoting sexual performance by a child (Section 16-3-820);

(d) trafficking in persons (Section 16-3-2020) except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;

(e) criminal sexual conduct with minors, second degree (Section 16-3-655(B)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense

resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(f) criminal sexual conduct with minors, third degree (Section 16-3-655(C)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(g) criminal solicitation of a minor if the purpose or intent of the solicitation or attempted solicitation was to:

(i) persuade, induce, entice, or coerce the person solicited to engage or participate in sexual activity as defined in Section 16-15-375(5);

(ii) perform a sexual activity in the presence of the person solicited (Section 16-15-342); or

(h) violations of Article 3, Chapter 15, Title 16 involving a minor, except as otherwise provided in this article.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator GOLDFINCH proposed the following amendment (SR-996.JG0007S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 23-3-462(A) of the S.C. Code is amended to read:

(A) After successful completion of the requirements of this section, an offender may apply to the South Carolina Law Enforcement Division for the termination of the requirements of registration pursuant to this article. If it is determined that the offender has met the requirements of this section, SLED shall remove the offender's name and identifying information from the sex offender registry and shall notify the offender

within one hundred twenty days that the offender has been relieved of the registration requirements of this article.

(1) An offender may file a request for termination of the requirement of registration with SLED, in a form and process established by the agency:

(a) after fifteen years of having been registered ~~for at least fifteen years~~ or after fifteen years from the date of discharge from incarceration without supervision, or the termination of active supervision of probation, parole, or any other active alternative to incarceration if the offender was required to register based on an adjudication of delinquency or the offender ~~was required to register as~~is a Tier I offender;

(b) after twenty-five years of having been registered ~~for at least twenty-five years~~or after twenty-five years from the date of discharge from incarceration without supervision, or the termination of active supervision of probation, parole, or any other active alternative to incarceration, if the offender was convicted as an adult, and ~~was required to register as~~is a Tier II offender;

(c) ~~an~~ a Tier I or Tier II offender who was required to register as an offender because of a conviction in another state or because of a federal conviction may apply to be removed from the requirements of the registry if he is eligible to be removed under the laws of the jurisdiction where the conviction occurred.

(2) An offender who was convicted as an adult, and who is required to register as a Tier III offender may not file a request for termination of registration with SLED nor shall any such request be granted pursuant to this subsection.

(3) The requesting offender must have successfully completed all sex offender treatment programs that have been required.

(4) The requesting offender must not have been convicted of failure to register within the previous ten years.

(5) The offender must not have been convicted of any additional sexual offense or violent sexual offense after being placed on the registry.

(6) A filing fee, as set by SLED but not to exceed two hundred fifty dollars, shall be paid to file the request for termination of registration requirements. The initial application may be filed with SLED and the administrative review may begin one hundred twenty days prior to the date specified in subsection (A)(1); however, any removal may not occur prior to the date specified.

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 3355 -- Reps. Moss and Lawson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION

56-5-4072 SO AS TO PROVIDE THAT A TOWING TRUCK WITH A FIFTH WHEEL ASSEMBLY MAY TOW ONE ADDITIONAL VEHICLE, TO PROVIDE A MAXIMUM LENGTH FOR THIS COMBINATION OF VEHICLES, TO PROVIDE THE MAXIMUM WEIGHT FOR THE FINAL TRAILING VEHICLE, AND TO PROVIDE A TRUCK OPERATING A TOWING COMBINATION MUST INCLUDE A VIDEO SYSTEM WHICH ALLOWS THE DRIVER TO MONITOR THE FINAL TRAILING VEHICLE AS IT IS BEING TOWED AND BE EQUIPPED WITH CERTAIN SAFETY DEVICES.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (SR-3355.KM0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 56-5-4072 and inserting:

Section 56-5-4072. The operator of a vehicle utilizing a fifth wheel assembly may tow one additional trailing vehicle, provided that:

(1) the operator has been issued a classified driver's license by the department;

(2) the operation is for private, recreational purposes only;

(3) the combined length of all three vehicles does not exceed sixty-five feet, inclusive of front and rear bumpers and load;

(4) the weight of the final trailer with its load does not exceed three thousand pounds;

(5) the towing truck is equipped with a functioning video system that enables the operator to monitor the final trailer as it is being towed; and

(6) in addition to the drawbar, tongue, trailer hitch, or other primary connection, the final trailer is attached by a safety chain, safety cable, or equivalent safety device. Both the primary connection and the safety device must be of sufficient strength to retain the connection between the fifth wheel assembly and the final trailer under all conditions while the final trailer is being towed.

Amend the bill further, by striking SECTION 2 and inserting:

SECTION 2. This act takes effect sixty days after approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 12

AYES

Alexander	Allen	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Goldfinch	Grooms	Harpootlian
Jackson	Kimbrell	Loftis
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Shealy
Talley	Tedder	Turner
Verdin	Williams	Young

Total--30

NAYS

Adams	Bennett	Cash
Garrett	Gustafson	Hembree
Hutto	*Johnson, Kevin*	*Johnson, Michael*
Massey	Senn	Setzler

Total--12

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

H. 3355--Ordered to a Third Reading

On motion of Senator PEELER, H. 3355 was ordered to receive a third reading on Friday, March 1, 2024.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 968 -- Senators Peeler and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-80(A)(6) AND (B), RELATING TO APPLICATIONS FOR

DRIVER'S LICENSE OR PERMIT, SO AS TO ALLOW AN APPLICANT TO VOLUNTARILY DISCLOSE HIS BLOOD TYPE.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (SR-968.KM0006S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 56-1-80 of the S.C. Code is amended to read:

Section 56-1-80. (A) An application for a driver's license or permit must:

(1) be made upon the form furnished by the department;

(2) be accompanied by the proper fee and acceptable proof of date and place of birth;

(3) contain the full name, date of birth, sex, race, and residence address of the applicant and briefly describe the applicant;

(4) state whether the applicant has been licensed as an operator or chauffeur and, if so, when and by what state or country;

(5) state whether a license or permit has been suspended or revoked or whether an application has been refused and, if so, the date of and reason for the suspension, revocation, or refusal;

(6) allow an applicant voluntarily to disclose a permanent medical condition, provided that the disclosure is made on a form prescribed by the department and includes a certification from a physician licensed in this State, as defined in Chapter 47, Title 40 that affirms the existence of the medical condition. The medical condition must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record. The motor vehicle record of a driver may not contain more than three permanent medical conditions unless subitem (A)(8) or (A)(9) applies;

(7) allow an applicant voluntarily to disclose that he is an organ and tissue donor, which must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record;

(8) allow an applicant voluntarily to disclose that he is autistic, which must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record. The applicant must provide documentation that he is autistic from a physician licensed in this State, as defined in Section 40-47-20(35); ~~and~~

(9) allow an applicant voluntarily to disclose blood type, provided that the disclosure is made on a form prescribed by the department and includes a certification from a physician or medical provider. Blood type

must be indicated by a symbol designated by the department on the driver's license and contained in the driver's record. The department may use the same symbol used to indicate voluntary disclosure of a permanent medical condition; and

~~(9)~~(10) include a statement that certain driver's license and driver's record information may be released, upon request, pursuant to subsection (B).

(B)(1) The information contained on a driver's license and in the driver's department records pertaining to a person's permanent medical condition, as provided for in item (A)(6) or item (A)(8), or blood type, as provided for in item (A)(9), must be made available, upon request only to:

(a) law enforcement, emergency medical services, and hospital personnel;

(b) the medical advisory board pursuant to Section 56-1-221;

(c) permitted entities pursuant to the Driver Privacy Protection Act, 18 U.S.C.A. 2721; and

(d) the person to whom the records of the permanent medical condition applies.

(2) The information contained on a driver's license and in the driver's department records pertaining to a person's organ and tissue donor status, as provided for in item (A)(7), must be made available, upon request only to:

(a) law enforcement, emergency medical services, and hospital personnel; and

(b) the South Carolina Donor Referral Network, as provided for in Section 44-43-910.

(3) The information contained on a driver's license and in the driver's department records pertaining to a person's permanent medical condition, as provided for in item (A)(6) or item (A)(8), and pertaining to a person's organ and tissue donor status, as provided for in item (A)(7), or blood type, as provided for in item (A)(9), may not be sold and is exempt from disclosure pursuant to Chapter 4, Title 30, the South Carolina Freedom of Information Act.

(4) No cause of action may arise nor may liability be imposed against any person, government entity, or government entity officer, agent, or employee arising from any action taken by any person in reliance upon an inaccurate blood type indicated on a person’s driver’s license or driver’s record when the license holder, physician, or medical provider provided the inaccurate blood type on the forms required pursuant to this section.

(C)(1) Whenever an application is received from a person previously licensed or permitted in another state, the Department of Motor Vehicles may request a copy of the applicant's record from the other state. When received, the record becomes a part of the driver's record in this State with the same effect as though entered on the operator's record in this State in the original instance. Every person who obtains a driver's license or permit for the first time in South Carolina and every person who renews his driver's license or permit in South Carolina must be furnished a written request form for completion and verification of liability insurance coverage.

(2) The completed and verified form or an affidavit prepared by the department showing that neither he, nor a resident relative, owns a motor vehicle subject to the provisions of this chapter, must be delivered to the department at the time the license or permit is issued or renewed.

SECTION 2. This act takes effect six months after approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler

Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 99 -- Senators Campsen and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-70, RELATING TO JUDICIAL CANDIDATES SEEKING PLEDGES FROM MEMBERS OF THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT PLEDGES FOR JUDICIAL CANDIDATES MAY NOT BE DIRECTLY OR INDIRECTLY SOUGHT OR GIVEN UNTIL TWELVE DAYS AFTER THE INITIAL RELEASE OF THE REPORT CONCERNING NOMINEES TO MEMBERS OF THE GENERAL ASSEMBLY; AND BY AMENDING SECTION 2-19-80, RELATING TO THE NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT A PERIOD OF AT LEAST TWENTY-TWO DAYS MUST ELAPSE BETWEEN THE DATE OF THE JUDICIAL MERIT SELECTION COMMISSION'S INITIAL REPORT OF NOMINATIONS TO THE GENERAL ASSEMBLY AND THE DATE THE GENERAL ASSEMBLY CONDUCTS THE ELECTION FOR THESE JUDGESHIPS.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 107 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCLUDE LIVESTOCK TRAILERS.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 650 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-150-70, RELATING TO TEMPORARY REGULATIONS OF THE SOUTH CAROLINA EDUCATION LOTTERY, INITIAL AVAILABILITY OF TICKETS, AND ALTERNATE USE FOR NONWINNING TICKETS, SO AS TO ALLOW PAYMENT BY DEBIT CARD; AND BY ADDING SECTION 59-150-145 SO AS TO EXEMPT CERTAIN PERSONALLY IDENTIFIABLE INFORMATION CONCERNING LOTTERY CLAIMS FROM NONCONSENSUAL DISCLOSURE OR RELEASE UNDER THE FREEDOM OF INFORMATION ACT, TO PROVIDE THE LOTTERY COMMISSION MAY DISCLOSE CERTAIN INFORMATION CONCERNING LOTTERY CLAIMS WITHOUT CONSENT, AND TO PROVIDE AN EXCEPTION FOR PARTICIPANTS IN CERTAIN PROMOTIONS.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 859 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "STATE EMPLOYMENT SKILLS BASED HIRING ACT"; BY ADDING SECTION 8-11-188 SO AS TO REQUIRE THE OFFICE OF HUMAN RESOURCES TO CONDUCT PERIODIC REVIEWS OF THE EDUCATIONAL, EXPERIENTIAL, AND TRAINING

REQUIREMENTS FOR ALL EXECUTIVE BRANCH JOBS WITH A SPECIAL EMPHASIS ON WHETHER A FOUR-YEAR COLLEGE DEGREE IS NECESSARY, TO PROVIDE THAT THE OFFICE OF HUMAN RESOURCES SHALL REDUCE THE REQUIREMENTS IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE OFFICE OF HUMAN RESOURCES SHALL REPORT ITS ACTIONS PURSUANT TO THIS ACT; AND SO AS TO PROVIDE THAT THE FIRST PERIODIC REVIEW SHALL COMMENCE WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS ACT.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 969 -- Senators Alexander, Peeler, Setzler, K. Johnson and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1017 -- Senators M. Johnson, Peeler, Climer and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF

PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS; AND BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY ASSESSED AS AGRICULTURAL OR RELATED THERETO MAY NOT BE ANNEXED BY A MUNICIPALITY.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1021 -- Senator Davis: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT TO 2035; AND TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-67-140, RELATING TO THE ABANDONED BUILDINGS TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE MAXIMUM TAX CREDIT THAT MAY BE EARNED.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1047 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-610, RELATING TO DENMARK TECHNICAL COLLEGE AREA COMMISSION MEMBERS, SO AS TO PROVIDE THAT THE MANNER BY WHICH COMMISSIONERS ARE APPOINTED SHALL BE BY APPOINTMENT OF THE GOVERNOR UPON THE RECOMMENDATION OF A MAJORITY OF THE MEMBERS OF THE GENERAL ASSEMBLY REPRESENTING ALLENDALE, BAMBERG, AND BARNWELL COUNTIES.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1117 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO WILDERNESS THERAPEUTIC CAMPS FOR CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 5232, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3121 -- Reps. Hyde, Carter, B. Newton, Neese, T. Moore, Pope, Bauer, Davis, M.M. Smith, Willis, Brewer, Robbins, Felder, Stavrinakis, Wetmore and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3810 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO A PROPERTY OWNER WHO ENCUMBERS HIS PROPERTY WITH A PERPETUAL RECREATIONAL TRAIL EASEMENT.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3295 -- Reps. Collins, Erickson, Bradley and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-210 SO AS TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-39-290 SO AS TO

DIRECT THE STATE BOARD OF EDUCATION TO ADOPT, ESTABLISH, AND PROMULGATE NECESSARY RULES AND REGULATIONS; BY ADDING SECTION 59-19-360 SO AS TO PROVIDE A PROCESS FOR THE EXEMPTION OF COMPETENCY-BASED SCHOOLS FROM CERTAIN APPLICABLE LAWS AND REGULATIONS, TO PROVIDE REQUIREMENTS FOR IMPLEMENTING COMPETENCY-BASED EDUCATION IN SCHOOLS, AND TO PROVIDE RELATED REQUIREMENTS FOR THE STATE DEPARTMENT OF EDUCATION AND THE COMMISSION ON HIGHER EDUCATION; BY AMENDING SECTION 59-1-425, RELATING TO THE STATUTORY ANNUAL SCHOOL CALENDAR, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-39-100, RELATING TO REQUIRED UNITS FOR A HIGH SCHOOL DIPLOMA, SO AS TO MAKE CONFORMING CHANGES.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3309 -- Reps. Gilliam, Pope, Erickson, Bradley, Davis, Caskey and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SEIZURE SAFE SCHOOLS ACT" BY ADDING SECTION 59-63-97 SO AS TO REQUIRE THE ESTABLISHMENT OF SEIZURE ACTION PLANS IN PUBLIC SCHOOLS, AND TO PROVIDE REQUIREMENTS FOR SUCH PLANS AND THEIR IMPLEMENTATION, AMONG OTHER THINGS.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3608 -- Reps. Hixon, Bailey and Brittain: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-39-260, RELATING TO RECORDS OF SALES OR CONVEYANCES AND RESULTING CHANGES IN DUPLICATES AND ENDORSEMENT OF DEEDS BY AUDITORS, SO AS TO PROVIDE GUIDELINES FOR THE RECORDS OF COUNTY REAL PROPERTY SALES AND TO REMOVE COUNTY AUDITOR FEES; BY AMENDING SECTION 30-5-120, RELATING TO THE VALIDATION OF CERTAIN CONVEYANCES NOT ENDORSED BY A COUNTY AUDITOR, SO AS TO PROVIDE THAT ANY CONVEYANCE MEETING THE STATUTORY PREREQUISITES FOR RECORDING ARE VALID AND BINDING; BY REPEALING SECTION 30-5-80 RELATING TO THE REQUIREMENT OF THE AUDITOR'S ENDORSEMENT BEFORE THE RECORDATION OF DEEDS; AND BY REPEALING SECTION 8-21-130 RELATING TO FEES COLLECTED BY COUNTY AUDITORS FOR AN ENDORSEMENT ON A DEED.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3811 -- Rep. Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3585, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE FOR AN INCREASE IN THE AGGREGATE CREDIT FROM NINE MILLION TO TWELVE MILLION DOLLARS FOR TAX YEARS AFTER 2022.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3880 -- Reps. M.M. Smith, Herbkersman, Davis, Elliott, B.J. Cox, B.L. Cox and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-2420, RELATING TO THE ADMISSIONS TAX, SO AS TO PROVIDE THAT NO TAX MAY BE CHARGED OR COLLECTED ON ANNUAL OR MONTHLY DUES PAID TO A GOLF CLUB.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4376 -- Reps. B.J. Cox, M.M. Smith, Caskey, T. Moore, Wooten, J.L. Johnson, Davis, Sessions, Guffey, Ligon, O'Neal, Pope, Hart and J. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 25-12-10, 25-12-30, AND 25-12-50, ALL RELATING TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN, SO AS TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ALSO APPLY TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN AND TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ARE MANDATORY UNDER CERTAIN CIRCUMSTANCES; AND BY AMENDING SECTION 17-5-590, RELATING TO THE DISPOSITION OF REMAINS OF UNIDENTIFIED DEAD BODIES, SO AS TO REQUIRE CORONERS TO RELEASE CERTAIN HUMAN REMAINS THAT HAVE BEEN DETERMINED TO BE THOSE OF AN UNCLAIMED DECEASED VETERAN TO A FUNERAL HOME, FUNERAL ESTABLISHMENT, OR MORTUARY FOR DISPOSITION PURSUANT TO CHAPTER 12, TITLE 25.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4720 -- Rep. Bannister: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2024-2025 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE’S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE

IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 988 -- Senator Shealy: A CONCURRENT RESOLUTION TO AUTHORIZE AMERICAN LEGION AUXILIARY PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 14, 2024.

The Resolution was adopted, ordered sent to the House.

S. 1037 -- Senators Adams and Grooms: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF ROYLE ROAD IN BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 17A/NORTH MAIN STREET TO ITS INTERSECTION WITH TREELAND DRIVE "WADE ARNETTE ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF ROADWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

S. 1041 -- Senator Grooms: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF US HIGHWAY 17A IN BERKELEY COUNTY FROM ITS INTERSECTION WITH HARRISTOWN ROAD TO ITS INTERSECTION WITH HOODTOWN ROAD "REV. LARRY A. BRADBERRY HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

H. 4608 -- Reps. Hayes and Atkinson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE LUMBER RIVER ALONG UNITED STATES HIGHWAY 76 AND SOUTH CAROLINA HIGHWAY 9 AT THE BORDER OF MARION AND HORRY COUNTIES "PLAN LANNEAU ELVINGTON, SR.

MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 12:40 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

DEBATE INTERRUPTED

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY

AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator HEMBREE explained the Bill.

Motion Adopted

Senator TALLEY asked unanimous consent to proceed to Amendment No. 1

Amendment No. 1

Senator TALLEY proposed the following amendment (SJ-1046.PB0007S), which was carried over:

Amend the bill, as and if amended, by striking the bill in its entirety and inserting therein the following:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X. Section 2-19-10(D) of the S.C. Code is amended to read:

(D) The term of office of a member of the commission ~~who is not a member of the General Assembly~~ shall be for four years subject to a right of removal at any time by the person appointing him, and until his successor is appointed and qualifies. ~~A member of the commission who is a serving member of the General Assembly shall serve for the term of office to which he has been elected.~~Beginning in 2025, the members appointed to the commission shall serve no more than two nonconsecutive four-year terms provided that a period of four years separates each term.

SECTION X. Section 2-19-20 of the S.C. Code is amended to read:

Section 2-19-20. (A) It is the responsibility of the Judicial Merit Selection Commission to determine when judicial vacancies are to occur in the administrative law ~~judge division~~ court and on the family court, circuit court, court of appeals, or Supreme Court and to expeditiously investigate in advance the qualifications of those who seek nomination. For purposes of this chapter, a vacancy is created in the administrative law ~~judge division~~ court or on the family court, circuit court, court of appeals, or Supreme Court when any of the following occurs: a term expires; a new judicial position is created; or a judge can no longer serve due to resignation, retirement, disciplinary action, disability, or death.

(B) The commission, upon receiving notice of a judicial vacancy, ascertaining that a judicial vacancy shall occur, or receiving the decision of an incumbent judge regarding his seeking re-election, shall notify the Supreme Court of the vacancy for publication in the advance sheets provided by the Clerk of the Supreme Court ~~at least thirty days~~ prior to closing applications for the vacancy. The commission shall, if practicable, also notify the South Carolina Bar, other professional legal organizations it considers appropriate, and each newspaper of this State with daily circulation of the vacancy at least thirty days prior to closing applications for the vacancy. This notice must include, but not be limited to, the judicial office in which the vacancy occurs, the address to which, and the date by which interested candidates may apply.

(C) The Judicial Merit Selection Commission shall announce and publicize vacancies and forthcoming vacancies in the administrative law ~~judge division~~ court, on the family court, circuit court, court of appeals, and Supreme Court. A person who desires to be considered for nomination as justice or judge may make application to the commission. ~~No~~ Except for candidates for an at-large circuit court judge position, no person may concurrently seek more than one judicial vacancy. A candidate for an at-large circuit court position does not designate a

particular seat but is considered for all at-large circuit court positions available. The commission shall announce the names of all those persons who have applied for all available judicial positions.

(D) Any person wishing to seek a judicial office, which is elected by the General Assembly, shall file a notice of intention to seek the office with the Judicial Merit Selection Commission. ~~Upon receipt of the notice of intention, the commission shall begin to conduct the investigation of the candidate as it considers appropriate and may in the investigation utilize the services of any agency of state government. This agency shall, upon request, cooperate fully with the commission.~~After filing a notice of intention, the Judicial Merit Selection Commission shall provide the candidate with an application package that must be returned to the commission by the deadline in order for the candidate to be considered for a judicial position.

SECTION X. Chapter 19, Title 2 of the S.C. Code is amended by adding:

Section 2-19-23. (A) Within two business days after the deadline for receiving the candidates' application packages, the Judicial Merit Selection Commission must send to the Governor to review and evaluate the packages of all candidates except incumbent justice or judge candidates seeking re-election.

(B) Upon receiving the application packages, the Governor is authorized to investigate and obtain information relative to any candidate for an administrative law judgeship or a family court, circuit court, court of appeals, or Supreme Court judgeship from any state agency or other group including, but not limited to, court administration and any law enforcement agency, to the extent permitted by law. The agencies shall, upon request, cooperate fully with the Governor.

(C) To aid in the investigation of candidates, the Governor may appoint an Advisory Council on Judicial Selection. In making appointments to the Council, the Governor is encouraged to consider:

(1) race, gender, national origin, and other demographic factors to ensure nondiscrimination to the greatest extent possible as to all segments of the population of the State;

(2) experience with or understanding of the state judicial system, including the Supreme Court, court of appeals, circuit court, family court, master-in-equity, and administrative law court;

(3) representatives from each of the judicial circuits;

(4) recommendations from:

(a) the Chief Justice of the South Carolina Supreme Court;

(b) the South Carolina Association of Justice;

(c) the South Carolina Defense Trial Lawyers Association;

(d) the South Carolina Public Defenders Association;

(e) the South Carolina Prosecution Coordination Commission; and

(f) the South Carolina Chapter of the American Academy of Matrimonial Lawyers.

(D) Investigations and consideration of the Governor and the Advisory Council on Judicial Selection should include, but are not limited to, the following areas:

(1) constitutional qualifications;

(2) ethical fitness;

(3) professional and academic ability;

(4) character;

(5) reputation;

(6) physical health;

(7) mental stability;

(8) experience; and

(9) judicial temperament.

(E) In making recommendations concerning the candidates, race, gender, national origin, and other demographic factors should be considered by the Governor and the Advisory Council on Judicial Selection to ensure nondiscrimination to the greatest extent possible as to all segments of the population of the State.

(F) After receipt of the candidates' application packages, the Governor has forty-five days to consider the candidates' qualifications and to send to the Judicial Merit Selection Commission a report recommending up to five candidates for each judicial position. In his report, the Governor may recommend or not recommend a candidate for a judicial position.

(G)(1) If, within the forty-five-day period, the Governor recommends less than five candidates for a judicial position, he must indicate the reason for returning fewer than five candidates. If the Governor does not recommend a candidate for a judicial position, he must include that information in his report to the Judicial Merit Selection Commission.

(2) If, within the forty-five-day period, the Governor makes no recommendations for a particular judicial position, all the candidates for that position must be considered by the Judicial Merit Selection Commission.

SECTION X. Section 2-19-25 of the S.C. Code is amended to read:

Section 2-19-25. ~~The~~Upon receipt of the Governor's recommendations, the Judicial Merit Selection Commission is authorized to investigate and obtain information relative to any candidate

for an administrative law judgeship or a family court, circuit court, court of appeals, or Supreme Court judgeship from any state agency or other group including, but not limited to, court administration and any law enforcement agency, to the extent permitted by law. The agencies shall, upon request, cooperate fully with the commission. The chairman of the commission shall notify the president of the South Carolina Bar of the judgeships to be filled and of the candidates for those judgeships no later than four weeks before the scheduled date for the public hearing. The chairman of the commission shall also request the South Carolina Bar to offer the commission an assessment of each candidate's qualifications for the judgeship sought, and the date by which the assessment must be returned to the commission. This assessment must specify the bar's finding as to whether each candidate is qualified or unqualified for the judgeship sought and the reasons for that finding. The commission may receive the bar's assessment in that form and at that time it desires but shall attach the assessments to its findings of fact in such form as the commission considers appropriate. Failure of the bar to return the assessment by the date requested is not a ground for delaying the applicable hearings or election.

The commission may utilize anonymous surveys from the membership of the South Carolina Bar and the Clerks of Court concerning each candidate. The commission must not find a candidate qualified or unqualified solely on the basis of anonymous surveys. Anonymous surveys must be used to indicate a pattern of actions by a candidate.

SECTION X. Chapter 19, Title 2 of the S.C. Code is amended by adding:

Section 2-19-27. (A) Investigations and findings concerning an incumbent justice or judge candidate seeking re-election are conducted only by the Judicial Merit Selection Commission.

(B) If an incumbent justice or judge is found unqualified and other candidates for the incumbent justice or judge's position have been found qualified, an election may be held for the qualified candidates. If the incumbent justice or judge found unqualified is the only candidate for the position, the provisions of Section 2-19-80(C) apply.

Amend the bill further, by striking SECTION 2 and inserting:

SECTION X. Section 2-19-80 of the S.C. Code is amended to read:

Section 2-19-80. (A) The commission shall make nominations to the General Assembly of candidates and their qualifications for election to the Supreme Court, court of appeals, circuit court, family court, and the administrative law ~~judge division~~court. It shall review the qualifications

of all ~~applicants~~candidates recommended by the Governor for a judicial office and, if the Governor makes no recommendations for a judicial position, all the candidates for that position. ~~select therefrom and~~ The commission shall submit to the General Assembly the names and qualifications of ~~the three~~up to five candidates whom it ~~considers best~~finds qualified for the judicial office under consideration. If fewer than ~~three~~five persons apply to fill a vacancy or if the commission concludes there are fewer than ~~three~~five candidates qualified for a vacancy, it shall submit to the General Assembly only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than ~~three~~five names.

(B) The nominations of the commission for any judgeship are binding on the General Assembly, and it shall not elect a person not nominated by the commission. Nothing shall prevent the General Assembly from rejecting all persons nominated. In this event, the commission shall submit another group of names and qualifications for that position. Further nominations in the manner required by this chapter must be made until the office is filled.

(C)(1) If the commission does not find the incumbent justice or judge qualified for the judicial office held and sought, his name shall not be submitted to the General Assembly for re-election and upon expiration of his then current term of office, he shall cease serving in that judicial position.

(2) If the commission finds an incumbent judge not qualified for the office sought, or if an incumbent judge dies, withdraws, or becomes otherwise disqualified for the office sought between the time he makes application for the office and the date of the election therefor, the election for the office may not be held at that scheduled time, and the commission shall proceed in accordance with the provisions of this chapter to make other nominations for the office as though a new vacancy without an incumbent exists in that office, including reopening the application process with all required notices. Nothing prevents the commission from including in its new nominations the names and qualifications of persons other than the incumbent judge it included in its previous nominations.

(3) If the commission finds unqualified all the candidates recommended by the Governor for a judicial position, the election for the office may not be held at that scheduled time, and the commission shall proceed in accordance with the provisions of this chapter to reopen the application process with all required notices.

(D) The commission shall accompany its nominations to the General Assembly with reports or recommendations as to the qualifications of particular candidates.

(E) A period of at least ~~two weeks~~twenty-two days must elapse between the date of the commission's initial report of nominations to the General Assembly and the date the General Assembly conducts the election for these judgeships.

SECTION X. Section 2-19-90 of the S.C. Code is amended to read:

Section 2-19-90. The General Assembly shall meet in joint session for the election of judges. The date and time for the joint session shall be set by concurrent resolution upon the recommendation of the Judicial Merit Selection Commission. The Chairman of the Judicial Merit Selection Commission shall announce the commission's nominees for each judicial race, and no further nominating or seconding speeches shall be allowed by members of the General Assembly. In order to be elected, a candidate must receive a majority of the vote of the members of the ~~General Assembly~~House of Representatives and a majority vote of the members of the Senate voting in joint session.

SECTION X. The provisions of this act are declared by the General Assembly to be nonseverable, and if any portion of this act is declared by a court of competent jurisdiction to be invalid, unconstitutional, unenforceable, or unlawful, the remaining provisions are declared to be null and void.

SECTION 3. This act takes effect January 1, 2025, and is applicable to judicial screenings starting after January 1, 2025.

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

On motion of Senator TALLEY, the amendment was carried over.

The Committee on Judiciary proposed the following amendment (SJ-1046.PB0003S):

Amend the bill, as and if amended, SECTION 2, Section 2-19-10, by striking the last undesignated paragraph and inserting:

All appointees, except for the one provided in item (6), must be members of the South Carolina Bar and in good standing. Appointees made pursuant to items (2) and (3) may not be current members of the South Carolina General Assembly.

Amend the bill further, SECTION 3, by striking Section 2-19-10(D) and inserting:

(D) The term of office of a member of the commission ~~who is not a member of the General Assembly~~ shall be for four years, except those first appointed, the members appointed by the Senate President, the Senate Judiciary Chairman, the Speaker of the House, and the House Judiciary Chairman shall serve an initial term of two years. Members may serve two non-consecutive terms provided a period of four years separates each term. Those initially appointed for a two-year term may serve one consecutive four-year term and a non-consecutive four-year term provided a period of four years has expired from previous service. ~~subject to a right of removal at any time by the person appointing him, and until his successor is appointed and qualifies. A member of the commission who is a serving member of the General Assembly shall serve for the term of office to which he has been elected.~~

Amend the bill further, SECTION 4, by striking Section 2-19-10(G)(1) and (2) and inserting:

(1) No member of the Judicial Merit Selection Commission is eligible for nomination and appointment as a judge or justice of the state court system or administrative law ~~judge division~~court while serving on the commission and for a period of ~~one year~~two years thereafter; and

(2) If a candidate is a family member of a current Judicial Merit Selection Commission member, the member must resign his position on the commission. Family member is defined for the purpose of this section as a spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, or grandchild.

Amend the bill further, SECTION 6, by striking Section 2-19-20(D) and inserting:

(D) Any person wishing to seek a judicial office, which is elected by the General Assembly, shall file a notice of intention to seek the office with the Judicial Merit Selection Commission. Upon receipt of the notice of intention, the commission shall begin to conduct the investigation of the candidate as it considers appropriate and may in the investigation utilize the services of any agency of state government. This agency shall, upon request, cooperate fully with the commission. The investigation must include the South Carolina Bar assessment of the candidate, the Citizens Committee assessment of the candidate, and public testimony from any witness appearing before the commission. The commission may consider other information provided by any agency of state government, but such information shall be provided to the

candidate seeking office at least forty-eight hours prior to a public hearing and it must be described during a public hearing. The commission must not utilize anonymous surveys sent to members of the South Carolina Bar.

Amend the bill further, SECTION 12, Section 2-19-80, by striking Section 2-19-80(A) and inserting:

(A) The commission shall make nominations to the General Assembly of candidates and their qualifications for election to the Supreme Court, court of appeals, circuit court, family court, and the administrative law ~~judge division~~court. It shall review the qualifications of all applicants for a judicial office and select therefrom and submit to the General Assembly the names and qualifications of ~~the three~~all candidates whom it considers ~~best~~ qualified for the judicial office under consideration. ~~If fewer than three persons apply to fill a vacancy or if the commission concludes there are fewer than three candidates qualified for a vacancy, it shall submit to the General Assembly only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.~~

~~Re~~number sections to conform.

Amend title to conform.

Senator MASSEY spoke on the Bill.

Debate was interrupted by adjournment.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned Tuesday, March 5, 2024, that it will adjourn to meet Wednesday, March 6, 2024, at 11:00 A.M.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Tara Outlaw Spires of West Columbia, S.C. For years, Tara was an active member at Dunns' Chapel Church and in the South Congaree community. Tara was a loving wife, devoted mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 1:25 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SETZLER.

HOUSE BILL RETURNED

The following House Bill was read the third time and ordered returned to the House with amendments:

H. 3355 -- Reps. Moss and Lawson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-5-4072 SO AS TO PROVIDE THAT A TOWING TRUCK WITH A FIFTH WHEEL ASSEMBLY MAY TOW ONE ADDITIONAL VEHICLE, TO PROVIDE A MAXIMUM LENGTH FOR THIS COMBINATION OF VEHICLES, TO PROVIDE THE MAXIMUM WEIGHT FOR THE FINAL TRAILING VEHICLE, AND TO PROVIDE A TRUCK OPERATING A TOWING COMBINATION MUST INCLUDE A VIDEO SYSTEM WHICH ALLOWS THE DRIVER TO MONITOR THE FINAL TRAILING VEHICLE AS IT IS BEING TOWED AND BE EQUIPPED WITH CERTAIN SAFETY DEVICES.

On motion of Senator PEELER.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 994 Sen. Garrett

ADJOURNMENT

At 11:06 A.M., on motion of Senator SHEALY, the Senate adjourned to meet next Tuesday, March 5, 2024, at 12:00 Noon.

* * *

Tuesday, March 5, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 119:165

The Psalmist proclaims: "Great peace have they who love your law, and nothing can make them stumble."

Please join me as we bow in prayer: Holy God, we feel a need to pause and pray today for our sisters and brothers all around the globe. For indeed, our world's trouble spots are so numerous: Ukraine, Gaza and the West Bank, Yemen, Myanmar, Haiti and many other places as well, including here in our own country. All around us are people desperate for hope, for a violence-free future, for a new and better day. So we ask, O Lord, that you touch the heart of each leader here in the Senate of South Carolina. Guide them as they work together to make hope real for all of our citizens, and for others in far off places as well. Truly, may the Psalmist's call for a "great peace'' be embraced by all of us. In Your hopeful name we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	Peeler	Rankin

Reichenbach	Rice	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

Reappointment, South Carolina Board of Real Estate Appraisers, with the term to commence April 30, 2024, and to expire April 30, 2027

Appraisal Management Company:

Mark Chapman, 197 Green Valley Road, Greenville, SC 29617-7014

Referred to the Committee on Labor, Commerce and Industry.

Doctor of the Day

Senator SETZLER introduced Dr. March Seabrook of Lexington, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator RICE, at 12:08 P.M., Senator SENN was granted a leave of absence for today.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 975	Sen. Grooms
S. 994	Sen. Fanning
S. 1020	Sen. Gustafson
S. 1089	Sen. Turner
S. 1094	Sen. Bennett
S. 1106	Sen. Young
S. 1126	Sens. Shealy, Grooms, Cromer and Turner

RECALLED AND ADOPTED

S. 1102 -- Senator Alexander: A CONCURRENT RESOLUTION TO EXPRESS APPRECIATION TO PROFESSIONALS WHO ADVOCATE ON BEHALF OF THOSE SUFFERING FROM MENTAL ILLNESS, AS WELL AS TO THE VOLUNTEERS WHO

ASSIST THEM, AND TO DECLARE WEDNESDAY, MARCH 6, 2024, AS "MENTAL HEALTH ADVOCACY DAY" IN SOUTH CAROLINA.

Senator VERDIN asked unanimous consent to make a motion to recall the Resolution from the Committee on Medical Affairs.

The Resolution was recalled from the Committee on Medical Affairs.

Senator VERDIN asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator SHEALY, the Resolution was adopted and ordered sent to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1128 -- Senator Turner: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON THURSDAY, NOVEMBER 7 AND FRIDAY, NOVEMBER 8 AND MONDAY, NOVEMBER 18, 2024. HOWEVER, THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

lc-0390dg-bl24.docx

The Senate Resolution was introduced and referred to the Committee on Operations and Management.

S. 1129 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE THE JUNIOR LEAGUE OF COLUMBIA UPON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO COMMEND ITS MEMBERS FOR THEIR MANY YEARS OF

DEDICATED SERVICE TO THE COLUMBIA COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
sr-0622km-hw24.docx

The Senate Resolution was adopted.

S. 1130 -- Senator Alexander: A CONCURRENT RESOLUTION TO WELCOME LIONS CLUBS INTERNATIONAL DIRECTOR JAMES C. "JAY" MOUGHON TO THE PALMETTO STATE ON THE OCCASION OF THE ANNUAL SOUTH CAROLINA LIONS DISTRICT 32-S CONVENTION AND TO HONOR THE LIONS CLUBS FOR THEIR MANY YEARS OF COMMUNITY SERVICE.
lc-0510sa-rm24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1131 -- Senator Alexander: A CONCURRENT RESOLUTION TO WELCOME LIONS CLUBS INTERNATIONAL DIRECTOR ANTHONY W. PARADISO TO THE PALMETTO STATE ON THE OCCASION OF THE 99TH ANNUAL SOUTH CAROLINA LIONS MULTIPLE DISTRICT 32 STATE CONVENTION AND TO HONOR THE LIONS CLUBS FOR THEIR MANY YEARS OF COMMUNITY SERVICE.
lc-0515cm-rm24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1132 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-7-20, RELATING TO DEFINITIONS CONCERNING BARBERS AND BARBERING, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-7-390, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGISTS AND COSMETOLOGY, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-13-360, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; AND

BY REPEALING SECTION 40-7-255 RELATING TO THE REGULATION OF HAIR-BRAIDING PRACTITIONERS.
lc-0655wab24.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1133 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-1-525 SO AS TO AUTHORIZE CERTAIN COUNTIES AND MUNICIPALITIES TO IMPOSE A SUPPLEMENTAL LOCAL ACCOMMODATIONS TAX, TO CAP THE RATE THAT MAY BE IMPOSED, AND TO PROVIDE FOR THE LIMITED USE OF THE PROCEEDS OF THE TAX.
sr-0614km24.docx

Read the first time and referred to the Committee on Finance.

S. 1134 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27-1-80 SO AS TO PROVIDE THAT ANY REGULATION REGARDING THE USE, DISPOSITION, SALE, OR ANY IMPOSITION OF ANY PROHIBITION, RESTRICTION, FEE IMPOSITION, OR TAXATION OF A CO-OWNED HOME MUST BE DONE BY THE GENERAL ASSEMBLY.
lc-0540sa24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1135 -- Senator Fanning: A CONCURRENT RESOLUTION TO AUTHORIZE AMERICAN LEGION AUXILIARY PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 14, 2024.
smin-0061mw-mw24.docx

The Concurrent Resolution was introduced and referred to the Committee on Operations and Management.

S. 1136 -- Senator Harpootlian: A SENATE RESOLUTION TO RECOGNIZE APRIL 11, 2024, AS "STO PROGRAMS DAY" IN SOUTH CAROLINA.
sr-0623km-vc24.docx

The Senate Resolution was adopted.

S. 1137 -- Senators Shealy, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Stephens, Talley, Tedder, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE THE GIRL SCOUTS OF THE USA AT THE CELEBRATION OF THE ORGANIZATION'S ONE HUNDRED TWELFTH ANNIVERSARY, TO SALUTE THE MORE THAN TEN THOUSAND GIRL SCOUTS IN THE PALMETTO STATE, AND TO DECLARE TUESDAY, MARCH 12, 2024, GIRL SCOUT DAY IN SOUTH CAROLINA.
sr-0624km-hw24.docx

The Senate Resolution was adopted.

S. 1138 -- Senators Jackson, Alexander, Adams, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, K. Johnson, M. Johnson, Kimbrell, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Shealy, Stephens, Talley, Tedder, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SENATOR NIKKI G. SETZLER FOR BEING THE LONGEST-SERVING STATE SENATOR IN SOUTH CAROLINA HISTORY AND FOR HIS EXEMPLARY RECORD OF SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA, AND TO AUTHORIZE THE COMMISSIONING OF A PORTRAIT OF SENATOR SETZLER TO BE PLACED IN THE SENATE CHAMBER.
sr-0212km-hw23.docx

The Senate Resolution was adopted.

S. 1139 -- Senator Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-11-410, RELATING TO GENERAL CONTRACTOR LICENSE CLASSIFICATIONS AND SUBCLASSIFICATIONS, SO AS TO REMOVE RESIDENTIAL SWIMMING POOLS FROM THE

SWIMMING POOL SUBCLASSIFICATION FOR GENERAL CONTRACTORS WITH A SPECIALTY CLASSIFICATION.
lc-0652wab24.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3676 -- Reps. G. M. Smith, Pope, Jordan, W. Newton, Elliott, Lowe, J. E. Johnson, Guest, Mitchell, Taylor, Robbins and Brewer: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.
lc-0135sa-sa23.docx

The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

H. 3963 -- Reps. Nutt and Brewer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-9-920, RELATING TO REVENUE FROM THE SALE OF INDIVIDUAL ANTLERED DEER TAGS, SO AS TO UTILIZE THE REVENUE FOR THE COYOTE AND HOG MANAGEMENT PROGRAM.
lc-0186ph23.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4589 -- Reps. G. M. Smith, Robbins, Murphy, Gatch, Brewer and Wheeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 5-15-120, RELATING TO VOTE COUNTING IN MUNICIPAL ELECTIONS, SO AS TO DELETE LANGUAGE PROVIDING THAT INCUMBENTS HOLD OVER PENDING FINAL DETERMINATION OF ANY CONTESTS FILED; AND BY AMENDING SECTION 5-15-140, RELATING TO APPEALS FROM DECISIONS REGARDING MUNICIPAL ELECTION CONTESTS, SO AS TO DELETE LANGUAGE PROVIDING THAT A NOTICE OF APPEAL ACTS AS A STAY OF FURTHER PROCEEDINGS, AND TO PROVIDE THAT APPEALS

ARE TO BE GIVEN FIRST PRIORITY OF CONSIDERATION BY THE COURT OF COMMON PLEAS.
lc-0273hdb24.docx

Read the first time and referred to the Committee on Judiciary.

H. 4709 -- Reps. Rivers, Atkinson, Henegan, McDaniel, Gilliard, Bernstein, Landing, Bustos, Hartnett, King, Herbkersman, Erickson, Bradley, Ballentine, Pedalino, McGinnis, Schuessler and Hart: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-29-15, RELATING TO THE REQUIREMENT THAT CURSIVE WRITING BE TAUGHT IN PUBLIC ELEMENTARY SCHOOLS, SO AS TO SPECIFY THAT THE CURSIVE WRITING INSTRUCTION MUST BEGIN IN SECOND GRADE AND CONTINUE IN EACH GRADE THROUGH FIFTH GRADE.
lc-0532wab24.docx

Read the first time and referred to the Committee on Education.

H. 4927 -- Reps. Herbkersman, W. Newton, G. M. Smith, Schuessler, B. Newton, Williams, Jefferson and Hewitt: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 12 TO TITLE 44 SO AS TO CREATE THE "EXECUTIVE OFFICE OF HEALTH AND POLICY", TO PROVIDE FOR THE DUTIES OF THE SECRETARY OF THE OFFICE, AND TO PROVIDE FOR THE RESTRUCTURING OF CERTAIN DEPARTMENTS OF STATE GOVERNMENT TO BECOME COMPONENT DEPARTMENTS OF THE OFFICE; BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 8-17-370, RELATING TO THE MEDIATION OF GRIEVANCES BY THE STATE HUMAN RESOURCES DIRECTOR, SO AS TO ADD THE SECRETARY OF HEALTH AND POLICY, THE OFFICE'S COMPONENT DEPARTMENT DIRECTORS, AND OTHERS TO THE LIST OF EXEMPTED PUBLIC EMPLOYEES; BY AMENDING SECTION 43-21-70, RELATING TO THE EMPLOYMENT OF THE DIRECTOR OF THE DEPARTMENT ON AGING, SO AS TO MAKE CONFORMING CHANGES, AND FOR OTHER PURPOSES; AND BY REPEALING CHAPTER 9 OF TITLE 44 RELATING TO THE STATE DEPARTMENT OF MENTAL HEALTH.
lc-0370vr24.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 5201 -- Reps. Blackwell, Clyburn, Hixon, Oremus and Taylor: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE SOUTH AIKEN HIGH SCHOOL VARSITY VOLLEYBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2023 SOUTH CAROLINA CLASS AAAA STATE CHAMPIONSHIP TITLE.

lc-0377ph-kar24.docx

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEE

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 994 -- Senators Alexander, Hutto, Verdin, Grooms, Kimbrell, Gambrell, Shealy, Hembree, McElveen, Davis, Young, Loftis, K. Johnson, McLeod, Martin, Senn, Garrett, Fanning, Cromer and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-65 SO AS TO PROVIDE REGULATIONS FOR THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

H. 4624 -- Reps. Hiott, G.M. Smith, McCravy, Davis, Vaughan, Trantham, Pope, Chapman, Taylor, Oremus, Hartnett, Leber, Long, Nutt, Haddon, Burns, Chumley, Murphy, Mitchell, Brewer, Robbins, Gatch, West, Gilliam, Cromer, Kilmartin, O'Neal, Yow, S. Jones, Landing, Ballentine, Sandifer, Crawford, Guest, Willis, Ligon, Forrest, Pace, W. Newton, Bradley, Erickson, Gibson, Blackwell and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 42 TO TITLE 44 SO AS TO DEFINE GENDER, SEX, AND OTHER TERMS, TO PROHIBIT THE PROVISION OF GENDER TRANSITION PROCEDURES TO A PERSON UNDER EIGHTEEN YEARS OF AGE, TO PROVIDE EXCEPTIONS, TO PROHIBIT THE USE OF PUBLIC FUNDS FOR GENDER TRANSITION PROCEDURES, AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 59-32-36 SO AS TO PROHIBIT PUBLIC SCHOOL STAFF AND OFFICIALS FROM

WITHHOLDING KNOWLEDGE OF A MINOR'S PERCEPTION OF THEIR GENDER FROM THE MINOR'S PARENTS, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., February 29, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 418 -- Senators Hembree, Turner, Gustafson, Loftis and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-155-180, RELATING TO PRE-SERVICE AND IN-SERVICE TEACHER EDUCATION PROGRAMS, SO AS TO UPDATE THE ENDORSEMENT REQUIREMENTS OF READ TO SUCCEED.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 1118 -- Senator Verdin: A CONCURRENT RESOLUTION TO RECOGNIZE MARCH 6, 2024, AS "OSTEOPATHIC MEDICINE DAY" IN SOUTH CAROLINA IN HONOR OF THE IMPORTANT ROLE THAT DOCTORS OF OSTEOPATHIC MEDICINE PLAY IN MEETING THE HEALTHCARE NEEDS OF THE CITIZENS OF SOUTH CAROLINA, THE UNITED STATES MILITARY, AND THE NATION.

Returned with concurrence.

Received as information.

S. 1130 -- Senator Alexander: A CONCURRENT RESOLUTION TO WELCOME LIONS CLUBS INTERNATIONAL DIRECTOR JAMES C. "JAY" MOUGHON TO THE PALMETTO STATE ON THE OCCASION OF THE ANNUAL SOUTH CAROLINA LIONS DISTRICT 32-S CONVENTION AND TO HONOR THE LIONS CLUBS FOR THEIR MANY YEARS OF COMMUNITY SERVICE.

Returned with concurrence.

Received as information.

S. 1131 -- Senator Alexander: A CONCURRENT RESOLUTION TO WELCOME LIONS CLUBS INTERNATIONAL DIRECTOR ANTHONY W. PARADISO TO THE PALMETTO STATE ON THE OCCASION OF THE 99TH ANNUAL SOUTH CAROLINA LIONS MULTIPLE DISTRICT 32 STATE CONVENTION AND TO HONOR THE LIONS CLUBS FOR THEIR MANY YEARS OF COMMUNITY SERVICE.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

CARRIED OVER

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE

FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-1046.PB0003S):

Amend the bill, as and if amended, SECTION 2, Section 2-19-10, by striking the last undesignated paragraph and inserting:

All appointees, except for the one provided in item (6), must be members of the South Carolina Bar and in good standing. Appointees made pursuant to items (2) and (3) may not be current members of the South Carolina General Assembly.

Amend the bill further, SECTION 3, by striking Section 2-19-10(D) and inserting:

(D) The term of office of a member of the commission ~~who is not a member of the General Assembly~~ shall be for four years, except those first appointed, the members appointed by the Senate President, the Senate Judiciary Chairman, the Speaker of the House, and the House Judiciary Chairman shall serve an initial term of two years. Members may serve two non-consecutive terms provided a period of four years

separates each term. Those initially appointed for a two-year term may serve one consecutive four-year term and a non-consecutive four-year term provided a period of four years has expired from previous service. ~~subject to a right of removal at any time by the person appointing him, and until his successor is appointed and qualifies. A member of the commission who is a serving member of the General Assembly shall serve for the term of office to which he has been elected.~~

Amend the bill further, SECTION 4, by striking Section 2-19-10(G)(1) and (2) and inserting:

(1) No member of the Judicial Merit Selection Commission is eligible for nomination and appointment as a judge or justice of the state court system or administrative law ~~judge division~~court while serving on the commission and for a period of ~~one year~~two years thereafter; and

(2) If a candidate is a family member of a current Judicial Merit Selection Commission member, the member must resign his position on the commission. Family member is defined for the purpose of this section as a spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, or grandchild.

Amend the bill further, SECTION 6, by striking Section 2-19-20(D) and inserting:

(D) Any person wishing to seek a judicial office, which is elected by the General Assembly, shall file a notice of intention to seek the office with the Judicial Merit Selection Commission. Upon receipt of the notice of intention, the commission shall begin to conduct the investigation of the candidate as it considers appropriate and may in the investigation utilize the services of any agency of state government. This agency shall, upon request, cooperate fully with the commission. The investigation must include the South Carolina Bar assessment of the candidate, the Citizens Committee assessment of the candidate, and public testimony from any witness appearing before the commission. The commission may consider other information provided by any agency of state government, but such information shall be provided to the candidate seeking office at least forty-eight hours prior to a public hearing and it must be described during a public hearing. The commission must not utilize anonymous surveys sent to members of the South Carolina Bar.

Amend the bill further, SECTION 12, Section 2-19-80, by striking Section 2-19-80(A) and inserting:

(A) The commission shall make nominations to the General Assembly of candidates and their qualifications for election to the Supreme Court,

court of appeals, circuit court, family court, and the administrative law ~~judge division~~court. It shall review the qualifications of all applicants for a judicial office and select therefrom and submit to the General Assembly the names and qualifications of ~~the three~~all candidates whom it considers ~~best~~ qualified for the judicial office under consideration. ~~If fewer than three persons apply to fill a vacancy or if the commission concludes there are fewer than three candidates qualified for a vacancy, it shall submit to the General Assembly only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.~~

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the committee amendment.

On motion of Senator MASSEY, the Bill was carried over.

Senators HUTTO and MASSEY updated the Senate on the work of the Committee of Conference on H. 3594.

Objection

Senator HUTTO asked unanimous consent to take up the Report of the Committee of Conference on H. 3594.

Senator SABB objected.

REPORT RECEIVED

Committee to Investigate Candidates for the South Carolina Department of Employment and Workforce

March 5, 2024

Members of the South Carolina General Assembly
Columbia, South Carolina

Screening Report of Qualifications
The Committee to Investigate Candidates for the
South Carolina Department of
Employment and Workforce Appellate Panel

Workforce Review Committee:

Act. No. 146 of 2010 created the SC Department of Employment and Workforce Review Committee and charged the review committee with, among other duties, the duty to screen candidates for membership on the South Carolina Department of Employment and Workforce Appellate Panel and report the qualified candidates to the General Assembly for election. The transcript of the screening of each candidate will be available on the Workforce Review Committee page of the SC State House website.

The Workforce Review Committee began advertising vacancies for the Appellate Panel on December 5, 2023. The Workforce Review Committee received applications from three (3) persons by the deadline of January 5, 2024 -- one candidate for each available seat. Evelyn Belicia Ayers is an incumbent appellate panelist seeking reelection to the seat she currently holds. The two remaining applicants, Stephen S. Kelly, III and Daniel C. Beach, meet the statutorily prescribed eligibility requirements and possess certain qualifications as specified in South Carolina Code Section 41-29-300(E). The Workforce Review Committee conducted background investigations of each candidate, including credit, driver's license, and law enforcement checks.

On February 13, 2024, the Workforce Review Committee reported that the following candidates are "qualified" to serve on one of the three (3) seats of the South Carolina Department of Employment and Workforce Appellate Panel:

Evelyn Belicia Ayers - Seat #1
Stephen S. Kelly, III - Seat #2
Daniel C. Beach - Seat #3

Beginning on March 7, 2024, at Noon, candidates may solicit votes from members of the General Assembly, and members of the General Assembly may pledge their votes to candidates.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 4:47 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Wednesday, March 6, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Genesis 9:17

In Genesis we read: "So God said to Noah, 'This is the sign of the covenant I have established between me and all life on earth.' "

Let us pray: Glorious Lord, ages ago You established a covenant of grace with Noah, a pledge signified by a "sign," the rainbow, intended to remind everyone of Your promise to care for all creation. So today we all humbly continue to join together to praise You and to thank You. Your promised faithfulness unfailingly gives us hope. And equally do we give our thanks for each one of these Senators and their aides, as well. They, too, have united in a covenant, in their case to labor for the good of the people of South Carolina. This is why, O God, we fervently pray that You grant to each of these servants a clear sense of Your guidance and blessing as they strive to do what is best for all of our citizens. In Your loving name we pray, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Doctor of the Day

Senator GAMBRELL introduced Dr. Bryan Green of Greenwood, S.C., Doctor of the Day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 983 Sen. Rice
S. 994 Sens. Cromer and Devine
S. 1126 Sen. Loftis

RECALLED

S. 1101 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 38 ALONG

INTERSTATE HIGHWAY 95 IN HAMPTON COUNTY "MAJOR GENERAL ARNOLD FIELDS INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1140 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND MIDLANDS TECHNICAL COLLEGE FOR THE TRANSFORMATIVE IMPACT THE INSTITUTION HAS HAD ON LEGIONS OF STUDENTS AND ALUMNI, THE COMMUNITY, THE STATE OF SOUTH CAROLINA, AND BEYOND FOR A HALF-CENTURY AND TO CONGRATULATE MIDLANDS TECH AS THE SCHOOL CELEBRATES ITS SEMICENTENNIAL ANNIVERSARY.
lc-0273ha-kar24.docx

The Senate Resolution was adopted.

S. 1141 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE DOUG WILBANKS FOR FIFTY YEARS OF FIRE AND RESCUE SERVICE TO OCONEE COUNTY.
sr-0610km-vc24.docx

The Senate Resolution was adopted.

S. 1142 -- Senator Alexander: A SENATE RESOLUTION COMMEMORATING THE SEVENTY-EIGHTH SOUTHERN LEGISLATIVE CONFERENCE OF THE COUNCIL OF STATE GOVERNMENTS SOUTHERN OFFICE AND WELCOMING ALL LEGISLATIVE, EXECUTIVE, AND JUDICIAL OFFICIALS OF OUR GREAT STATE TO ATTEND THE SOUTHERN LEGISLATIVE CONFERENCE IN JULY 2024.
sr-0523km-hw24.docx

The Senate Resolution was adopted.

S. 1143 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-43-220, RELATING TO PROPERTY TAX CLASSIFICATIONS, SO AS TO DEFINE OWNER-OCCUPANT FOR THE PURPOSES OF THE LEGAL RESIDENCE TAX EXEMPTION; AND BY AMENDING SECTION 12-37-250, RELATING TO HOMESTEAD EXEMPTION FOR TAXPAYERS SIXTY-FIVE AND OVER OR THOSE TOTALLY AND PERMANENTLY DISABLED OR LEGALLY BLIND, SO AS TO DEFINE ELIGIBLE OWNER FOR PURPOSES OF THE HOMESTEAD EXEMPTION.
sr-0613km24.docx

Read the first time and referred to the Committee on Finance.

S. 1144 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA DREAMERS ACT OF 2024" BY ADDING SECTION 59-112-45 SO AS TO PROVIDE THAT A PERSON WHO HAS A LAWFUL PRESENCE IN THIS STATE AND IS NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH DOMICILE IN THIS STATE FOR THE PURPOSE OF RECEIVING IN-STATE TUITION RATES AND FEES AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND FOR STATE SUPPORTED SCHOLARSHIPS AND GRANTS, PROVIDED THAT OTHER ELIGIBILITY REQUIREMENTS ARE MET; AND BY ADDING SECTION 40-1-35 SO AS TO PROVIDE THAT A PERSON WHO HAS A LAWFUL PRESENCE IN THIS STATE AND IS NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH RESIDENCY AND BE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THE PROVISIONS OF THIS CHAPTER, PROVIDED THAT OTHER LICENSURE REQUIREMENTS ARE MET.
lc-0654wab24.docx

Read the first time and referred to the Committee on Education.

S. 1145 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-10, RELATING TO FORGERY, SO AS TO CLARIFY THAT THE TERM "WRITING", AS USED IN THIS SECTION, INCLUDES MONEY OR CURRENCY, AMONG OTHER THINGS.
lc-0414hdb24.docx

Read the first time and referred to the Committee on Judiciary.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

OBJECTION

S. 962 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-71-2330, RELATING TO DUTIES OF PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS, SO AS TO REMOVE THE REQUIREMENT THAT PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS MUST ACT AS FIDUCIARIES TO PHARMACIES.

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

S. 839 -- Senators Alexander, Senn, Rankin and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-85, RELATING TO HOMICIDE BY CHILD ABUSE, SO AS TO INCREASE THE AGE OF A CHILD UNDER THIS SECTION FROM UNDER THE AGE OF ELEVEN TO UNDER THE AGE OF EIGHTEEN.

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

S. 877 -- Senators Senn, Shealy, Gustafson, McLeod and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-90 SO AS TO DEFINE NECESSARY TERMS, CREATE THE OFFENSE OF LURING A CHILD INTO A CONVEYANCE, DWELLING, OR STRUCTURE, AND PROVIDE A PENALTY AND DEFENSES TO PROSECUTION.

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

S. 996 -- Senators Hutto, Shealy, Reichenbach, Senn, McLeod and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY.

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

S. 968 -- Senators Peeler and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-80(A)(6) AND (B), RELATING TO APPLICATIONS FOR DRIVER'S LICENSE OR PERMIT, SO AS TO ALLOW AN APPLICANT TO VOLUNTARILY DISCLOSE HIS BLOOD TYPE.

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

S. 538 -- Senators Kimbrell, M. Johnson, Adams, Reichenbach, Rice, Verdin, Grooms, Climer and Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-101-15 SO AS TO LIMIT TENURE AND TO PROVIDE THAT INSTITUTIONS OF HIGHER LEARNING MUST CREATE A TENURE REVIEW PROCESS.

Senator HEMBREE objected to consideration of the Bill.

OBJECTION

S. 1052 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5251, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator HEMBREE objected to consideration of the Resolution.

OBJECTION

S. 1054 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 5231, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator CORBIN objected to consideration of the Resolution.

OBJECTION

S. 1055 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF SOCIAL WORK EXAMINERS, RELATING TO STATE BOARD OF SOCIAL WORK EXAMINERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5252, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator GOLDFINCH objected to consideration of the Resolution.

OBJECTION

S. 954 -- Senators Hembree, Senn and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

Senator HEMBREE objected to consideration of the Bill.

OBJECTION

S. 995 -- Senators Hutto, Shealy, Reichenbach, Devine, Senn, McLeod and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO SECTIONS 16-15-385 THROUGH 16-15-425, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE; BY AMENDING SECTION 16-15-395, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A

MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-405, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-410, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER.

Senator HEMBREE objected to consideration of the Bill.

OBJECTION

S. 107 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCLUDE LIVESTOCK TRAILERS.

Senator HEMBREE objected to consideration of the Bill.

OBJECTION

S. 650 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-150-70, RELATING TO TEMPORARY REGULATIONS OF THE SOUTH CAROLINA EDUCATION LOTTERY, INITIAL AVAILABILITY OF TICKETS, AND ALTERNATE USE FOR NONWINNING TICKETS, SO AS TO ALLOW PAYMENT BY DEBIT CARD; AND BY ADDING SECTION 59-150-145 SO AS TO EXEMPT CERTAIN PERSONALLY IDENTIFIABLE INFORMATION CONCERNING LOTTERY CLAIMS FROM NONCONSENSUAL DISCLOSURE OR RELEASE UNDER THE FREEDOM OF INFORMATION ACT, TO PROVIDE THE LOTTERY COMMISSION MAY DISCLOSE CERTAIN INFORMATION CONCERNING LOTTERY CLAIMS WITHOUT CONSENT, AND TO PROVIDE AN EXCEPTION FOR PARTICIPANTS IN CERTAIN PROMOTIONS.

Senator MASSEY objected to consideration of the Bill.

OBJECTION

S. 859 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "STATE EMPLOYMENT SKILLS BASED HIRING ACT"; BY ADDING SECTION 8-11-188 SO AS TO REQUIRE THE OFFICE OF HUMAN RESOURCES TO CONDUCT PERIODIC REVIEWS OF THE EDUCATIONAL, EXPERIENTIAL, AND TRAINING REQUIREMENTS FOR ALL EXECUTIVE BRANCH JOBS WITH A SPECIAL EMPHASIS ON WHETHER A FOUR-YEAR COLLEGE DEGREE IS NECESSARY, TO PROVIDE THAT THE OFFICE OF HUMAN RESOURCES SHALL REDUCE THE REQUIREMENTS IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE OFFICE OF HUMAN RESOURCES SHALL REPORT ITS ACTIONS PURSUANT TO THIS ACT; AND SO AS TO PROVIDE THAT THE FIRST PERIODIC REVIEW SHALL COMMENCE WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS ACT.

Senator MASSEY objected to consideration of the Bill.

OBJECTION

S. 969 -- Senators Alexander, Peeler, Setzler, K. Johnson and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.

Senator MASSEY objected to consideration of the Bill.

OBJECTION

S. 1017 -- Senators M. Johnson, Peeler, Climer and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE

REQUIREMENTS; AND BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY ASSESSED AS AGRICULTURAL OR RELATED THERETO MAY NOT BE ANNEXED BY A MUNICIPALITY.

Senator CORBIN objected to consideration of the Bill.

OBJECTION

S. 1021 -- Senator Davis: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT TO 2035; AND TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-67-140, RELATING TO THE ABANDONED BUILDINGS TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE MAXIMUM TAX CREDIT THAT MAY BE EARNED.

Senator CORBIN objected to consideration of the Bill.

OBJECTION

S. 1047 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-610, RELATING TO DENMARK TECHNICAL COLLEGE AREA COMMISSION MEMBERS, SO AS TO PROVIDE THAT THE MANNER BY WHICH COMMISSIONERS ARE APPOINTED SHALL BE BY APPOINTMENT OF THE GOVERNOR UPON THE RECOMMENDATION OF A MAJORITY OF THE MEMBERS OF THE GENERAL ASSEMBLY REPRESENTING ALLENDALE, BAMBERG, AND BARNWELL COUNTIES.

Senator GAMBRELL objected to consideration of the Bill.

OBJECTION

S. 1117 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO WILDERNESS THERAPEUTIC CAMPS FOR CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 5232, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator GAMBRELL objected to consideration of the Resolution.

OBJECTION

H. 3121 -- Reps. Hyde, Carter, B. Newton, Neese, T. Moore, Pope, Bauer, Davis, M.M. Smith, Willis, Brewer, Robbins, Felder, Stavrinakis, Wetmore and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3810 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO A PROPERTY OWNER WHO ENCUMBERS HIS PROPERTY WITH A PERPETUAL RECREATIONAL TRAIL EASEMENT.

Senator GAMBRELL objected to consideration of the Bill.

OBJECTION

H. 3295 -- Reps. Collins, Erickson, Bradley and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-210 SO AS TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-39-290 SO AS TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT, ESTABLISH, AND PROMULGATE NECESSARY RULES AND REGULATIONS; BY ADDING SECTION 59-19-360 SO AS TO PROVIDE A PROCESS FOR THE EXEMPTION OF COMPETENCY-BASED SCHOOLS FROM CERTAIN APPLICABLE LAWS AND REGULATIONS, TO PROVIDE REQUIREMENTS FOR IMPLEMENTING COMPETENCY-BASED EDUCATION IN SCHOOLS, AND TO PROVIDE RELATED REQUIREMENTS FOR THE STATE DEPARTMENT OF EDUCATION AND THE COMMISSION ON HIGHER EDUCATION; BY AMENDING SECTION 59-1-425, RELATING TO THE STATUTORY ANNUAL SCHOOL CALENDAR, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-39-100, RELATING TO REQUIRED UNITS FOR A HIGH SCHOOL DIPLOMA, SO AS TO MAKE CONFORMING CHANGES.

Senator GAMBRELL objected to consideration of the Bill.

OBJECTION

H. 3309 -- Reps. Gilliam, Pope, Erickson, Bradley, Davis, Caskey and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SEIZURE SAFE SCHOOLS ACT" BY ADDING SECTION 59-63-97 SO AS TO REQUIRE THE ESTABLISHMENT OF SEIZURE ACTION PLANS IN PUBLIC SCHOOLS, AND TO PROVIDE REQUIREMENTS FOR SUCH

PLANS AND THEIR IMPLEMENTATION, AMONG OTHER THINGS.

Senator GAMBRELL objected to consideration of the Bill.

OBJECTION

H. 3608 -- Reps. Hixon, Bailey and Brittain: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-39-260, RELATING TO RECORDS OF SALES OR CONVEYANCES AND RESULTING CHANGES IN DUPLICATES AND ENDORSEMENT OF DEEDS BY AUDITORS, SO AS TO PROVIDE GUIDELINES FOR THE RECORDS OF COUNTY REAL PROPERTY SALES AND TO REMOVE COUNTY AUDITOR FEES; BY AMENDING SECTION 30-5-120, RELATING TO THE VALIDATION OF CERTAIN CONVEYANCES NOT ENDORSED BY A COUNTY AUDITOR, SO AS TO PROVIDE THAT ANY CONVEYANCE MEETING THE STATUTORY PREREQUISITES FOR RECORDING ARE VALID AND BINDING; BY REPEALING SECTION 30-5-80 RELATING TO THE REQUIREMENT OF THE AUDITOR'S ENDORSEMENT BEFORE THE RECORDATION OF DEEDS; AND BY REPEALING SECTION 8-21-130 RELATING TO FEES COLLECTED BY COUNTY AUDITORS FOR AN ENDORSEMENT ON A DEED.

Senator YOUNG objected to consideration of the Bill.

OBJECTION

H. 3811 -- Rep. Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3585, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE FOR AN INCREASE IN THE AGGREGATE CREDIT FROM NINE MILLION TO TWELVE MILLION DOLLARS FOR TAX YEARS AFTER 2022.

Senator YOUNG objected to consideration of the Bill.

OBJECTION

H. 3880 -- Reps. M.M. Smith, Herbkersman, Davis, Elliott, B.J. Cox, B.L. Cox and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-2420, RELATING TO THE ADMISSIONS TAX, SO AS TO PROVIDE THAT NO TAX MAY BE CHARGED OR COLLECTED ON ANNUAL OR MONTHLY DUES PAID TO A GOLF CLUB.

Senator YOUNG objected to consideration of the Bill.

OBJECTION

H. 4376 -- Reps. B.J. Cox, M.M. Smith, Caskey, T. Moore, Wooten, J.L. Johnson, Davis, Sessions, Guffey, Ligon, O'Neal, Pope, Hart and J. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 25-12-10, 25-12-30, AND 25-12-50, ALL RELATING TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN, SO AS TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ALSO APPLY TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN AND TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ARE MANDATORY UNDER CERTAIN CIRCUMSTANCES; AND BY AMENDING SECTION 17-5-590, RELATING TO THE DISPOSITION OF REMAINS OF UNIDENTIFIED DEAD BODIES, SO AS TO REQUIRE CORONERS TO RELEASE CERTAIN HUMAN REMAINS THAT HAVE BEEN DETERMINED TO BE THOSE OF AN UNCLAIMED DECEASED VETERAN TO A FUNERAL HOME, FUNERAL ESTABLISHMENT, OR MORTUARY FOR DISPOSITION PURSUANT TO CHAPTER 12, TITLE 25.

Senator YOUNG objected to consideration of the Bill.

OBJECTION

H. 4720 -- Rep. Bannister: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2024-2025 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

Senator YOUNG objected to consideration of the Resolution.

OBJECTION

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN

INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION

OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

Senator TALLEY objected to consideration of the Bill.

OBJECTION

S. 434 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-78-55 SO AS TO PROVIDE THAT NO CLAUSE OF A SERVICE CONTRACT WHICH STATES THAT THE TERM OF THE CONTRACT SHALL BE DEEMED RENEWED FOR A SPECIFIED ADDITIONAL PERIOD, UNLESS THE SERVICE CONTRACT HOLDER GIVES NOTICE TO THE PROVIDER OF HIS INTENTION TO TERMINATE THE CONTRACT AT THE EXPIRATION OF THE TERM, SHALL BE ENFORCEABLE AGAINST THE SERVICE CONTRACT HOLDER.

Senator TALLEY objected to consideration of the Bill.

OBJECTION

S. 746 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 34-21-10, RELATING TO THE REQUIRED WRITTEN APPROVAL TO CONDUCT TRUST BUSINESS, SO AS TO PROVIDE THAT WRITTEN APPLICATION MUST BE MADE TO THE STATE BOARD OF FINANCIAL INSTITUTIONS AND TO DEFINE "TRUST BUSINESS".

Senator TALLEY objected to consideration of the Bill.

OBJECTION

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

Senator TALLEY objected to consideration of the Bill.

OBJECTION

H. 3255 -- Reps. Jefferson, Henegan, Anderson, Sandifer, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-63-110 SO AS TO PROHIBIT ISSUERS OF INDIVIDUAL LIFE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-65-130 SO AS TO PROHIBIT ISSUERS OF GROUP LIFE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-71-105 SO AS TO PROHIBIT ISSUERS OF DISABILITY INCOME INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; AND BY ADDING SECTION 38-72-110 SO AS TO PROHIBIT ISSUERS OF LONG-TERM CARE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS.

Senator TALLEY objected to consideration of the Bill.

OBJECTION

S. 994 -- Senators Alexander, Hutto, Verdin, Grooms, Kimbrell, Gambrell, Shealy, Hembree, McElveen, Davis, Young, Loftis, K. Johnson, McLeod, Martin, Senn, Garrett, Fanning, Cromer and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-65 SO AS TO PROVIDE REGULATIONS FOR THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION.

Senator CORBIN objected to consideration of the Bill.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 11:30 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

H. 3594--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 3594 -- Reps. B.J. Cox, G.M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A.M. Morgan, T.A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M.M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B.L. Cox, Vaughan, White, Collins, J.E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS

TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO

REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM “CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR”.

Senator MATTHEWS spoke on the Conference Report.

Motion Adopted

On motion of Senator MASSEY, with Senator MATTHEWS retaining the floor on H. 3594, the Senate agreed that the Senate would reconvene one hour after the conclusion of the Joint Assembly.

RECESS

At 12:25 P.M., on motion of Senator MASSEY, the Senate receded from business for the purpose of attending the Joint Assembly.

Committee to Escort

The PRESIDENT appointed Senators CORBIN, McELVEEN, MATTHEWS, GARRETT and HEMBREE to escort the Honorable Daniel J. Seehafer, National Commander of the American Legion, and members of his party to the House of Representatives for the Joint Assembly.

Address by the National Commander of the American Legion

The PRESIDENT of the Senate announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses, S. 1065.

S. 1065 -- Senator Alexander: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, DANIEL J. SEEHAFER, AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 6, 2024.

The Honorable Daniel J. Seehafer and members of his party were escorted to the rostrum by Senators CORBIN, McELVEEN, MATTHEWS, GARRETT and HEMBREE and Representatives Hosey, B.L. Cox, T. Moore and Williams. The PRESIDENT of the Senate introduced the Honorable Daniel J. Seehafer, National Commander of the American Legion.

Commander Seehafer addressed the Joint Assembly.

Ladies, gentlemen, distinguished members of this great Body -- it's truly an honor to speak to you today in this beautiful historic capitol. Before I begin, please allow me a moment to introduce members of The American Legion Family of South Carolina who are with me today. We have the Department Commander, Jim Kvam of Charleston; National Executive Committeeman, Joe Lysaght of James Island; James Holland, Alternate NEC from Aiken, the Department Adjutant Mike Strauss, of North Augusta; our American Legion Auxiliary Department President,

Lorena Pate of Dalzell; and, our Sons of The American Legion Detachment Commander, Richard Hall of Chesnee.

Ladies and gentlemen -- it is an honor to be in a state with such a proud and distinguished military history. South Carolina has produced famous leaders such as General Thomas Sumter, General William Westmoreland, and Lieutenant Col. William Travis, the man who authored the "Victory or Death" letter from the Alamo.

However, I would like to begin with a tribute to a less famous son of the Palmetto State. Eighty years ago, a 19-year-old private from the farming community of Six Mile, made the Supreme Sacrifice for this Nation. Furman L. Smith, a soldier with the 135th Infantry Regiment, 34th Infantry Division, came under intense fire by a force of 80 Germans near Lanuvio, Italy. After his squad leader and another soldier were seriously wounded, the rest of his company safely withdrew. BUT NOT PRIVATE SMITH. He epitomized the warrior ethos of "leave no one behind" and he placed his wounded comrades in shell craters for their protection. Against overwhelming odds, he fired his rifle and unloaded clip after clip on the enemy. He killed many of them until he was himself mortally wounded, rifle in hand. For the actions he had taken on June 1st, 1944, Furman L. Smith became the first World War II Medal of Honor recipient from South Carolina. He is buried at Pleasant Hill Cemetery. In many ways I believe Private Smith's actions are symbolic of the relationship that South Carolina has with its veterans. Private Smith refused to abandon his friends in need, just as this State has repeatedly stood at the side of its veterans.

Nearly 400,000 veterans call South Carolina home, including 63,000 military retirees. The state income tax exemptions you provide to military pensions and the multitude of other benefits you award veterans make South Carolina an attractive home for those who have served.

The American Legion is grateful that the South Carolina House of Representatives unanimously passed H. 3116, which will grant immediate property tax exemptions to certain disabled veterans.

Senate Bill 437 calls for the military to do more to assist veterans with transitioning. The American Legion believes that a smooth acclimation from military to civilian life can make a difference in reducing the suicide rate among veterans. For the last several years, previous American Legion National Commanders have appeared before this legislature and discussed the importance of destigmatizing the act of seeking mental wellness.

The United States has lost more than 135,000 veterans to suicide since the 9/11 attacks. This is well more than the total American deaths

incurred during the entire Korean War, Vietnam War, Gulf War and Global War on Terrorism combined. A veteran is 50 percent more likely to take his or her own life than a person who has never served in the military.

The American Legion calls on all of us to "Be the One" to stop these tragedies. "Be the One" is not a marketing campaign, or catchy slogan or cool phrase for us. IT IS A MISSION. A mission of relevance and purpose; yes, a mission that changes lives and saves lives. You see, family, veterans value courage and it takes courage to ask for help. Through our "Buddy Check" outreach programs, The American Legion does not sit back and wait for veterans to ask us. WE ASK THEM! We take a pro-active approach and start conversations with veterans.

Included in those conversations is the most important question of all: "ARE YOU OKAY?" If the answer is "no," we connect that veteran with the resources he or she needs. We follow up. We do not abandon them. As a result of our lobbying efforts, Congress passed legislation directing the Department of Veterans Affairs to conduct its own national "Buddy Check Week", which they did from October 16-20, 2023. It's impossible to tell how many lives were saved as a result, but we do know that thousands of veterans were told that their lives were valuable and worth living. We also know that in 2023 nearly 50,000 veterans accessed a new VA benefit which offers free emergency suicide prevention care in and outside the VA system. Suicide also is a major problem for the active-duty military. South Carolia is home to eight major military installations and numerous smaller facilities.

Yesterday, I had the honor of visiting the Naval Nuclear Power Training Command Weapons Station. It is truly inspiring to meet the bright professionals serving in today's All-Volunteer Force. Nonetheless, logic would dictate that providing high quality housing, health care, childcare and other lifestyle amenities go hand-in-hand with reducing the stress and hardships that can contribute to the suicide rate.

You have probably seen the widespread reports of moldy rooms, broken air conditioning, vermin and other problems that have plagued some military barracks and housing facilities around the world. The American Legion finds these conditions UNACCEPTABLE.

In 2022, our organization created the Base Assessment and Servicemember Experience Program -- yes, the acronym is B.A.S.E. The BASE program includes assessment tours by Legion delegations and townhalls with servicemembers and their families to discuss the conditions aboard various installations.

In addition to housing, we focus on issues such as spousal employment opportunities, education, military exchanges, commissaries, economic hardships and food insecurity. The goal is not to criticize military commands but to identify challenges and drive solutions.

As the nation's largest veteran's organization, The American Legion is able to report our findings to the White House, Pentagon and Congress, much like the Department of South Carolina American Legion communicates with all of you. Please consider this our invitation to you. If you have concerns about your veteran constituents or the military community in general, please reach out to our American Legion Department of South Carolina headquarters here in Columbia. Every officer in The American Legion has worn the uniform of the United States military. We have the expertise and experience to help but most importantly, we have the desire to be servant leaders for our communities and our Country.

While I am here, I would like to extend my congratulations to Charles Bratton of Clover, S.C. On July 23, 2024, Charles finished first in the sporter category of The American Legion Junior-3 Position Air Rifle Championships that we held in Colorado Springs. Charles's marksmanship skills earned him a $5,000 scholarship, which he is now using at Harvard University.

This summer, our Past Department Commanders Club also honored Sumter native Bobby Richardson with our 2023 Good Guy Award. Bobby was not just a legendary second baseman for the New York Yankees, but he was also a proud American Legion Baseball alumnus. He is an outstanding patriot and servant of his community.

Now, if you would allow me for one moment to call to this platform two members of this distinguished Body who have proven that they are not only great lawmakers, but they are advocates for those who have served. They have been designated by The American Legion Department of South Carolina as the Outstanding Members of the Legislature for 2024. They are true friends of veterans and The American Legion. Senator MIKE FANNING and Representative Sylleste H. Davis, would you please join me?

Congratulations Senator FANNING and Representative Davis. We appreciate all that you do on behalf of veterans. Thank you so much, South Carolina Legislature. God Bless you and God Bless America.

Immediately following the Joint Assembly called for the address by Daniel J. Seehafer, National Commander of the American Legion, the

PRESIDENT announced that the Joint Assembly would proceed to the Election of Chief Justice for the Supreme Court.

H. 4895--Reps. Caskey, Jordan and Rutherford: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, MARCH 6, 2024, UPON THE CONCLUSION OF THE ADDRESS OF THE NATIONAL COMMANDER OF THE AMERICAN LEGION, AS THE DATE AND TIME TO ELECT A SUCCESSOR TO THE HONORABLE DONALD W. BEATTY, CHIEF JUSTICE OF THE SUPREME COURT, UPON HIS RETIREMENT ON OR BEFORE JULY 31, 2024, AND THE SUCCESSOR WILL SERVE A NEW TERM OF THAT OFFICE, WHICH WILL EXPIRE JULY 31, 2034.

Election of a Chief Justice, Supreme Court

The PRESIDENT announced that nominations were in order to elect a successor to the position of Chief Justice, Supreme Court.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable John W. Kittredge had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of the Honorable John W. Kittredge in nomination and moved that nominations be closed.

Senator HUTTO moved to second the nomination of Chief Justice Kittredge with the following statement:

It gives me great pride to second the nomination of the Honorable John W. Kittredge as the next Chief Justice of the South Carolina Supreme Court. I know Justice Kittredge to be a jurist of impeccable character, intellect and integrity. I have no doubt that he will serve with great distinction and be a most outstanding leader of the court.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson

Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--46

On the motion of Representative Caskey, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Felder
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Guest	Guffey
Haddon	Hager	Hardee
Hart	Hartnett	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe

McCravy	McDaniel	McGinnis
Mitchell	J. Moore	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pace
Pedalino	Pendarvis	Pope
Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thayer
Thigpen	Trantham	Vaughan
Weeks	West	Wetmore
Wheeler	White	Whitmire
Williams	Willis	Yow

Total--120

RECAPITULATION

Total number of Senators voting	46
Total number of Representatives voting	120
Grand Total	166
Necessary to a choice	0
Ayes	166
Nays	0

Whereupon, the PRESIDENT announced that the Honorable John W. Kittredge was elected to the position Chief Justice, Supreme Court for the term to expire July 31, 2034.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

At 1:09 P.M., by prior motion of Senator MASSEY, the Senate receded until 2:09 P.M.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Malloy	Martin
Massey	Matthews	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Williams	Young

A quorum being present, the Senate resumed.

Motion Adopted

On motion of Senator GOLDFINCH, with unanimous consent, Senators WILLIAMS, TALLEY, M. JOHNSON, McELVEEN and GOLDFINCH were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Senator MATTHEWS resumed speaking on the Conference Report.
Senator HARPOOTLIAN spoke on the Conference Report.
Senator K. JOHNSON spoke on the Conference Report.
Senator CAMPSEN spoke on the Conference Report.

Remarks by Senator CAMPSEN

Thank you, Mr. PRESIDENT. Senators, if there were a clear button at the podium, I'd hit the clear button. Why? Because, as opposed to previous speakers, I will explain why I, a strong supporter and serial exerciser of my second amendment rights, am opposed to this Bill. I am a lifelong hunter and outdoorsman. I dare say there is no one in this chamber, other than Senator ADAMS, who was a law enforcement officer, has carried weapons more than me. From the beginning of deer season in August and to the end of turkey season in May, there is not a week that goes by in which I'm not bearing multiple classes of arms. I also manage timber and hunting land, an endeavor in which guns are tools of the trade to manage nuisance species such as wild hogs, armadillos and coyotes. So, the rest of the year when I'm doing tractor

work, planting food plots, cutting fire lines or doing prescribed burns of timberland, I have multiple weapons with me. My wife is an avid hunter as well. My sons are some of the finest hunters and fishermen in the State. My oldest son killed his first deer at age six and my youngest son at age four.

And yet an out-of-state dark money group has been sending fliers and text messages to constituents in my district characterizing me as a threat to their second amendment rights. They portray me as a "gun grabber", a puppet on a string with Joe Biden and Kamala Harris the puppeteers. Why? I assure you it's not because I have suddenly become a gun control zealot. Nothing could be further from the truth. It is simply because I do not support eliminating a Concealed Weapons Permit as a requirement to carry concealable weapons.

Senator MATTHEWS, "Would you admit that your wife is a better shot than you?"

Senator CAMPSEN, "Last week we both killed an ocellated turkey in Mexico. The oscillated is the rarest of all turkeys. Lalla Lee not only killed a bigger turkey than me. Her turkey was the largest of the eleven turkeys harvested by our hunting party. So, there's your answer, Senator."

One reason Lalla Lee is such a great shot is because when we got engaged, I gave her an engagement rifle instead of a ring. I suspect you don't consider that very sweet and are now thinking I'm a neanderthal. Perhaps I am. But the engagement rifle was very meaningful to Lalla Lee. She harvested her first deer just two days after I gave her the engagement rifle. And the engagement rifle kept more boys at bay than an engagement ring ever could. But don't judge me too quickly. I did redeem myself. I ultimately gave her an engagement ring to compliment her engagement rifle.

My entire life I have associated with hunters, fishermen and outdoorsmen because we share the same passion. I can assure you it is the avid hunters who strongly support firearm training, like the Concealable Weapons Permit. They support it because through experience, they are intimately aware of how dangerous a firearm can be in the hands of a novice.

This Friday I will participate in a sporting clays event. National class shooters will participate. Guess what we will do before the shooting begins? We will take five minutes for a shooting safety briefing. It is mandatory for all participants. These are individuals who have fired hundreds of thousands of rounds in their lives. Yet they will be required to attend a brief gun safety lecture similar to those they have heard

hundreds of times. Why? Because experienced shooters know better than all others how dangerous weapons can be. The more you shoot; the more close calls you experience. The more close calls you experience; the more you understand the importance of training.

The most dangerous form of hunting actually is quail hunting because it involves low quick shots. It's very important to have training and experience. And even the most experienced quail hunters obey the hunt master's commands.

So why am I, a serial exerciser of my Second Amendment rights, opposed to this Bill? Because if you're going to handle a firearm you need to have experience in handling firearms. They are lethal weapons, after all. And if you are going to carry in public for self-defense, it's vitally important to know our complex laws that control when you can shoot someone in self-defense or defense of others. The criminal background check is important so that we have a degree of confidence that those who are carrying weapons in public are the good guys, and not the bad guys.

I find that most people have intentionally been misled about this Bill. Most people have been misled into thinking that somehow their Second Amendment rights are at risk. I know because I received a lot more communication from folks questioning why I, as a Republican and Second Amendment supporter, am opposed to this Bill. I come from a district that has a lot of gun supporters. I have a lot of friends that received deceitful fliers, phone calls and text messages from the out-of-state dark money groups pushing this Bill. They ask, "Campsen what are you doing? I grew up hunting with you, yet I'm receiving mailers accusing you of threatening my Second Amendment rights. They depict you as a gun grabber, a puppet on a string with Joe Biden and Kamala as the puppeteers."

This is absurd. It is politics at its worst. So, I return these calls. The constituent will say, "I want to talk to you about the Constitutional Carry Bill, Senator. I am a CWP holder, and our Second Amendment rights are very important to me." I respond, "Well your Second Amendment rights and CWP are important to me as well. All I'm doing is trying to stop the elimination of the CWP as a requirement to carry concealable weapons."

Their typical response is, "Oh Senator, I had no idea that is what this Bill is about. I just got a flyer saying you were threatening my Second Amendment rights. I've been misled. Please, please continue opposing this Bill, Senator. I support the Concealable Weapons Permit requirement. I took the course. It is very educational, very important."

This is what 70% of those who call me to express **support** of the Constitutional Carry Bill end up concluding after I explain the Bill to them. They realize they have been deceived by this dark money out-of-state group. The dark money group promoting this Bill has employed this tactic in state after state around the country. We are simply its current target.

I established I'm a neanderthal when I relayed the engagement rifle story at the beginning of this speech. I am also a dinosaur. So, I didn't know what the term "astroturfing" meant. One of my young staffers said of the dark money group, "They are astroturfing us." I responded, "What? What is astroturfing?" Astroturf, of course, is not real grass. It is fake grass. "Astroturfing" is when individuals who are not really your constituents -- thus the fake grass analogy -- lobby you to support the Bill. Many are not even South Carolinians at all.

In response to these calls, I drafted a four-page letter. You know how I am. I had to do a four-page letter and a dissertation on the *Heller* decision by Justice Scalia and the *Bruen* decision by Justice Thomas. I can't help myself. I couldn't do it in just one page. The vast majority of my constituents who read it and replied back indicated they had been misled. They had not realized the Bill was really about eliminating the Concealable Weapons Permit requirement to carry concealable weapons. And they asked me to continue opposing the Bill.

Based upon my engagement of the public on this issue, I'm convinced a large majority of the public does not want this. This group has done this in state after state. When they are finished here, they are going to go to another state to pedal their lies.

You all are aware of my love for the Constitution. It is disheartening that this foolishness and deceit has happened in the wake of the most significant United States Supreme Court decisions on the Second Amendment in the history of the Court. These are the *Heller* decision in 2008 by Justice Antonin Scalia and the *Bruen* decision in 2022 by Justice Clarence Thomas. For the first time *Heller* held that Second Amendment rights are a personal right. There had been a debate over whether Second Amendment rights were limited to the military only. But in a tour-de-force of Second Amendment jurisprudence that drew upon the history and traditions of gun policy, ownership and usage in America, Scalia clearly lays out a compelling argument that the Second Amendment confers a personal right to keep and bear arms that are in common usage. The concept is that law-abiding citizens should have a right to bear firepower commensurate with firepower criminals are likely to bear against them. Don't give me a muzzleloader when my assailant will

likely bear an AR15. Don't give me a single shot .22 when my assailant will have a semi-automatic shotgun.

And the most relevant holding in *Heller* with regard to this Bill that's about to become law over my objection, is that the Second Amendment is for "law-abiding, responsible people". It is not for people who are not law-abiding. It is not for people who are not responsible. This principle does not emanate from some left-wing justice. This is Antonin Scalia, arguably the greatest conservative justice in the history of the court.

Why is Scalia the greatest of all time? Because he influenced the way other justices construe constitutional provisions. Scalia had a great wit and set a noble example for all of us as to how we can and should befriend and influence our most formidable opponents. He and Justice Ruth Bader Ginsburg developed a strong friendship. Scalia taught her how to hunt and took her on many hunting outings. Referring to Scalia's impact upon the Court, Justice Elana Kagan famously said, "We are all textualists now."

The Second Amendment is for "law-abiding, responsible people". What does our current concealed weapons permit law do? It simply confirms a permit holder is law-abiding through the background check, and it assures a permit holder is responsible through firearm range training and training on when lethal force is lawful. This is extremely important. No one understands intuitively when lethal force is warranted. You might be a marine sniper able to shoot the enemy at 2500 meters repeatedly. But you still have to learn when lethal force is warranted in a civilian context. How important is this? It's the difference between self-defense and a homicide conviction for the shooter. Consequences for the unlawfully shot innocent victim are even more dire.

This happened just about a year and a half ago in a nearby state. An innocent man got the wrong address, walked onto the wrong porch and was shot by the homeowner on the porch through a window.

Was that lawful under the Castle Doctrine or stand your ground? Nope. That's a homicide conviction. Someone must be breaking and entering for you to use lethal force. And that only is applicable in certain locations. You do not know these important distinctions unless you study the law.

I know the law even though Jake Knotts was my instructor. He was actually a good instructor. And we enjoyed a lot of laughs. But most importantly, we knew everyone had been instructed in the laws governing self-defense. We knew everyone was law-abiding because we all had clean background checks. And everyone had to demonstrate minimal proficiency on the range. In other words, the process of earning

a Concealed Weapons Permit simply confirmed we were the "law-abiding, responsible people" that Justices Scalia, Thomas and a majority of the Supreme Court concluded had a right to bear arms ordinary self-defense needs.

I will conclude with a story that highlights the importance of range training. I personally did not need range training. I have shot pistols my entire life. I always carry pistols when I'm archery hunting, and when I'm engaged in habitat management, which is a year-around endeavor. I've killed wild hogs charging me, armadillos, poisonous snakes, coyotes and much more with pistols. I didn't personally need the range training. But I don't begrudge it because I know it's for the public good. It is to make sure everyone carrying concealable weapons has some minimal amount of training in handling a handgun.

An experience I had at the range during my Concealable Weapons Permit class drives this home. As I was preparing my .40 caliber Glock Model 22 for firing, a lady came up to me with a .38 Special snub-nose revolver. She walked up to me, pointed the pistol at her face, looked at the barrel and the cylinder holes, and asked, "Which hole does the bullet came out of?"

I thought she had to be kidding, but there she was, pointing her pistol at her face, and asked a second time, "Which hole does the bullet come out of?"

If you haven't already noted, that is not a responsible gun owner. So, I gently instructed her to lower the pistol with the barrel to the ground, and hand me the pistol. I confirmed it was empty and then called the Range Master to inform him he had a remedial student in need of special attention. Under the Range Master's strict oversight, she fired her first five rounds at a distance of ten feet from the target. She missed the entire target five times at ten feet -- not just the bullseye. She missed the entire target.

This was obviously the first time she had ever handled a gun. The Range Master instructed her in gun safety and eventually got her to the point where she was generally hitting the target. The Range Master and I implored her to get more training and she committed to do that.

I return to Justices Scalia and Thomas' majority opinions in *Heller* and *Bruen* wherein the Court concluded the Second Amendment is for "law-abiding, responsible people". Our Concealable Weapons Permit law confirmed this lady was law-abiding through the criminal background check. And although not initially, the Concealable Weapons Permit course assured she had become a responsible gun owner for the purpose of "defending hearth and home" as Justice Scalia opined in *Heller*.

In this Bill, we are eliminating requirements under current law that enable law enforcement and citizens to have a level of comfort that those who are carrying concealable weapons are law-abiding and responsible. Today, law enforcement can require someone carrying a concealable weapon to show them their Concealable Weapons Permit. This requirement is not by force of law. It is by consent. When someone obtains a Concealable Weapons Permit, they voluntarily consent to presenting their permit to law enforcement upon request. Once this law passes, law enforcement will no longer be able to do that. This is because there is no reasonable suspicion that a crime is or about to be committed when anyone over age eighteen can carry a pistol with no Concealable Weapons Permit.

There is a final matter that is perhaps the most disconcerting. I mentioned it the other day when the Conference Committee first made its presentation. I asked Senator HUTTO, the spokesperson for the committee, "What about the hostage situation? Has the hostage been released?" He paused and asked, "I'm not sure what you are talking about. What hostage?" I replied, "You know, what has been held hostage for almost three years? I have the press accounts right here. They go back to September 26, 2021. The Speaker of the House was talking about the hostage situation."

What's the hostage situation I was referring to? What has been held hostage for almost three years to get this Bill passed? It is a Bill any law-abiding person would support, and anyone who cared about public safety would support. It is a Bill that would lengthen the penalties for felons unlawfully in possession of firearms and increase them exponentially for repeat offenders. Repeat violent offenders would spend much more time in prison and off the street.

This common-sense public safety measure has been law enforcement's number one legislative priority since 2021. Top law enforcement official, Mark Keel, pleaded for enhanced penalties for felons in possession. He said, "We need the ability to arrest more convicted felons. My top priority is trying to keep the citizens of this State safe" as he cited a 51% increase in killings over the last five years. What were they asking for? Enhanced penalties for felons in possession. Violent felons can't possess guns, but currently there are no enhanced penalties for repeat offenses. A first offense is the same sentence as a fourth offense.

We should have passed that law three years ago. And we could have passed it three years ago if it hadn't been held hostage by the advocates of the Constitutional Carry as a bargaining chip to bring law enforcement

into submission. There is nothing in our rules or processes that requires us to pass enhanced penalties for felons in possession with this Constitutional Carry Bill. They are separate concepts. They can be done in separate Bills. This was raw political gamesmanship at its worst, and with the highest of stakes. For it involved releasing repeat violent felons back on the street at the public's risk -- as a form of leverage to get Constitutional Carry passed.

But those who wanted this Constitutional Carry Bill refused to let enhanced penalties for felons in possession pass unless and until Constitutional Carry passed. They subordinated public safety to politics. Citizens will likely die or be severely injured because Constitutional Carry proponents refused to increase prison time for felons who unlawfully possess a gun -- which is most of them -- until Constitutional Carry passed.

I also am offended by the notion that people don't need any training at all to handle firearms. I am a lifelong gun owner and serial user of my Second Amendment rights; I know how important training is. The more you handle a gun, the more you respect its power. The more you respect its power, the more you realize the importance of training in handling guns. So that upsets me.

But what really upsets me is the General Assembly holding hostage a Bill that would enhance the penalties for convicted felons unlawfully carrying guns.

How many members of the public have been assaulted by violent offenders with a gun since 2021? Many of these offenders would have been imprisoned instead of on the street if we had passed that Bill early instead of using it for leverage for Constitutional Carry. We will never know how many people have and will be assaulted by violent felons because of this legislative tactic, but it assuredly will be some. Is eliminating the CWP requirement that compelling that it justifies subordination of public safety and public lives to its passage?

In conclusion, I encourage you to look at this out-of-state group that's been astroturfing us. Look at the Second Amendment Foundation's website about Dudley who controls this dark money group. He has done this in state after state. The Second Amendment Foundation is a very credible advocate for the Second Amendment. It is like the NRA in three piece suits. It litigates strategically to secure and protect Second Amendment rights. Yet they dedicate an entire page on their website to explain how the leader of this group has done permanent harm to the Second Amendment cause. You should all read that page.

In final analysis this is what we have kowtowed to. But you know what? I don't kowtow to anybody. And I am convinced my constituents really appreciate it. I have heard from them. They are shocked when they learn the truth and find out how they have been misled. They are particularly shocked when they learn that their safety from violent felons has been used as a bargaining chip to get this Bill passed. The people I grew up hunting with were saying, "Chip, what's going on? What's happened to you?" I have not suddenly become a gun control advocate. After I explain all this to them, they are first shocked, then agree with me and then they get mad. The only way this has gotten any traction at all is through deceit, lies and bullying.

Do you know what my daddy taught me? My daddy was a champion boxer at the Citadel and captain of the boxing team. He taught me how to box, not to be a bully, but to defend myself from bullies. He was a fighter his whole life, not only in the boxing ring, but in the courtroom as well. I am the same way. Do you know what he told me to do with a bully? You box him in the nose. You don't kowtow to him. If you do, you invite more bullying.

I have completed my remarks if there are no other questions. Thank you, Mr. PRESIDENT.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator CAMPSEN were ordered printed in the Journal.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 18

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Senn	Shealy
Talley	Turner	Verdin
Young		

Total--28

NAYS

Allen	Campsen	Davis
Devine	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	Malloy
Matthews	McElveen	McLeod
Rankin	Sabb	Setzler
Stephens	Tedder	Williams

Total--18

The Committee of Conference Report was adopted as follows:

H. 3594--Conference Report

The General Assembly, Columbia, S.C., March 06, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3594 -- Reps. B. J. Cox, G. M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A. M. Morgan, T. A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M. M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B. L. Cox, Vaughan, White, Collins, J. E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50,

RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH

PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM “CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR”.

Beg leave to report that they have duly and carefully considered the

same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. This act may be cited as the "South Carolina Constitutional Carry/Second Amendment Preservation Act of 2023".

SECTION 2. Section 10-11-320(B) of the S.C. Code is amended to read:

(B) This section does not apply to a person who possesses ~~a concealable weapons' permit pursuant to Article 4, Chapter 31, Title 23~~ firearms and is authorized to park on the capitol grounds or in the parking garage below the capitol grounds. The firearm must remain locked in the person's vehicle while on or below the capitol grounds and must be stored in a place in the vehicle that is not readily accessible to any person upon entry to or below the capitol grounds.

SECTION 3. Section 16-23-20 of the S.C. Code is amended to read:

Section 16-23-20. (A) It is unlawful, whether or not the person has a concealed weapon permit, for anyone to carry about the person any handgun, whether concealed or not, ~~except as follows,~~ unless otherwise specifically ~~prohibited~~ authorized by law into a:

~~(1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor's constables, law enforcement officers of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers;~~

~~(2) members of the Armed Forces of the United States, the National Guard, organized reserves, or the State Militia when on duty;~~

~~(3) members, or their invited guests, of organizations authorized by law to purchase or receive firearms from the United States or this State or regularly enrolled members, or their invited guests, of clubs organized for the purpose of target shooting or collecting modern and antique firearms while these members, or their invited guests, are at or going to or from their places of target practice or their shows and exhibits;~~

~~(4) licensed hunters or fishermen who are engaged in hunting or fishing or going to or from their places of hunting or fishing while in a vehicle or on foot;~~

~~(5) a person regularly engaged in the business of manufacturing, repairing, repossessing, or dealing in firearms, or the agent or representative of this person, while possessing, using, or carrying a~~

~~handgun in the usual or ordinary course of the business;~~

~~(6) guards authorized by law to possess handguns and engaged in protection of property of the United States or any agency of the United States;~~

~~(7) members of authorized military or civil organizations while parading or when going to and from the places of meeting of their respective organizations;~~

~~(8) a person in his home or upon his real property or a person who has the permission of the owner or the person in legal possession or the person in legal control of the home or real property;~~

~~(9) a person in a vehicle if the handgun is:~~

~~(a) secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver's license, registration, or proof of insurance. If the person has been issued a concealed weapon permit pursuant to Article 4, Chapter 31, Title 23, then the person also may secure his weapon under a seat in a vehicle, or in any open or closed storage compartment within the vehicle's passenger compartment; or~~

~~(b) carried openly or concealed on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23;~~

~~(10) a person carrying a handgun unloaded and in a secure wrapper from the place of purchase to his home or fixed place of business or while in the process of changing or moving one's residence or changing or moving one's fixed place of business;~~

~~(11) a prison guard while engaged in his official duties;~~

~~(12) a person who is granted a permit under provision of law by the State Law Enforcement Division to carry a handgun about his person, under conditions set forth in the permit, and while transferring the handgun between the permittee's person and a location specified in item (9);~~

~~(13) the owner or the person in legal possession or the person in legal control of a fixed place of business, while at the fixed place of business, and the employee of a fixed place of business, other than a business subject to Section 16-23-465, while at the place of business; however, the employee may exercise this privilege only after: (a) acquiring a permit pursuant to item (12), and (b) obtaining the permission of the owner or person in legal control or legal possession of the premises;~~

~~(14) a person engaged in firearms-related activities while on the premises of a fixed place of business which conducts, as a regular course of its business, activities related to sale, repair, pawn, firearms training, or use of firearms, unless the premises is posted with a sign limiting possession of firearms to holders of permits issued pursuant to item (12);~~

~~(15) a person while transferring a handgun directly from or to a vehicle and a location specified in this section where one may legally possess the handgun.~~

~~(16) Any person on a motorcycle when the pistol is secured in a closed saddlebag or other similar closed accessory container attached, whether permanently or temporarily, to the motorcycle.~~

(1) law enforcement, correctional, or detention facility;

(2) courthouse, courtroom, or other publicly owned building, whether owned by the State, a county, a municipality, or other political subdivision, where court is held and during the time that court is in session;

(3) polling place on election days;

(4) office of or business meeting of the governing body of a county, public school district, municipality, or special purpose district;

(5) school or college athletic event not related to firearms;

(6) daycare facility or preschool facility;

(7) place where the carrying of firearms is prohibited by federal law;

(8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;

(9) hospital, medical clinic, doctor's office, or any other facility where medical services or procedures are performed, unless expressly authorized by the appropriate entity;

(10) residence or dwelling place of another person without the express permission of the owner or person in legal control or possession of the residence or dwelling place, as appropriate; or

(11) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises in compliance with Section 23-31-235. A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.

(B) The provisions of subsection (A) do not apply to:

(1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor's constables, law enforcement officers or other authorized personnel of the federal government or other states

when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers;

(2) employees of a law enforcement facility, correctional facility, detention facility, or courthouse while in the course of employment and where the employment requires the possession of a firearm;

(3) members of the Armed Forces of the United States, the National Guard, organized reserves, or the State Militia when on duty;

(4) subject to the limitations of Section 23-31-600(D), persons who meet the definition of "qualified retired law enforcement officer" contained in Section 23-31-600; or

(5) a person carrying as authorized by Section 23-31-240.

(C) Nothing contained in this section may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-30, 16-23-420, 16-23-430, 16-23-465, 44-23-1080, 44-52-165, and 51-3-145, or the ability for a person to obtain a concealed weapon permit as provided for in Section 23-31-215.

(D) Notwithstanding any provision in this section, a person who is not otherwise prohibited by law from carrying a firearm may lawfully store a firearm anywhere in a vehicle whether occupied or unoccupied.

SECTION 4. Section 16-23-50(A)(2) of the S.C. Code is amended to read:

(2) A person violating the provisions of Section 16-23-20 is guilty of ~~a misdemeanor and, upon conviction, must be~~:

(1) a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both~~.~~ , for a first offense;

(2) a misdemeanor and, upon conviction, must be imprisoned not more than three years for a second offense; or

(3) a felony and, upon conviction, must be imprisoned not more than five years for a third or subsequent offense.

SECTION 5. Section 16-23-55(C) and (D) of the S.C. Code is amended to read:

(C) After the ninety days have elapsed from publication of the first advertisement, and upon request of the individual who found and turned over the handgun, the agency shall return the handgun to this person if the individual ~~fully completes the application process as described in Section 23-31-140 and in federal law, and~~ pays all advertising and other costs incidental to returning the handgun. ~~No handgun may be returned until the individual fully completes the application.~~

(D) ~~Upon proper completion of the application, the law enforcement agency shall provide copies of the application in compliance with Section 23-31-140~~Notwithstanding subsection (C), the agency shall not return a handgun to the individual who found and turned it in if that individual is prohibited under state or federal law from possessing or receiving a handgun. The agency may dispose of any handgun that is not reclaimed or returned under this section by sale in accordance with Section 27-21-22 and Section 27-21-20.

SECTION 6. Section 16-23-420 of the S.C. Code is amended to read:

Section 16-23-420. (A) It is unlawful for a person to possess a firearm of any kind on any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, other post-secondary institution, or in any publicly owned building, without the express permission of the authorities in charge of the premises or property. The provisions of this subsection related to any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, do not apply to ~~a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23~~ when the ~~weapon~~firearm remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

(B) It is unlawful for a person to enter the premises or property described in subsection (A) and to display, brandish, or threaten others with a firearm.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years, or both.

(D) This section does not apply to a guard, law enforcement officer, or member of the armed forces, or student of military science. A married student residing in an apartment provided by the private or public school whose presence with a ~~weapon~~ firearm in or around a particular building is authorized by persons legally responsible for the security of the buildings is also exempted from the provisions of this section.

(E) For purposes of this section, the terms "premises" and "property" do not include state or locally owned or maintained roads, streets, or rights-of-way of them, running through or adjacent to premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, which are open full time to public vehicular traffic.

(F) This section does not apply to a person ~~who is authorized to carry concealed weapons pursuant to Article 4, Chapter 31 of Title 23~~ when upon any premises, property, or building that is part of an interstate highway rest area facility.

SECTION 7. Section 16-23-430 of the S.C. Code is amended to read:

Section 16-23-430. (A) It shall be unlawful for any person, except state, county, or municipal law enforcement officers or personnel authorized by school officials, to carry on his person, while on any elementary or secondary school property, a knife, with a blade over two inches long, a blackjack, a metal pipe or pole, firearms, or any other type of weapon, device, or object which may be used to inflict bodily injury or death.

(B) This section does not apply ~~to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23~~ when the weapon remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years, or both. Any weapon or object used in violation of this section may be confiscated by the law enforcement division making the arrest.

SECTION 8. Section 16-23-465 of the S.C. Code is amended to read:

Section 16-23-465. (A) In addition to the penalties provided for by Sections 16-11-330, 16-11-620, ~~16-23-460,~~23-31-220, and Article 1, Chapter 23, Title 16, a person convicted of knowingly carrying a firearm into a business which sells alcoholic liquor, beer, or wine for consumption on the premises is guilty of a misdemeanor~~,~~ and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than two years, or both.

In addition to the penalties described above, a person who violates this section while carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23 must have his concealed weapon permit revoked for a period of five years.

(B)(1) This section does not apply to a person otherwise lawfully carrying a ~~concealable weapon pursuant to and in compliance with Article 4, Chapter 31, Title 23; however, the person shall~~firearm who does not consume alcoholic liquor, beer, or wine while carrying the concealable weapon on the business' premises. A person who violates this item may be charged with a violation of subsection (A).

(2) A property owner, holder of a lease interest, or operator of a business may prohibit the carrying of concealable weapons into the business by posting a "NO CONCEALABLE WEAPONS ALLOWED" sign in compliance with Section 23-31-235. A person who carries a concealable weapon into a business with a sign posted in compliance with Section 23-31-235 may be charged with a violation of subsection (A).

(3) A property owner, holder of a lease interest, or operator of a business may request that a person carrying a concealable weapon leave the business' premises, or any portion of the premises, or request that a person carrying a concealable weapon remove the concealable weapon from the business' premises, or any portion of the premises. A person carrying a concealable weapon who refuses to leave a business' premises or portion of the premises when requested or refuses to remove the concealable weapon from a business' premises or portion of the premises when requested may be charged with a violation of subsection (A).

SECTION 9. Section 23-31-215(K), (M), (O), and (U) of the S.C. Code is amended to read:

(K) ~~A permit holder must have his permit identification card in his possession whenever he carries a concealable weapon. When carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, a permit holder must inform a law enforcement officer of the fact that he is a permit holder and present the permit identification card when an officer:~~

~~(1) identifies himself as a law enforcement officer; and~~

~~(2) requests identification or a driver's license from a permit holder.~~

A permit holder ~~immediately~~ must report the loss or theft of a permit identification card to SLED headquarters within forty-eight hours of the time the permit holder knew or reasonably should have known of the loss or theft. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty-five dollars.

An owner or other person who is lawfully in possession of a firearm, rifle, or shotgun in this State who suffers the loss or theft of such weapon shall report, within ten days of discovery, the loss or theft of each weapon to the appropriate local law enforcement agency, whether local police department or county sheriff's office, which would have appropriate jurisdiction where the weapon is located. In addition, the facts and circumstances of the loss or theft also must be reported to the appropriate law enforcement agency to which the report is made.

(M) A permit issued pursuant to this section does not authorize a permit holder to carry a concealable weapon into ~~a.~~any place listed in

Section 16-23-20(A) except as permitted by law.

~~(1) law enforcement, correctional, or detention facility;~~

~~(2) courthouse or courtroom;~~

~~(3) polling place on election days;~~

~~(4) office of or the business meeting of the governing body of a county, public school district, municipality, or special purpose district;~~

~~(5) school or college athletic event not related to firearms;~~

~~(6) daycare facility or preschool facility;~~

~~(7) place where the carrying of firearms is prohibited by federal law;~~

~~(8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;~~

~~(9) hospital, medical clinic, doctor's office, or any other facility where medical services or procedures are performed unless expressly authorized by the employer; or~~

~~(10) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises pursuant to Sections 23-31-220 and 23-31-235. Except that a property owner or an agent acting on his behalf, by express written consent, may allow individuals of his choosing to enter onto property regardless of any posted sign to the contrary. A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.~~

~~Except as provided for in item (10), a person who wilfully violates a provision of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year, or both, at the discretion of the court and have his permit revoked for five years.~~

Except as provided in Section 16-23-20(A)(11), a person who wilfully violates a provision of this subsection may be charged with a violation of Section 16-23-20 and in addition to the penalties provided in Section 16-23-20, at the discretion of the court, may have his permit revoked for up to five years.

Nothing contained in this subsection may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-420, 16-23-430, 16-23-465, 44-23-1080, 44-52-165, ~~50-9-830,~~ and 51-3-145.

(O)(1) A permit issued pursuant to this article is not required for a person:

~~(1) specified in Section 16-23-20, items (1) through (5) and items (7) through (11);~~

(~~2~~a) carrying a self-defense device generally considered to be

nonlethal including the substance commonly referred to as "pepper gas"; or

(~~3~~b) carrying a concealable weapon in a manner not prohibited by law.

(2) The availability of a permit to carry a concealable weapon under this section must not be construed to prohibit the permitless transport or carrying of a firearm in a vehicle or on or about one's person, whether openly or concealed, loaded or unloaded, in a manner not prohibited by law.

~~(U) A concealable weapon permit holder whose permit has been expired for no more than one year may not be charged with a violation of Section 16-23-20 but must be fined not more than one hundred dollars.~~

SECTION 10. Section 23-31-220 of the S.C. Code is amended to read:

Section 23-31-220. (A) Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person who is~~ licensed under this article~~ otherwise not prohibited by law from possessing a handgun from carrying a concealable weapon, whether concealed or openly carried, upon the premises of the business or~~ work place~~ workplace or while using any machinery, vehicle, or equipment owned or operated by the business; or

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable weapon, whether concealed or openly carried, upon his premises.

(B) The posting by the employer, owner, or person in legal possession or control of a sign stating "NO CONCEALABLE WEAPONS ALLOWED" shall constitute notice to a person~~ holding a permit issued pursuant to this article~~ that the employer, owner, or person in legal possession or control requests that concealable weapons, whether concealed or openly carried, not be brought upon the premises or into the ~~work place~~workplace. A person who knowingly brings a concealable weapon, whether concealed or openly carried, onto the premises or~~ work place~~ workplace in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20~~, item~~ (B)(1).

(C) In addition to the provisions of subsection (B), a public or private employer or the owner of a business may post a sign regarding the

prohibition or allowance on those premises of concealable weapons, whether concealed or openly carried, which may be unique to that business.

(D) This section must not be construed to limit an individual from carrying a concealable weapon pursuant to Section 51-3-145(G).

SECTION 11. Section 23-31-232(A) of the S.C. Code is amended to read:

(A) Notwithstanding any other provision of law, upon express permission given by the appropriate church official or governing body, ~~a person who holds a valid permit issued pursuant to this article~~ any person may carry a concealable weapon, whether concealed or openly carried, on the leased premises of an elementary or secondary school if a church leases the school premises or areas within the school for church services or official church activities.

(1) The provisions contained in this section apply:

(a) only during those times that the church has the use and enjoyment of the school property pursuant to its lease with the school; and

(b) only to the areas of the school within the lease agreement, any related parking areas, or any reasonable ingress or egress between these areas.

(2) A school district may request that a church utilizing school property for its services disclose and notify the school district if persons are, or may be, carrying concealed weapons on the school property.

(3) The provisions of this section do not apply during any time students are present as a result of a curricular or extracurricular school-sponsored activity that is taking place on the school property.

SECTION 12. Section 23-31-235(B) of the S.C. Code is amended to read:

(B) All signs must be posted at each entrance into a building where carrying of a concealable weapon ~~permit holder~~ is prohibited ~~from carrying a concealable weapon, whether concealed or openly carried,~~ and must be:

(1) clearly visible from outside the building;

(2) eight inches wide by twelve inches tall in size;

(3) contain the words "NO CONCEALABLE WEAPONS ALLOWED" in black one-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;

(4) contain a black silhouette of a handgun inside a circle seven inches in diameter with a diagonal line that runs from the lower left to the upper right at a forty-five-degree angle from the horizontal;

(5) a diameter of a circle; and

(6) placed not less than forty inches and not more than sixty inches from the bottom of the building's entrance door.

SECTION 13. Section 23-31-600(D) of the S.C. Code is amended to read:

(D) The restrictions contained in ~~Sections~~ Section 23-31-220 ~~and 23-31-225~~ are applicable to a person carrying a concealed weapon pursuant to this section. Carrying a concealed weapon into the residence or dwelling place of another person is prohibited without the expressed permission of the owner or person in legal control or possession of the premises, as appropriate.

SECTION 14. Section 51-3-145(G) of the S.C. Code is amended to read:

(G) Possessing any firearm, airgun, explosive, or firework except by duly authorized park personnel, law enforcement officers, or persons using areas specifically designated by the department for use of firearms, airguns, fireworks, or explosives. Licensed hunters may have firearms in their possession during hunting seasons provided that such firearms are unloaded and carried in a case or the trunk of a vehicle except that in designated game management areas where hunting is permitted, licensed hunters may use firearms for hunting in the manner authorized by law. This subsection shall not apply to a person in possession or carrying a concealable weapon ~~pursuant to Article 4, Chapter 31, Title 23, and the concealable weapon and its ammunition~~, as defined in Section 23-31-20(5).

SECTION 15. Sections 16-23-460, 23-31-225, and 23-31-230 of the S.C. Code are repealed.

SECTION 16. Section 16-23-500 of the S.C. Code is amended to read:

Section 16-23-500. (A) Except as provided in subsection (F), it is unlawful for a person who has been convicted of a ~~violent crime, as defined by Section 16-1-60, that is classified as a felony offense,~~ crime punishable by a maximum term of imprisonment of more than one year to possess a firearm or ammunition within this State.

(B) A person who violates the provisions of this section is guilty of a felony and, upon conviction ~~must be fined not more than two thousand dollars or imprisoned not more than five years, or both.~~:

(1) for a first offense, must be imprisoned not more than five years;

(2) for a second offense, must be imprisoned for a mandatory minimum of five years, but not more than twenty years; and

(3) for a third or subsequent offense, must be imprisoned for a mandatory minimum of ten years, but not more than thirty years.

(C)(1) In addition to the penalty provided in this section, the firearm

or ammunition involved in the violation of this section must be confiscated. The firearm or ammunition must be delivered to the chief of police of the municipality or to the sheriff of the county if the violation occurred outside the corporate limits of a municipality. The law enforcement agency that receives the confiscated firearm or ammunition may use it within the agency, transfer it to another law enforcement agency for the lawful use of that agency, trade it with a retail dealer licensed to sell firearms or ammunition in this State for a firearm, ammunition, or any other equipment approved by the agency, or destroy it. A firearm or ammunition must not be disposed of in any manner until the results of any legal proceeding in which it may be involved are finally determined. If the State Law Enforcement Division seized the firearm or ammunition, the division may keep the firearm or ammunition for use by its forensic laboratory. Records must be kept of all confiscated firearms or ammunition received by the law enforcement agencies under the provisions of this section.

(2) A law enforcement agency that receives a firearm or ammunition pursuant to this section shall administratively release the firearm or ammunition to an innocent owner. The firearm or ammunition must not be released to the innocent owner until the results of any legal proceedings in which the firearm or ammunition may be involved are finally determined. Before the firearm or ammunition may be released, the innocent owner shall provide the law enforcement agency with proof of ownership and shall certify that the innocent owner will not release the firearm or ammunition to the person who has been charged with a violation of this section which resulted in the confiscation of the firearm or ammunition. The law enforcement agency shall notify the innocent owner when the firearm or ammunition is available for release. If the innocent owner fails to recover the firearm or ammunition within thirty days after notification of the release, the law enforcement agency may maintain or dispose of the firearm or ammunition as otherwise provided in this section.

(D) The ~~judge that hears the case involving the violent~~ court with jurisdiction over an offense, ~~as defined by Section 16-1-60, that is classified as a felony offense,~~ punishable by imprisonment for more than one year, as provided in subsection (A), shall make a specific finding on the record that the offense is ~~a violent offense, as defined by Section 16-1-60, and is classified as a felony offense~~ subject to the provisions of this section. A judge's failure to make a specific finding on the record does not bar or otherwise affect prosecution pursuant to this subsection and does not constitute a defense to prosecution pursuant to this subsection.

(E) A second or subsequent offense for the purpose of this section means any conviction pursuant to Section 16-23-500(A).

(F) For the purpose of this section, "crime punishable by a maximum term of imprisonment of more than one year" does not include:

(1) any offense in this State or another jurisdiction pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices;

(2) any offense classified by the laws of this State or another jurisdiction as a misdemeanor and punishable by a term of imprisonment of five years or less; or

(3) any crime for which the conviction has been expunged, or set aside or for which a person has been pardoned or has had civil rights restored, unless such pardon, expungement, or restoration of civil rights expressly provides that the person may not ship, transport, possess, or receive firearms.

SECTION 17. Section 22-5-910 of the S.C. Code is amended to read:

Section 22-5-910. (A) Following a conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both, or a first offense for unlawful possession of a firearm or weapon carrying a penalty of not more than one year or a fine of one thousand dollars, or both, the defendant after three years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant. However, this section does not apply to an offense involving the operation of a motor vehicle.

(B) Following a conviction for domestic violence in the third degree pursuant to Section 16-25-20(D), or Section 16-25-20(B)(1) as it existed before June 4, 2015, the defendant after five years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant.

(C) If the defendant has had no other conviction, including out-of-state convictions, during the three-year period as provided in subsection (A), or during the five-year period as provided in subsection (B), the circuit court may issue an order expunging the records including any associated bench warrant.

(D) After the expungement, the South Carolina Law Enforcement Division is required to keep a nonpublic record of the offense and the date of the expungement to ensure that no person takes advantage of the

rights of this section more than once. This nonpublic record is not subject to release pursuant to Section 34-11-95, the Freedom of Information Act, or any other provision of law except to those authorized law or court officials who need to know this information in order to prevent the rights afforded by this section from being taken advantage of more than once.

(E) As used in this section, "conviction" includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail. For the purpose of this section, any number of offenses ~~for crimes carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both~~ listed pursuant to subsection (A), for which the individual received sentences at a single sentencing proceeding that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.

(F) No person may have the person's record expunged under this section if the person has pending criminal charges of any kind unless the charges have been pending for more than five years; however, this five-year time period is tolled for any time the defendant has been under a bench warrant for failure to appear. No person may have the person's records expunged under this section more than once. A person may have the person's record expunged even though the conviction occurred before the effective date of this section.

SECTION 18. Section 23-31-240 of the S.C. Code is amended to read:

Section 23-31-240. (A) Notwithstanding any other provision contained in this article, the following persons who possess a valid permit pursuant to this article may carry a concealable weapon anywhere within this State:

(1) active Supreme Court justices;
(2) active judges of the court of appeals;
(3) active circuit court judges;
(4) active family court judges;
(5) active masters-in-equity;
(6) active probate court judges;
(7) active magistrates;
(8) active municipal court judges;
(9) active federal judges;
(10) active administrative law judges;
(11) active solicitors and assistant solicitors;
(12) active workers' compensation commissioners; ~~and~~
(13) the Attorney General and assistant attorneys general;
(14) active county clerks of court; and
(15) active public defenders and assistant public defenders.

(B) Notwithstanding the provisions of subsection (A), public defenders and assistant public defenders may not carry a concealable weapon into a local or state correctional facility.

SECTION 19. Article 4, Chapter 31, Title 23 of the S.C. Code is amended by adding:

Section 23-31-245. A person openly carrying a weapon in accordance with this article does not give a law enforcement officer reasonable suspicion or probable cause to search, detain, or arrest the person. This article does not prevent a law enforcement officer from searching, detaining, or arresting a person when he has a particularized and objective basis for suspecting the particular person stopped of criminal activity. A person merely carrying a weapon in accordance with this article is not sufficient to justify a search, detention, or arrest.

SECTION 20 Chapter 1, Title 17 of the S.C. Code is amended by adding:

Section 17-1-65. A person may apply for an expungement of one conviction for unlawful possession of a handgun as provided in Section 16-23-20, if the conviction occurred prior to the enactment of the S.C. Constitutional Carry/Second Amendment Preservation Act of 2023. An application under this section must be made within five years of the enactment of this section.

SECTION 21. Section 23-31-215 of the S.C. Code is amended by adding:

(V)(1) The State Law Enforcement Division shall provide a statewide concealed weapon permit training course that satisfies the proof of training requirement for the issuance of a concealed weapon permit. SLED may not charge participants a fee of any kind for the concealed weapon permit training course provided for in this subsection. SLED may contract with private certified concealed weapon permit training class instructors or local law enforcement to provide the course or SLED itself may provide the course.

(2) The training course must be offered in every county in South Carolina at least twice per month. If demand exceeds the capacity of the training course in any county, SLED shall provide additional classes until there exists a sufficient number of classes offered at least twice a month to meet the demand for training in each respective county. If SLED is unable to contract with a certified concealed weapon permit training class instructor or local law enforcement in any county, SLED must conduct the training class for that county.

(3) This program does not prohibit any certified concealed weapon permit training class instructors from providing their own training classes and charging participants a fee.

SECTION 22. Chapter 23, Title 16 of the S.C. Code is amended by adding:

Section 16-23-495. (A) A person convicted of committing or attempting to commit a crime involving a concealable weapon, as defined by Section 23-31-210(5), in violation of an offense listed in Chapter 23, Title 16, or a violation of Section 10-11-320, must be imprisoned not to exceed three years. A term of imprisonment imposed for violating this section must be served consecutively to any term of imprisonment imposed for the underlying offense, and may not exceed the actual sentence imposed for the underlying offense.

(B) This section does not apply to a person with a valid permit to carry a concealable weapon issued pursuant to Article 4, Chapter 31, Title 23, provided that the permit was valid at the time the crime was committed.

(C) The additional punishment may not be imposed unless the indictment alleged as a separate count that the person was in possession of a concealable weapon without a valid concealed weapon permit during the commission of the crime and conviction was had upon this count in the indictment. The penalties prescribed in this section may not be imposed unless the person convicted was at the same time indicted and convicted of the underlying crime.

(D) The State Law Enforcement Division shall develop a document and distribute it to retailers that are federally licensed to engage in the business of dealing in or selling firearms in South Carolina. Such retailers shall provide the document to gun purchasers in South Carolina to inform them that South Carolina law provides a process for gun owners to obtain a concealed weapon permit and allows law-abiding gun owners to carry their weapons without a permit. The document must inform gun purchasers that if a gun owner commits a crime involving a concealable weapon, and the owner does not have a valid concealed weapon permit, then there may be an additional criminal penalty for the underlying offense.

(E) The State Law Enforcement Division must conduct a regular, statewide marketing campaign to inform South Carolinians that South Carolina law provides a process for gun owners to obtain a concealed weapon permit and allows law-abiding gun owners to carry their weapons without a permit. The campaign must inform gun purchasers that if a gun owner commits a crime involving a concealable weapon, and the owner does not have a valid concealed weapon permit, then there may be an additional criminal penalty for the underlying offense.

SECTION 23. Section 23-31-215(A) of the S.C. Code is amended to read:

(A) Notwithstanding any other provision of law, except subject to subsection (B), SLED must issue a permit, which is no larger than three and one-half inches by three inches in size, to carry a concealable weapon to a resident or qualified nonresident who is at least ~~twenty-one~~eighteen years of age and who is not prohibited by state law from possessing the weapon upon submission of:

(1) a completed application signed by the person;

(2) a photocopy of a driver's license or photographic identification card;

(3) proof of residence or if the person is a qualified nonresident, proof of ownership of real property in this State;

(4) proof of actual or corrected vision rated at within six months of the date of application or, in the case of a person licensed to operate a motor vehicle in this State, presentation of a valid driver's license;

(5) proof of training; and

(6) a complete set of fingerprints unless, because of a medical condition verified in writing by a licensed medical doctor, a complete set of fingerprints is impossible to submit. In lieu of the submission of fingerprints, the applicant must submit the written statement from a licensed medical doctor specifying the reason or reasons why the applicant's fingerprints may not be taken. If all other qualifications are met, the Chief of SLED may waive the fingerprint requirements of this item. The statement of medical limitation must be attached to the copy of the application retained by SLED. A law enforcement agency may charge a fee not to exceed five dollars for fingerprinting an applicant.

SECTION 24. No provision in this act should be construed as the General Assembly discouraging responsible gun ownership; and the General Assembly, in fact, encourages all gun owners to pursue and receive appropriate gun safety training before carrying a firearm or weapon.

SECTION 25. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under

the repealed or amended laws.

SECTION 26. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 27. This act takes effect upon approval by the Governor.

Amend title to conform.

/s/Sen. Massey	/s/Rep. Caskey
/s/Senator Martin	/s/Rep. B.J. Cox
/s/Senator Hutto	/s/Rep. Bamberg
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., March 6, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3594 -- Reps. B.J. Cox, G.M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A.M. Morgan, T.A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M.M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B.L. Cox, Vaughan, White, Collins, J.E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS

PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME

ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL

POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM "CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR".

Very respectfully,

Speaker of the House

Received as information.

H. 3594--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

Motion to Ratify Adopted

At 3:47 P.M., on motion of Senator MARTIN, the House of Representatives was invited to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

A message was sent to the House accordingly.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

DEBATE INTERRUPTED

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE

SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-1046.PB0003S):

Amend the bill, as and if amended, SECTION 2, Section 2-19-10, by striking the last undesignated paragraph and inserting:

All appointees, except for the one provided in item (6), must be members of the South Carolina Bar and in good standing. Appointees made pursuant to items (2) and (3) may not be current members of the South Carolina General Assembly.

Amend the bill further, SECTION 3, by striking Section 2-19-10(D) and inserting:

(D) The term of office of a member of the commission ~~who is not a member of the General Assembly~~ shall be for four years, except those first appointed, the members appointed by the Senate President, the Senate Judiciary Chairman, the Speaker of the House, and the House Judiciary Chairman shall serve an initial term of two years. Members may serve two non-consecutive terms provided a period of four years separates each term. Those initially appointed for a two-year term may serve one consecutive four-year term and a non-consecutive four-year term provided a period of four years has expired from previous service. ~~subject to a right of removal at any time by the person appointing him, and until his successor is appointed and qualifies. A member of the commission who is a serving member of the General Assembly shall serve for the term of office to which he has been elected.~~

Amend the bill further, SECTION 4, by striking Section 2-19-10(G)(1) and (2) and inserting:

(1) No member of the Judicial Merit Selection Commission is eligible for nomination and appointment as a judge or justice of the state court system or administrative law ~~judge division~~court while serving on the commission and for a period of ~~one year~~two years thereafter; and

(2) If a candidate is a family member of a current Judicial Merit Selection Commission member, the member must resign his position on the commission. Family member is defined for the purpose of this section as a spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, or grandchild.

Amend the bill further, SECTION 6, by striking Section 2-19-20(D) and inserting:

(D) Any person wishing to seek a judicial office, which is elected by the General Assembly, shall file a notice of intention to seek the office with the Judicial Merit Selection Commission. Upon receipt of the notice of intention, the commission shall begin to conduct the

investigation of the candidate as it considers appropriate and may in the investigation utilize the services of any agency of state government. This agency shall, upon request, cooperate fully with the commission. The investigation must include the South Carolina Bar assessment of the candidate, the Citizens Committee assessment of the candidate, and public testimony from any witness appearing before the commission. The commission may consider other information provided by any agency of state government, but such information shall be provided to the candidate seeking office at least forty-eight hours prior to a public hearing and it must be described during a public hearing. The commission must not utilize anonymous surveys sent to members of the South Carolina Bar.

Amend the bill further, SECTION 12, Section 2-19-80, by striking Section 2-19-80(A) and inserting:

(A) The commission shall make nominations to the General Assembly of candidates and their qualifications for election to the Supreme Court, court of appeals, circuit court, family court, and the administrative law ~~judge division~~court. It shall review the qualifications of all applicants for a judicial office and select therefrom and submit to the General Assembly the names and qualifications of ~~the three~~all candidates whom it considers ~~best~~ qualified for the judicial office under consideration. ~~If fewer than three persons apply to fill a vacancy or if the commission concludes there are fewer than three candidates qualified for a vacancy, it shall submit to the General Assembly only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.~~

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the committee amendment.

Senator RANKIN spoke on the committee amendment.

Senator HEMBREE spoke on the committee amendment.

Motion Adopted

On motion of Senator MASSEY, with Senator HEMBREE retaining the floor, the Senate agreed to stand adjourned.

Debate was interrupted by adjournment.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators MASSEY, ALEXANDER, ALLEN, BENNETT, CAMPSEN, CASH, CLIMER, CORBIN, CROMER, DAVIS, DEVINE, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, LOFTIS, MALLOY, MARTIN, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, REICHENBACH, RICE, SABB, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TEDDER, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. David Scott Adams of Ladson, S.C. David was the brother of our beloved Senator Brian Adams. David made a lasting impression on everyone he met and lived life to the fullest. David was a loving son and brother, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Marnie Ray Hook of Columbia, S.C. Dr. Hook attended Clemson University before transferring to the University of Georgia Veterinary School where he earned a DVM degree. He served as the base veterinarian at Keesler Air Force Base. In 1965, Dr. Hook founded St. Andrews Animal Clinic where he practiced until retirement. He was a member of the South Carolina Board of Veterinary Medical Examiners where he served as treasurer, the Greater Columbia Association of Veterinarians, the American Veterinary Medical Association and South Carolina Association of Veterinarians. Dr. Hook was honored by SCAV as Distinguished Veterinarian of the Year in 2000. Dr. Hook was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 5:30 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 7, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Proverbs 16:23

We read in Proverbs that: "The mind of the wise makes their speech judicious, and adds persuasiveness to their lips."

Join your heart with mine as we pray: O God of love, obviously, a long-standing hallmark of this Senate is how its members share diverse viewpoints. Entering into debate and wrestling with ideas that often are fresh and new can be enriching and positive. Sometimes it can be challenging, as well. For these very reasons, dear Lord, we certainly note that not always are these men and women in full agreement, but that they have the opportunity in committee meetings and in this Chamber to share, to explain and to try to convince colleagues of the worth of some other ideas. To that end, O God, we boldly ask that You never fail to enrich the work of this Senate through those very gifts each member brings. We pray this, O Lord, in Your loving name. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Loftis	Malloy
Massey	Matthews	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy

Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

Doctor of the Day

Senator TURNER introduced Dr. Chris Fyock of Greenville, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CLIMER, at 11:08 A.M., Senator GOLDFINCH was granted a leave of absence until 12:00 P.M.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 481 Sen. Massey
S. 1114 Sen. Shealy
S. 1126 Sen. Fanning
S. 1126 Sen. Gustafson
S. 1129 Sen. Gustafson

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

H. 4113 -- Reps. Herbkersman, Sandifer, Jefferson, M. M. Smith, Kirby and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 6 OF TITLE 44 SO AS TO CREATE AN AMBULANCE ASSESSMENT FEE FOR PRIVATE AMBULANCE SERVICES; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH AND CHARGE AMBULANCE SERVICES A UNIFORM FEE; TO ESTABLISH AN AMBULANCE FEE TRUST FUND AND TO PROVIDE FOR THE AUTHORIZED USES OF THE FUND; TO ALLOW THE DEPARTMENT TO IMPOSE PENALTIES AGAINST AMBULANCE SERVICES THAT FAIL TO PAY ASSESSED FEES; AND FOR OTHER PURPOSES.
lc-0117vr23.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 4552 -- Reps. Pendarvis, Clyburn, Henegan, M. M. Smith, B. L. Cox, Robbins, Brewer, King, Wheeler, Henderson-Myers, Erickson, Stavrinakis, Weeks, Davis, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS.
lc-0370sa24.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4590 -- Reps. G. M. Smith, B. Newton, Carter, J. L. Johnson, Pope, Clyburn, Henegan, Taylor, Leber, Robbins, Murphy, Gatch, Brewer, Mitchell, King and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-13-25, RELATING TO EARLY VOTING, SO AS TO EXTEND THE HOURS OF OPERATION OF EARLY VOTING CENTERS.
lc-0287hdb24.docx

Read the first time and referred to the Committee on Judiciary.

H. 4754 -- Reps. Sandifer and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 57, TITLE 40 SO AS TO OUTLINE REQUIREMENTS FOR PROVIDERS OF PRELICENSING AND CONTINUING EDUCATION COURSES FOR REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS; BY ADDING SECTION 40-57-725 SO AS TO ESTABLISH ADMINISTRATIVE CITATIONS AND PENALTIES AND APPEALS; AND BY AMENDING CHAPTER 57, TITLE 40, RELATING TO REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS, SO AS TO, AMONG OTHER THINGS, DEFINE TERMS, MAKE CONFORMING CHANGES, DEFINE THE USE OF APPLICATION FEES, OUTLINE THE PROCEDURE FOR A LICENSE CLASSIFICATION CHANGE, ALLOW FOR RECIPROCAL AGREEMENTS WITH OTHER JURISDICTIONS, PROHIBIT BAD FAITH AGREEMENTS, REDUCE THE AMOUNT OF REQUIRED CLASSROOM INSTRUCTION FOR BROKERS-IN-CHARGE, PROHIBIT ENGAGING IN, REPRESENTING OTHERS IN, OR ASSISTING OTHERS IN THE PRACTICE OF WHOLESALING,

REGULATE TEAM MARKETING, AND ADDRESS LICENSING AFTER REVOCATION.
lc-0301ph24.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4902 -- Rep. Hager: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 IN HAMPTON COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 363 TO THE HAMPTON-ALLENDALE COUNTY LINE THE "HONORABLE JAMES RISHER, SR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.
lc-0491cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4904 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE BROAD RIVER ALONG SOUTH CAROLINA HIGHWAYS 49 AND 9 IN UNION COUNTY "1ST LT. ROY D. BRATTON MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS DESIGNATION CONTAINING THESE WORDS.
lc-0458cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4905 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED AT THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 9 AND SOUTH CAROLINA HIGHWAY 49 IN UNION COUNTY "PFC FRANKLIN LEROY BARBER BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.
lc-0488cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4906 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE LOCKHART CANAL ON SOUTH CAROLINA HIGHWAYS 49 AND 9 "SP5 WALTER 'BUBBA' BRANNON MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.
lc-0489cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4965 -- Reps. Mitchell, Yow, Connell and B. Newton: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE JUNCTION AT LOCKHART ROAD AND KEYS LANE IN KERSHAW COUNTY "COMMISSIONER DAVID E. BRANHAM, SR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.
lc-0497cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4966 -- Reps. Kirby and Jefferson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF ROAD IN THE TOWN OF ALVIN IN BERKELEY COUNTY FROM 1976 SANTEE RIVER ROAD NORTH TO THE INTERSECTION OF GREENTOWN AND SANTEE RIVER ROAD "HENRY J. GREENE HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.
lc-0495cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5007 -- Reps. Caskey and Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO

RESTRICT PERMITTED HOOK SIZE IN THE LOWER SALUDA RIVER.
lc-0316ph24.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 5088 -- Reps. Alexander, Jordan, Kirby, Lowe and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF STATE ROAD 868 (MARION STREET) FROM THE INTERSECTION OF UNITED STATES HIGHWAY 52 (COIT STREET) TO THE INTERSECTION OF STATE HIGHWAY 174 (HARRELL STREET) IN FLORENCE COUNTY "DR. VASHTI SMITH AND MARY T. WILSON WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.
lc-0498cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5089 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SUMTER STREET IN THE CITY OF FLORENCE IN FLORENCE COUNTY FROM ITS INTERSECTION WITH ALEXANDER STREET TO ITS INTERSECTION WITH MCQUEEN STREET "SENATOR MAGGIE GLOVER WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.
lc-0514cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5094 -- Rep. Bamberg: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GOVAN ROAD IN BAMBERG COUNTY FROM ITS INTERSECTION WITH VOORHEES ROAD TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 "WILLIAM H. NIMMONS, SR. ROAD" AND ERECT

APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.
lc-0519cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5153 -- Reps. West, Thayer, Chapman, Beach, Gagnon and Cromer: A BILL TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES OF ANDERSON COUNTY SCHOOL DISTRICT 2, SO AS TO REPLACE THE TWO MULTI-MEMBER DISTRICTS WITH FOUR SINGLE-MEMBER RESIDENCY AREAS AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE RESIDENCY AREAS ARE DELINEATED.
lc-0398hdb24.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 5168 -- Reps. Connell, Mitchell, B. Newton and Wheeler: A BILL TO AMEND ACT 930 OF 1970, AS AMENDED, RELATING TO THE SCHOOL DISTRICT BOARD OF TRUSTEES FOR KERSHAW COUNTY, SO AS TO REVISE THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD ARE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION FOR THESE DISTRICTS.
lc-0403hdb24.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

REPORTS OF STANDING COMMITTEE

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

S. 965 -- Senators Massey and Corbin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 83 TO TITLE 44 SO AS TO PROVIDE THAT THE STATE OR ANY POLITICAL SUBDIVISION MAY NOT ENACT A COVID-19 VACCINATION MANDATE; TO PROVIDE FOR CERTAIN UNEMPLOYMENT BENEFITS; TO PROVIDE THAT NOTHING IN THIS ACT SHALL PREVENT AN EMPLOYER FROM ENCOURAGING OR ADMINISTERING VACCINES; TO PROVIDE

RESTRICTIONS FOR A PRIVATE EMPLOYER'S VACCINE MANDATE; TO PROVIDE THAT CERTAIN VACCINE EXEMPTIONS MUST BE HONORED; AND TO PROVIDE THAT NO PERSON MAY BE DISCRIMINATED AGAINST BASED ON VACCINATION STATUS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 1074 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS OF A CMA, SO AS TO CHANGE THE REQUIREMENTS FOR A QUALIFIED CMA; AND BY AMENDING SECTION 40-47-196, RELATING TO DELEGATION OF TASKS, SO AS TO PROVIDE THAT A PHYSICIAN OR PHYSICIAN ASSISTANT, PURSUANT TO THE PHYSICIAN ASSISTANT'S SCOPE OF PRACTICE GUIDELINES, MAY DELEGATE NURSING TASKS TO UAP UNDER THE SUPERVISION OF THE PHYSICIAN OR PHYSICIAN ASSISTANT.

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina State Board of Medical Examiners, with the term to commence June 30, 2022, and to expire June 30, 2026

At-Large, Public:

Mary J. Richardson, 8119 Burdell Drive, Columbia, SC 29209-5108 *VICE* Mary Elizabeth Phillips

Received as information.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2022, and to expire December 31, 2026

At-Large, Licensed Practical Nurse:

Melissa May-Engel, 1109 Aderly Oak Drive, Irmo, SC 29063-7892 *VICE* Tamara Day

Received as information.

Reappointment, South Carolina Board of Long-Term Health Care Administrators, with the term to commence June 9, 2024, and to expire June 9, 2027

Residential Care Administrator:

Ms. Melissa T. Yetter, 202 Player Way, Simpsonville, SC 29681

Received as information.

Reappointment, South Carolina Board of Long-Term Health Care Administrators, with the term to commence June 9, 2023, and to expire June 9, 2026

Nonproprietary Nursing Home Administrator:

William H. Birmingham, Jr., 119 Parkside Dr., Anderson, SC 29621-7651

Received as information.

Message from the House

Columbia, S.C., March 7, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4002 -- Reps. G.M. Smith, W. Newton, Hiott, Davis, B. Newton, Erickson, Bannister, Haddon, Sandifer, Thayer, Hixon, Carter, Robbins, Blackwell, Forrest and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATION DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE PENALTIES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

HOUSE CONCURRENCE

S. 1102 -- Senator Alexander: A CONCURRENT RESOLUTION TO EXPRESS APPRECIATION TO PROFESSIONALS WHO ADVOCATE ON BEHALF OF THOSE SUFFERING FROM MENTAL ILLNESS, AS WELL AS TO THE VOLUNTEERS WHO ASSIST THEM, AND TO DECLARE WEDNESDAY, MARCH 6, 2024, AS "MENTAL HEALTH ADVOCACY DAY" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on March 7, 2024, at 11:00 A.M. and the following Acts and Joint Resolution were ratified:

(R112, S. 245) -- Senators Kimbrell and Hembree: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-17-170 SO AS TO PROHIBIT PERSONS WITH CERTAIN CRIMINAL CONVICTIONS FROM SERVING AS PUBLIC SCHOOL BOOSTER CLUB FINANCIAL OFFICERS, TO PROVIDE SUCH BOOSTER CLUBS ANNUALLY SHALL REGISTER WITH THE SCHOOL DISTRICT BOARD OR CHARTER SCHOOL AUTHORIZER OF ITS SCHOOL, AND TO PROVIDED RELATED POWERS AND DUTIES OF SCHOOL DISTRICT BOARDS AND CHARTER SCHOOL AUTHORIZERS.
L:\COUNCIL\ACTS\245WAB125.DOCX

(R113, S. 298) -- Senators Bennett, Turner, Kimbrell, Campsen and Adams: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-2320, RELATING TO ALTERNATE METHODS FOR THE ALLOCATION AND APPORTIONMENT OF INCOME FOR STATE INCOME TAX PURPOSES, SO AS TO SET FORTH A PROCESS FOR THE DEPARTMENT OF REVENUE AND TAXPAYERS TO ACCURATELY DETERMINE NET INCOME.
L:\COUNCIL\ACTS\298DG125.DOCX

(R114, S. 410) -- Senator Talley: AN ACT TO CONVEY THE REAL PROPERTY OF THE FAIRMONT-LARKIN AREA RECREATION COMMISSION TO SPARTANBURG COUNTY; TO DISSOLVE THE FAIRMONT-LARKIN AREA RECREATION COMMISSION; AND

TO REPEAL ACT 819 OF 1978, RELATING TO THE CREATION AND DUTIES OF THE FAIRMONT-LARKIN AREA RECREATION COMMISSION.
L:\COUNCIL\ACTS\410PH125.DOCX

(R115, S. 418) -- Senators Hembree, Turner, Gustafson, Loftis and Kimbrell: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-155-110, RELATING TO THE SOUTH CAROLINA READ TO SUCCEED OFFICE AND THE COMPREHENSIVE READING PROGRAM IMPLEMENTED BY THE OFFICE, SO AS TO ELIMINATE THE OFFICE, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL ADMINISTER THE PROGRAM, AND TO REVISE REQUIREMENTS FOR THE PROGRAM; BY AMENDING SECTION 59-155-120, RELATING TO DEFINITIONS CONCERNING THE STATEWIDE READING PROGRAM, SO AS TO REVISE VARIOUS DEFINITIONS; BY AMENDING SECTION 59-155-130, RELATING TO FUNCTIONS OF THE PROGRAM FOR WHICH THE DEPARTMENT SHALL PROVIDE GUIDANCE AND SUPPORT TO SCHOOL DISTRICTS AND EDUCATOR PREPARATION PROGRAMS IN IMPLEMENTING THE PROVISIONS OF THE PROGRAM, SO AS TO REVISE THE FUNCTIONS AND TO PROVIDE DISTRICTS THAT FAIL TO MEET REPORTING REQUIREMENTS ON READING CAMPS ARE INELIGIBLE TO RECEIVE STATE FUNDING FOR THE CAMPS DURING THE FOLLOWING FISCAL YEAR BUT SHALL CONTINUE TO OPERATE THE CAMPS; BY AMENDING SECTION 59-155-140, RELATING TO COMPONENTS OF THE PROGRAM, SO AS TO REQUIRE ANNUAL APPROVAL BY THE STATE BOARD OF EDUCATION, TO REVISE CERTAIN COMPONENTS, AND TO REVISE OTHER REQUIREMENTS FOR THE PROGRAM; BY AMENDING SECTION 59-155-150, RELATING TO DUTIES OF THE STATE SUPERINTENDENT TO ENSURE CERTAIN READINESS ASSESSMENTS ARE ADMINISTERED WITHIN THE FIRST FORTY-FIVE DAYS OF SCHOOL, SO AS TO PROVIDE DISTRICTS AND CHARTER SCHOOLS MAY REQUEST WAIVERS FROM STATUTORY ATTENDANCE REQUIREMENTS TO SCHEDULE THE ASSESSMENTS, AMONG OTHER THINGS; BY ADDING SECTION 59-155-155 SO AS TO PROVIDE REQUIREMENTS FOR THE NUMBER OF UNIVERSAL READING SCREENERS THAT

DISTRICTS MAY USE, TO PROVIDE REQUIREMENTS FOR SCREENERS, TO PROVIDE DISTRICTS SHALL ADMINISTER SCREENERS AT LEAST THREE TIMES DURING EACH SCHOOL YEAR IN CERTAIN INTERVALS, TO PROVIDE RELATED REQUIREMENTS OF THE DEPARTMENT, AND TO PROVIDE FOR ALTERNATE ASSESSMENT AND PROGRESS MONITORING TOOLS; BY AMENDING SECTION 59-155-160, RELATING TO MANDATORY RETENTION PROVISIONS FOR THIRD GRADERS WHO FAIL TO DEMONSTRATE READING PROFICIENCY, SO AS TO REVISE EXEMPTIONS AND EXEMPTION PROCESSES, TO PROVIDE SERVICES AND SUPPORT THAT MUST BE PROVIDED TO RETAINED STUDENTS, TO PROVIDE RETAINED STUDENTS SHALL ENROLL IN SUMMER READING CAMPS, AMONG OTHER THINGS; BY AMENDING SECTION 59-155-170, RELATING TO THE REQUIREMENT OF TEACHERS IN CERTAIN CONTENT AREAS MASTER CERTAIN READING COMPREHENSION INSTRUCTION PRACTICES AND ASSIST IN THE IMPLEMENTATION OF THESE PROVISIONS, SO AS TO REMOVE THE REQUIREMENT, AMONG OTHER THINGS, AND TO REQUIRE THE DEPARTMENT SHALL IMPLEMENT CERTAIN FOUNDATIONAL LITERACY SKILLS TRAINING FOR ALL KINDERGARTEN THROUGH THIRD GRADE TEACHERS CERTIFIED IN CERTAIN TEACHING AREAS, AND TO PROVIDE SUCCESSFUL COMPLETION OF THIS TRAINING SHALL SATISFY LITERACY ENDORSEMENT REQUIREMENTS; BY AMENDING SECTION 59-155-180, RELATING TO LITERACY READING COACHES, SO AS TO REVISE TRAINING REQUIREMENTS FOR THE COACHES, AMONG OTHER THINGS; BY AMENDING SECTION 59-155-200, RELATING TO THE PROMOTION OF READING AND WRITING HABITS AND SKILLS DEVELOPMENT, SO AS TO REMOVE FAMILY SUPPORT PROVISIONS; BY AMENDING SECTION 59-155-210, RELATING TO STANDARDS, PRACTICES, AND PROCEDURES DEVELOPED BY THE BOARD AND DEPARTMENT TO IMPLEMENT THE PROGRAM, SO AS TO REMOVE THE BOARD FROM THE PROVISIONS, AMONG OTHER THINGS; AND BY AMENDING SECTION 59-18-310, RELATING TO ASSESSMENTS REQUIRED IN THE EDUCATION ACCOUNTABILITY ACT, SO AS TO

REVISE ASSESSMENTS AND THEIR USES, AMONG OTHER THINGS.
L:\COUNCIL\ACTS\418WAB125.DOCX

(R116, S. 738) -- Senator K. Johnson: AN ACT TO DELINEATE THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE CLARENDON COUNTY SCHOOL BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2024 GENERAL ELECTION, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE DISTRICTS.
L:\COUNCIL\ACTS\738HDB125.DOCX

(R117, S. 782) -- Senators Matthews and Davis: AN ACT TO DELINEATE THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE JASPER COUNTY SCHOOL BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2024 GENERAL ELECTION, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE DISTRICTS, AND TO REPEAL SECTION 2 OF ACT 476 OF 1998 RELATING TO THE ESTABLISHMENT OF SINGLE-MEMBER DISTRICTS OF THE JASPER COUNTY SCHOOL DISTRICT.
L:\COUNCIL\ACTS\782HDB125.DOCX

(R118, S. 801) -- Senator Alexander: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-430, RELATING TO DESIGNATION OF VOTING PRECINCTS IN OCONEE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS MAY BE FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE; AND BY AMENDING SECTION 7-7-40, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO ADD NEW PRECINCTS AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS MAY BE FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE.
L:\COUNCIL\ACTS\801HDB125.DOCX

(R119, S. 912) -- Senator Davis: A JOINT RESOLUTION TO EXPRESS SUPPORT FOR THE SC NEXUS FOR ADVANCED RESILIENT ENERGY AND TO ENCOURAGE THE CONTINUED GLOBAL LEADERSHIP TO REDUCE THE STATE'S

ENVIRONMENTAL IMPACT WHILE ENHANCING THE ECONOMIC OUTPUT.
L:\COUNCIL\ACTS\912PH125.DOCX

(R120, H. 3116) -- Reps. Felder, Carter, Pope, Guffey, O'Neal, Hart, Caskey, Williams, Blackwell and Gilliam: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-610, RELATING TO PERSONS LIABLE FOR TAXES AND ASSESSMENTS ON REAL PROPERTY, SO AS TO PROVIDE THAT CERTAIN DISABLED VETERANS OF THE ARMED FORCES OF THE UNITED STATES AND CERTAIN SPOUSES ARE EXEMPT FROM PROPERTY TAXES IN THE YEAR IN WHICH THE DISABILITY OCCURS; AND BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE INCLUDES CERTAIN SPOUSES REGARDLESS OF WHETHER THE DECEASED SPOUSE APPLIED, FILED FOR, OR CLAIMED AN EXEMPTION AND TO PROVIDE THAT A PROPERTY TAX EXEMPTION FOR TWO PRIVATE PASSENGER VEHICLES MAY BE CLAIMED BY CERTAIN SPOUSES OF A DISABLED VETERAN OR CERTAIN TRUSTEES.
L:\COUNCIL\ACTS\3116SA125.DOCX

(R121, H. 3594) -- Reps. B.J. Cox, G.M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A.M. Morgan, T.A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M.M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B.L. Cox, Vaughan, White, Collins, J.E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024” BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO

PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS AND FIREARMS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS AND FIREARMS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE GRADUATED PENALTIES FOR VIOLATIONS OF THIS SECTION; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION

23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO PROVIDE PERSONS MUST REPORT THE LOSS OR THEFT OF A FIREARM TO A LAW ENFORCEMENT AGENCY, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; TO PROVIDE SLED SHALL OFFER A CONCEALED WEAPON PERMIT TRAINING COURSE, AND TO PROVIDE PERSONS AT LEAST EIGHTEEN YEARS OLD MAY OBTAIN PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 51-3-145, RELATING TO UNLAWFUL ACTS COMMITTED AT STATE PARKS, SO AS TO PROVIDE PERSONS MAY POSSESS OR

CARRY CONCEALABLE WEAPONS IN STATE PARKS; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230 RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM "CRIME PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR"; BY AMENDING SECTION 22-5-910, RELATING TO THE EXPUNGEMENT OF CRIMINAL RECORDS, SO AS TO PROVIDE FOR THE EXPUNGEMENT OF CRIMINAL RECORDS FOR CERTAIN UNLAWFUL POSSESSIONS OF FIREARMS OR WEAPONS OFFENSES, AND TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 23-31-240, RELATING TO PERSONS ALLOWED TO CARRY CONCEALABLE WEAPONS ANYWHERE IN THIS STATE, SO AS TO ADD ADDITIONAL PERSONS TO THIS LIST WITH CERTAIN EXCEPTIONS; BY ADDING SECTION 23-31-245 SO AS TO PROVIDE CIRCUMSTANCES WHEN LAW ENFORCEMENT OFFICERS MAY SEARCH, DETAIN, OR ARREST PERSONS OPENLY CARRYING WEAPONS; BY ADDING SECTION 17-1-65 SO AS TO PROVIDE PERSONS MAY APPLY FOR EXPUNGEMENTS OF CONVICTIONS FOR UNLAWFUL POSSESSION OF HANDGUNS UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 16-23-495 SO AS TO PROVIDE PENALTIES FOR PERSONS CONVICTED OF COMMITTING OR ATTEMPTING TO COMMIT CERTAIN CRIMES INVOLVING CONCEALABLE WEAPONS, TO PROVIDE SLED SHALL DEVELOP AND DISTRIBUTE A DOCUMENT THAT INFORMS GUN PURCHASERS THAT THEY MAY OBTAIN CONCEALED WEAPON PERMITS, CARRY THEIR WEAPONS WITHOUT A PERMIT, AND CERTAIN PENALTIES IMPOSED FOR CRIMES INVOLVING CONCEALABLE WEAPONS, TO PROVIDE SLED MUST INFORM THE PUBLIC THE STATE PROVIDES A PROCESS FOR GUN OWNERS TO OBTAIN CONCEALED WEAPON PERMITS AND ALLOWS GUN OWNERS TO CARRY

THEIR WEAPONS WITHOUT PERMITS; AND TO PROVIDE NO PROVISION OF THIS ACT SHOULD BE CONSTRUED TO DISCOURAGE GUN OWNERSHIP OR GUN SAFETY TRAINING, BUT TO ENCOURAGE GUN OWNERS TO RECEIVE GUN SAFETY TRAINING.
L:\COUNCIL\ACTS\3594CM125.DOCX

(R122, H. 3951) -- Reps. Haddon, G.M. Smith, Bannister, Hiott, Ligon, Hixon, Leber, Erickson, Forrest, Brewer, Murphy, Robbins, Willis, Calhoon, Pope, Davis and M.M. Smith: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 48-59-40, RELATING TO THE COMPOSITION OF THE BOARD OF THE SOUTH CAROLINA CONSERVATION BANK, SO AS TO INCREASE MEMBERSHIP BY ADDING THE COMMISSIONER OF AGRICULTURE, THE SECRETARY OF COMMERCE, AND THE SECRETARY OF TRANSPORTATION; AND BY ADDING SECTION 48-59-150 SO AS TO ESTABLISH THE WORKING FARMLAND PROTECTION FUND.
L:\COUNCIL\ACTS\3951PH125.DOCX

(R123, H. 3993) -- Reps. Brewer, West, Lawson, Mitchell, Yow, Sessions, Leber, Ott, Guffey, Atkinson, B.L. Cox, Forrest, B. Newton, Gatch, Hager, Hixon, Murphy and Robbins: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-1920, RELATING TO THE SALE OF EXOTIC FARM-RAISED VENISON, SO AS TO PROVIDE AN EXCEPTION.
L:\COUNCIL\ACTS\3993PH125.DOCX

(R124, H. 4047) -- Rep. Ott: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-15-100 SO AS TO PROHIBIT THE RELEASE OF RECORDS REGARDING THE OCCURRENCE OF RARE, THREATENED, ENDANGERED, OR IMPERILED PLANT AND ANIMAL SPECIES BY THE DEPARTMENT OF NATURAL RESOURCES.
L:\COUNCIL\ACTS\4047PH125.DOCX

(R125, H. 4159) -- Reps. Herbkersman, Davis, M.M. Smith, Erickson, W. Newton, Bradley, Ballentine, Hewitt and Blackwell: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SOUTH CAROLINA TELEHEALTH AND TELEMEDICINE MODERNIZATION ACT” BY ADDING

CHAPTER 42 TO TITLE 40 SO AS TO DEFINE NECESSARY TERMS AND PROVIDE REQUIREMENTS FOR CERTAIN REGULATED HEALTH CARE PROFESSIONALS WHO PROVIDE HEALTH CARE BY MEANS OF TELEHEALTH; BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS IN THE MEDICAL PRACTICE ACT, SO AS TO DEFINE "TELEHEALTH"; BY AMENDING SECTION 40-47-37, RELATING TO THE PRACTICE OF TELEMEDICINE, SO AS TO REVISE REQUIREMENTS FOR THE PRACTICE OF TELEMEDICINE AND TO INCLUDE PROVISIONS CONCERNING TELEHEALTH; TO AMEND SECTION 40-33-34, RELATING TO THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO PRACTICE TELEMEDICINE, SO AS TO ALSO AUTHORIZE THE PRACTICE OF TELEHEALTH BY ADVANCED PRACTICE REGISTERED NURSES AND TO CLARIFY THAT LICENSURE TO PRACTICE MEDICINE IN THIS STATE IS NOT REQUIRED FOR ADVANCED PRACTICE REGISTERED NURSES TO PRACTICE TELEMEDICINE OR TELEHEALTH EXCEPT AS OTHERWISE REQUIRED; AND TO AMEND SECTION 40-47-935, RELATING TO THE AUTHORITY OF PHYSICIAN ASSISTANTS TO PRACTICE TELEMEDICINE, SO AS TO ALSO AUTHORIZE THE PRACTICE OF TELEHEALTH BY PHYSICIAN ASSISTANTS AND TO CLARIFY THAT LICENSURE TO PRACTICE MEDICINE IN THIS STATE IS NOT REQUIRED FOR PHYSICIAN ASSISTANTS TO PRACTICE TELEMEDICINE OR TELEHEALTH EXCEPT AS OTHERWISE REQUIRED.
L:\COUNCIL\ACTS\4159WAB125.DOCX

(R126, H. 4868) -- Reps. Kirby, Lowe, Jordan and Williams: AN ACT TO AMEND ACT 84 OF 2011, AS AMENDED, RELATING TO THE TIME AND METHOD BY WHICH THE NINE MEMBERS OF THE FLORENCE COUNTY SCHOOL DISTRICT NUMBER THREE BOARD OF TRUSTEES ARE ELECTED, TO REAPPORTION THE FIVE SINGLE-MEMBER DISTRICTS AND THE TWO MULTIMEMBER DISTRICTS FROM WHICH THESE NINE MEMBERS MUST BE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.
L:\COUNCIL\ACTS\4868HDB125.DOCX

(R127, H. 4876) -- Reps. Jefferson, Cobb-Hunter, Robbins, Gatch, Murphy and Brewer: AN ACT TO AMEND ACT 536 OF 1986, AS AMENDED, RELATING TO THE ELECTION OF MEMBERS OF THE BOARD OF TRUSTEES OF DORCHESTER COUNTY SCHOOL DISTRICT 4, SO AS TO CHANGE THE CANDIDATE FILING METHOD FROM THE PETITION METHOD TO THE FILING OF A STATEMENT OF INTENTION OF CANDIDACY WITH THE DORCHESTER COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS.
L:\COUNCIL\ACTS\4876HDB125.DOCX

(R128, H. 4892) -- Reps. Thayer, West, Chapman, Beach, Cromer and Gagnon: AN ACT TO AMEND ACT 510 OF 1982, AS AMENDED, RELATING TO THE ANDERSON COUNTY BOARD OF EDUCATION, SO AS TO REAPPORTION THE DISTRICTS FROM WHICH BOARD MEMBERS ARE ELECTED; AND TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES OF ANDERSON COUNTY SCHOOL DISTRICT 1, SO AS TO REAPPORTION THESE DISTRICTS.
L:\COUNCIL\ACTS\4892HDB125.DOCX

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

DEBATE INTERRUPTED

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT

SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-1046.PB0003S):

Amend the bill, as and if amended, SECTION 2, Section 2-19-10, by striking the last undesignated paragraph and inserting:

All appointees, except for the one provided in item (6), must be members of the South Carolina Bar and in good standing. Appointees made pursuant to items (2) and (3) may not be current members of the South Carolina General Assembly.

Amend the bill further, SECTION 3, by striking Section 2-19-10(D) and inserting:

(D) The term of office of a member of the commission ~~who is not a member of the General Assembly~~ shall be for four years, except those first appointed, the members appointed by the Senate President, the Senate Judiciary Chairman, the Speaker of the House, and the House Judiciary Chairman shall serve an initial term of two years. Members may serve two non-consecutive terms provided a period of four years separates each term. Those initially appointed for a two-year term may serve one consecutive four-year term and a non-consecutive four-year term provided a period of four years has expired from previous service. ~~subject to a right of removal at any time by the person appointing him, and until his successor is appointed and qualifies. A member of the commission who is a serving member of the General Assembly shall serve for the term of office to which he has been elected.~~

Amend the bill further, SECTION 4, by striking Section 2-19-10(G)(1) and (2) and inserting:

(1) No member of the Judicial Merit Selection Commission is eligible for nomination and appointment as a judge or justice of the state court system or administrative law ~~judge division~~court while serving on the commission and for a period of ~~one year~~two years thereafter; and

(2) If a candidate is a family member of a current Judicial Merit Selection Commission member, the member must resign his position on the commission. Family member is defined for the purpose of this section as a spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, or grandchild.

Amend the bill further, SECTION 6, by striking Section 2-19-20(D) and inserting:

(D) Any person wishing to seek a judicial office, which is elected by the General Assembly, shall file a notice of intention to seek the office with the Judicial Merit Selection Commission. Upon receipt of the notice of intention, the commission shall begin to conduct the investigation of the candidate as it considers appropriate and may in the investigation utilize the services of any agency of state government. This agency shall, upon request, cooperate fully with the commission. The investigation must include the South Carolina Bar assessment of the

candidate, the Citizens Committee assessment of the candidate, and public testimony from any witness appearing before the commission. The commission may consider other information provided by any agency of state government, but such information shall be provided to the candidate seeking office at least forty-eight hours prior to a public hearing and it must be described during a public hearing. The commission must not utilize anonymous surveys sent to members of the South Carolina Bar.

Amend the bill further, SECTION 12, Section 2-19-80, by striking Section 2-19-80(A) and inserting:

(A) The commission shall make nominations to the General Assembly of candidates and their qualifications for election to the Supreme Court, court of appeals, circuit court, family court, and the administrative law ~~judge division~~court. It shall review the qualifications of all applicants for a judicial office and select therefrom and submit to the General Assembly the names and qualifications of ~~the three~~all candidates whom it considers ~~best~~ qualified for the judicial office under consideration. ~~If fewer than three persons apply to fill a vacancy or if the commission concludes there are fewer than three candidates qualified for a vacancy, it shall submit to the General Assembly only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.~~

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE spoke on the committee amendment.

Senator HARPOOTLIAN spoke on the committee amendment.

Senator CAMPSEN spoke on the committee amendment.

Debate was interrupted by adjournment.

ACTING PRESIDENT PRESIDES

At 1:51 P.M., Senator SHEALY assumed the Chair.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 2:07 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, March 8, 2024
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SHEALY.

ADJOURNMENT

At 11:04 A.M., on motion of Senator CROMER, the Senate adjourned to meet next Tuesday, March 12, 2024, at 12:00 Noon.

* * *

Tuesday, March 12, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Numbers 6:24-26

An age-old priestly blessing says to us: "The Lord bless you and keep you; the Lord make his face to shine upon you and be gracious to you; the Lord lift up his countenance upon you and give you peace."

Let us pray: We all know so very well, O Lord, how richly and wondrously You bless us. We are each truly humbled by and grateful for the manifold gifts You bestow. Your faithfulness, Your care, Your very love touches us all. Therefore, dear God, we pray today that You will enable these leaders who serve in the Senate of South Carolina to feel themselves not only filled with Your grace, but also to respond to Your blessings by always choosing to do their absolute best for the citizens they serve. And may Your blessings, O Lord, continue to rain down upon us all. In Your loving name we humbly pray. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2023, and to expire June 30, 2027

Massage/Bodywork Therapist:

Alicia Roberts, 202 Cedar Lane, Conway, SC 29527-6031 *VICE* Denise Van Nostran

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2024, and to expire May 31, 2027

Licensed or Certified Appraiser:

Carlton Segars, Jr., 1713 Bradley Dr., Columbia, SC 29201 *VICE* Christopher Barczak

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Barber Examiners, with the term to commence March 30, 2023, and to expire March 30, 2027

Barber:

Tony Holloman, 1003 Watson Drive, Elgin, SC 29045-8915 *VICE* Christopher Javis

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2023, and to expire June 30, 2027

Master Haircare Specialist:

Melissa Jones-Horton, 338 Clearwater Drive, Lancaster, SC 29720-7524

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2023, and to expire December 31, 2027

1st Congressional District, Registered Nurse:

Bridget A. Enos, 8049 Kittery Ave., North Charleston, SC 29420-8918 *VICE* Kelli Garber

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2023, and to expire December 31, 2027

3rd Congressional District, Registered Nurse:

John J. Whitcomb, Chief Academic Nursing Officer and Director, Clemson University School of Nursing, 4 Willow Oak Court, Williamston, SC 29697-8700 *VICE* Wilma Kay Swisher

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2023, and to expire November 27, 2027

General Public:

Dean S. Stephens, 102 Golf View Lane, Greenville, SC 29609-6911

Referred to the Committee on Labor, Commerce and Industry.

RECALLED

H. 5079 -- Rep. W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-110, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

Senator CAMPSEN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1146 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE MIRIAM RHAME MEDLEY FOR BEING AWARDED THE MILITARY WOMEN'S MEMORIAL LIVING LEGEND PROCLAMATION FOR HER INSPIRING RED CROSS SERVICE IN THE VIETNAM WAR.

sr-0628km-hw24.docx

The Senate Resolution was adopted.

S. 1147 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 47-5-20, RELATING TO DEFINITIONS, SO AS TO DEFINE COMPENDIUM; BY AMENDING SECTION 47-5-60, RELATING TO INOCULATION OF PETS, SO AS TO PERMIT A CERTIFIED VACCINE TECHNICIAN TO ADMINISTER RABIES INOCULATIONS WHEN SUPERVISED BY A VETERINARIAN LICENSED TO PRACTICE IN THIS STATE; BY AMENDING SECTION 47-5-90, RELATING TO REPORTS OF ANIMAL BITES TO THE HEALTH DEPARTMENT, SO AS TO REQUIRE THE DATE

OF BIRTH OF THE PERSON BITTEN BY A PET OR OTHER ANIMAL; BY AMENDING SECTION 40-69-20, RELATING TO DEFINITIONS SO AS TO DEFINE CERTIFIED VACCINE TECHNICIAN; AND BY ADDING SECTION 40-69-310 SO AS TO PROVIDE WHO MAY ADMINISTER VACCINES TO ANIMALS.
sr-0636km24.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 1148 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 11-7-10, RELATING TO THE SELECTION OF A STATE AUDITOR, SO AS TO ESTABLISH THE STATE AUDITING DEPARTMENT HEADED BY A STATE AUDITOR, PROVIDE THAT THE STATE AUDITOR IS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A SIX YEAR TERM, AND PROVIDE THAT THE STATE AUDITOR MAY BE REMOVED FROM OFFICE BY THE GOVERNOR FOR CAUSE; AND BY AMENDING SECTION 1-3-240, RELATING TO REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO INCLUDE THE STATE AUDITOR.
sr-0630km24.docx

Read the first time and referred to the Committee on Finance.

S. 1149 -- Senators Garrett, Loftis, Rice, Verdin, Alexander, Gambrell, Corbin, Climer, Reichenbach, Kimbrell, Gustafson, M. Johnson, Talley, Turner, Bennett and Massey: A JOINT RESOLUTION TO DIRECT THE STATE LAW ENFORCEMENT DIVISION TO ENTER INTO A 287(G) AGREEMENT WITH UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT SO THAT THE STATE LAW ENFORCEMENT DIVISION CAN EXERCISE SPECIFIED FEDERAL IMMIGRATION OFFICER FUNCTIONS; TO ENCOURAGE THE SHERIFFS IN CERTAIN COUNTIES TO CONSIDER ENTERING INTO A 287(G) AGREEMENT; AND TO DIRECT THE SHERIFFS IN CERTAIN COUNTIES WHO ARE ALREADY SIGNATORIES TO A 287(G) AGREEMENT TO EXERCISE THEIR POWERS AND DUTIES UNDER THE AGREEMENT TO FULLEST EXTENT POSSIBLE.
sr-0625km24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1150 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 46-57-65 SO AS TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY PERSON TO LABEL ANY CULTIVATED FOOD PRODUCT AS BEEF, POULTRY, FISH, OR ANY OTHER MEAT THAT THE CULTIVATED FOOD PRODUCT MAY RESEMBLE FOR THE PURPOSES OF MANUFACTURING, SELLING, OR HOLDING OR OFFERING FOR SALE IN THIS STATE.
sr-0602km24.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 1151 -- Senator Tedder: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE TAU ETA CHAPTER OF ALPHA PHI ALPHA FRATERNITY, INC., AT THE CELEBRATION OF ITS TWENTY-FIFTH ANNIVERSARY AND TO WISH THE CHAPTER MUCH CONTINUED SUCCESS AND GOOD FELLOWSHIP IN THE YEARS AHEAD.
lc-0423vr-rm24.docx

The Senate Resolution was adopted.

S. 1152 -- Senator Fanning: A SENATE RESOLUTION TO HONOR BISHOP CEDRIC M. BOYD FOR HIS FAITHFULNESS IN GOSPEL MINISTRY, TO THANK HIM FOR HIS SERVICE TO HIS CHURCH, THE COMMUNITY, AND OUR STATE, AND TO WISH HIM GOD'S RICHEST BLESSINGS AS HE CONTINUES TO SERVE THE LORD.
lc-0557sa-jn24.docx

The Senate Resolution was adopted.

H. 3160 -- Reps. Stavrinakis, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-23-1610, RELATING TO DEFINITIONS APPLICABLE TO THE TRANSPORTATION NETWORK COMPANY ACT, SO AS TO REVISE THE DEFINITION OF "PERSONAL VEHICLE"; AND BY AMENDING SECTION 58-23-1610, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "PREARRANGED RIDE".
lc-0021ha23.docx

Read the first time and referred to the Committee on Transportation.

H. 4218 -- Reps. Pope, Sandifer, Carter, Kirby, Jefferson and Hardee: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTIONS 38-63-110, 38-65-130, 38-71-300, AND 38-72-110 ALL SO AS TO DEFINE TERMS AND TO PROHIBIT CERTAIN INSURERS FROM CANCELING, LIMITING, OR DENYING COVERAGE, OR ESTABLISHING DIFFERENTIALS IN PREMIUM RATES BASED UPON GENETIC INFORMATION.
lc-0225ph23.docx

Read the first time and referred to the Committee on Banking and Insurance.

H. 4333 -- Reps. M. M. Smith, King, Davis, Pace, B. L. Cox, McDaniel, Henderson-Myers and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-37-320, RELATING TO SITE AND SERVICE LIMITATIONS ON MOBILE OPTOMETRY UNITS AND CERTAIN ASSOCIATED DISCIPLINARY ACTION LIMITATIONS, SO AS TO INCLUDE CERTAIN SITES OF ORGANIZATIONS THAT SERVE CHILDREN FROM LOW-INCOME COMMUNITIES DURING THE SUMMER.
lc-0318wab23.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 4365 -- Reps. Gilliam, Wetmore, Cobb-Hunter, Henegan, Guffey, Henderson-Myers, Gilliard, Williams and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOCIAL WORK INTERSTATE COMPACT ACT" BY ADDING ARTICLE 3 TO CHAPTER 63, TITLE 40 SO AS TO PROVIDE THE PURPOSE, FUNCTIONS, OPERATIONS, AND DEFINITIONS CONCERNING THE COMPACT; AND TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 63, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".
lc-0331wab23.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4436 -- Reps. Wooten, Ballentine, Long, Erickson, Caskey, Calhoon, Wetmore, Taylor, Forrest, Hiott, Davis, Pope, Herbkersman, M. M. Smith, Robbins, Lawson, Burns, Chumley, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-1538, RELATING TO EMERGENCY SCENE MANAGEMENT, SO AS TO PROVIDE DRIVERS ARE

RESPONSIBLE FOR MAINTAINING VEHICLE CONTROL IN CERTAIN EMERGENCY CIRCUMSTANCES TO AVOID INTERFERING WITH THE OPERATION OF AUTHORIZED EMERGENCY VEHICLES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.
lc-0344wab23.docx

Read the first time and referred to the Committee on Transportation.

H. 4611 -- Reps. Hixon, Pope, Chapman, Taylor, Hardee, Brewer, Robbins, Gatch and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-11-785 SO AS TO PROHIBIT THE UNLAWFUL REMOVAL OR DESTRUCTION OF ELECTRONIC COLLARS OR OTHER ELECTRONIC DEVICES PLACED ON DOGS BY THEIR OWNERS AND TO PROVIDE PENALTIES.
lc-0405cm24.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4612 -- Reps. Hixon, Pope, Chapman, Taylor, Hartnett, Hardee, Brewer, Robbins, Gatch, Murphy, Connell, Mitchell, Hager, Caskey, Forrest, Wooten, Elliott, B. J. Cox and Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 55-3-110, RELATING TO HUNTING FROM AN AIRCRAFT, SO AS TO PROVIDE PERSONS POSSESSING A PERMIT ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES MAY LAWFULLY HUNT FROM AN AIRCRAFT; AND BY ADDING SECTION 50-11-1190 SO AS TO PROVIDE THE DEPARTMENT OF NATURAL RESOURCES MAY ISSUE PERMITS FOR THE TAKING OF FERAL HOGS WHILE AIRBORNE IN A HELICOPTER UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.
lc-0350cm24.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4680 -- Reps. M. M. Smith, Henegan, Hartnett, Lawson, Moss, Kilmartin, White, Bauer, Sessions, Pope, Felder, Ligon, Guffey, O'Neal, Hardee, Leber, Gilliard, Rivers, King, Caskey, Henderson-Myers and Hart: A BILL TO AMEND THE SOUTH CAROLINA CODE OF

LAWS BY AMENDING SECTION 23-9-197, RELATING TO THE FIREFIGHTER CANCER HEALTH CARE BENEFIT PLAN, SO AS TO REVISE THE DEFINITION OF THE TERM "FIREFIGHTER" TO PROVIDE THE TERM INCLUDES CERTAIN NONRESIDENTS OF THIS STATE.
lc-0440cm24.docx

Read the first time and referred to the Committee on Judiciary.

H. 4819 -- Reps. Felder, Bernstein and Calhoon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1960, RELATING IN PART TO PARKING PLACARDS FOR HANDICAPPED PERSONS, SO AS TO ALLOW APPLICANTS FOR HANDICAPPED PARKING PLACARDS TO PROVIDE A PHOTOGRAPH FOR THE PLACARD SUBJECT TO THE DEPARTMENT OF MOTOR VEHICLE'S APPROVAL.
lc-0346vr24.docx

Read the first time and referred to the Committee on Transportation.

H. 4933 -- Reps. Wooten, G. M. Smith and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-5015, RELATING TO SUNSCREEN DEVICES, SO AS TO PROVIDE THE PROVISIONS CONTAINED IN THIS SECTION DO NOT APPLY TO LAW ENFORCEMENT VEHICLES.
lc-0494cm24.docx

Read the first time and referred to the Committee on Transportation.

H. 5105 -- Reps. Erickson, G. M. Smith, Caskey, Chapman, B. L. Cox, Gagnon, Williams and Henegan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-53-35 SO AS TO PROVIDE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION SHALL ADOPT A POLICY APPLICABLE TO ALL TECHNICAL COLLEGE AREA COMMISSIONS THAT RECOGNIZES AND AWARDS CREDENTIALS AND COLLEGE CREDIT FOR COURSES AND EXPERIENCES COMPLETED IN THE MILITARY AS RECOMMENDED BY THE AMERICAN COUNCIL ON EDUCATION, TO PROVIDE REQUIREMENTS FOR THE POLICY AND ITS IMPLEMENTATION, AND TO PROVIDE THE TECHNICAL COLLEGE SYSTEM SHALL WORK WITH THE

SOUTH CAROLINA DEPARTMENT OF VETERANS' AFFAIRS TO ESTABLISH GUIDELINES TO ENSURE THE CONSISTENT REVIEW AND AWARDING OF ELIGIBLE CREDIT.
lc-0597wab24.docx

Read the first time and referred to the Committee on Education.

H. 5146 -- Reps. Lowe, Jordan, Kirby, Alexander and Williams: A JOINT RESOLUTION TO DIRECT THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION TO EXPEDITIOUSLY AND FULLY COOPERATE WITH FLORENCE COUNTY AND THE CITY OF FLORENCE IN FACILITATING THE INSTALLATION AND USE OF AUTOMATIC LICENSE PLATE READERS FUNDED BY THE GENERAL ASSEMBLY OR LOCAL FUNDS AT INTERSECTIONS OF ROADWAYS MAINTAINED BY THE DEPARTMENT ANYWHERE IN FLORENCE COUNTY.
lc-0641wab24.docx

Read the first time and referred to the Committee on Transportation.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator CAMPSEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. George Edward Rhodes, Jr. of Mount Pleasant, S.C. George graduated from the University of South Carolina. He was honorably discharged from the U.S. Army. George won many shag titles, founded the Young Republicans, established the Family Riders Motorcycle Club and the Wambaw Cycle Trail, created the SC Motorcycle Test and License and was an American Motorcycle Association Congressman. Ed served the Lord in many capacities at several churches and served on the executive board of the Southern Baptist Convention, the North American Mission Board and the South Carolina Executive Board. Ed worked at Westvaco Paper Mill, Southern Mill Supply and retired from FMC Tanks. Ed was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 12:25 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

***

Wednesday, March 13, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 55:6

Finding ourselves overwhelmed by challenges, we sometimes want to join the Psalmist and declare: " 'Oh, that I had wings like a dove! I would fly away and be at rest.' "

Join me as we bow in prayer: It's not at all that easy, O glorious Lord, to engage in a role of service to others. Demands never cease. Calls for assistance seem unending. Pressure from all corners is unavoidable. And yet leadership is largely about facing challenges head-on, assisting those who need and want help in every way one reasonably can, providing a measure of hope sometimes for those who feel they have none. Yet all of that goes with the territory for these Senators and their aides, dear God. And so I pray fervently today that You will give each of these servants the stamina, the courage and the strength to continue doing their very best for our people. Allow none of these leaders to lose heart. We pray this in Your wondrous name, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Doctor of the Day

Senator RICE introduced Dr. Phyllis MacGilvray of Greenville, S.C., Doctor of the Day.

Expression of Personal Interest

Senator VERDIN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator GROOMS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 989 Sen. Rice
S. 1114 Sen. Cromer
S. 1150 Sens. Verdin and Kimbrell

RECALLED AND ADOPTED

S. 989 -- Senators Alexander and Rice: A SENATE RESOLUTION TO COMMEND TAIWAN FOR ITS RELATIONS WITH THE UNITED STATES AND THE STATE OF SOUTH CAROLINA.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

Senator DAVIS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator DAVIS, the Resolution was adopted.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1153 -- Senator Tedder: A SENATE RESOLUTION TO CONGRATULATE THE BURKE HIGH SCHOOL CLASS OF 1959 UPON THE OCCASION OF ITS SIXTY-FIFTH ANNIVERSARY AND TO COMMEND THE MEMBERS OF THE BURKE HIGH SCHOOL CLASS OF 1959 FOR THEIR MANY YEARS OF DEDICATED SERVICE TO THE BURKE HIGH SCHOOL COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0620km-hw24.docx

The Senate Resolution was adopted.

S. 1154 -- Senator Stephens: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF BARBARA ANN HOLMES HOWARD AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
sr-0634km-hw24.docx

The Senate Resolution was adopted.

S. 1155 -- Senator Fanning: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. J.R. GREEN, SUPERINTENDENT OF FAIRFIELD COUNTY SCHOOL DISTRICT, UPON THE OCCASION OF HIS RETIREMENT AFTER A DISTINGUISHED CAREER OF MORE THAN THIRTY YEARS IN THE FIELD OF EDUCATION AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.
lc-0537cm-rm24.docx

The Senate Resolution was adopted.

S. 1156 -- Senator Campsen: A SENATE RESOLUTION TO HONOR AND RECOGNIZE COLONEL MARK D. BORTNEM FOR HIS MANY YEARS OF DISTINGUISHED SERVICE WITH THE UNITED STATES MARINE CORPS.
sr-0638km-hw24.docx

The Senate Resolution was adopted.

S. 1157 -- Senator Harpootlian: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-2930, RELATING TO OPERATING A MOTOR VEHICLE WHILE UNDER INFLUENCE OF ALCOHOL OR DRUGS SO AS TO PREVENT THE PRACTICE OF PLEADING VIOLATIONS OF SECTION 56-5-2930 TO A LOWER PENALTY UNDER THE GUISE OF PLEADING TO A LESSER INCLUDED OFFENSE; AND BY AMENDING SECTION 56-5-2933, RELATING TO DRIVING WITH AN UNLAWFUL ALCOHOL CONCENTRATION SO AS TO PREVENT THE PRACTICE OF PLEADING VIOLATIONS OF SECTION 56-5-2933 TO A LOWER PENALTY UNDER THE GUISE OF PLEADING TO A LESSER INCLUDED OFFENSE.
sr-0635km24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1158 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-500, RELATING TO THE UNLAWFUL POSSESSION OF A FIREARM BY A PERSON CONVICTED OF A VIOLENT OFFENSE, SO AS TO PROVIDE THAT THE VIOLATIONS SUBSEQUENT TO THE FIRST VIOLATION MUST OCCUR WITHIN TWENTY YEARS OF THE FIRST OFFENSE TO QUALIFY FOR GRADUATED PENALTIES; BY AMENDING SECTION 16-23-420, RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT EXPRESS AUTHORIZATION TO CARRY THE FIREARM ON SCHOOL PROPERTY MAY NOT BE PROVIDED TO A STUDENT ENROLLED IN A PUBLIC SCHOOL; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING A WEAPON ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT STUDENTS ENROLLED IN A PUBLIC SCHOOL MAY NOT POSSESS WEAPONS EVEN IF THEY ARE SECURED WITHIN A VEHICLE; BY AMENDING SECTION 23-31-245, RELATING TO REASONABLE SUSPICION OR PROBABLE CAUSE TO SEARCH, DETAIN, OR ARREST, SO AS TO CLARIFY THAT THE PROVISIONS IN THE SECTION APPLY TO A PERSON CARRYING A WEAPON IN ACCORDANCE WITH THE ARTICLE WHETHER OR NOT THE WEAPON IS CONCEALED; AND BY AMENDING SECTION 16-23-20, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO CLARIFY WHEN CARRYING A HANDGUN IS IMPERMISSIBLE IN A PUBLICLY OWNED BUILDING OTHER THAN A COURTHOUSE WHERE COURT IS HELD.

sr-0632km24.docx

Senator MASSEY spoke on the Bill.

Read the first time and referred to the Committee on Judiciary.

S. 1159 -- Senator Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-3-42 SO AS TO PROVIDE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MUST NOT RELEASE CERTAIN INFORMATION REGARDING ARRESTS PURSUANT TO CRIMINAL HISTORY BACKGROUND CHECKS.

lc-0548cm24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1160 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-5-105 SO AS TO CREATE THE SCHOOL MAPPING DATA PROGRAM WITHIN THE STATE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF FACILITATING EFFICIENT EMERGENCY RESPONSES IN PUBLIC SCHOOLS BY PUBLIC SAFETY AGENCIES, TO DEFINE NECESSARY TERMS, TO PROVIDE REQUIREMENTS FOR THE PROGRAM AND ITS IMPLEMENTATION BY THE DEPARTMENT, AND TO PROVIDE RELATED REQUIREMENTS OF SCHOOL DISTRICTS.
sedu-0064db24.docx

Read the first time and referred to the Committee on Education.

S. 1161 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF US 276 (LAURENS ROAD) BETWEEN MILLENNIUM BOULEVARD (N) AND FORRESTER DRIVE IN GREENVILLE COUNTY "SCHP PATROLMAN EDWIN D. MILAM MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
sr-0626km-vc24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1162 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SC-183 FROM S-87 (SULPHUR SPRINGS ROAD) TO S-430 (RIDGE ROAD) IN GREENVILLE COUNTY "SCHP PATROLMAN ALBERT T. SEALY MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
sr-0627km-vc24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1163 -- Senators Campsen, Grooms and Adams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF HIGHWAY 703 AND THE INTERSECTION OF CHUCK DAWLEY BOULEVARD (I-526B) IN CHARLESTON COUNTY "DETECTIVE

PAT MESSER MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
sr-0621km-vc24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4817 -- Reps. West and G. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-17-500, RELATING TO THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO MINORS WITHOUT PROOF OF AGE AND THE LOCATION OF VENDING MACHINES, SO AS TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS AND TO REQUIRE INDIVIDUALS SEEKING TO PURCHASE TOBACCO PRODUCTS OR ALTERNATIVE NICOTINE PRODUCTS TO PRESENT PROOF OF AGE UPON DEMAND, AND TO ALLOW THE PURCHASE OF TOBACCO PRODUCTS AND ALTERNATIVE NICOTINE PRODUCTS FROM VENDING MACHINES IN CERTAIN ESTABLISHMENTS.
lc-0188ahb24.docx

Read the first time and referred to the Committee on Judiciary.

H. 5100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.
15001dg24.txt

Read the first time and referred to the Committee on Finance.

H. 5101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2023-2024, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.
lc-0384dg24.docx

Read the first time and referred to the Committee on Finance.

H. 5258 -- Reps. McDaniel, Henegan, Clyburn, Hager, Weeks, Wheeler, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, West, Wetmore, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE NATIONAL CAREGIVERS DAY IN THE STATE OF SOUTH CAROLINA ON FEBRUARY 16, 2024, AS A TESTAMENT TO THE SELFLESS DEDICATION AND INVALUABLE CONTRIBUTIONS OF CAREGIVERS THROUGHOUT THE STATE.
lc-0551sa-rm24.docx

The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

Appointment Reported

Senator HEMBREE from the Committee on Education submitted a favorable report on:

Statewide Appointment

Reappointment, Governor's School of Agriculture at John de la Howe School Board of Trustees, with the term to commence April 1, 2023, and to expire April 1, 2028

At-Large:

Hugh Mitchell Bland, 609 Buncombe Street, Edgefield, SC 29824-1016

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

H. 5153 -- Reps. West, Thayer, Chapman, Beach, Gagnon and Cromer: A BILL TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES OF ANDERSON COUNTY SCHOOL DISTRICT 2, SO AS TO REPLACE THE TWO MULTI-MEMBER DISTRICTS WITH FOUR SINGLE-MEMBER RESIDENCY AREAS AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE RESIDENCY AREAS ARE DELINEATED.

The Senate proceeded to a consideration of the Bill.

Senator GAMBRELL explained the Bill.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

H. 5153--Ordered to a Third Reading

On motion of Senator GAMBRELL, H. 5153 was ordered to receive a third reading on Thursday, March 14, 2024.

SECOND READING BILL

H. 5168 -- Reps. Connell, Mitchell, B. Newton and Wheeler: A BILL TO AMEND ACT 930 OF 1970, AS AMENDED, RELATING TO THE SCHOOL DISTRICT BOARD OF TRUSTEES FOR KERSHAW COUNTY, SO AS TO REVISE THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD ARE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION FOR THESE DISTRICTS.

The Senate proceeded to a consideration of the Bill.

Senator GUSTAFSON explained the Bill.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

H. 5168--Ordered to a Third Reading

On motion of Senator GUSTAFSON, H. 5168 was ordered to receive a third reading on Thursday, March 14, 2024.

READ THE SECOND TIME

H. 5079 -- Rep. W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-110, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

H. 5079--Ordered to a Third Reading

On motion of Senator CAMPSEN, H. 5079 was ordered to receive a third reading on Thursday, March 14, 2024.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 1:38 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 14, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Jonah 1:17

We recall how it was with Jonah, that: ". . . the Lord provided a great fish to swallow Jonah, and Jonah was inside the fish for three days and nights."

Bow with me as we pray: Gracious God, all of us remember the tale about Jonah, about his rebellion, about his failing to trust You as he well knew that he should. It is one of those Bible stories which hits so closely to home, for every one of us it seems has our own tale of failing to be as true to Your teachings as we know we should -- of our not always being as caring and helpful to others as we ought to be. So we ask, Lord, that You will lead everyone in this Senate to renew his or her determination to serve others faithfully and well. And may the end result always bring promise and hope to all South Carolinians. Likewise, dear God, bless and keep safe all our women and men in uniform wherever they serve. We so pray in Your loving name, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Harpootlian	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	Peeler

Reichenbach	Rice	Sabb
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2023, and to expire June 30, 2027

4th Congressional District:

Jil Littlejohn Bostick, 26 Blair Street, Greenville, SC 29607-1902 *VICE* Karen McGill

Referred to the Committee on Judiciary.

Reappointment, South Carolina State Commission for Minority Affairs, with the term to commence June 30, 2020, and to expire June 30, 2024

7th Congressional District:

Michelle M. Law-Gordon, 801 Ashley Ct., Florence, SC 29505

Referred to the Committee on Judiciary.

Local Appointments

Reappointment, Florence County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Belinda B. Timmons, 2717 Triple Crown Dr., Florence, SC 29505-8752

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Shanita Grimes, 947 Tuxford Trail, Elgin, SC 29045-7903 *VICE* Christina Pope

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

James Donald Willingham II, 105 Edge Road, Moore, SC 29369-9521

REGULATIONS RECEIVED

The following were received and referred to the appropriate committee for consideration:

Document No. 5264
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Section 44-7-110 through 44-7-394
SUBJECT: Standards for Licensing Ambulatory Surgical Facilities
Received by President of the Senate March 14, 2024
Referred to Committee on Medical Affairs

Document No. 5265
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Sections 44-7-110 through 44-7-394
SUBJECT: Minimum Standards for Licensing Hospitals and Institutional General Infirmaries
Received by President of the Senate March 14, 2024
Referred to Committee on Medical Affairs

Doctor of the Day

Senator McELVEEN introduced Dr. Todd Gandy of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator TURNER, at 11:13 A.M., Senator HEMBREE was granted a leave of absence for today.

Leave of Absence

On motion of Senator RICE, at 11:13 A.M., Senator SENN was granted a leave of absence for today.

Leave of Absence

On motion of Senator TURNER, at 11:13 A.M., Senator TALLEY was granted a leave of absence for today.

THURSDAY, MARCH 14, 2024

Leave of Absence

On motion of Senator SHEALY, at 11:13 A.M., Senator MATTHEWS was granted a leave of absence for today.

Leave of Absence

On motion of Senator SHEALY, at 11:13 A.M., Senator GUSTAFSON was granted a leave of absence for today.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 393 Sen. Fanning
S. 481 Sens. Shealy and Kimbrell
S. 983 Sen. Fanning
S. 994 Sen. Williams
S. 1114 Sen. Kimbrell
S. 1157 Sen. Goldfinch

RECALLED AND ADOPTED

H. 5036 -- Reps. Cobb-Hunter, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Collins, Connell, B.J. Cox, B.L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A.M. Morgan, T.A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G.M. Smith, M.M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE APRIL 28, 2024, AS "WORKERS' MEMORIAL DAY" IN SOUTH CAROLINA AS TRIBUTE TO THE WORKING MEN AND WOMEN WHO HAVE LOST THEIR LIVES BECAUSE OF WORKPLACE INJURIES AND ILLNESSES.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

Senator DAVIS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator DAVIS, the Resolution was adopted and ordered sent to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1164 -- Senators Martin, Peeler and Cromer: A SENATE RESOLUTION TO CONGRATULATE CHIEF MICHAEL LANCASTER UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS THIRTY-TWO YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0633km-vc24.docx

The Senate Resolution was adopted.

S. 1165 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-3-35(A), RELATING TO THE PROVISION OF FINGERPRINT AND DNA IDENTIFICATION KITS, SO AS TO PROVIDE THAT IN-HOME FINGERPRINT AND DNA IDENTIFICATION KITS BE DISTRIBUTED THROUGHOUT THE DISTRICT OR SCHOOL TO THE PARENT OR LEGAL CUSTODIAN OF ANY KINDERGARTEN, ELEMENTARY, MIDDLE, OR HIGH SCHOOL STUDENT.

sr-0642km24.docx

Read the first time and referred to the Committee on Education.

S. 1166 -- Senators Tedder and Stephens: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE S.C. CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES.
lc-0551cm24.docx

Senator TEDDER spoke on the Bill.

Read the first time and referred to the Committee on Judiciary.

S. 1167 -- Senator Cromer: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 3, 2024, AS "BATTEN DISEASE AWARENESS DAY" IN SOUTH CAROLINA.
sr-0637km-hw24.docx

On motion of Senator CROMER, with unanimous consent, the Concurrent Resolution was adopted and ordered sent to the House.

S. 1168 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 9-11-28 SO AS TO PROVIDE THAT A COUNCIL OF A MUNICIPALITY MAY ALLOW A MUNICIPAL COURT JUDGE TO PARTICIPATE IN THE POLICE OFFICERS RETIREMENT SYSTEM.
lc-0556sa24.docx

Read the first time and referred to the Committee on Finance.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE

SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Motion Adopted

Senator RANKIN asked unanimous consent to proceed to Amendment No. 18.

Amendment No. 18

Senators RANKIN, HUTTO, MALLOY, CAMPSEN, MASSEY, HEMBREE, SABB, CLIMER, TALLEY, HARPOOTLIAN and M. JOHNSON proposed the following amendment (SR-1046.JG0070S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 2-19-10 of the S.C. Code is amended to read:

Section 2-19-10. (A) Whenever an election is to be held by the General Assembly in Joint Session, for members of the judiciary, a Judicial Merit Selection Commission, composed of ~~ten~~ twelve members, shall be appointed, in the manner prescribed by this section, to consider the qualifications of the candidates. The Judicial Merit Selection Commission shall meet at least once annually and at other times as may be designated by the chairman. The commission, at its first meeting and then annually, shall elect a chairman and a vice chairman who shall serve for a term of one year and until their successors are elected and qualified, and adopt rules necessary to the purposes of the commission. These rules shall address, among other things:

(1) the confidentiality of records and other information received concerning candidates for judicial office;

(2) the conduct of proceedings before the commission;

(3) receipt of public statements in support of or in opposition to any of the candidates;

(4) procedures to review the qualifications of retired judges for continued judicial service;

(5) contacting incumbent judges regarding their desire to seek re-election;

(6) prohibition against candidates communicating with individual members of the commission concerning the qualifications of candidates unless specifically authorized by the commission~~.~~; and

(7) format and use of anonymous surveys by the commission.

~~A member may succeed himself as chairman or vice chairman.~~ ~~Six~~Seven members of the commission constitute a quorum at all meetings.

(B) Notwithstanding any other provision of law, the Judicial Merit Selection Commission shall consist of the following individuals:

(1) ~~five~~ four members appointed by the Speaker of the House of Representatives. ~~and of these appointments:~~

~~(a) three members must be serving members of the General Assembly; and~~

~~(b) two members must be selected from the general public;~~

(2) ~~three members,~~ two members appointed by the Chairman of the Senate Judiciary Committee and two members appointed by the President of the Senate~~, who must be serving members of the Senate~~; and

(3) ~~two~~ four members~~,~~ appointed by the ~~President of the Senate, who must be selected from the general public~~Governor, and of these appointments:

(a) one member must be a lawyer with substantial experience in the area of criminal law;

(b) one member must be a lawyer with substantial experience in the area of civil law;

(c) one member must be a lawyer with substantial experience in the area of family law; and

(d) one member must be a retired judge from the Supreme Court, court of appeals, circuit court, or family court who is not serving in an active retired status.

(C) In making appointments to the commission, the Governor must consider race, gender, national origin, and other demographic factors ~~should be considered~~ to ensure nondiscrimination to the greatest extent possible as to all segments of the population of the State.

(D)(1) The term of office of a member of the commission who is appointed by the Governor ~~not a member of the General Assembly~~ shall be for four years subject to a right of removal at any time by the ~~person appointing him~~Governor~~, and until his successor is appointed and qualifies. A member of the commission who is a serving member of the General Assembly shall serve for the term of office to which he has been elected.~~Members of the commission shall serve for a term of no more than four years and may not serve successive terms. A member may be reappointed to the commission after rotating off the commission for at least four years. However, the term of a member of the Senate or the House of Representatives who ceases to serve as a member of the General Assembly shall terminate upon the end of his service in the General Assembly creating a vacancy that must be filled pursuant to subsection (E).

(2) The legislative members may be removed from the commission for incapacity, misconduct, or neglect of duty by a resolution adopted by

their respective chamber. In order to be considered, any such resolution must be proposed by at least ten members and requires the affirmative vote of a majority of the membership in the appropriate chamber.

(E) A vacancy on the Judicial Merit Selection Commission must be filled for the remainder of the unexpired term in the same manner as provided for the original selection. A member appointed to fill a vacancy may serve a full term after the expiration of the unexpired term to which he was appointed.

(F) No member of the commission shall receive any compensation for commission services, except those set by law for travel, board, and lodging expenses incurred in the performance of commission duties.

(G) No member of the Judicial Merit Selection Commission is eligible for nomination and appointment as a judge or justice of the state court system or administrative law judge division while serving on the commission and for a period of one year thereafter. If a candidate is a family member of a member of the commission, the member must resign. For the purposes of this subsection, "family member" means a spouse, parent, brother, sister, child, step-child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, or grandchild.

SECTION 2. Section 2-19-30(E) of the S.C. Code is amended to read:

(E) A candidate may withdraw at any ~~stage of the proceedings and in this event no further inquiry or consideration of his candidacy shall be made~~ time prior to the public hearing or after the draft report is issued to members of the General Assembly. ~~All materials concerning that candidate including his report, transcript, application, materials, and other information gathered during the commission's investigation must be kept confidential and destroyed as soon as possible after the candidate's written notification to the commission of his withdrawal.~~ The information concerning a withdrawn candidate also shall be exempt from disclosure pursuant to Chapter 4 of Title 30.

SECTION 3. Section 2-19-30 of the S.C. Code is amended by adding:

(F) All of the commission's public hearings shall be live streamed except for the portions of the hearings conducted in executive session.

SECTION 4. Section 2-19-70(C), (D), and (E) of the S.C. Code is amended to read:

(C) No ~~candidate for judicial office~~person may seek directly or indirectly the pledge of a member of the General Assembly's vote or, directly or indirectly, contact a member of the General Assembly

regarding screening for the judicial office until the qualifications of all candidates for that office have been determined by the Judicial Merit Selection Commission and the commission has formally released its report as to the qualifications of all candidates for the vacancy to the General Assembly. No member of the General Assembly may offer his pledge to any person until the qualifications of all candidates for that office have been determined by the Judicial Merit Selection Commission and until the commission has formally released its report as to the qualifications of its nominees to the General Assembly. The formal release of the report of qualifications shall occur no earlier than ~~forty-eight hours~~twelve days after the nominees have been initially released to members of the General Assembly. For purposes of this section, indirectly seeking a pledge means the candidate, or someone acting on behalf of and at the request of the candidate, requesting a person to contact a member of the General Assembly on behalf of the candidate before nominations for that office are formally made by the commission. Prior to the formal release of the report as to the qualifications of judicial candidates, a person may not request that a member of the General Assembly, nor may a member of the General Assembly offer to, act on behalf of a candidate in furtherance of the candidate's candidacy in any capacity including, but not limited to, acting as a vote counter for a candidate. The prohibitions of this section do not extend to an announcement of candidacy by ~~the candidate~~a person and statements by the candidate detailing the candidate's qualifications.

(D) No member of the General Assembly may trade anything of value, including pledges to vote for legislation or for other candidates now or in the future, in exchange for another member's pledge to vote for a candidate for judicial office or as an inducement for a candidate to withdraw.

(E) Violations of this section may be considered by the merit selection commission when it considers the candidate's qualifications and until the time set for election of candidates. Violations of this section by members of the General Assembly shall be reported by the commission to the House or Senate Ethics Committee, as may be applicable. Violations of this section by nonlegislative commission members shall be reported by the commission to the State Ethics Commission. A violation of this section is a misdemeanor and, upon conviction, the violator must be fined not more than one thousand dollars or imprisoned not more than ninety days. Cases tried under this section may not be transferred from general sessions court pursuant to Section 22-3-545.

SECTION 5. Section 2-19-80(A) of the S.C. Code is amended to read:

(A) The commission shall make nominations to the General Assembly of candidates and their qualifications for election to the Supreme Court, court of appeals, circuit court, family court, and the administrative law judge division. It shall review the qualifications of all applicants for a judicial office and select therefrom and submit to the General Assembly the names and qualifications of ~~the three~~not more than six candidates whom it considers best qualified for the judicial office under consideration. If fewer than ~~three~~ six persons apply to fill a vacancy or if the commission concludes there are fewer than ~~three~~ six candidates qualified for a vacancy, it shall submit to the General Assembly only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than ~~three~~ six names.

SECTION 6. Section 2-19-80(D) of the S.C. Code is amended to read:

(D) The commission shall accompany its nominations to the General Assembly with reports or recommendations as to the qualifications of particular candidates and the particular reasons a candidate or candidates were not found qualified.

SECTION 7. Section 2-19-80(E) of the S.C. Code is amended to read:

(E) A period of at least ~~two weeks~~twenty-two days must elapse between the date of the commission's nominations to the General Assembly and the date the General Assembly conducts the election for these judgeships.

SECTION 8. Section 2-19-90 of the S.C. Code is amended to read:

Section 2-19-90. (A) The General Assembly shall meet in joint session for the election of judges. The date and time for the joint session shall be set by concurrent resolution upon the recommendation of the Judicial Merit Selection Commission. The Chairman of the Judicial Merit Selection Commission shall announce the commission's nominees for each judicial race, and no further nominating or seconding speeches shall be allowed by members of the General Assembly.

(B) In order to be elected, a candidate must receive a majority of the vote of the members of the ~~General Assembly~~Senate and a majority vote of the members of the House of Representatives voting in joint session.

(C) If no candidate receives the requisite vote necessary for election on the first ballot, the General Assembly shall proceed to a vote on a second ballot. The three candidates receiving the most votes on the first ballot shall be the only candidates on the second ballot. If no candidate

receives the requisite vote necessary for election on the second ballot, the General Assembly shall carry over the election for that judicial seat. The General Assembly shall reconvene in seven days to complete the elections that were carried over.

SECTION 9. Section 2-19-40 of the S.C. Code is repealed.

SECTION 10. (A) The initial terms for members of the Judicial Merit Selection Commission appointed pursuant to this act shall be as follows:

(1) One member appointed by the President of the Senate and one member appointed by the Chairman of the Senate Judiciary Committee shall serve an initial term of two years.

(2) Two members appointed by the Speaker of the House of Representatives shall serve an initial term of two years.

(3) Two members appointed by the Governor shall serve an initial term of two years.

(B) Members of the Judicial Merit Selection Commission serving on the effective date of this act who have served more than four years on the commission are not eligible for appointment to the commission pursuant to the provisions of this act except for the current chairman and vice chairman who can serve a two-year term but then may not serve a successive term.

SECTION 11. This act takes effect July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the committee amendment was withdrawn.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, and on behalf of Senator TALLEY, all amendments with Senator TALLEY as primary sponsor were withdrawn.

Amendment No. 19

Senator MALLOY proposed the following amendment (SR-1046.JG0066S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 2-19-20(C) of the S.C. Code is amended to read:

(C) The Judicial Merit Selection Commission shall announce and publicize vacancies and forthcoming vacancies in the administrative law judge division, on the family court, circuit court, court of appeals, and Supreme Court. A person who desires to be considered for nomination as justice or judge may make application to the commission. ~~No person may concurrently seek more than one judicial vacancy.~~ The commission shall announce the names of those persons who have applied.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Amendment No. 21

Senator SETZLER proposed the following amendment (SMIN-1046.MW0054S), which was not adopted:

Amend the bill, as and if amended, SECTION 13, by striking Section 2-19-90 and inserting:

Section 2-19-90. The General Assembly shall meet in joint session for the election of judges. The date and time for the joint session shall be set by concurrent resolution upon the recommendation of the Judicial Merit Selection Commission. The Chairman of the Judicial Merit Selection Commission shall announce the commission's nominees for each judicial race, and no further nominating or seconding speeches shall be allowed by members of the General Assembly. In order to be elected, a candidate must receive a majority of the vote of the members <u>in each chamber</u> of the General Assembly voting in joint session. <u>The General Assembly must conduct a subsequent vote if no candidate receives the necessary majority. No member of the General Assembly may vote or ask for a vote for a candidate or future person, if they are a family member as defined by Section 2-19-10(G)(2).</u>

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.
Senator MASSEY spoke on the amendment.
Senator MALLOY spoke on the amendment.

The amendment was not adopted.

Senator CLIMER spoke on the Bill.
Senator SABB spoke on the Bill.

Remarks by Senator SABB

Thank you, Mr. PRESIDENT, thank you Senator MALLOY for reminding everybody that I'm what stands in your way. I got the message loud and clear, so it's certainly not my intent to be long.

I do want to say two things in the beginning. One is that given the privilege to serve on JMSC, I'm thankful for the experience and I tried my best every single time I was in there to do the kind of work that could be looked upon favorably by folks in South Carolina, but especially folks in the Senate where I serve. The other thing is, I was given the opportunity to sit around a conference table for a number of hours with folks who I believe have the best interest of our judiciary in our State at heart. I would agree that it is not a perfect document, but I'm convinced that it is a document that allows a good system that's important and vital to our State to remain intact.

I wanted to make some remarks. Candidly I was going to hold them, but sometimes you just can't hold it after you hear certain things. I wanted to talk about what Senator CLIMER started his exchange with, when he reminded us of the importance of the citizens of South Carolina having confidence in our judiciary. I would underscore the importance, because I think it is critical, so there are a couple of things that I want to share along those lines. Frankly, I don't think that the makeup of our JMSC before, nor do I think now, impacts public sentiment as much as a couple of other things that are going on that I want to point out. I believe that when there is an absence of diversity, on a judiciary -- I believe that issue in and of itself could erode public confidence. When I think you don't have any women on the Supreme Court, when you are the only state in the United States that doesn't have one, I think it forces people to take a look at whether or not our judiciary is reflective and whether or not it is fair to everybody. I think the makeup matters. I think when persons of color are not on our judiciary, I think that you have a substantial part of our population that looks at that. I believe that can erode public confidence.

I also believe that when the chamber -- Senate, and the House -- if we work to adopt a stringent test, like whether or not somebody is strong Republican or whether or not somebody is strong Democrat, I think that erodes public confidence in our system. One of the things that Senator CLIMER just shared is that the process ought to be free from political influence. So then, how can we say on the one hand that the process is going to be free if that is the litmus test that we use? I would just be cautious, please, I know that there is incredible pressure on the outside. I know that there are those who firmly believe that South Carolina is just a red state and the more Republicans we have in power, the better off the State is. I just want to remind us that we might be majority Republican, but we have a substantial amount of the folks who look to us to be Senators of the State of South Carolina, not Republican Senators, not Democrat Senators, but Senators from the State of South Carolina who are here to ensure that everybody who walks into a courtroom looks at it -- looks at Lady Justice with her blindfolds on and believes I'm going to get a fair shake. And Senator MASSEY is right, when a number of people step in there, it's their worst day. It's a life-changing moment for each and every one of them. The stakes are high, but they deserve to walk in believing that the playing field is going to be fair. We've got a responsibility y'all and it's my hope that we view it seriously.

Folks in South Carolina that vote for us don't have the responsibility that we do. I think if we ever just focus on what's good, somebody who votes for us -- knowing that there is a vast majority of folks out there who disagree with them -- and because we have an influential type of situation -- we can just have it happen anyway. I mean that falls on us and not on them. We can't blame them for asking. I believe we have a responsibility, if we know what's right and we know what's wrong, to do what's right.

My last point is, the idea of allowing one office, the Governor's office, to choose the judiciary, which is not a good idea. One of the things that we talked about in our discussions was how individualism matters. How we would have a comfort level with one person having the authority that might not have the same degree of confidence with another individual. And so, then the focus had to shift from whoever the Governor is right now, or pardon me, Mr. PRESIDENT, to whoever the President is right now to an institutional type of approach where it doesn't matter. The rules are in place such that fairness hopefully would be the end result of those processes. To think that placing it in the hands of one individual is going to cure all, is just not a good idea. I look forward to that we have to debate the matter in the future, to debating that issue on the merits, but I take

this opportunity to say that it's a bad, bad, bad idea. Thank you, Mr. PRESIDENT.

On motion of Senator DEVINE, with unanimous consent, the remarks of Senator SABB were ordered printed in the Journal.

The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 5153 -- Reps. West, Thayer, Chapman, Beach, Gagnon and Cromer: A BILL TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES OF ANDERSON COUNTY SCHOOL DISTRICT 2, SO AS TO REPLACE THE TWO MULTI-MEMBER DISTRICTS WITH FOUR SINGLE-MEMBER RESIDENCY AREAS AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE RESIDENCY AREAS ARE DELINEATED.

On motion of Senator GAMBRELL.

H. 5168 -- Reps. Connell, Mitchell, B. Newton and Wheeler: A BILL TO AMEND ACT 930 OF 1970, AS AMENDED, RELATING TO THE SCHOOL DISTRICT BOARD OF TRUSTEES FOR KERSHAW COUNTY, SO AS TO REVISE THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD ARE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION FOR THESE DISTRICTS.

On motion of Senator GUSTAFSON.

H. 5079 -- Rep. W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-110, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

On motion of Senator CAMPSEN.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Shanita Grimes, 947 Tuxford Trail, Elgin, SC 29045-7903 *VICE* Christina Pope

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

James Donald Willingham II, 105 Edge Road, Moore, SC 29369-9521

Reappointment, Florence County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Belinda B. Timmons, 2717 Triple Crown Dr., Florence, SC 29505-8752

Statement by Senator Reichenbach

I have opposed and continue to oppose the reappointment of Belinda Timmons as a Florence County Magistrate. While three of my Senate colleagues in the Florence County Senatorial Delegation signed in favor of her reappointment, I did not and I do not. I believe strongly that judicial selection reform -- including that for the selection and the reappointment process of magistrate judges -- is necessary in South Carolina. I will continue working to see that come to fruition.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 2:07 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, March 15, 2024
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator CROMER.

ADJOURNMENT

At 11:03 A.M., on motion of Senator DEVINE, the Senate adjourned to meet next Tuesday, March 19, 2024, at 12:00 Noon.

* * *

Tuesday, March 19, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Jeremiah 31:17a

We read in Jeremiah these uplifting words: ". . . there is hope for your future, says the Lord . . ."

Friends, unite your heart with mine as we pray: Glorious Lord Almighty, we find ourselves living in a time when, for so many people, "hope" seems to be nothing but an illusion, available for a few, perhaps, but not for all. How sad that reality is. After all, faith itself, and even our state's motto, *Dum spiro spero*, "While I breathe I hope," together speak of how incredibly important maintaining a hopeful spirit truly is, of how living a hope-filled life can make all the difference in the world. So this afternoon we ask You, Lord, to touch the heart of every Senator and aide serving in this place. Empower each of them to do all they can to make "hope" real for every single citizen of South Carolina. We pray all this in Your powerful and hopeful name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Reichenbach

Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5136
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Sections 44-7-110 through 44-7-340
SUBJECT: Certification of Need for Health Facilities and Services
Received by President of the Senate January 10, 2023
Referred to Committee on Medical Affairs
Legislative Review Expiration May 10, 2023
Withdrawn and Resubmitted March 15, 2024

Doctor of the Day

Senator McLEOD introduced Dr. Mark Humphrey of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SETZLER, at 12:39 P.M., Senator HUTTO was granted a leave of absence for today.

Leave of Absence

On motion of Senator HEMBREE, at 12:39 P.M., Senator TALLEY was granted a leave of absence for today.

Leave of Absence

On motion of Senator CROMER, at 12:39 P.M., Senator CAMPSEN was granted a leave of absence until 1:30 P.M.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 266 Sen. Devine
S. 278 Sen. Devine
S. 887 Sen. Setzler
S. 969 Sen. Malloy, Stephens, Senn and McLeod

S. 996 Sens. Alexander and Matthews
S. 1021 Sen. Matthews
S. 1108 Sen. Devine

RECALLED

S. 1163 -- Senators Campsen, Grooms and Adams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF HIGHWAY 703 AND THE INTERSECTION OF CHUCK DAWLEY BOULEVARD (I-526B) IN CHARLESTON COUNTY "DETECTIVE PAT MESSER MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1169 -- Senator McLeod: A SENATE RESOLUTION TO CONGRATULATE COACH LAMONT PARIS FOR BEING NAMED THE 2024 ASSOCIATED PRESS SEC COACH OF THE YEAR.
sr-0641km-hw24.docx

The Senate Resolution was adopted.

S. 1170 -- Senator McLeod: A SENATE RESOLUTION TO RECOGNIZE AND HONOR COACH DAWN STALEY FOR HER IMPRESSIVE CAREER WITH THE UNIVERSITY OF SOUTH CAROLINA'S LADY GAMECOCKS.
sr-0640km-vc24.docx

The Senate Resolution was adopted.

S. 1171 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-10-30, RELATING TO ENERGY STANDARD ADOPTION AND COMPLIANCE, SO AS TO REQUIRE NEW AND RENOVATED COMMERCIAL CONSTRUCTION TO COMPLY WITH THE 2021

EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE.
lc-0307ha24.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1172 -- Senator Martin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-56-20, RELATING TO THE DEBT SETOFF COLLECTION ACT, SO AS TO INCLUDE CERTAIN COSTS COLLECTED BY THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES IN THE DEFINITION OF "DELINQUENT DEBT".
lc-0388dg24.docx

Read the first time and referred to the Committee on Finance.

S. 1173 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-63-105 SO AS TO PROVIDE THAT ANY INTERSCHOLASTIC ATHLETIC ASSOCIATION, BODY, OR ENTITY THAT A PUBLIC SCHOOL DISTRICT JOINS MUST PROVIDE IN THEIR CONSTITUTION, RULES, OR POLICIES A RANGE OF SANCTIONS FOR VIOLATIONS; TO GUARANTEE THAT PRIVATE OR CHARTER SCHOOLS ARE AFFORDED THE SAME RIGHTS AND PRIVILEGES ENJOYED BY ALL MEMBERS; TO GUARANTEE A HOME SCHOOL ATHLETIC TEAM MAY NOT BE DENIED ACCESS TO PRESEASON AND REGULAR SEASON INTERSCHOLASTIC ATHLETICS; TO PROHIBIT THE USE OF NAME, IMAGE, LIKENESS, OR OTHER COMPENSATION FOR PLAY; TO ESTABLISH A PENALTY-FREE TRANSFER WINDOW TWICE A YEAR AND PROVIDING PENALTIES FOR OTHER TRANSFERS; TO ESTABLISH A DIRECT AND IMMEDIATE APPEAL PROCESS TO A PANEL CONSISTING OF NINE MEMBERS; AND TO PROVIDE THAT A PUBLIC SCHOOL MAY NOT AFFILIATE OR BECOME A MEMBER OF AN ASSOCIATION, BODY, OR ENTITY THAT FAILS TO INCLUDE THESE ITEMS; AND BY AMENDING SECTION 59-39-160, RELATING TO INTERSCHOLASTIC ACTIVITIES, REQUIREMENTS FOR PARTICIPATION, MONITORING, PARTICIPATION BY PEOPLE WHO ARE HANDICAPPED, AND WAIVERS SO AS TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF EDUCATION'S

DETERMINATIONS OF ELIGIBILITY UNDER THIS SECTION ARE BINDING ON A INTERSCHOLASTIC ATHLETIC ASSOCIATION.

sedu-0065db24.docx

Read the first time and referred to the Committee on Education.

S. 1174 -- Senator Massey: A SENATE RESOLUTION TO CONGRATULATE STROM THURMOND HIGH SCHOOL MOCK TRIAL TEAM FOR WINNING THE 2024 SOUTH CAROLINA BAR HIGH SCHOOL MOCK TRIAL CHAMPIONSHIP.

sr-0651km-vc24.docx

The Senate Resolution was adopted.

S. 1175 -- Senator Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-3-800 SO AS TO PROVIDE DEFINITIONS FOR THE SOUTH CAROLINA DRAM SHOP ACT; BY ADDING SECTION 15-3-810 SO AS TO PROVIDE THAT AN INDIVIDUAL WHO SUFFERS DEATH, BODILY INJURY, OR PROPERTY DAMAGE BY AN INTOXICATED PERSON HAS A CAUSE OF ACTION FOR DAMAGES AGAINST THE HOLDER OF A PERMIT TO SELL BEER, WINE, OR LIQUOR IF THE PERMIT HOLDER KNOWINGLY SOLD, FURNISHED, OR SERVED ALCOHOL TO THE INTOXICATED PERSON AND THE SALE, FURNISHMENT, OR SERVICE WAS THE PROXIMATE CAUSE OF THE INJURY GIVING RISE TO THE CLAIM; AND BY ADDING SECTION 15-3-820 SO AS TO PROVIDE THAT AN INDIVIDUAL WHO SUFFERS DEATH, BODILY INJURY, OR PROPERTY DAMAGE BY A PERSON UNDER THE LAWFUL DRINKING AGE HAS A CAUSE OF ACTION FOR DAMAGES AGAINST THE HOLDER OF A PERMIT TO SELL BEER, WINE, OR LIQUOR IF THE PERMIT HOLDER KNOWINGLY SOLD, FURNISHED, OR SERVED ALCOHOL TO THE PERSON UNDER THE LAWFUL DRINKING AGE AND THE SALE, FURNISHMENT, OR SERVICE WAS THE PROXIMATE CAUSE OF THE INJURY GIVING RISE TO THE CLAIM.

sj-0016mf24.docx

Senator MALLOY spoke on the Bill.

Read the first time and referred to the Committee on Judiciary.

S. 1176 -- Senator K. Johnson: A BILL TO AMEND SECTION 4(A) OF ACT 355 OF 2004, RELATING TO THE CLARENDON COUNTY SCHOOL DISTRICT PROPERTY RELIEF ACT, SO AS TO ALLOW FOR THE REIMPOSITION OF THE TAX.
sr-0654km24.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1177 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-7-140, RELATING TO PENALTIES FOR VIOLATIONS OF SECTIONS 16-7-110 AND 16-7-120, SO AS TO REMOVE THE REFERENCE TO THE REPEALED SECTION 16-7-110; BY REPEALING SECTION 16-7-110 RELATING TO WEARING MASKS AND THE LIKE; AND BY REPEALING SECTION 16-7-130 RELATING TO EXCEPTIONS TO SECTIONS 16-7-110 AND 16-7-120.
lc-0256ahb24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1178 -- Senator Hembree: A CONCURRENT RESOLUTION TO EXPRESS SINCERE GRATITUDE TO THE PARTICIPATING RESTAURANTS AND SPONSORS OF THE SOUTH CAROLINA RESTAURANT AND LODGING ASSOCIATION'S ANNUAL HOSPITALITY DAY LEGISLATIVE LUNCHEON AND TO RECOGNIZE WEDNESDAY, APRIL 24, 2024, AS "HOSPITALITY DAY" IN SOUTH CAROLINA.
sr-0646km-vc24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1179 -- Senator Matthews: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF REVEREND THOMAS EDISON MCCLARY AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
sr-0650km-hw24.docx

The Senate Resolution was adopted.

S. 1180 -- Senators McElveen, K. Johnson, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, M. Johnson, Kimbrell, Loftis,

Malloy, Martin, Massey, Matthews, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Tedder, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CELEBRATE THE SUMTER HIGH SCHOOL GIRLS BASKETBALL TEAM FOR CAPTURING THE 2024 CLASS AAAAA STATE CHAMPIONSHIP TITLE AND TO CONGRATULATE THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF ON A SUPERB SEASON.
lc-0663wab-ar24.docx

The Senate Resolution was adopted.

S. 1181 -- Senators McElveen, Gustafson, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Loftis, Malloy, Martin, Massey, Matthews, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Tedder, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CELEBRATE THE CAMDEN HIGH SCHOOL GIRLS BASKETBALL TEAM FOR CAPTURING THE 2024 CLASS AAA STATE CHAMPIONSHIP TITLE AND TO CONGRATULATE THE TEAM'S EXCEPTIONAL PLAYERS, COACH, AND STAFF ON A SUPERB SEASON.
lc-0559sa-rm24.docx

The Senate Resolution was adopted.

REPORTS OF STANDING COMMITTEE

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 728 -- Senator Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-9-197(A)(3), RELATING TO THE FIREFIGHTER CANCER HEALTH CARE BENEFIT PLAN, SO AS TO PROVIDE THAT THE DEFINITION OF "FIREFIGHTER" SHALL INCLUDE NON-RESIDENTS OF SOUTH CAROLINA WHO WORK IN THE STATE.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 857 -- Senators Davis and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGY AND COSMETOLOGISTS SO AS TO PROVIDE A DEFINITION FOR "MOBILE SALON" AND "PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATION"; AND BY ADDING SECTION 40-13-365 SO AS TO PROVIDE FOR PERMITTING AND REGULATION OF MOBILE SALONS AND PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATIONS.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 1132 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-7-20, RELATING TO DEFINITIONS CONCERNING BARBERS AND BARBERING, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-7-390, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGISTS AND COSMETOLOGY, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-13-360, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; AND BY REPEALING SECTION 40-7-255 RELATING TO THE REGULATION OF HAIR-BRAIDING PRACTITIONERS.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

H. 3992 -- Reps. Blackwell, McGinnis, Sandifer, Ligon, Cromer, Magnuson, White, Pace and Burns: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-31-60, RELATING TO DELINQUENT UNEMPLOYMENT COMPENSATION TAX RATES, SO AS TO PERMIT EMPLOYERS WITH INSTALLMENT PAYMENT AGREEMENTS APPROVED BY THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO PAY THE TAX AT A REDUCED RATE, AND TO PROVIDE FOR THE AUTOMATIC REVERSION OF THIS RATE UPON FAILURE TO TIMELY COMPLY WITH THE PAYMENT AGREEMENT.

Ordered for consideration tomorrow.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

RECOMMITTED

S. 708 -- Senators Young, Shealy and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-11-420, RELATING TO DEFINITIONS PERTAINING TO THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM, SO AS TO DEFINE CHILD ABUSE MEDICAL SERVICES; AND BY AMENDING SECTION 63-11-430, RELATING TO PROGRAM REQUIREMENTS, SO AS TO PROVIDE FOR THE INCLUSION OF SOUTH CAROLINA NETWORK OF CHILDREN'S ADVOCACY CENTERS AND CHILDREN'S HOSPITALS IN THE PROGRAM.

On motion of Senator DAVIS, the Bill was recommitted to Committee on Family and Veterans' Services.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

S. 962 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-71-2330, RELATING TO DUTIES OF PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS, SO AS TO REMOVE THE REQUIREMENT THAT PHARMACY SERVICE

ADMINISTRATIVE ORGANIZATIONS MUST ACT AS FIDUCIARIES TO PHARMACIES.

S. 839 -- Senators Alexander, Senn, Rankin and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-85, RELATING TO HOMICIDE BY CHILD ABUSE, SO AS TO INCREASE THE AGE OF A CHILD UNDER THIS SECTION FROM UNDER THE AGE OF ELEVEN TO UNDER THE AGE OF EIGHTEEN.

S. 877 -- Senators Senn, Shealy, Gustafson, McLeod, Devine and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-90 SO AS TO DEFINE NECESSARY TERMS, CREATE THE OFFENSE OF LURING A CHILD INTO A CONVEYANCE, DWELLING, OR STRUCTURE, AND PROVIDE A PENALTY AND DEFENSES TO PROSECUTION.

S. 996 -- Senators Hutto, Shealy, Reichenbach, Senn, McLeod, Rankin, Alexander and Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY.

S. 968 -- Senators Peeler and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-80(A)(6) AND (B), RELATING TO APPLICATIONS FOR DRIVER'S LICENSE OR PERMIT, SO AS TO ALLOW AN APPLICANT TO VOLUNTARILY DISCLOSE HIS BLOOD TYPE.

READ THE SECOND TIME

S. 538 -- Senators Kimbrell, M. Johnson, Adams, Reichenbach, Rice, Verdin, Grooms, Climer and Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-101-15 SO AS TO LIMIT TENURE AND TO PROVIDE THAT INSTITUTIONS

OF HIGHER LEARNING MUST CREATE A TENURE REVIEW PROCESS.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

RECOMMITTED

S. 1052 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS,

DESIGNATED AS REGULATION DOCUMENT NUMBER 5251, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Fish, Game and Forestry.

RECOMMITTED

S. 1054 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 5231, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator YOUNG, the Resolution was recommitted to the Committee on Family and Veterans' Services.

RECOMMITTED

S. 1055 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF SOCIAL WORK EXAMINERS, RELATING TO STATE BOARD OF SOCIAL WORK EXAMINERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5252, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator YOUNG, the Resolution was recommitted to the Committee on Family and Veterans' Services.

CARRIED OVER

S. 954 -- Senators Hembree, Senn and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

On motion of Senator HEMBREE, the Bill was carried over.

CARRIED OVER

S. 995 -- Senators Hutto, Shealy, Reichenbach, Devine, Senn, McLeod and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO SECTIONS 16-15-385 THROUGH 16-15-425, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE; BY AMENDING SECTION 16-15-395, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-405, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-410, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER.

On motion of Senator MALLOY, the Bill was carried over.

RECOMMITTED

S. 1090 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO LICENSE PLATES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5227, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator GROOMS, the Resolution was recommitted to the Committee on Transportation.

RECOMMITTED

S. 1091 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO SELF-INSURERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5228, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator GROOMS, the Resolution was recommitted to the Committee on Transportation.

CARRIED OVER

S. 107 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCLUDE LIVESTOCK TRAILERS.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

On motion of Senator DAVIS, the Bill was carried over.

CARRIED OVER

S. 650 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-150-70, RELATING TO TEMPORARY REGULATIONS OF THE SOUTH CAROLINA EDUCATION LOTTERY, INITIAL AVAILABILITY OF TICKETS, AND ALTERNATE USE FOR NONWINNING TICKETS, SO AS TO ALLOW PAYMENT BY DEBIT CARD; AND BY ADDING SECTION 59-150-145 SO AS TO EXEMPT CERTAIN PERSONALLY IDENTIFIABLE INFORMATION CONCERNING LOTTERY CLAIMS FROM NONCONSENSUAL DISCLOSURE OR RELEASE UNDER THE FREEDOM OF INFORMATION ACT, TO PROVIDE THE LOTTERY COMMISSION MAY DISCLOSE CERTAIN INFORMATION CONCERNING LOTTERY CLAIMS WITHOUT CONSENT, AND TO PROVIDE AN EXCEPTION FOR PARTICIPANTS IN CERTAIN PROMOTIONS.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

The question being the second reading of the Bill.

On motion of Senator HEMBREE, the Bill was carried over.

READ THE SECOND TIME

S. 859 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "STATE EMPLOYMENT SKILLS BASED HIRING ACT"; BY ADDING SECTION 8-11-188 SO AS TO REQUIRE THE OFFICE OF HUMAN RESOURCES TO CONDUCT PERIODIC REVIEWS OF THE EDUCATIONAL, EXPERIENTIAL, AND TRAINING REQUIREMENTS FOR ALL EXECUTIVE BRANCH JOBS WITH A SPECIAL EMPHASIS ON WHETHER A FOUR-YEAR COLLEGE DEGREE IS NECESSARY, TO PROVIDE THAT THE OFFICE OF HUMAN RESOURCES SHALL REDUCE THE REQUIREMENTS IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE OFFICE OF HUMAN RESOURCES SHALL REPORT ITS ACTIONS PURSUANT TO THIS ACT; AND SO AS TO PROVIDE THAT THE FIRST PERIODIC REVIEW SHALL COMMENCE WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS ACT.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy

Stephens	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 969 -- Senators Alexander, Peeler, Setzler, K. Johnson, Young, McLeod, Stephens, Senn and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey

Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

ABSTAIN

Corbin	Reichenbach

Total--2

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 1017 -- Senators M. Johnson, Peeler, Climer and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS; AND BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY ASSESSED AS AGRICULTURAL OR RELATED THERETO MAY NOT BE ANNEXED BY A MUNICIPALITY.

Senator DEVINE objected to consideration of the Bill.

READ THE SECOND TIME

S. 1021 -- Senators Davis and Matthews: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT TO 2035; AND TO AMEND

THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-67-140, RELATING TO THE ABANDONED BUILDINGS TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE MAXIMUM TAX CREDIT THAT MAY BE EARNED.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 1047 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-610, RELATING TO DENMARK TECHNICAL COLLEGE AREA COMMISSION MEMBERS, SO AS TO PROVIDE THAT THE MANNER BY WHICH COMMISSIONERS ARE APPOINTED SHALL BE BY APPOINTMENT OF THE GOVERNOR UPON THE RECOMMENDATION OF A MAJORITY OF THE MEMBERS OF THE GENERAL ASSEMBLY REPRESENTING ALLENDALE, BAMBERG, AND BARNWELL COUNTIES.

The Senate proceeded to a consideration of the Bill.

Senator TURNER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1117 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO WILDERNESS THERAPEUTIC CAMPS FOR CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 5232, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to a consideration of the Resolution.

Senator YOUNG explained the Resolution.

The question being the second reading of the Resolution.

On motion of Senator YOUNG, the Resolution was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 3121 -- Reps. Hyde, Carter, B. Newton, Neese, T. Moore, Pope, Bauer, Davis, M.M. Smith, Willis, Brewer, Robbins, Felder, Stavrinakis, Wetmore and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3810 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO A PROPERTY OWNER WHO ENCUMBERS HIS PROPERTY WITH A PERPETUAL RECREATIONAL TRAIL EASEMENT.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (LC-3121.DG0003S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

SECTION 2. This act takes effect upon approval by the Governor and applies to income tax years beginning after 2023. This act is repealed on January 1, 2029, and is no longer effective for any income tax year after 2028.

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3295 -- Reps. Collins, Erickson, Bradley and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-210 SO AS TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-39-290 SO AS TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT,

ESTABLISH, AND PROMULGATE NECESSARY RULES AND REGULATIONS; BY ADDING SECTION 59-19-360 SO AS TO PROVIDE A PROCESS FOR THE EXEMPTION OF COMPETENCY-BASED SCHOOLS FROM CERTAIN APPLICABLE LAWS AND REGULATIONS, TO PROVIDE REQUIREMENTS FOR IMPLEMENTING COMPETENCY-BASED EDUCATION IN SCHOOLS, AND TO PROVIDE RELATED REQUIREMENTS FOR THE STATE DEPARTMENT OF EDUCATION AND THE COMMISSION ON HIGHER EDUCATION; BY AMENDING SECTION 59-1-425, RELATING TO THE STATUTORY ANNUAL SCHOOL CALENDAR, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-39-100, RELATING TO REQUIRED UNITS FOR A HIGH SCHOOL DIPLOMA, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

The question being the second reading of the Bill.

On motion of Senator HEMBREE, the Bill was carried over.

READ THE SECOND TIME

H. 3309 -- Reps. Gilliam, Pope, Erickson, Bradley, Davis, Caskey and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SEIZURE SAFE SCHOOLS ACT” BY ADDING SECTION 59-63-97 SO AS TO REQUIRE THE ESTABLISHMENT OF SEIZURE ACTION PLANS IN PUBLIC SCHOOLS, AND TO PROVIDE REQUIREMENTS FOR SUCH PLANS AND THEIR IMPLEMENTATION, AMONG OTHER THINGS.

The Senate proceeded to a consideration of the Bill.

Senator TURNER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Massey

Total--1

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3608 -- Reps. Hixon, Bailey and Brittain: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-39-260, RELATING TO RECORDS OF SALES OR CONVEYANCES AND RESULTING CHANGES IN DUPLICATES AND ENDORSEMENT OF DEEDS BY AUDITORS, SO AS TO PROVIDE GUIDELINES FOR THE RECORDS OF COUNTY REAL PROPERTY SALES AND TO REMOVE COUNTY AUDITOR FEES; BY AMENDING SECTION 30-5-120, RELATING TO THE VALIDATION OF CERTAIN CONVEYANCES NOT ENDORSED BY A COUNTY AUDITOR, SO AS TO PROVIDE THAT ANY CONVEYANCE MEETING THE STATUTORY PREREQUISITES FOR RECORDING ARE VALID AND BINDING; BY REPEALING SECTION 30-5-80 RELATING TO THE REQUIREMENT OF THE AUDITOR’S ENDORSEMENT BEFORE THE RECORDATION OF

DEEDS; AND BY REPEALING SECTION 8-21-130 RELATING TO FEES COLLECTED BY COUNTY AUDITORS FOR AN ENDORSEMENT ON A DEED.

The Senate proceeded to a consideration of the Bill.

Senator VERDIN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3811 -- Rep. Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3585, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE FOR AN INCREASE IN THE AGGREGATE CREDIT FROM NINE MILLION TO TWELVE MILLION DOLLARS FOR TAX YEARS AFTER 2022.

The Senate proceeded to a consideration of the Bill.

Senator SETZLER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 13

AYES

Adams	Alexander	Allen
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Malloy	Matthews	McElveen
McLeod	Peeler	Rankin
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Turner	Williams	Young

Total--30

NAYS

Bennett	Cash	Climer
Corbin	Gustafson	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Reichenbach	Rice
Verdin		

Total--13

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

H. 3880 -- Reps. M.M. Smith, Herbkersman, Davis, Elliott, B.J. Cox, B.L. Cox and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-2420, RELATING TO THE ADMISSIONS TAX, SO AS TO PROVIDE THAT NO TAX MAY BE CHARGED OR COLLECTED ON ANNUAL OR MONTHLY DUES PAID TO A GOLF CLUB.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

Senator HARPOOTLIAN objected to further consideration of the Bill.

READ THE SECOND TIME

H. 4376 -- Reps. B.J. Cox, M.M. Smith, Caskey, T. Moore, Wooten, J.L. Johnson, Davis, Sessions, Guffey, Ligon, O'Neal, Pope, Hart and J. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 25-12-10, 25-12-30, AND 25-12-50, ALL RELATING TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN, SO AS TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ALSO APPLY TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN AND TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ARE MANDATORY UNDER CERTAIN CIRCUMSTANCES; AND BY AMENDING SECTION 17-5-590, RELATING TO THE DISPOSITION OF REMAINS OF UNIDENTIFIED DEAD BODIES, SO AS TO REQUIRE CORONERS TO RELEASE CERTAIN HUMAN REMAINS THAT HAVE BEEN DETERMINED TO BE THOSE OF AN UNCLAIMED DECEASED VETERAN TO A FUNERAL HOME, FUNERAL ESTABLISHMENT, OR MORTUARY FOR DISPOSITION PURSUANT TO CHAPTER 12, TITLE 25.

The Senate proceeded to a consideration of the Bill.

Senator McELVEEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4720 -- Rep. Bannister: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2024-2025 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to a consideration of the Resolution.

Senator PEELER explained the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN

INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION

OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

On motion of Senator MALLOY, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 434 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-78-55 SO AS TO PROVIDE THAT NO CLAUSE OF A SERVICE CONTRACT WHICH STATES THAT THE TERM OF THE CONTRACT SHALL BE DEEMED RENEWED FOR A SPECIFIED ADDITIONAL PERIOD, UNLESS THE SERVICE CONTRACT HOLDER GIVES NOTICE TO THE PROVIDER OF HIS INTENTION TO TERMINATE THE CONTRACT AT THE EXPIRATION OF THE TERM, SHALL BE ENFORCEABLE AGAINST THE SERVICE CONTRACT HOLDER.

The Senate proceeded to a consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (LC-434.PH0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 38-78-55 and inserting:

Section 38-78-55. No automatic renewal provision in a service contract shall be enforceable against the contract holder unless the contract holder was presented written or electronic notification of that automatic renewal provision not less than thirty days nor more than sixty days before the cancellation deadline required by the automatic renewal provision. This notification shall conspicuously disclose:

(A) that unless the service contract holder cancels the contract, the contract will automatically renew;

(B) the amount that will be charged upon renewal; and

(C) methods by which the service contract holder may obtain details of the automatic renewal provision and cancellation procedure, which shall include a toll-free telephone number, electronic email address, a postal address if the seller directly bills the consumer, or another cost-effective, timely, and easy-to-use mechanism for cancellation.

Amend the bill further, by adding appropriately numbered SECTIONS to read:

SECTION X. Chapter 6, Title 37 of the S.C. Code is amended by adding:

Section 37-6-120. No automatic renewal provision in a service contract shall be enforceable against the contract holder unless the contract holder was presented written or electronic notification of that automatic renewal provision not less than thirty days nor more than sixty days before the cancellation deadline required by the automatic renewal provision. This notification shall conspicuously disclose:

(A) that unless the service contract holder cancels the contract, the contract will automatically renew;

(B) the amount that will be charged upon renewal; and

(C) methods by which the service contract holder may obtain details of the automatic renewal provision and cancellation procedure, which shall include a toll-free telephone number, electronic email address, a postal address if the seller directly bills the consumer, or another cost-effective, timely, and easy-to-use mechanism for cancellation.

SECTION X. Section 38-78-20 of the S.C. Code is amended by adding:

(18) “Automatic renewal provision” means a provision under which a service contract is renewed for a specified period of more than one month if the renewal causes the service contract to be in effect more than six months after the day of the initiation of the service contract. Such renewal is effective unless the consumer gives notice to the seller of the consumer’s intention to terminate the service contract. This term does not include a contract renewal for services provided by a telecommunications carrier or its affiliate when either the carrier or the affiliate is regulated by the South Carolina Public Service Commission or the Federal Communications Commission.

SECTION X. Section 37-1-301 of the S.C. Code is amended by adding:

(31) “Automatic renewal provision” means a provision under which a service contract is renewed for a specified period of more than 1 month if the renewal causes the service contract to be in effect more than 6 months after the day of the initiation of the service contract. Such renewal is effective unless the consumer gives notice to the seller of the consumer’s intention to terminate the service contract. This term does not include a contract renewal for services provided by a telecommunications carrier or its affiliate when either the carrier or the affiliate is regulated by the South Carolina Public Service Commission or the Federal Communications Commission.

(32) “Service contract” means a written contract for the performance of services over a fixed period of time or for a specified duration.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 746 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 34-21-10, RELATING TO THE REQUIRED WRITTEN APPROVAL TO CONDUCT TRUST BUSINESS, SO AS TO PROVIDE THAT WRITTEN APPLICATION MUST BE MADE TO THE STATE BOARD OF FINANCIAL INSTITUTIONS AND TO DEFINE "TRUST BUSINESS".

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

The Senate proceeded to a consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (LC-1031.SA0004S):

Amend the bill, as and if amended, SECTION 1, by striking Section 35-11-105(22)(b) and inserting:

(b) The term does not include the provision solely of delivery, online or telecommunications services, or network access.

Amend the bill further, SECTION 1, by striking Section 35-11-105(29) and inserting:

(29) "Payroll processing services" means delivering wages or salaries on behalf of employers to employees or facilitating the payment of payroll taxes to state and federal agencies, making payments relating to

employee benefit plans, making distributions of other authorized deductions from wages or salaries, transmitting other funds on behalf of an employer in connection with transactions related to employees, an employer performing payroll processing services on its own behalf or on behalf of its affiliate, or a professional employment organization subject to regulation under other applicable state law.

Amend the bill further, SECTION 1, Section 35-11-110(A), by adding an item to read:

(15) payroll processing services.

Amend the bill further, SECTION 1, by deleting Section 35-11-555.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The question being the adoption of the amendment.

On motion of Senator MALLOY, the Bill was carried over.

READ THE SECOND TIME

H. 3255 -- Reps. Jefferson, Henegan, Anderson, Sandifer, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-63-110 SO AS TO PROHIBIT ISSUERS OF INDIVIDUAL LIFE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-65-130 SO AS TO PROHIBIT ISSUERS OF GROUP LIFE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-71-105 SO AS TO PROHIBIT ISSUERS OF DISABILITY INCOME INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; AND BY ADDING SECTION 38-72-110 SO AS TO PROHIBIT ISSUERS OF LONG-TERM CARE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 994 -- Senators Alexander, Hutto, Verdin, Grooms, Kimbrell, Gambrell, Shealy, Hembree, McElveen, Davis, Young, Loftis, K. Johnson, McLeod, Martin, Senn, Garrett, Fanning, Cromer, Devine and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-65 SO AS TO PROVIDE REGULATIONS FOR THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-994.KM0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-95-65(1) and inserting:

(1) "ENDS product" means an electronic nicotine delivery system intended for eventual retail sale in this State that is a non-combustible product that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size to produce vapor from nicotine in a solution. ENDS product include a consumable nicotine liquid solution suitable for use in an electronic nicotine delivery system, whether sold with the ENDS product or separately, but does not include any product regulated as a drug or device under Chapter V of the federal Food, Drug, and Cosmetic Act.

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

The question being the second reading of the Bill.

On motion of Senator GARRETT, the Bill was carried over.

OBJECTION

S. 965 -- Senators Massey and Corbin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 83 TO TITLE 44 SO AS TO PROVIDE THAT THE STATE OR ANY POLITICAL SUBDIVISION MAY NOT ENACT A COVID-19 VACCINATION MANDATE; TO PROVIDE FOR CERTAIN UNEMPLOYMENT BENEFITS; TO PROVIDE THAT NOTHING IN THIS ACT SHALL PREVENT AN EMPLOYER FROM ENCOURAGING OR ADMINISTERING VACCINES; TO PROVIDE RESTRICTIONS FOR A PRIVATE EMPLOYER'S VACCINE MANDATE; TO PROVIDE THAT CERTAIN VACCINE EXEMPTIONS MUST BE HONORED; AND TO PROVIDE THAT NO PERSON MAY BE DISCRIMINATED AGAINST BASED ON VACCINATION STATUS.

Senator McLEOD objected to consideration of the Bill.

CARRIED OVER

S. 1074 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS OF A CMA, SO AS TO CHANGE THE REQUIREMENTS FOR A QUALIFIED CMA; AND BY AMENDING SECTION 40-47-196, RELATING TO DELEGATION OF TASKS, SO AS TO PROVIDE THAT A PHYSICIAN OR PHYSICIAN ASSISTANT, PURSUANT TO THE PHYSICIAN ASSISTANT'S SCOPE OF PRACTICE GUIDELINES, MAY DELEGATE NURSING TASKS TO UAP UNDER THE SUPERVISION OF THE PHYSICIAN OR PHYSICIAN ASSISTANT.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-1074.KM0002S):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 40-47-20(57) of the S.C. Code is amended to read:

(57) "Certified medical assistant" or "CMA" means a person who ~~is a graduate of a post-secondary medical assisting education program accredited by the National Healthcare Association, or its successor; by the Committee on Allied Health Education and Accreditation of the American Medical Association, or its successor; by the Accrediting Bureau of Health Education Schools, or its successor; or by any accrediting agency recognized by the United States Department of Education. The accredited post-secondary medical assisting education program must include courses in anatomy and physiology, medical terminology, pharmacology, medical laboratory techniques, and clinical experience. A certified medical assistant must maintain current certification from the certifying board of the American Association of Medical Assistants, the National Center for Competency Testing, the National Certification Medical Association, American Medical Technologists, or any other recognized certifying body approved by the Board of Medical Examiners.~~

(1) has completed:

(a) a medical assisting education program accredited by the Commission on Accreditation of Allied Health Education Programs or its successor, by the Accrediting Bureau of Health Education Schools or its successor, or by any accrediting agency recognized by the United States Department of Education, and which must include courses or

components in anatomy and physiology, medical terminology, pharmacology, medical laboratory techniques, and clinical experience, provided the clinical experience component may be satisfied through an individual's work experience with a health care employer;

(b) a Career and Technical Education Health Sciences Program approved by the South Carolina Department of Education;

(c) a medical assisting program provided by a branch of the United States military;

(d) a medical assisting United States Department of Labor-approved Registered Apprenticeship program; or

(e) a training program that is delivered, in whole or in part, by a health care employer that aligns to a nationally accredited certification exam; and

(2) maintains current certification from a certifying body offering a certification program that is:

(a) approved by the Board of Medical Examiners and the Board of Nursing; and

(b) is accredited by the National Commission for Certifying Agencies or other accreditation body recognized by the Board of Medical Examiners and the Board of Nursing.

The term "certified medical assistant" or "CMA" also includes medical assistants who have maintained certification from one of the certifying entities in item (2) of this section since January 1, 2020, and individuals employed as certified medical assistants as of the effective date of this act who do not meet the education or training requirements required in this item, but who meet those requirements no later than July 15, 2026.

SECTION 2. Section 40-47-196(C) of the S.C. Code is amended to read:

(C)(1) A physician or physician assistant, pursuant to the physician assistant's scope of practice guidelines, may delegate nursing tasks to UAP under the supervision of the physician or physician assistant. Such nursing tasks include, but are not limited to, the following:

(a) meeting patients' needs for personal hygiene;

(b) meeting patients' needs relating to nutrition;

(c) meeting patients' needs relating to ambulation;

(d) meeting patients' needs relating to elimination;

(e) taking vital signs;

(f) maintaining asepsis; ~~and~~

(g) collecting specimens (urine, stool, sputum);

(h) point of care testing and screening tests;

(i) recording information;

(j) performing non-clinical tasks via telemedicine; and

~~(g)~~(k) observing, recording, or reporting any of the nursing tasks enumerated in this subsection.

(2) Pursuant to the APRN's practice agreement, ~~APRNs~~ he may delegate any of the above nursing tasks to UAP~~ pursuant to Section 40-33-42~~.

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The question being adoption of the amendment.

On motion of Senator DAVIS, the Bill was carried over.

ADOPTED

S. 1101 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 38 ALONG INTERSTATE HIGHWAY 95 IN HAMPTON COUNTY "MAJOR GENERAL ARNOLD FIELDS INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:56 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

H. 4002 -- Reps. G.M. Smith, W. Newton, Hiott, Davis, B. Newton, Erickson, Bannister, Haddon, Sandifer, Thayer, Hixon, Carter, Robbins, Blackwell, Forrest and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATION DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE PENALTIES.

On motion of Senator MALLOY, the Bill was carried over.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE THIRD TIME
SENT TO THE HOUSE

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30,

RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis

Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator STEPHENS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Barbara Howard of Orangeburg, S.C. Mrs. Howard was a kind and loving woman who loved the Lord and will be dearly missed.

and

MOTION ADOPTED

On motion of Senator BENNETT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Lura Jayne Austin Parker formerly of Anderson, S.C. Lura lived a long and full 101 years and was the grandmother of our beloved J.J. Gentry. Lura attended Anderson City Schools and Draughons Business College. She worked most of her career and retired from the South Carolina Employment Commission. She was a talented artist, loved reading, watching birds and was a diehard Clemson fan. Lura was a devoted Christian who spent many years teaching Sunday School in various churches she attended. Lura was a loving mother and devoted grandmother who will be dearly missed.

ADJOURNMENT

At 2:01 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, March 20, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Exodus 3:2

We remember the story of when Moses came to Horeb: "There the angel of the Lord appeared to him in a flame of fire out of a bush; he looked, and the bush was blazing, yet it was not consumed."

Let us pray: How frequently, Lord, as we struggle to find solutions to hot-potato issues, do we find ourselves desperate for some fresh insight, some "burning bush" to signal that we finally have gotten our answers and that we are on the right track. The way forward for these Senators would indeed be so much easier at times if only such a blazing bush would present itself during a debate in one of the conference rooms or even here on the floor of this Chamber. But we know, O Lord, that You still work in wondrous ways with those who are open to Your leading. So, guided by You in all that they do, dear God, enable these leaders to act wisely and well as they strive to bring about good for our citizens. And may they sense Your blessed guidance all along the way. In Your holy name we pray, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Corbin
Cromer	Davis	Devine
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Loftis
Martin	Massey	Matthews
Peeler	Rankin	Rice

Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointment

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Quenton Michael Wood, 354 Twin Oaks Dr., Spartanburg, SC 29306

Doctor of the Day

Senator GARRETT introduced Dr. Jimmy Wells of Lexington, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SHEALY, at 1:10 P.M., Senator GUSTAFSON was granted a leave of absence until 2:25 P.M.

Expression of Personal Interest

Senator GOLDFINCH rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 586 Sen. Senn
S. 841 Sen. Senn
S. 849 Sen. Senn
S. 890 Sen. Senn
S. 1017 Sen. Kimbrell
S. 1021 Sen. Campsen
S. 1126 Sens. Goldfinch and Massey

RECALLED

S. 1123 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 BYPASS IN FAIRFIELD COUNTY FROM ITS INTERSECTION WITH SOUTH

CAROLINA HIGHWAY 213 TO 392 UNITED STATES HIGHWAY 321 BYPASS “DR. J. R. GREEN HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1182 -- Senator McElveen: A SENATE RESOLUTION TO CONGRATULATE BILLY "REB" RICHARDSON AS HE STEPS DOWN FROM HIS POSITION AS THE ASSISTANT LEGISLATIVE COORDINATOR FOR ABATE OF SOUTH CAROLINA, COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0645km-vc24.docx

The Senate Resolution was adopted.

S. 1183 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE RETREAT ROSENWALD SCHOOL UPON THE OCCASION OF THE BUILDING'S ONE HUNDREDTH ANNIVERSARY AND TO COMMEND THE SCHOOL FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE OCONEE COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0648km-vc24.docx

The Senate Resolution was adopted.

S. 1184 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF ZACK TAYLOR OF THE LOWER RICHLAND COMMUNITY, TO

CELEBRATE HIS LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
lc-0666wab-rm24.docx

The Senate Resolution was adopted.

S. 1185 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE THE COMMUNITY ACTION NETWORK AT THE CELEBRATION OF ITS SIXTIETH ANNIVERSARY AND TO COMMEND THE ORGANIZATION ON MORE THAN A HALF-CENTURY OF FIGHTING THE WAR ON POVERTY.
lc-0565sa-rm24.docx

The Senate Resolution was adopted.

S. 1186 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-1500, RELATING TO THE GREENVILLE TECHNICAL COLLEGE AREA COMMISSION, SO AS TO REMOVE OBSOLETE REFERENCES, TO REVISE RESIDENCY REQUIREMENTS FOR CERTAIN COMMISSION SEATS, AND TO REVISE THE ABSENCE POLICY FOR COMMISSION MEMBERS, AMONG OTHER THINGS.
sr-0652km24.docx

Read the first time and referred to the Committee on Education.

S. 1187 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "COMMERCIAL FINANCING DISCLOSURE ACT" BY ADDING CHAPTER 79 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE TO WHICH COMMERCIAL FINANCING TRANSACTIONS THE PROVISIONS APPLY, TO PROVIDE FOR WRITTEN DISCLOSURES, TO PROVIDE FOR PROHIBITIONS, AND TO PROVIDE FOR ENFORCEMENT.
lc-0566sa24.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1188 -- Senators Tedder and Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-240, RELATING TO EXPULSION FOR THE REMAINDER OF THE YEAR AND HEARINGS, SO AS TO AMEND REQUIREMENTS TO BE INCLUDED IN THE WRITTEN

NOTIFICATION TO PARENTS OR LEGAL GUARDIANS OF THE PUPIL.
sedu-0004kg24.docx

Read the first time and referred to the Committee on Education.

S. 1189 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-13-360, RELATING TO A PLACE ON THE BALLOT FOR WRITE-IN NAMES, SO AS TO DELETE THE PROHIBITION ON ALLOWING WRITE-IN VOTING FOR PRESIDENT AND VICE PRESIDENT.
sr-0135jg24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1190 -- Senator Talley: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE PROFESSIONAL ENGINEERS WHO LIVE AND WORK IN THE GREAT STATE OF SOUTH CAROLINA, TO ENCOURAGE ALL SOUTH CAROLINIANS TO HONOR OUR ENGINEERS FOR THEIR MANY CONTRIBUTIONS TO THE PALMETTO STATE'S QUALITY OF LIFE, AND TO DECLARE WEDNESDAY, APRIL 10, 2024, AS "PROFESSIONAL ENGINEERS DAY" IN SOUTH CAROLINA.
lc-0309ha-kar24.docx

The Senate Resolution was adopted.

S. 1192 -- Senators Alexander, Malloy, Massey, Hutto, Martin and Peeler: A CONCURRENT RESOLUTION TO PROVIDE THAT, PURSUANT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 9, 2024, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND IN RECESS SUBJECT TO THE CALL OF THE PRESIDENT OF THE SENATE FOR THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR THE HOUSE OF REPRESENTATIVES AT TIMES THEY CONSIDER APPROPRIATE FOR THEIR RESPECTIVE BODIES TO MEET FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN

SUNDAY, NOVEMBER 10, 2024, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

sr-0643km-vc24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

REPORTS OF STANDING COMMITTEE

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 955 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-5-400 SO AS TO ESTABLISH THE LIMITED COMMERCIAL BLUE CRAB LICENSE AND THE REQUIREMENTS FOR OBTAINING THE LICENSE; BY AMENDING SECTION 50-5-325, RELATING TO COMMERCIAL EQUIPMENT LICENSES AND FEES, SO AS TO REVISE THE FEE STRUCTURE FOR THE COMMERCIAL TRAP LICENSE; BY AMENDING SECTION 50-5-350, RELATING TO THE TRANSFERABILITY OF LICENSES, SO AS TO EXEMPT THE LIMITED COMMERCIAL BLUE CRAB LICENSE FROM THE GENERAL TRANSFER PROHIBITION; BY AMENDING SECTION 50-5-360, RELATING TO LICENSES TO ENGAGE IN SHEDDING PEELER CRABS, SO AS TO REQUIRE THAT AN APPLICANT'S OR LICENSEE'S BUSINESS PREMISES BE CAPABLE OF PEELER SHEDDING OPERATIONS; BY AMENDING SECTION 50-5-545, RELATING TO TRAPS FOR TAKING BLUE CRAB, SO AS TO PROVIDE FOR THE MATERIAL, DIMENSIONS, AND ESCAPE VENT REQUIREMENTS OF THE TRAPS; BY ADDING SECTION 50-5-1302 SO AS TO ESTABLISH A RECREATIONAL LIMIT OF ONE-HALF BUSHEL OF BLUE CRABS PER PERSON PER DAY NOT TO EXCEED ONE BUSHEL PER BOAT; BY ADDING SECTION 50-5-1345 SO AS TO PROHIBIT THE USE OF CRAB TRAPS IN THE WATERS OF THIS STATE FROM JANUARY 16 THROUGH JANUARY 29 OF EACH YEAR; BY AMENDING SECTION 50-5-330, RELATING TO RECREATIONAL EQUIPMENT LIMITS, SO AS TO INCREASE THE NUMBER OF TRAPS THAT MAY BE USED FOR RECREATIONAL PURPOSES FROM TWO TO TEN WITH A RECREATIONAL CRAB TRAP ENDORSEMENT; AND BY AMENDING SECTION 50-9-540, RELATING TO RECREATIONAL SALTWATER FISHING LICENSES SO AS TO PROVIDE FOR THE COST OF THE RECREATIONAL CRAB TRAP ENDORSEMENT.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

S. 1051 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1330, RELATING TO WATERCRAFT RESTRICTIONS ON LAKE H. TAYLOR BLALOCK, SO AS TO EXTEND THE HUNTING OF WATERFOWL FOR FIVE YEARS.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., March 20, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3355 -- Reps. Moss and Lawson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-5-4072 SO AS TO PROVIDE THAT A TOWING TRUCK WITH A FIFTH WHEEL ASSEMBLY MAY TOW ONE ADDITIONAL VEHICLE, TO PROVIDE A MAXIMUM LENGTH FOR THIS COMBINATION OF VEHICLES, TO PROVIDE THE MAXIMUM WEIGHT FOR THE FINAL TRAILING VEHICLE, AND TO PROVIDE A TRUCK OPERATING A TOWING COMBINATION MUST INCLUDE A VIDEO SYSTEM WHICH ALLOWS THE DRIVER TO MONITOR THE FINAL TRAILING VEHICLE AS IT IS BEING TOWED AND BE EQUIPPED WITH CERTAIN SAFETY DEVICES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., March 20, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE

REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING

TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., March 20, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3592 -- Reps. Hyde and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO REMOVE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-43-86, RELATING TO COMPOUNDING OF MEDICATIONS BY PHARMACIES , SO AS TO REVISE REQUIREMENTS FOR COMPOUNDING PHARMACIES; BY AMENDING SECTION 40-43-87, RELATING TO NUCLEAR/RADIOLOGIC PHARMACY PRACTICES, SO AS TO REMOVE REQUIREMENTS CONCERNING NUCLEAR PHARMACY FACILITIES; AND BY AMENDING SECTION 40-43-88, RELATING TO STANDARDS FOR PREPARATION, LABELING, AND DISTRIBUTION OF STERILE PRODUCTS BY PHARMACIES, SO AS TO REMOVE CERTAIN STANDARDS.

and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 1167 -- Senator Cromer: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 3, 2024, AS "BATTEN DISEASE AWARENESS DAY" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

S. 1178 -- Senator Hembree: A CONCURRENT RESOLUTION TO EXPRESS SINCERE GRATITUDE TO THE PARTICIPATING RESTAURANTS AND SPONSORS OF THE SOUTH CAROLINA RESTAURANT AND LODGING ASSOCIATION'S ANNUAL HOSPITALITY DAY LEGISLATIVE LUNCHEON AND TO RECOGNIZE WEDNESDAY, APRIL 24, 2024, AS "HOSPITALITY DAY" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

S. 1176 -- Senator K. Johnson: A BILL TO AMEND SECTION 4(A) OF ACT 355 OF 2004, RELATING TO THE CLARENDON COUNTY SCHOOL DISTRICT PROPERTY RELIEF ACT, SO AS TO ALLOW FOR THE REIMPOSITION OF THE TAX.

On motion of Senator K. JOHNSON.

Motion Adopted

On motion of Senator GOLDFINCH, with unanimous consent, Senators McELVEEN, TALLEY, M. JOHNSON, STEPHENS and GOLDFINCH were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 538 -- Senators Kimbrell, M. Johnson, Adams, Reichenbach, Rice, Verdin, Grooms, Climer and Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-101-15 SO AS TO LIMIT TENURE AND TO PROVIDE THAT INSTITUTIONS OF HIGHER LEARNING MUST CREATE A TENURE REVIEW PROCESS.

S. 859 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "STATE EMPLOYMENT SKILLS BASED HIRING ACT"; BY ADDING SECTION 8-11-188 SO AS TO REQUIRE THE OFFICE OF HUMAN RESOURCES TO CONDUCT PERIODIC REVIEWS OF THE EDUCATIONAL, EXPERIENTIAL, AND TRAINING REQUIREMENTS FOR ALL EXECUTIVE BRANCH JOBS WITH A SPECIAL EMPHASIS ON WHETHER A FOUR-YEAR COLLEGE DEGREE IS NECESSARY, TO PROVIDE THAT THE OFFICE OF HUMAN RESOURCES SHALL REDUCE THE REQUIREMENTS IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE OFFICE OF HUMAN RESOURCES SHALL REPORT ITS ACTIONS PURSUANT TO THIS ACT; AND SO AS TO PROVIDE THAT THE FIRST PERIODIC REVIEW SHALL COMMENCE WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS ACT.

S. 969 -- Senators Alexander, Peeler, Setzler, K. Johnson, Young, Malloy, Senn, Stephens and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.

S. 1021 -- Senators Davis, Matthews and Campsen: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT TO 2035; AND TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-67-140, RELATING TO THE ABANDONED BUILDINGS TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE MAXIMUM TAX CREDIT THAT MAY BE EARNED.

S. 1047 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-610, RELATING TO DENMARK TECHNICAL COLLEGE AREA COMMISSION MEMBERS, SO AS TO PROVIDE THAT THE MANNER BY WHICH COMMISSIONERS ARE APPOINTED SHALL BE BY APPOINTMENT OF THE GOVERNOR UPON THE RECOMMENDATION OF A MAJORITY OF THE MEMBERS OF THE GENERAL ASSEMBLY REPRESENTING ALLENDALE, BAMBERG, AND BARNWELL COUNTIES.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3121 -- Reps. Hyde, Carter, B. Newton, Neese, T. Moore, Pope, Bauer, Davis, M.M. Smith, Willis, Brewer, Robbins, Felder, Stavrinakis, Wetmore and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3810 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO A PROPERTY OWNER WHO ENCUMBERS HIS PROPERTY WITH A PERPETUAL RECREATIONAL TRAIL EASEMENT.

ORDERED ENROLLED FOR RATIFICATION

The following Bills and Resolution were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3309 -- Reps. Gilliam, Pope, Erickson, Bradley, Davis, Caskey and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SEIZURE SAFE SCHOOLS ACT" BY ADDING SECTION 59-63-97 SO AS TO REQUIRE THE ESTABLISHMENT OF SEIZURE ACTION PLANS IN PUBLIC SCHOOLS, AND TO PROVIDE REQUIREMENTS FOR SUCH

PLANS AND THEIR IMPLEMENTATION, AMONG OTHER THINGS.

H. 3608 -- Reps. Hixon, Bailey and Brittain: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-39-260, RELATING TO RECORDS OF SALES OR CONVEYANCES AND RESULTING CHANGES IN DUPLICATES AND ENDORSEMENT OF DEEDS BY AUDITORS, SO AS TO PROVIDE GUIDELINES FOR THE RECORDS OF COUNTY REAL PROPERTY SALES AND TO REMOVE COUNTY AUDITOR FEES; BY AMENDING SECTION 30-5-120, RELATING TO THE VALIDATION OF CERTAIN CONVEYANCES NOT ENDORSED BY A COUNTY AUDITOR, SO AS TO PROVIDE THAT ANY CONVEYANCE MEETING THE STATUTORY PREREQUISITES FOR RECORDING ARE VALID AND BINDING; BY REPEALING SECTION 30-5-80 RELATING TO THE REQUIREMENT OF THE AUDITOR'S ENDORSEMENT BEFORE THE RECORDATION OF DEEDS; AND BY REPEALING SECTION 8-21-130 RELATING TO FEES COLLECTED BY COUNTY AUDITORS FOR AN ENDORSEMENT ON A DEED.

H. 3811 -- Rep. Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3585, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE FOR AN INCREASE IN THE AGGREGATE CREDIT FROM NINE MILLION TO TWELVE MILLION DOLLARS FOR TAX YEARS AFTER 2022.

H. 4376 -- Reps. B.J. Cox, M.M. Smith, Caskey, T. Moore, Wooten, J.L. Johnson, Davis, Sessions, Guffey, Ligon, O'Neal, Pope, Hart and J. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 25-12-10, 25-12-30, AND 25-12-50, ALL RELATING TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN, SO AS TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ALSO APPLY TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN AND TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ARE MANDATORY UNDER CERTAIN CIRCUMSTANCES; AND BY AMENDING SECTION 17-5-590, RELATING TO THE DISPOSITION OF REMAINS OF UNIDENTIFIED DEAD BODIES, SO AS TO

REQUIRE CORONERS TO RELEASE CERTAIN HUMAN REMAINS THAT HAVE BEEN DETERMINED TO BE THOSE OF AN UNCLAIMED DECEASED VETERAN TO A FUNERAL HOME, FUNERAL ESTABLISHMENT, OR MORTUARY FOR DISPOSITION PURSUANT TO CHAPTER 12, TITLE 25.

H. 4720 -- Rep. Bannister: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2024-2025 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 434 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-78-55 SO AS TO PROVIDE THAT NO CLAUSE OF A SERVICE CONTRACT WHICH STATES THAT THE TERM OF THE CONTRACT SHALL BE DEEMED RENEWED FOR A SPECIFIED ADDITIONAL PERIOD, UNLESS THE SERVICE CONTRACT HOLDER GIVES NOTICE TO THE PROVIDER OF HIS INTENTION TO TERMINATE THE CONTRACT AT THE EXPIRATION OF THE TERM, SHALL BE ENFORCEABLE AGAINST THE SERVICE CONTRACT HOLDER.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3255 -- Reps. Jefferson, Henegan, Anderson, Sandifer, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-63-110 SO AS TO PROHIBIT ISSUERS OF INDIVIDUAL LIFE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-65-130 SO AS TO PROHIBIT ISSUERS OF GROUP LIFE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-71-105 SO AS TO PROHIBIT ISSUERS OF DISABILITY INCOME INSURANCE POLICIES FROM DISCRIMINATING

AGAINST LIVING ORGAN DONORS; AND BY ADDING SECTION 38-72-110 SO AS TO PROHIBIT ISSUERS OF LONG-TERM CARE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS.

CARRIED OVER

S. 208 -- Senators Goldfinch and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO PROVIDE THAT A COUNTY MAY IMPOSE AN ADDITIONAL DRIVER'S LICENSE FEE AND AN ADDITIONAL MOTOR VEHICLE LICENSING AND REGISTRATION FEE FROM RESIDENTS NEW TO THIS STATE UPON A SUCCESSFUL REFERENDUM, AND TO PROVIDE THAT THE FUNDS REALIZED FROM THE ADDITIONAL FEES MUST BE USED ONLY FOR COUNTY INFRASTRUCTURE, PUBLIC EDUCATION RELATED EXPENSES, AND GREENSPACE CONSERVATION OR PRESERVATION; BY AMENDING SECTION 56-1-20, RELATING TO DRIVER'S LICENSE REQUIRED, SURRENDER AND DISPOSITION OF OUT-OF-STATE LICENSES, LOCAL LICENSES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM; AND BY AMENDING SECTION 56-3-210, RELATING TO THE TIME PERIOD FOR PROCURING REGISTRATION AND LICENSE, TEMPORARY LICENSE PLATES, TRANSFER OF LICENSE PLATES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM.

On motion of Senator FANNING, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 954 -- Senators Hembree, Senn and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-954.MB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 17-13-142, by adding a subsection to read:

(I) Nothing herein expands the obligations of electronic communications service providers.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Motion Adopted

Senator HUTTO asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 995 -- Senators Hutto, Shealy, Reichenbach, Devine, Senn, McLeod and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO SECTIONS 16-15-385 THROUGH 16-15-425, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE; BY AMENDING SECTION 16-15-395, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-405, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-410, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN

OFFENSE; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER.

On motion of Senator MALLOY, the Bill was carried over.

READ THE SECOND TIME

S. 107 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCLUDE LIVESTOCK TRAILERS.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

S. 1017 -- Senators M. Johnson, Peeler, Climer and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS; AND BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY ASSESSED AS AGRICULTURAL OR RELATED THERETO MAY NOT BE ANNEXED BY A MUNICIPALITY.

The Senate proceeded to a consideration of the Bill.

Senator M. JOHNSON proposed the following amendment (LC-1017.DG0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1.A., by striking Section 12-37-220(e)(i), (ii), (iii), and (iv) and inserting:

(e)(i) all property of nonprofit housing corporations or instrumentalities of these corporations when the property is devoted to providing housing to low or very low income residents. ~~A~~ Except as otherwise provided in this subitem, a nonprofit housing corporation or its instrumentality must satisfy the safe harbor provisions of Revenue Procedure 96-32 issued by the Internal Revenue Service for this exemption to apply. For purposes of this subitem, property of nonprofit housing corporations or instrumentalities of these corporations includes all leasehold interests in property owned by an entity that provides housing accommodations to persons of low or very low income, and in which a wholly owned affiliate or wholly owned instrumentality of a nonprofit housing corporation is the general partner, managing member, or the equivalent. However, except as otherwise provided in this subitem, the exemption allowed by this subitem only applies if the

property of nonprofit housing corporations or instrumentalities of these corporations satisfies the safe harbor provisions of Revenue Procedure 96-32 issued by the Internal Revenue Service;

(ii) the exemption allowed by this subitem must be proportionate to the nonprofit housing corporation's percentage of direct or indirect ownership in the qualifying property, except that if:

(A) the nonprofit housing corporation's percentage of direct or indirect ownership interest in the qualifying property exceeds fifty percent; or

(B) notwithstanding the unit mix prescribed by the safe harbor provisions of Revenue Procedure 96-32, all of the units in the property are devoted to providing housing to residents who qualify as low income under Revenue Procedure 96-32, then the exemption allowed by this subitem equals one hundred percent;

(iii) to claim the exemption allowed by this subitem, the nonprofit housing corporation or its instrumentality must apply to the department and certify the nonprofit housing corporation's percentage of direct or indirect ownership in the property and provide a rent roll or other suitable documentation evidencing compliance with the requirements of Revenue Procedure 96-32, as applicable. Such initial certification must be made by the first penalty date for the property tax year in which the exemption is first claimed for the property. In each subsequent year in which the exemption allowed by this subitem is claimed, the nonprofit housing corporation or its instrumentality must submit an annual certification to the department by October first. The annual certification must provide the current percentage of the nonprofit housing corporation's direct or indirect ownership in the property and current rent roll or other suitable documentation evidencing compliance with the requirements of Revenue Procedure 96-32, as applicable. The department shall prescribe the form of the application and certification required by this subitem as well as the penalties for noncompliance. The eligibility and transition rules provided in the safe harbor provisions of Revenue Procedure 96-32 must be taken into account by the department in determining compliance. Compliance with this subitem does not require displacement of any tenant before the termination of the tenant's lease agreement;

(iv) no later than sixty calendar days following the notification to any nonprofit housing corporation or its instrumentality of an approved exemption under this subitem, the department shall also notify the chief administrative officer of any county and, as applicable, any

municipality with jurisdiction over property determined to be exempt under this subitem;

Amend the bill further, by striking SECTION 1.B and inserting:

B.This SECTION takes effect upon approval by the Governor and applies prospectively to property of nonprofit housing corporations or their instrumentalities eligible and first making application for the exemption for property tax years beginning after 2024. This SECTION shall not apply to any project that, prior to approval by the Governor of this SECTION, had submitted an application or been approved for an exemption under Section 12-37-220(B)(11)(e). Provided, however, all exempt projects under Section 12-37-220(B)(11)(e) are required to submit the required annual certifications to the department.

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder

Turner Verdin Williams
Young

Total--46

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3295 -- Reps. Collins, Erickson, Bradley and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-210 SO AS TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-39-290 SO AS TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT, ESTABLISH, AND PROMULGATE NECESSARY RULES AND REGULATIONS; BY ADDING SECTION 59-19-360 SO AS TO PROVIDE A PROCESS FOR THE EXEMPTION OF COMPETENCY-BASED SCHOOLS FROM CERTAIN APPLICABLE LAWS AND REGULATIONS, TO PROVIDE REQUIREMENTS FOR IMPLEMENTING COMPETENCY-BASED EDUCATION IN SCHOOLS, AND TO PROVIDE RELATED REQUIREMENTS FOR THE STATE DEPARTMENT OF EDUCATION AND THE COMMISSION ON HIGHER EDUCATION; BY AMENDING SECTION 59-1-425, RELATING TO THE STATUTORY ANNUAL SCHOOL CALENDAR, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-39-100, RELATING TO REQUIRED UNITS FOR A HIGH SCHOOL DIPLOMA, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--46

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

H. 3880 -- Reps. M.M. Smith, Herbkersman, Davis, Elliott, B.J. Cox, B.L. Cox and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-2420, RELATING TO THE ADMISSIONS TAX, SO AS TO PROVIDE THAT NO TAX MAY BE CHARGED OR COLLECTED ON ANNUAL OR MONTHLY DUES PAID TO A GOLF CLUB.

Senators SHEALY and MATTHEWS objected to consideration of the Bill.

OBJECTION

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC

INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

Senator MALLOY objected to consideration of the Bill.

READ THE SECOND TIME

S. 746 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 34-21-10, RELATING TO THE REQUIRED WRITTEN APPROVAL TO CONDUCT TRUST BUSINESS, SO AS TO PROVIDE THAT WRITTEN APPLICATION MUST BE MADE TO THE STATE BOARD OF FINANCIAL INSTITUTIONS AND TO DEFINE "TRUST BUSINESS".

The Senate proceeded to a consideration of the Bill.

Senator MALLOY explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--46

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE

PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

On motion of Senator MALLOY, the Bill was carried over.

OBJECTION

S. 1074 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS OF A CMA, SO AS TO CHANGE THE REQUIREMENTS FOR A QUALIFIED CMA; AND BY AMENDING SECTION 40-47-196, RELATING TO DELEGATION OF TASKS, SO AS TO PROVIDE THAT A PHYSICIAN OR PHYSICIAN ASSISTANT, PURSUANT TO THE PHYSICIAN ASSISTANT'S SCOPE OF PRACTICE GUIDELINES, MAY DELEGATE NURSING TASKS TO UAP UNDER THE SUPERVISION OF THE PHYSICIAN OR PHYSICIAN ASSISTANT.

Senator MALLOY objected to consideration of the Bill.

POINT OF ORDER

S. 728 -- Senator Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-9-197(A)(3), RELATING TO THE FIREFIGHTER CANCER HEALTH CARE BENEFIT PLAN, SO AS TO PROVIDE THAT THE DEFINITION OF "FIREFIGHTER" SHALL INCLUDE NON-RESIDENTS OF SOUTH CAROLINA WHO WORK IN THE STATE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 857 -- Senators Davis and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGY AND COSMETOLOGISTS SO AS TO PROVIDE A DEFINITION FOR "MOBILE SALON" AND "PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATION"; AND BY ADDING SECTION 40-13-365 SO AS TO PROVIDE FOR PERMITTING AND REGULATION OF MOBILE

SALONS AND PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATIONS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1132 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-7-20, RELATING TO DEFINITIONS CONCERNING BARBERS AND BARBERING, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-7-390, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGISTS AND COSMETOLOGY, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-13-360, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; AND BY REPEALING SECTION 40-7-255 RELATING TO THE REGULATION OF HAIR-BRAIDING PRACTITIONERS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3992 -- Reps. Blackwell, McGinnis, Sandifer, Ligon, Cromer, Magnuson, White, Pace and Burns: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-31-60, RELATING TO DELINQUENT UNEMPLOYMENT

COMPENSATION TAX RATES, SO AS TO PERMIT EMPLOYERS WITH INSTALLMENT PAYMENT AGREEMENTS APPROVED BY THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO PAY THE TAX AT A REDUCED RATE, AND TO PROVIDE FOR THE AUTOMATIC REVERSION OF THIS RATE UPON FAILURE TO TIMELY COMPLY WITH THE PAYMENT AGREEMENT.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 1163 -- Senators Campsen, Grooms and Adams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF HIGHWAY 703 AND THE INTERSECTION OF CHUCK DAWLEY BOULEVARD (I-526B) IN CHARLESTON COUNTY "DETECTIVE PAT MESSER MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MADE SPECIAL ORDER

S. 95 -- Senators Campsen, Senn, Verdin, M. Johnson, Kimbrell, Gustafson, Young, Grooms, Fanning, Loftis and Garrett: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMPTROLLER GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE

COMPTROLLER GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

Senator MASSEY moved that the Resolution be made a Special Order.

The Resolution was made a Special Order.

MOTION ADOPTED

At 2:41 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CONCURRENCE

H. 4002 -- Reps. G.M. Smith, W. Newton, Hiott, Davis, B. Newton, Erickson, Bannister, Haddon, Sandifer, Thayer, Hixon, Carter, Robbins, Blackwell, Forrest and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATION DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE PENALTIES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MARTIN explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch

Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--46

NAYS

Total--0

On motion of Senator MARTIN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Quenton Michael Wood, 354 Twin Oaks Dr., Spartanburg, SC 29306

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Fred Palmer Hamilton of Seneca, S.C. Fred was a graduate of Seneca High School and Clemson University. He was a United States Army veteran and was employed for many years at J.P. Stevens. Fred was an ordained minister who served High Falls Church of God. During his fifty-six year career in education, Fred served in many capacities including classroom teacher, assistant principal, vocational director and superintendent. Fred was Vice-President of the South Carolina Association of County Superintendents, was the Secretary of South Carolina Association of School Superintendents and served on the board of directors at Lee College for twelve years. Fred was a past member of many organizations including the Seneca Rotary Club, American Legion Post 120, American Association of School Administrators and International Christian Embassy. He served on the Anderson-Oconee Alcohol and Drug Commission and the Oconee Board of School Trustees. In 1982, Fred was awarded the Service to Mankind award by the Seneca Sertoma Club. He served as founding member and elder at Impact Church. Fred was a loving father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 2:46 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 21, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

I Kings 9:4a, 5a

The Lord God declared to Solomon: " 'As for you, if you walk before me in integrity of heart and uprightness. . . then I will establish your royal throne. . . .' "

Bow with me as we pray, please: Of course, gracious God, we all know full well that in this land we're not about creating some monarchy. "Royal thrones" are simply not a part of who we are. Yet You have again and again made it clear that holding fast to integrity and uprightness themselves are key values which every leader is expected to have. And these leaders are to be guided always by those very virtues as they work on behalf of the people they are called to serve. We indeed pray, dear Lord, that You will fill each of these Senators with the noblest and most honorable qualities imaginable. And may they indeed labor together with zeal, making life better for all South Carolinians. In Your holy name we pray, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McLeod	Peeler

Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Privilege of the Chamber

On motion of Senator SABB, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to Ms. Betty Corley in honor and recognition of her retirement.

Doctor of the Day

Senator CROMER introduced Dr. Claire Birdsong of Lexington, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator FANNING, at 11:53 A.M., Senator JACKSON was granted a leave of absence for today.

Expression of Personal Interest

Senator HUTTO rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 995 Sens. Garrett and Alexander
S. 1074 Sen. Fanning
S. 1132 Sens. Climer and Senn
S. 1133 Sen. Fanning

RECALLED

S. 1099 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-360, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

Senator VERDIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1161 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF US 276 (LAURENS ROAD) BETWEEN MILLENNIUM BOULEVARD (N) AND FORRESTER DRIVE IN GREENVILLE COUNTY "SCHP PATROLMAN EDWIN D. MILAM MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1162 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SC-183 FROM S-87 (SULPHUR SPRINGS ROAD) TO S-430 (RIDGE ROAD) IN GREENVILLE COUNTY "SCHP PATROLMAN ALBERT T. SEALY JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1193 -- Senator Rankin: A SENATE RESOLUTION TO CONGRATULATE THE MOCK TRIAL TEAM FROM PALMETTO ACADEMY FOR LEARNING AND SUCCESS FOR WINNING THE SOUTH CAROLINA BAR'S 2023 STATE MIDDLE SCHOOL MOCK TRIAL COMPETITION.

sj-0046pb-pb24.docx

The Senate Resolution was adopted.

S. 1194 -- Senators Grooms, Alexander and Setzler: A SENATE RESOLUTION TO CONGRATULATE THE HONORABLE CHRISTY A. HALL, P.E. UPON THE OCCASION OF HER RETIREMENT AS SECRETARY OF TRANSPORTATION FOR THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, TO COMMEND HER FOR HER THIRTY YEARS OF DEDICATED SERVICE TO THE DEPARTMENT, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0629km-hw24.docx

The Senate Resolution was adopted.

S. 1195 -- Senator Gustafson: A SENATE RESOLUTION TO CONGRATULATE THE ANDREW JACKSON HIGH SCHOOL GIRLS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2024 SOUTH CAROLINA CLASS 2A GIRLS BASKETBALL STATE CHAMPIONSHIP.
sr-0657km-hw24.docx

The Senate Resolution was adopted.

S. 1196 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE DR. AMON MARTIN FOR RECEIVING THE SENECA RIVER BAPTIST BROTHERHOOD 2024 SERVICE AWARD.
sr-0585km-hw24.docx

The Senate Resolution was adopted.

S. 1197 -- Senator Fanning: A SENATE RESOLUTION TO CELEBRATE YORK'S SEVENTH ANNUAL SILVER IN THE CITY RALLY, TO BE HELD FRIDAY, APRIL 12, 2024, THROUGH SUNDAY, APRIL 14, 2024, TO ENCOURAGE ALL SOUTH CAROLINIANS TO ATTEND AND ENJOY THIS FAMILY-FRIENDLY EVENT, AND TO WISH ITS ORGANIZERS EVERY SUCCESS.
lc-0557cm-rm24.docx

The Senate Resolution was adopted.

S. 1198 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-3-705 SO AS TO PROVIDE FOR THE LICENSING AND REGISTRATION OF

UNTITLED UTILITY TRAILERS BY THE DEPARTMENT OF MOTOR VEHICLES.
lc-0555cm24.docx

Senator HUTTO spoke on the Bill.

Read the first time and referred to the Committee on Transportation.

S. 1199 -- Senator Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-31-820, RELATING TO REGULAR AND SPECIAL MEETINGS OF NONPROFIT CORPORATIONS, SO AS TO REQUIRE CONFORMITY WITH SECTION 30-4-70; AND BY AMENDING SECTION 33-31-822, RELATING TO CALL AND NOTICE OF MEETINGS, SO AS TO REQUIRE CONFORMITY WITH SECTION 30-4-80.
lc-0399ph24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1200 -- Senator Reichenbach: A SENATE RESOLUTION TO RECOGNIZE AND HONOR GENERAL ELECTRIC HEALTHCARE FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.
sr-0659km-hw24.docx

The Senate Resolution was adopted.

S. 1201 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MIKE BURGESS, A HISTORY TEACHER AT RIVER BLUFF HIGH SCHOOL IN LEXINGTON COUNTY, AND TO CONGRATULATE HIM FOR RECEIVING THE 2022-2023 OUTSTANDING TEACHER OF AMERICAN HISTORY AWARD.
sr-0660km-vc24.docx

The Senate Resolution was adopted.

S. 1202 -- Senators Devine and McLeod: A SENATE RESOLUTION TO CONGRATULATE THE RIDGE VIEW HIGH SCHOOL BOYS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2024 SOUTH CAROLINA CLASS AAAA BOYS BASKETBALL STATE CHAMPIONSHIP.
sr-0655km-hw24.docx

The Senate Resolution was adopted.

REPORT OF STANDING COMMITTEE

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

S. 1095 -- Senator M. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATIONS DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATIONS DEVICE", AND TO PROVIDE PENALTIES.

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2021, and to expire December 31, 2025

4th Congressional District, Registered Nurse:

Sallie Beth Todd, 6 Sparrow Point Court, Simpsonville, SC 29680-6643

Received as information.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence May 19, 2023, and to expire May 19, 2029

At-Large, Public:

Beverly L. Black, 3085 Moonlight Drive, Charleston, SC 29414-8048 *VICE* Leo Richardson

Received as information.

Reappointment, South Carolina Board of Long-Term Health Care Administrators, with the term to commence June 9, 2022, and to expire June 9, 2025

Hospital Administrator:

Elizabeth A. Schaper, 580 Bethesda Road, Spartanburg, SC 29302-5111

Received as information.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2023, and to expire September 30, 2026

Occupational Therapist:

M. Rebecca T. Coleman, 605 Wando Street, Columbia, SC 29205-3964

Received as information.

Appointment Reported

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

Statewide Appointment

Initial Appointment, Juvenile Parole Board, with the term to commence June 30, 2022, and to expire June 30, 2026

At-Large, Public:

Michael R. Watkins, 100 Ariel Way, Easley, SC 29642-7781 *VICE* Anthony Foster

Received as information.

Message from the House

Columbia, S.C., March 21, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES

AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING

UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

HOUSE CONCURRENCE

S. 1192 -- Senators Alexander, Malloy, Massey, Hutto, Martin and Peeler: A CONCURRENT RESOLUTION TO PROVIDE THAT, PURSUANT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 9, 2024, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND IN RECESS SUBJECT TO THE CALL OF THE PRESIDENT OF THE SENATE FOR THE SENATE AND THE

SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR THE HOUSE OF REPRESENTATIVES AT TIMES THEY CONSIDER APPROPRIATE FOR THEIR RESPECTIVE BODIES TO MEET FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN SUNDAY, NOVEMBER 10, 2024, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 1176 -- Senator K. Johnson: A BILL TO AMEND SECTION 4(A) OF ACT 355 OF 2004, RELATING TO THE CLARENDON COUNTY SCHOOL DISTRICT PROPERTY RELIEF ACT, SO AS TO ALLOW FOR THE REIMPOSITION OF THE TAX.

On motion of Senator K. JOHNSON.

Expression of Personal Interest

Senator VERDIN rose for an Expression of Personal Interest.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 954 -- Senators Hembree, Senn and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

The Senate proceeded to a consideration of the Bill.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the third time, passed and ordered sent to the House.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 107 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCLUDE LIVESTOCK TRAILERS.

S. 1017 -- Senators M. Johnson, Peeler, Climer, Setzler and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS; AND BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY ASSESSED AS AGRICULTURAL OR RELATED THERETO MAY NOT BE ANNEXED BY A MUNICIPALITY.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3295 -- Reps. Collins, Erickson, Bradley and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-210 SO AS TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-39-290 SO AS TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT, ESTABLISH, AND PROMULGATE NECESSARY RULES AND REGULATIONS; BY ADDING SECTION 59-19-360 SO AS TO PROVIDE A PROCESS FOR THE EXEMPTION OF COMPETENCY-BASED SCHOOLS FROM CERTAIN APPLICABLE LAWS AND REGULATIONS, TO PROVIDE REQUIREMENTS FOR IMPLEMENTING COMPETENCY-BASED EDUCATION IN SCHOOLS, AND TO PROVIDE RELATED REQUIREMENTS FOR THE STATE DEPARTMENT OF EDUCATION AND THE COMMISSION ON HIGHER EDUCATION; BY AMENDING SECTION 59-1-425, RELATING TO THE STATUTORY ANNUAL SCHOOL CALENDAR, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-39-100, RELATING TO REQUIRED UNITS FOR A HIGH SCHOOL DIPLOMA, SO AS TO MAKE CONFORMING CHANGES.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 746 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 34-21-10, RELATING TO THE REQUIRED WRITTEN APPROVAL TO CONDUCT TRUST BUSINESS, SO AS TO PROVIDE THAT WRITTEN APPLICATION MUST BE MADE TO THE STATE BOARD OF FINANCIAL INSTITUTIONS AND TO DEFINE "TRUST BUSINESS".

AMENDMENT PROPOSED, CARRIED OVER

S. 208 -- Senators Goldfinch and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO PROVIDE THAT A COUNTY MAY IMPOSE AN ADDITIONAL DRIVER'S LICENSE FEE AND AN ADDITIONAL MOTOR VEHICLE LICENSING AND REGISTRATION FEE FROM RESIDENTS NEW TO THIS STATE UPON A SUCCESSFUL REFERENDUM, AND TO PROVIDE THAT THE FUNDS REALIZED FROM THE ADDITIONAL FEES MUST BE USED ONLY FOR COUNTY INFRASTRUCTURE, PUBLIC EDUCATION RELATED EXPENSES, AND GREENSPACE CONSERVATION OR PRESERVATION; BY AMENDING SECTION 56-1-20, RELATING TO DRIVER'S LICENSE REQUIRED, SURRENDER AND DISPOSITION OF OUT-OF-STATE LICENSES, LOCAL LICENSES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM; AND BY AMENDING SECTION 56-3-210, RELATING TO THE TIME PERIOD FOR PROCURING REGISTRATION AND LICENSE, TEMPORARY LICENSE PLATES, TRANSFER OF LICENSE PLATES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM.

The Senate proceeded to a consideration of the Bill.

Senator GOLDFINCH proposed the following amendment (LC-208.SA0005S):

Amend the bill, as and if amended, SECTION 1, by striking the name of the article and inserting:

Additional Driver's License Fees

Amend the bill further, SECTION 1, by striking Section 4-10-1110(A) and inserting:

(A) A county government may impose additional driver's license fees as provided for in Section 56-1-20(C) and 56-3-210(C)(2) on new residents to the State subject to a successful referendum.

Amend the bill further, SECTION 1, by striking Section 4-10-1120(A) and inserting:

(A) Upon receipt of the ordinance or the petition from county council, the county election commission shall conduct a referendum on the question of imposing an additional driver's license fee. A referendum for this purpose must be held at the next general election for representatives. Two weeks before the referendum, the election commission shall publish in a newspaper of general circulation the question that is to appear on the ballot. This notice is in lieu of any other notice otherwise required by law.

Amend the bill further, SECTION 1, by striking Section 4-10-1120(D)(1) before the first undesignated paragraph and inserting:

(D) The referendum question concerning whether to impose an additional fee on drivers' licenses must read substantially as follows:

Amend the bill further, SECTION 1, by deleting Section 4-10-1120(D)(1)(b).

Amend the bill further, SECTION 1, Section 4-10-1120(D)(1)(b), by deleting the undesignated paragraph.

Amend the bill further, by deleting SECTION 3.

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

The question being the adoption of the amendment.

On motion of Senator GOLDFINCH, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

S. 995 -- Senators Hutto, Shealy, Reichenbach, Devine, Senn, McLeod, Rankin, Garrett and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO SECTIONS 16-15-385 THROUGH 16-15-425, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE; BY AMENDING

SECTION 16-15-395, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-405, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-410, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-995.MB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by adding:

Section 16-15-395 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A)(4) is a minor and the offense is the minor’s first offense related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

Amend the bill further, SECTION 3, by adding:

Section 16-15-405 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A) is a minor and the offense is the minor’s first charge related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

Amend the bill further, SECTION 4, by adding:

Section 16-15-410(D) of the S.C. Code is amended to read:

(D) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a prosecuting agency, including the South Carolina Attorney General's Office, or the South Carolina Department of Corrections who, while acting within the employee's official capacity in the course of an investigation or criminal

proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation. The employee's official capacity in the course of such investigation or criminal proceeding includes making materials available for inspection to the defendant's counsel in response to discovery requests.

Section 16-15-410 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A) is a minor and the offense is the minor's first offense related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

Amend the bill further, SECTION 5, by striking Section 23-3-430(C)(2)(i), (j), and (k) and inserting:

(i) criminal sexual exploitation of a minor, first degree (Section 16-15-395). If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article;

(j) criminal sexual exploitation of a minor, second degree (Section 16-15-405). If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article; or

(k) criminal sexual exploitation of a minor, third degree (Section 16-15-410). If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator HUTTO proposed the following amendment (SJ-995.MB0007S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by adding:

Section 16-15-395 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A)(4) is a minor and the offense is the minor's first offense related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

Amend the bill further, SECTION 3, by adding:

Section 16-15-405 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A) is a minor and the offense is the minor's first charge related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

Amend the bill further, SECTION 4, by adding:

Section 16-15-410(D) of the S.C. Code is amended to read:

(D) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a prosecuting agency, including the South Carolina Attorney General's Office, or the South Carolina Department of Corrections who, while acting within the employee's official capacity in the course of an investigation or criminal proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation. The employee's official capacity in the course of such investigation or criminal proceeding includes making materials available for inspection to the defendant's counsel in response to discovery requests.

Section 16-15-410 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A) is a minor and the offense is the minor's first offense related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

Amend the bill further, by striking SECTION 5 and inserting:

SECTION X. Section 23-3-430(C)(1) of the S.C. Code is amended to read:

(C)(1) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses shall be referred to as a Tier I offender:

(a) criminal sexual conduct in the third degree (Section 16-3-654);

(b) kidnapping (Section 16-3-910) of a person eighteen years of age or older except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;

(c) incest (Section 16-15-20);

(d) buggery (Section 16-15-120);

(e) peeping, voyeurism, or aggravated voyeurism (Section 16-17-470);

(f) a person, regardless of age, who has been convicted or pled guilty or nolo contendere in this State, or who has been convicted or pled guilty or nolo contendere in a comparable court in the United States, or who has been convicted or pled guilty or nolo contendere in the United States federal courts of indecent exposure or of a similar offense in other jurisdictions is required to register pursuant to the provisions of this article if the court makes a specific finding on the record that, based on the circumstances of the case, the convicted person should register as a sex offender;

(g) sexual intercourse with a patient or trainee (Section 44-23-1150);

(h) administering, distributing, dispensing, delivering, or aiding, abetting, attempting, or conspiring to administer, distribute, dispense, or deliver a controlled substance or gamma hydroxy butyrate to an individual with the intent to commit a crime listed in Section 44-53-370(f), except petit larceny or grand larceny;

(i) any other offense as described in Section 23-3-430(D), ~~or~~

(j) any other offense required by Title I of the federal Adam Walsh Child Protection and Safety Act of 2006 (Pub. L. 109-248), the Sex Offender Registration and Notification Act (SORNA);~~.~~

(k) criminal sexual exploitation of a minor, first degree (Section 16-15-395), provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article;

(l) criminal sexual exploitation of a minor, second degree (Section 16-15-405), provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article; or

(m) criminal sexual exploitation of a minor, third degree (Section 16-15-410); provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article.

SECTION X. Section 23-3-462(A) of the S.C. Code is amended to read:

(A) After successful completion of the requirements of this section, an offender may apply to the South Carolina Law Enforcement Division for the termination of the requirements of registration pursuant to this article. If it is determined that the offender has met the requirements of this section, SLED shall remove the offender's name and identifying information from the sex offender registry and shall notify the offender within one hundred twenty days that the offender has been relieved of the registration requirements of this article.

(1) An offender may file a request for termination of the requirement of registration with SLED, in a form and process established by the agency:

(a) after fifteen years of having been registered ~~for at least fifteen years~~, or after fifteen years from the date of discharge from incarceration without supervision or the termination of active supervision of probation, parole, or any other alternative to incarceration, if the offender was required to register based on an adjudication of delinquency or the offender ~~was required to register as~~ is a Tier I offender;

(b) after twenty-five years of having been registered ~~for at least twenty-five years~~, or after twenty-five years from the date of discharge from incarceration without supervision or the termination of active supervision of probation, parole, or any other active alternative to incarceration, if the offender was convicted as an adult, and ~~was required to register as~~ is a Tier II offender;

(c) ~~an~~ a Tier I or Tier II offender who was required to register as an offender because of a conviction in another state or because of a federal conviction may apply to be removed from the requirements of

the registry if he is eligible to be removed under the laws of the jurisdiction where the conviction occurred.

(2) An offender who was convicted as an adult, and who is required to register as a Tier III offender may not file a request for termination of registration with SLED nor shall any such request be granted pursuant to this subsection.

(3) The requesting offender must have successfully completed all sex offender treatment programs that have been required.

(4) The requesting offender must not have been convicted of failure to register within the previous ten years.

(5) The offender must not have been convicted of any additional sexual offense or violent sexual offense after being placed on the registry.

(6) A filing fee, as set by SLED but not to exceed two hundred fifty dollars, shall be paid to file the request for termination of registration requirements. The initial application may be filed with SLED and the administrative review may begin one hundred twenty days prior to the date specified in subsection (A)(1); however, any removal may not occur prior to the date specified.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Motion Adopted

Senator HUTTO asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC

INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

On motion of Senator CAMPSEN, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

The Senate proceeded to a consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (LC-1031.SA0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 35-11-105(22)(b) and inserting:

(b) The term does not include the provision solely of delivery, online or telecommunications services, or network access.

Amend the bill further, SECTION 1, by striking Section 35-11-105(29) and inserting:

(29) "Payroll processing services" means delivering wages or salaries on behalf of employers to employees or facilitating the payment of payroll taxes to state and federal agencies, making payments relating to employee benefit plans, making distributions of other authorized deductions from wages or salaries, transmitting other funds on behalf of an employer in connection with transactions related to employees, an employer performing payroll processing services on its own behalf or on behalf of its affiliate, or a professional employment organization subject to regulation under other applicable state law.

Amend the bill further, SECTION 1, Section 35-11-110(A), by adding an item to read:

(15) payroll processing services.

Amend the bill further, SECTION 1, by deleting Section 35-11-555.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch

Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 1074 -- Senators Davis and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS OF A CMA, SO AS TO CHANGE THE REQUIREMENTS FOR A QUALIFIED CMA; AND BY AMENDING SECTION 40-47-196, RELATING TO DELEGATION OF TASKS, SO AS TO PROVIDE THAT A PHYSICIAN OR PHYSICIAN ASSISTANT, PURSUANT TO THE PHYSICIAN ASSISTANT'S SCOPE OF PRACTICE GUIDELINES, MAY DELEGATE NURSING TASKS TO UAP UNDER THE SUPERVISION OF THE PHYSICIAN OR PHYSICIAN ASSISTANT.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-1074.KM0002S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 40-47-20(57) of the S.C. Code is amended to read:

(57) "Certified medical assistant" or "CMA" means a person who ~~is a graduate of a post-secondary medical assisting education program accredited by the National Healthcare Association, or its successor; by the Committee on Allied Health Education and Accreditation of the American Medical Association, or its successor; by the Accrediting Bureau of Health Education Schools, or its successor; or by any accrediting agency recognized by the United States Department of Education. The accredited post-secondary medical assisting education program must include courses in anatomy and physiology, medical terminology, pharmacology, medical laboratory techniques, and clinical experience. A certified medical assistant must maintain current certification from the certifying board of the American Association of Medical Assistants, the National Center for Competency Testing, the National Certification Medical Association, American Medical Technologists, or any other recognized certifying body approved by the Board of Medical Examiners.~~

(1) has completed:

(a) a medical assisting education program accredited by the Commission on Accreditation of Allied Health Education Programs or its successor, by the Accrediting Bureau of Health Education Schools or its successor, or by any accrediting agency recognized by the United States Department of Education, and which must include courses or components in anatomy and physiology, medical terminology, pharmacology, medical laboratory techniques, and clinical experience, provided the clinical experience component may be satisfied through an individual's work experience with a health care employer;

(b) a Career and Technical Education Health Sciences Program approved by the South Carolina Department of Education;

(c) a medical assisting program provided by a branch of the United States military;

(d) a medical assisting United States Department of Labor-approved Registered Apprenticeship program; or

(e) a training program that is delivered, in whole or in part, by a health care employer that aligns to a nationally accredited certification exam; and

(2) maintains current certification from a certifying body offering a certification program that is:

(a) approved by the Board of Medical Examiners and the Board of Nursing; and

(b) is accredited by the National Commission for Certifying Agencies or other accreditation body recognized by the Board of Medical Examiners and the Board of Nursing.

The term "certified medical assistant" or "CMA" also includes medical assistants who have maintained certification from one of the certifying entities in item (2) of this section since January 1, 2020, and individuals employed as certified medical assistants as of the effective date of this act who do not meet the education or training requirements required in this item, but who meet those requirements no later than July 15, 2026.

SECTION 2. Section 40-47-196(C) of the S.C. Code is amended to read:

(C)(1) A physician or physician assistant, pursuant to the physician assistant's scope of practice guidelines, may delegate nursing tasks to UAP under the supervision of the physician or physician assistant. Such nursing tasks include, but are not limited to, the following:

(a) meeting patients' needs for personal hygiene;

(b) meeting patients' needs relating to nutrition;

(c) meeting patients' needs relating to ambulation;

(d) meeting patients' needs relating to elimination;

(e) taking vital signs;

(f) maintaining asepsis; ~~and~~

(g) collecting specimens (urine, stool, sputum);

(h) point of care testing and screening tests;

(i) recording information;

(j) performing non-clinical tasks via telemedicine; and

~~(g)~~(k) observing, recording, or reporting any of the nursing tasks enumerated in this subsection.

(2) Pursuant to the APRN's practice agreement, ~~APRNs~~ he may delegate any of the above nursing tasks to UAP~~ pursuant to Section 40-33-42~~.

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Motion Adopted

Senator DAVIS asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 728 -- Senator Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-9-197(A)(3), RELATING TO THE FIREFIGHTER CANCER HEALTH CARE BENEFIT PLAN, SO AS TO PROVIDE THAT THE DEFINITION OF "FIREFIGHTER" SHALL INCLUDE NON-RESIDENTS OF SOUTH CAROLINA WHO WORK IN THE STATE.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-728.CM0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 23-9-197(3) and inserting:

(3) "Firefighter" means any person, paid or unpaid, who ~~is a resident of this State and~~ engages in rescue, fire suppression, or related activities, under the supervision of a fire chief or fire department in this State or who is employed by the State Commission of Forestry, South Carolina State Fire, or a forestry district for the purpose of fire protection.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 23-9-197(B) of the S.C. Code is amended to read:

(B) There is established the "Firefighter Cancer Health Care Benefit Plan" to provide a supplemental insurance policy upon a firefighter being diagnosed with cancer on or after July 1, 2021. The plan shall provide benefits to a firefighter only if the firefighter has served in a South Carolina fire department for at least five continuous years and been in active service within ten years of the diagnosis.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 857 -- Senators Davis and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGY AND COSMETOLOGISTS SO AS TO PROVIDE A DEFINITION FOR “MOBILE SALON” AND “PORTABLE

COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATION"; AND BY ADDING SECTION 40-13-365 SO AS TO PROVIDE FOR PERMITTING AND REGULATION OF MOBILE SALONS AND PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-857.WAB0002S):

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X. Section 40-13-110(A)(6) of the S.C. Code is amended to read:

(6) practiced or attempted to practice cosmetology in any place other than a licensed salon, ~~except~~unless otherwise prescribed by law or in case of an emergency including, but not limited to, illness, invalidism, or death when a licensed operator may perform services for a person in another place by appointment only;

SECTION X. Section 40-13-230(B)(2) of the S.C. Code is amended to read:

(2) has completed at least ~~four hundred fifty~~six hundred hours in classes in skin care in a reliable school approved by the board or comparable training approved by the board; and

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The question being the adoption of the amendment.

Senator CASH objected to further consideration of the Bill.

CARRIED OVER

S. 1132 -- Senators Davis, Senn and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-7-20, RELATING TO DEFINITIONS CONCERNING BARBERS AND BARBERING, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-7-390, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING

SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGISTS AND COSMETOLOGY, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-13-360, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; AND BY REPEALING SECTION 40-7-255 RELATING TO THE REGULATION OF HAIR-BRAIDING PRACTITIONERS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-1132.WAB0001S):

Amend the bill, as and if amended, SECTION 2, by striking Section 40-7-390(6) and inserting:

(6) unless otherwise prescribed by law, persons authorized by state law to practice cosmetology only when they are practicing in salons or schools of cosmetology and persons providing blow-dry styling but no other services requiring a license under this chapter; and

Amend the bill further, SECTION 3, by striking Section 40-13-20(3)(a) and (b) and inserting:

(a) arranging, styling, thermal curling, chemical waving, pressing, shampooing, cutting, shaping, chemical bleaching, chemical coloring, chemical relaxing, or similar work, upon the hair, wig, or hairpiece of any person, by any means, with hands or mechanical or electrical apparatus or appliances;

(b) using cosmetic preparations, makeup, antiseptics, lotions, creams, chemical preparations on, or otherwise, or waxing, tweezing, cleansing, stimulating, manipulating, beautifying, or similar work on the scalp, legs, feet, face, neck, arms, or hands; or

Amend the bill further, SECTION 3, by striking Section 40-13-20(6) and inserting:

~~(5)~~(6) "Esthetician" means a person including, but not limited to, an independent contractor, who is licensed to practice skin care, makeup, or similar work. Skin care is for the sole purpose of beautifying the skin.

~~Amend~~ the bill further, SECTION 3, Section 40-13-20, by adding a subsection to read:

(9) "Makeup artistry" means the application of a cosmetic to enhance the appearance of the face or skin, including powder,

foundation, rouge, eyeshadow, eyeliner, mascara, and lipstick. It includes the application of makeup applied using an airbrush. It excludes the application of permanent makeup or tattooing. It is distinct from the practice of cosmetology.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The question being the adoption of the amendment.

On motion of Senator BENNETT, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

H. 3992 -- Reps. Blackwell, McGinnis, Sandifer, Ligon, Cromer, Magnuson, White, Pace and Burns: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-31-60, RELATING TO DELINQUENT UNEMPLOYMENT COMPENSATION TAX RATES, SO AS TO PERMIT EMPLOYERS WITH INSTALLMENT PAYMENT AGREEMENTS APPROVED BY THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO PAY THE TAX AT A REDUCED RATE, AND TO PROVIDE FOR THE AUTOMATIC REVERSION OF THIS RATE UPON FAILURE TO TIMELY COMPLY WITH THE PAYMENT AGREEMENT.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-3992.WAB0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 41-31-60(B) and inserting:

(B) No employer is permitted to pay his unemployment compensation tax at a reduced tax rate class for any quarter when a tax execution issued in accordance with Section 41-31-390 with respect to delinquent unemployment compensation tax for a previous quarter is unpaid and outstanding against the employer. If on the computation date upon which an employer's tax rate is computed as provided in Section 41-31-40 there is an outstanding tax execution, the tax class twenty rate must be assigned to the employer until the next computation date or until such time as all outstanding tax executions have been paid. An employer who has a department-approved installment payment agreement shall be permitted to pay its unemployment compensation tax at the annual rate as determined pursuant to Section 41-31-50. However, any such

employer's tax rate shall immediately revert to the tax class twenty rate if the employer fails to make any one of the succeeding deferred payments or fails to submit any succeeding wage report and payment in a timely manner as required by the department-approved installment payment agreement.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

On motion of Senator MARTIN, the Bill was carried over.

POINT OF ORDER

S. 955 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-5-400 SO AS TO ESTABLISH THE LIMITED COMMERCIAL BLUE CRAB LICENSE AND THE REQUIREMENTS FOR OBTAINING THE LICENSE; BY AMENDING SECTION 50-5-325, RELATING TO COMMERCIAL EQUIPMENT LICENSES AND FEES, SO AS TO REVISE THE FEE STRUCTURE FOR THE COMMERCIAL TRAP LICENSE; BY AMENDING SECTION 50-5-350, RELATING TO THE TRANSFERABILITY OF LICENSES, SO AS TO EXEMPT THE LIMITED COMMERCIAL BLUE CRAB LICENSE FROM THE GENERAL TRANSFER PROHIBITION; BY AMENDING SECTION 50-5-360, RELATING TO LICENSES TO ENGAGE IN SHEDDING PEELER CRABS, SO AS TO REQUIRE THAT AN APPLICANT'S OR LICENSEE'S BUSINESS PREMISES BE CAPABLE OF PEELER SHEDDING OPERATIONS; BY AMENDING SECTION 50-5-545, RELATING TO TRAPS FOR TAKING BLUE CRAB, SO AS TO PROVIDE FOR THE MATERIAL, DIMENSIONS, AND ESCAPE VENT REQUIREMENTS OF THE TRAPS; BY ADDING SECTION 50-5-1302 SO AS TO ESTABLISH A RECREATIONAL LIMIT OF ONE-HALF BUSHEL OF BLUE CRABS PER PERSON PER DAY NOT TO EXCEED ONE BUSHEL PER BOAT; BY ADDING SECTION 50-5-1345 SO AS TO PROHIBIT THE USE OF CRAB TRAPS IN THE WATERS OF THIS STATE FROM JANUARY 16 THROUGH JANUARY 29 OF EACH YEAR; BY AMENDING

SECTION 50-5-330, RELATING TO RECREATIONAL EQUIPMENT LIMITS, SO AS TO INCREASE THE NUMBER OF TRAPS THAT MAY BE USED FOR RECREATIONAL PURPOSES FROM TWO TO TEN WITH A RECREATIONAL CRAB TRAP ENDORSEMENT; AND BY AMENDING SECTION 50-9-540, RELATING TO RECREATIONAL SALTWATER FISHING LICENSES SO AS TO PROVIDE FOR THE COST OF THE RECREATIONAL CRAB TRAP ENDORSEMENT.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1051 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1330, RELATING TO WATERCRAFT RESTRICTIONS ON LAKE H. TAYLOR BLALOCK, SO AS TO EXTEND THE HUNTING OF WATERFOWL FOR FIVE YEARS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 1123 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 BYPASS IN FAIRFIELD COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 213 TO 392 UNITED STATES HIGHWAY 321 BYPASS “DR. J. R. GREEN HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 12:53 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Expression of Personal Interest

Senator RANKIN rose for an Expression of Personal Interest.

Remarks by Senator RANKIN

Thank you, Mr. PRESIDENT. Ladies and gentlemen, I know we're trying to get out of here, but I wanted to get your attention for something. I apologize for doing it now versus earlier at the appropriate time. As Senator MALLOY just announced, this is the sixth meeting or whatever the number is, on the topic of insurance reform in South Carolina -- the liquor liability issue that we're all hearing about; the joint and several issues that we're all hearing about; obviously anybody with property along the coast is experiencing incredible insurance premium increases. The point of my taking a moment to speak to you is to call attention to a letter that I sent to the Director of the Department of Insurance, Michael Wise, on February 26th, acknowledging his work with all of us as we are trying to determine whether or not South Carolina is an outlier on all things insurance. I'm not going to read it in full, but I thank him for his participation, as he's testified numerous times before our various subcommittees. I know that the Chairman of Banking and Insurance has scheduled Director Wise to come before the full Banking and Insurance Committee, at the Senator from Lexington's request, either next week or the following week.

But we need answers to our questions and the questions have been asked repeatedly. We've heard testimony both in our Body, and he has testified to an ad hoc committee on the House side. But I specifically asked six questions and asked because these questions have been asked over and over. I will say that the Department of Insurance's responses have been at best confusing. I'm not trying to put the black cat on anybody, on any side of this issue, but if we are truly trying to address an insurance access problem, or a premium increase problem, or a situation where South Carolina is losing industry because of our unusually high rate, I respectfully submit to you that we deserve answers not generally testified to but in black and white. So, I've asked for

written responses, again. It is now twelve months that this subcommittee's been working on this.

I'm taking the well to ask Mr. Wise, Governor McMaster, whomever -- you, Governor, have wisely appointed Mr. Wise as the director. We've screened him; we've chosen him. But we need to know the answers on these issues -- these questions.

One, on the liquor liability issue, how many insurance providers offer liquor liability coverage in South Carolina? **Two**, how many insurance providers offer liquor liability coverage in other states? **Three**, how many liquor liability claims were filed in 2020, 2021 and 2022? **Four**, how many policyholders had claims? **Five**, how many of those policies holders had multiple claims? And finally, **six**, the report that you all got in January, which was called the Status Report on Commercial Liability Insurance -- that was generated at our request, at the subcommittee level, at the very first hearing. In the report, they cite a data call of four states that extended only to 2017. My question was, why were only four states chosen for that data call, and then why was the data call only extended to 2017 and not further back? The next thing that I asked for, was about the ISO scores. Director Wise offered to the House Ad Hoc Committee that he would go to the various carriers to determine how much they rely on those scores in their rate making process. So, my request to him was that he do that and provide those responses to us.

My only reason in taking the well is that it is now March 21. We've passed in the hall -- our staff has passed his staff in the hall. They say, "We're working on it. We're going to get those responses to you." He has testified that he's going to get these to us. Folks, it is time! I'm not saying put up or shut up, but it is time to give us what you have got if you can get it. Don't make us address this issue in the dark. And so, Director Wise, if you are listening, please put it in writing and explain the answers however you want to. But help everyone in this State, proponent or opponent, know the facts that we're dealing with. The true facts, in South Carolina, to help us determine whether we truly are an outlier, or whether we're suffering the same national insurance carrier access problems and rate shocks. Respectfully, Director Wise, we would like some written responses.

On motion of Senator TEDDER, with unanimous consent, the remarks of Senator RANKIN were ordered printed in the Journal.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

DEBATE INTERRUPTED

S. 95 -- Senators Campsen, Senn, Verdin, M. Johnson, Kimbrell, Gustafson, Young, Grooms, Fanning, Loftis and Garrett: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMPTROLLER GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMPTROLLER GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

Amendment No. 1

Senator CAMPSEN proposed the following amendment (SJ-95.PB0013S):

Amend the joint resolution, as and if amended, SECTION 1.A., by striking the added second undesignated paragraph in Section 7, Article VI and inserting:

Beginning sixty days after the ratification of the provisions of this paragraph, the state constitutional office of the Comptroller General is abolished. The General Assembly shall provide by law for the duties and responsibilities held by the Comptroller General.

Amend the joint resolution further, by striking the undesignated paragraph containing the question to be submitted to the voters and inserting:

"Must Section 7, Article VI of the Constitution of this State relating to state constitutional officers be amended so as to delete the Comptroller General from the list of state officers that the Constitution requires to be elected, provide that sixty days after the ratification of this provision the office is abolished, and authorize the General Assembly to provide by law for the duties and responsibilities held by the Comptroller General; and must Section 12, Article IV be amended so as to delete the Comptroller General's name from the list of elected state constitutional officers a majority of which may submit a written declaration that the Governor is unable to discharge his duties; and must Section 13, Article X be amended so as to provide if the principal of or interest on any general obligation debt is not paid when due, that instead of the

Comptroller General, the Governor shall levy an ad valorem tax to meet the payment?

Renumber sections to conform.

Amend title to conform.

Debate was interrupted by adjournment.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. W.B. Wilson of Hemingway, S.C. W.B. was a retired Williamsburg County Councilman who was affectionately known as a workhorse for his community. W.B. was a loving husband and devoted father who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Reverend Thomas Edison McClary of Hardeeville, S.C. Reverend McClary was a mentor and friend who was greatly loved and will be dearly missed.

ADJOURNMENT

At 1:06 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, March 22, 2024
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator DEVINE.

ADJOURNMENT

At 11:04 A.M., on motion of Senator HARPOOTLIAN, the Senate adjourned to meet next Tuesday, March 26, 2024, at 12:00 Noon.

* * *

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 116:12

We hear the Psalmist asking: "How can I repay the Lord for all his goodness to me?"

Bow in prayer with me, please: O wondrous God, here during this special week, we cannot help but pause and reflect upon the question that the Psalmist asked. It is indeed a pertinent one for all of us. For after all, here in a world beset by so many challenges and difficulties, we nonetheless know how great Your gifts to us truly are. And we humbly recognize that there is no actual way that we might repay You for Your blessings and love, except by our being faithful to You. So to that end, O God, we ask You by Your grace to fill the heart of every Senator and staff member with determination to be the caring, wise and honorable servant our citizens need each one to be. May it be so, dear Lord. In Your loving name we pray. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Devine	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Michael*
Kimbrell	Martin	Massey
Peeler	Reichenbach	Rice
Senn	Setzler	Shealy

Stephens	Talley	Turner
Verdin	Young	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator REICHENBACH introduced Dr. Coleman Floyd of Florence, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CASH, at 12:07 P.M., Senator LOFTIS was granted a leave of absence for today.

Leave of Absence

On motion of Senator CLIMER, at 12:49 P.M., Senator GOLDFINCH was granted a leave of absence for today.

Leave of Absence

On motion of Senator McLEOD, at 1:31 P.M., Senator STEPHENS was granted a leave of absence for the balance of the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 95 Sen. Rice
S. 300 Sen. Stephens
S. 527 Sens. Cromer and Shealy
S. 955 Sen. Matthews
S. 995 Sen. Setzler
S. 1095 Sen. Climer
S. 1108 Sen. Stephens
S. 1114 Sen. Garrett

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1203 -- Senator Grooms: A SENATE RESOLUTION TO HONOR CHARLES F. "CHUCK" DAWLEY, PLS, OWNER OF DAWLEY SURVEYING COMPANY, LLC, AND TO CONGRATULATE HIM FOR BEING NAMED THE 2023-2024 SURVEYOR OF THE YEAR.
sr-0663km-hw24.docx

The Senate Resolution was adopted.

S. 1204 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY 17 BETWEEN MAIN STREET AND STARWATCH DRIVE IN HORRY COUNTY "GEORGE RAYFORD VEREEN HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
sr-0580km-hw24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1205 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 48-52-620, RELATING TO STATE AGENCIES' AND SCHOOL DISTRICTS' ENERGY CONSERVATION PLANS AND REPORTS AND METERING OF STATE BUILDINGS, SO AS TO DELETE THE EXEMPTION OF COMPLIANCE FOR A BUILDING IN COMPLIANCE WITH THE ENERGY INDEPENDENT AND SUSTAINABLE CONSTRUCTION ACT OF 2007; BY ADDING SECTION 48-52-690 SO AS TO REQUIRE ANY NEW STATE-OWNED BUILDING TO COMPLY WITH THE LATEST EDITION OF ASHRAE AND TO REQUIRE ANY NEW STATE-OWNED BUILDING OVER 15,000 SQUARE FEET TO BE COMMISSIONED BY A THIRD-PARTY COMMISSIONING AGENT PRIOR TO FINAL ACCEPTANCE; AND BY REPEALING ARTICLE 8, CHAPTER 52, TITLE 48, RELATING TO THE "ENERGY INDEPENDENCE AND SUSTAINABLE CONSTRUCTION ACT OF 2007".
lc-0305ha24.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 1206 -- Senator K. Johnson: A SENATE RESOLUTION TO CONGRATULATE AMERICAN HONDA MOTOR CO., INC. SOUTH CAROLINA MANUFACTURING FOR BEING A MANUFACTURING COMPANY WHICH BRINGS GREAT PRIDE TO THE STATE OF SOUTH CARLINA.
lc-0571sa-bl24.docx

The Senate Resolution was adopted.

S. 1207 -- Senators Rice and Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR RELIABLE AUTOMATIC SPRINKLER CO., INC. FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.
sr-0658km-vc24.docx

The Senate Resolution was adopted.

S. 1208 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE MRS. ANNIE CORRINE POWER BENNETT ON THE OCCASION OF HER ONE HUNDRED SECOND BIRTHDAY AND TO WISH HER MUCH HAPPINESS IN THE DAYS AHEAD.
lc-0428hdb-bl24.docx

The Senate Resolution was adopted.

S. 1209 -- Senator Fanning: A SENATE RESOLUTION TO HONOR E. & J. GALLO WINERY FOR EMPLOYING HUNDREDS OF SOUTH CAROLINIANS AND TO CONGRATULATE THEM FOR BRINGING GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.
lc-0560cm-bl24.docx

The Senate Resolution was adopted.

S. 1210 -- Senator Garrett: A SENATE RESOLUTION TO CONGRATULATE GREENWOOD HIGH SCHOOL WRESTLERS KENNEDI WASHINGTON AND CASON HOWLE FOR WINNING THE 2024 SOUTH CAROLINA CLASS AAAA INDIVIDUAL STATE CHAMPIONSHIP TITLES.
lc-0438vr-gm24.docx

The Senate Resolution was adopted.

H. 3776 -- Reps. Bannister, Bamberg, Caskey, Collins, Connell, Elliott, Garvin, Gatch, Guest, Hager, Hart, Henderson-Myers, Hyde, J. E. Johnson, Jordan, McCabe, McCravy, Mitchell, Pope, Robbins, Rose, Rutherford, Stavrinakis, T. Moore, Tedder, W. Newton, Weeks, Wetmore and Wheeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING SECTION 14-5-130 RELATING TO JUDGES ABSENTING THEMSELVES FROM THE STATE.
lc-0181sa23.docx

Read the first time and referred to the Committee on Judiciary.

H. 3988 -- Reps. Davis, M. M. Smith, B. J. Cox, Pedalino, Forrest, Wheeler, Kirby and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTS THAT CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO LOWER THE VACCINATION RECIPIENT AGE TO TWELVE YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST-ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE "JOINT PHARMACIST ACCESS COMMITTEE" AND MAKE OTHER CONFORMING CHANGES; AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.
lc-0231wab23.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 4234 -- Reps. W. Newton, Bernstein and Mitchell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-5-101, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "SUPPORTS AND ASSISTANCE"; BY AMENDING SECTION 62-5-103, RELATING TO FACILITY OF PAYMENT OR DELIVERY, SO AS TO CLARIFY THE NATURE OF THE FIFTEEN THOUSAND DOLLAR THRESHOLD; BY AMENDING SECTION 62-5-106, RELATING TO DUTIES OF GUARDIANS AD LITEM, SO AS TO INCREASE THE

LENGTH OF TIME THE GUARDIAN AD LITEM HAS TO SUBMIT HIS REPORT PRIOR TO THE HEARING; BY AMENDING SECTION 62-5-108, RELATING TO EMERGENCY AND TEMPORARY ORDERS AND HEARINGS, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTIONS 62-5-303, 62-5-303A, 62-5-303B, 62-5-303C, AND 62-5-303D, ALL RELATING TO THE PROCEDURE FOR COURT APPOINTMENT OF A GUARDIAN, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTION 62-5-307, RELATING TO INFORMAL REQUESTS FOR RELIEF, SO AS TO CLARIFY THE WARD'S ABILITY TO SUBMIT CERTAIN REQUESTS TO THE COURT; BY AMENDING SECTION 62-5-401, RELATING TO VENUES, SO AS TO CLARIFY, AMONG OTHER THINGS, THAT, IN THE CASE OF MINOR CONSERVATORSHIPS, PROPER VENUE IS THE COUNTY IN WHICH THE MINOR RESIDES OR OWNS PROPERTY; BY AMENDING SECTION 62-5-403A, RELATING TO SERVICE OF SUMMONS AND PETITIONS, SO AS TO INCLUDE CERTAIN OTHER AFFIDAVITS AND REPORTS AMONG THOSE THAT MUST BE FILED WITH THE PETITION; BY AMENDING SECTION 62-5-403B, RELATING TO THE APPOINTMENT OF COUNSEL AND GUARDIANS, SO AS TO APPOINT NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, NURSES, AND PSYCHOLOGISTS TO SERVE AS EXAMINERS UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 62-5-403C, RELATING TO HEARINGS AND WAIVERS, SO AS TO REVISE, AMONG OTHER THINGS, CERTAIN PROCEDURES IF NO PARTY REQUESTS A HEARING OR IF THE ALLEGED INCAPACITATED INDIVIDUAL WAIVES HIS RIGHT TO A HEARING; BY AMENDING SECTION 62-5-405, RELATING TO PROTECTIVE ARRANGEMENTS, SO AS TO REVISE CERTAIN ACTS THAT MAY BE PERFORMED BY CONSERVATORS AND SPECIAL CONSERVATORS; BY AMENDING SECTION 62-5-422, RELATING TO POWERS OF CONSERVATORS IN ADMINISTRATION, SO AS TO MAKE CONFORMING CHANGES REGARDING THE PAYMENT OF CERTAIN FEES; BY AMENDING SECTION 62-5-426, RELATING TO CLAIMS AGAINST PROTECTED PERSONS, SO AS TO REQUIRE, AMONG OTHER THINGS, THAT THE CLAIMANT ALSO MUST FILE A WRITTEN STATEMENT OF THE CLAIM WITH THE PROBATE COURT IN WHICH THE CONSERVATORSHIP IS UNDER ADMINISTRATION; BY AMENDING SECTION 62-5-428,

RELATING TO ACTIONS FOR REQUESTS SUBSEQUENT TO THE APPOINTMENT, SO AS TO, AMONG OTHER THINGS, REVISE CERTAIN ACTIONS THAT THE COURT MAY TAKE AFTER THE TIME FOR RESPONSE TO THE PETITION HAS ELAPSED TO ALL PARTIES SERVED; BY AMENDING SECTION 62-5-433, RELATING TO DEFINITIONS AND PROCEDURES FOR SETTLEMENT OF CLAIMS IN FAVOR OF OR AGAINST MINORS OR INCAPACITATED PERSONS, SO AS TO, AMONG OTHER THINGS, DEFINE "GUARDIAN AD LITEM"; BY AMENDING SECTION 62-5-715, RELATING TO CONFIRMATIONS OF GUARDIANSHIPS OR CONSERVATORSHIPS TRANSFERRED FROM OTHER STATES, SO AS TO ALLOW THE COURT MORE DISCRETION AS TO THE TYPE OF DOCUMENTS IT MAY REQUIRE IN THE TRANSFER OF A GUARDIANSHIP OR CONSERVATORSHIP FROM ANOTHER JURISDICTION; AND BY AMENDING SECTION 62-5-716, RELATING TO THE REGISTRATION OF ORDERS FROM ANOTHER STATE, SO AS TO, AMONG OTHER THINGS, ACKNOWLEDGE THAT IN CERTAIN OTHER JURISDICTIONS, A GUARDIAN MAY ALSO HOLD THE SAME POWERS AS A CONSERVATOR.
lc-0238ph23.docx

Read the first time and referred to the Committee on Judiciary.

H. 4563 -- Reps. Bernstein, J. L. Johnson and Clyburn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-11-345 SO AS TO CLARIFY THE POWER OF SPECIAL PURPOSE DISTRICTS TO OWN, ACQUIRE, PURCHASE, HOLD, USE, LEASE, CONVEY, SELL, TRANSFER, OR OTHERWISE DISPOSE OF PROPERTY IN FURTHERANCE OF CERTAIN FUNCTIONS, TO PROVIDE THESE POWERS ARE IN ADDITION TO POWERS AND AUTHORIZATIONS PREVIOUSLY VESTED IN SUCH DISTRICTS, AND DEFINE NECESSARY TERMINOLOGY.
lc-0424wab24.docx

Read the first time and referred to the Committee on Judiciary.

H. 4642 -- Reps. Mitchell, Gilliam, Pope, Sessions, Caskey and Hart: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-1-20, RELATING TO THE ACCEPTANCE OF ACT OF CONGRESS, SO AS TO DISALLOW CONFLICTS; BY AMENDING SECTION 25-1-40, RELATING TO THE APPLICABILITY OF THE UNIFORM CODE OF MILITARY

JUSTICE, SO AS TO REMOVE PROVISIONS; BY AMENDING SECTION 25-1-2420, RELATING TO THE MILITARY CODE DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "MILITARY FORCES"; BY AMENDING SECTION 25-1-2430, RELATING TO PERSONS SUBJECT TO CODE OF MILITARY JUSTICE, SO AS TO PROVIDE FOR WHAT JURISDICTION DUTY STATUS INCLUDES; BY AMENDING SECTION 25-1-2520, RELATING TO NONJUDICIAL DISCIPLINARY PUNISHMENT, SO AS TO PROVIDE THAT CERTAIN PERSONS MAY NOT DECLINE NONJUDICIAL PUNISHMENT; BY AMENDING SECTION 25-1-2530, RELATING TO TYPES OF COURTS-MARTIAL, SO AS TO PROVIDE FOR WHOM A SPECIAL COURT-MARTIAL CONSISTS OF; BY AMENDING SECTION 25-1-2550, RELATING TO THE JURISDICTION OF GENERAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2560, RELATING TO THE JURISDICTION OF SPECIAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2570, RELATING TO THE JURISDICTION OF SUMMARY COURTS-MARTIAL, SO AS TO PROVIDE FOR PUNISHMENTS; BY AMENDING SECTION 25-1-2620, RELATING TO DETAIL AND DESIGNATION OF MILITARY JUDGES, SO AS TO PROVIDE THE AUTHORITY CONVENING A SUMMARY COURT-MARTIAL; BY AMENDING SECTION 25-1-2765, RELATING TO VOTING AND RULINGS, SO AS TO REMOVE CERTAIN REFERENCES TO THE PRESIDENT OF A COURT MARTIAL; BY AMENDING SECTION 25-1-2780, RELATING TO RECORD OF TRIAL, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2795, RELATING TO FORFEITURE OF PAY, SO AS TO REMOVE THE SENTENCE OF FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2805, RELATING TO THE REDUCTION IN PAY GRADE AND THE RESTORATION OF BENEFITS, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2865, RELATING TO THE REMISSION OR SUSPENSION OF A SENTENCE, SO AS TO REPLACE FORFEITURES WITH FINES; BY AMENDING SECTION 25-1-2985, RELATING TO THE IMPROPER USE OR DISCLOSURE OF PAROLE OR COUNTERSIGN, SO AS TO INCLUDE WHEN THE USE OF MILITARY FORCE HAS BEEN AUTHORIZED BY CERTAIN INDIVIDUALS; BY AMENDING SECTION 25-1-3140, RELATING TO WRIT WHEN FINE HAS NOT

BEEN PAID, SO AS TO UPDATE DATES; BY AMENDING SECTION 25-1-3145, RELATING TO WRIT OF SENTENCE OF CONFINEMENT, SO AS TO UPDATE DATES; AND BY AMENDING SECTION 25-1-3160, RELATING TO CONSTRUCTION OF CODE OF MILITARY JUSTICE, SO AS TO PROVIDE THAT THE UNIFORM CODE OF MILITARY JUSTICE IS NOT BINDING ON THE SOUTH CAROLINA CODE OF MILITARY JUSTICE.

lc-0434sa24.docx

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 4655 -- Reps. Haddon, Pope, Oremus, Cobb-Hunter, J. L. Johnson, Collins, Henderson-Myers, Hart, King, Williams, Henegan, Ligon, McDaniel and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-10-10, RELATING TO STANDARDS FOR PHYSICAL ACTIVITY AND PHYSICAL EDUCATION IN KINDERGARTEN THROUGH EIGHTH GRADE, SO AS TO REQUIRE CERTAIN MANDATORY MINIMUM PERIODS FOR PHYSICAL EDUCATION AND RECESS IN FOUR-YEAR OLD KINDERGARTEN THROUGH EIGHTH GRADE EACH YEAR IN ADDITION TO OTHER CURRICULUM REQUIREMENTS, AND TO PROVIDE RECESS PERIODS MUST BE HELD INDOORS DURING TIMES OF INCLEMENT WEATHER; TO REDESIGNATE ARTICLE 1 OF CHAPTER 10, TITLE 59 AS "PHYSICAL EDUCATION AND ACTIVITY"; TO PROVIDE THE STATE BOARD OF EDUCATION AND STATE DEPARTMENT OF EDUCATION SHALL TAKE CERTAIN MEASURES TO CONFORM THEIR RESPECTIVE REGULATIONS AND RULES TO THE PROVISIONS OF THIS ACT; AND TO CLARIFY THAT THE PROVISIONS OF THIS ACT PREVAIL TO THE EXTENT THEY CONFLICT WITH ANY SUCH REGULATIONS AND RULES.

lc-0525wab24.docx

Read the first time and referred to the Committee on Education.

H. 4813 -- Reps. Wooten, W. Newton and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-23-60, RELATING TO CERTIFICATES OF COMPLIANCE ISSUED BY THE SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL, SO AS TO PROVIDE

INDIVIDUALS SEEKING CERTIFICATION MUST UNDERGO CRIMINAL RECORDS CHECKS, TO PROVIDE SLED AND THE FBI MAY RETAIN THE INDIVIDUALS' FINGERPRINTS FOR VARIOUS PURPOSES, AND TO PROVIDE THE INDIVIDUALS SHALL BE RESPONSIBLE FOR THE COSTS OF THE RECORDS CHECKS.

lc-0460cm24.docx

Read the first time and referred to the Committee on Judiciary.

H. 5042 -- Reps. B. L. Cox, J. L. Johnson, Murphy, Sessions, Cobb-Hunter, Kirby, Brewer, Garvin, Henegan, M. M. Smith, Jefferson, Rivers, McDaniel, Davis, Haddon, King, Gilliard, Stavrinakis, Bauer, West, Wetmore, T. Moore, Thigpen, Chapman, Schuessler, Pope, Guffey, Dillard, W. Jones, Pendarvis, G. M. Smith, Weeks, Wheeler, Williams, S. Jones, J. Moore, O'Neal, B. Newton, Neese, Lawson, Atkinson, Hayes, W. Newton, Bannister, Caskey, Hyde, J. E. Johnson, Hiott, Brittain, Hartnett, Mitchell, Yow, Gagnon, Carter, Guest, Gatch, Crawford, Ott, Rutherford, Leber, Hixon, Herbkersman, Anderson, Bailey, Elliott, Gilliam, Calhoon, Wooten, Forrest, Pedalino, Jordan, Bustos, Bamberg, Bernstein, Clyburn, Hosey, Henderson-Myers, Howard, Vaughan, Beach, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 10-1-185 SO AS TO ESTABLISH ON THE GROUNDS OF THE STATE HOUSE A ROBERT SMALLS MONUMENT, CREATE A COMMISSION TO DETERMINE THE DESIGN AND LOCATION OF THE MONUMENT, PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION, AND SUNSET THE COMMISSION AT A DATE CERTAIN.

lc-0235ahb24.docx

Read the first time and referred to the Committee on Operations and Management.

H. 5164 -- Reps. Erickson, G. M. Smith, Herbkersman, Hartnett, McGinnis, Pope, Schuessler, Bradley, Hager, Long, Vaughan, Bannister, Elliott, Willis, Yow, Hiott, Gilliam, Mitchell, Hardee, Whitmire, W. Newton, B. Newton, Davis, Gagnon, Hixon, Lowe, Thayer, West, Taylor, Crawford and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS CONCERNING THE EDUCATION SCHOLARSHIP TRUST FUND PROGRAM, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-8-115,

RELATING TO THE APPLICATION PROCESS FOR SCHOLARSHIPS, SO AS TO PROVIDE ADDITIONAL APPLICATION PROCESSES, AMONG OTHER THINGS; BY AMENDING SECTION 59-8-120, RELATING TO THE ESTABLISHMENT AND ADMINISTRATION OF THE TRUST FUND, SO AS TO PROVIDE CONFIDENTIALITY REQUIREMENTS FOR CERTAIN RELATED INFORMATION, TO REVISE THE FUNDING FORMULA, AND TO REVISE RELATED ADMINISTRATIVE PROCEDURES; BY AMENDING SECTION 59-8-125, RELATING TO FUNDING AND ADMINISTRATION OF THE PROGRAM, SO AS TO REVISE ADMINISTRATIVE FEES, AND TO REMOVE PROVISIONS ALLOWING THE USE OF QUALIFIED THIRD PARTIES TO MANAGE ACCOUNTS AND ADMINISTER RELATED FUNCTIONS, AMONG OTHER THINGS; BY AMENDING SECTION 59-8-130, RELATING TO REVERSION OF SCHOLARSHIP FUNDS UPON TERMINATION OF A SCHOLARSHIP, SO AS TO PROVIDE FOR THE RETURN OF REVERTED FUNDS IN CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO REVISE THE LIMITATIONS, REQUIRE THE STATE DEPARTMENT OF EDUCATION TO SUBMIT AN ANNUAL BUDGET REQUEST BASED ON CERTAIN SCHOLARSHIP DEMAND AND USE INFORMATION, AND TO REMOVE OBSOLETE REVIEW REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 59-8-140, RELATING TO THE EDUCATION SERVICE PROVIDER APPLICATION REVIEW AND APPROVAL PROCESSES, SO AS TO REVISE CERTIFICATION RENEWAL REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO THE STUDENT ELIGIBILITY NOTIFICATION PROCESS, SO AS TO PROVIDE THE DEPARTMENT MAY DECLARE A STUDENT INSTEAD OF A PARENT INELIGIBLE, AMONG OTHER THINGS; AND BY AMENDING SECTION 59-8-150, RELATING TO EDUCATION SERVICE PROVIDER REQUIREMENTS, SO AS TO REQUIRE PROVIDERS GIVE PARENTS SPECIFIC DOCUMENTATION FOR QUALIFIED GOODS AND SERVICES ACQUIRED, TO PROVIDE SURETY BOND REQUIREMENTS, AND TO REVISE ACCOUNTABILITY MEASURE REQUIREMENTS.

lc-0644wab24.docx

Read the first time and referred to the Committee on Education.

H. 5203 -- Rep. Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "BUDGET PROVISO CODIFICATION ACT OF 2024", SO AS TO PROVIDE FOR THE CODIFICATION IN THE S.C. CODE OF CERTAIN PROVISOS CONTAINED IN THE ANNUAL GENERAL APPROPRIATIONS ACT, AND TO CODIFY OTHER RELATED PROVISIONS PERTAINING TO THE ANNUAL GENERAL APPROPRIATIONS ACT, INCLUDING PROVISIONS BY ADDING SECTIONS 59-17-170, 59-1-471, 59-17-180, 59-17-190, 59-67-310, 59-67-800, 59-67-330, 59-67-340, 59-17-200, 59-17-210, 59-1-472, AND 59-1-407 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF EDUCATION; BY ADDING SECTIONS 59-47-150 AND 59-6-130 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF EDUCATION-EIA; BY ADDING SECTIONS 59-51-60, 59-51-70, AND 59-51-80 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE WIL LOU GRAY OPPORTUNITY SCHOOL; BY ADDING SECTIONS 59-47-130, 59-47-140, AND 59-47-150 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE SCHOOL FOR THE DEAF AND BLIND; BY ADDING SECTION 59-49-170 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE GOVERNOR'S SCHOOL FOR AGRICULTURE AT JOHN DE LA HOWE; BY ADDING SECTIONS 59-7-70, 59-7-80, 59-7-90, AND 59-101-220 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE EDUCATIONAL TELEVISION COMMISSION; BY ADDING SECTIONS 59-50-80, 59-50-90, AND 59-50-100 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE GOVERNOR'S SCHOOL FOR THE ARTS AND HUMANITIES; BY ADDING SECTIONS 59-48-80, 59-48-90, 59-48-100, AND 59-1-497 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE GOVERNOR'S SCHOOL FOR SCIENCE AND MATHEMATICS; BY ADDING SECTION 59-123-330 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE MEDICAL UNIVERSITY OF SOUTH CAROLINA; BY ADDING SECTIONS 59-53-110 AND 59-53-170 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION; BY ADDING SECTION 60-1-180 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE STATE LIBRARY; BY ADDING SECTIONS 60-15-100, 60-15-110, AND 60-15-120 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE ARTS COMMISSION; BY ADDING SECTIONS 60-13-60, 60-13-70, 60-13-

80, AND 60-13-90 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE STATE MUSEUM COMMISSION; BY ADDING SECTIONS 43-31-180 AND 43-31-190 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF VOCATIONAL REHABILITATION; BY ADDING SECTIONS 44-6-116, 44-6-117, 44-6-118, 44-6-119, 44-6-120, 44-6-121, 44-6-122, AND 44-6-123 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES; BY ADDING SECTIONS 44-1-320, 44-1-330, 44-1-340, 44-1-350, 44-1-360, 44-1-370, 48-6-90, 44-1-380, 48-6-100, 48-6-110, 44-1-400, 44-1-410, AND 44-1-420 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; BY ADDING SECTIONS 44-9-170 AND 44-9-180 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF MENTAL HEALTH; BY ADDING SECTIONS 44-20-40, 44-20-50, 44-20-60, 44-20-70, AND 44-20-80 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS; BY ADDING SECTIONS 44-49-90 AND 44-49-100 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING SECTIONS 43-1-270, 43-1-280, 43-1-290, 43-1-300, 43-1-310, 43-1-320, 43-1-330, 43-1-340, 43-1-350, 43-1-360, AND 43-1-370 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF SOCIAL SERVICES; BY ADDING SECTION 43-21-210 SO AS TO CODIFY A PROVISO RELATING TO THE DEPARTMENT ON AGING; BY ADDING SECTION 63-11-2300 SO AS TO CODIFY A PROVISO RELATING TO THE DEPARTMENT ON CHILDREN'S ADVOCACY; BY ADDING SECTION 31-13-100 AND BY AMENDING SECTION 31-13-430, RELATING TO THE ADVISORY COMMITTEE, SO AS TO CODIFY PROVISOS RELATING TO THE HOUSING FINANCE AND DEVELOPMENT AUTHORITY; BY ADDING SECTIONS 48-23-310, 48-23-320, AND 48-23-330 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE FORESTRY COMMISSION; BY ADDING SECTION 46-1-170 SO AS TO CODIFY A PROVISO RELATING TO CLEMSON UNIVERSITY PSA; BY ADDING SECTIONS 50-3-200, 50-3-210, 50-3-220, 50-3-230, AND 50-3-240 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF NATURAL RESOURCES; BY ADDING SECTION 48-45-90 SO AS TO CODIFY A PROVISO RELATING TO THE SEA GRANT CONSORTIUM; BY

ADDING SECTIONS 51-1-100, 51-1-110, AND 51-1-120 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM; BY ADDING SECTIONS 13-1-70, 13-1-80, 13-1-90, 13-1-100, 13-1-110, 13-1-120, 13-1-130, AND 13-1-140 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF COMMERCE; BY ADDING SECTIONS 11-50-190 AND 11-40-280 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE RURAL INFRASTRUCTURE AUTHORITY; BY ADDING SECTIONS 14-9-270, 14-1-250, 14-3-460, 14-1-260, 14-1-270, 14-1-280, 14-1-290, AND 14-1-300 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE JUDICIAL DEPARTMENT; BY ADDING SECTIONS 1-23-690 AND 14-1-290 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE ADMINISTRATIVE LAW COURT; BY ADDING SECTION 8-1-200 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE PROSECUTION COORDINATION COMMISSION; BY ADDING SECTIONS 23-3-87, 23-3-90, 23-3-92, 23-3-95, 23-3-97, AND 23-3-100 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE STATE LAW ENFORCEMENT DIVISION; BY ADDING SECTION 23-6-197 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF PUBLIC SAFETY; BY ADDING SECTIONS 23-23-170 AND 23-23-180 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL; BY ADDING SECTIONS 24-1-330, 24-1-340, 24-1-350, 24-1-360, 24-1-370, 24-1-380, 24-1-390, 24-1-400, 24-1-410, 24-1-420, 24-1-430, 24-1-440, 24-1-450, AND 24-1-460 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF CORRECTIONS; BY ADDING SECTION 24-21-120 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF PROBATION, PAROLE AND PARDON; BY ADDING SECTIONS 63-19-500, 63-19-510, 63-19-520, 63-19-530, 63-19-540, 63-19-550, 63-19-560, AND 63-19-570 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE; BY ADDING SECTIONS 1-13-120, 1-13-130, AND 1-13-140 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE HUMAN AFFAIRS COMMISSION; BY ADDING SECTION 1-31-70, 1-31-80, 1-31-90, 1-31-100, AND 1-31-110 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE COMMISSION FOR MINORITY AFFAIRS; BY ADDING SECTIONS 58-4-140, 58-4-150, AND 58-4-160 SO AS TO CODIFY CERTAIN PROVISIONS RELATING TO THE OFFICE OF

REGULATORY STAFF; BY ADDING SECTION 48-3-260 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE WORKERS' COMPENSATION COMMISSION; BY ADDING SECTION 42-7-230 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE STATE ACCIDENT FUND; BY ADDING SECTION 38-3-250 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF INSURANCE; BY ADDING SECTION 34-1-230 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE BOARD OF FINANCIAL INSTITUTIONS; BY ADDING SECTION 37-1-304 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF CONSUMER AFFAIRS; BY ADDING SECTIONS 41-3-150, 41-3-160, 23-9-199, AND 41-3-170 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION; BY ADDING SECTION 56-1-560 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF MOTOR VEHICLES; BY ADDING SECTIONS 57-3-240, 57-3-250, AND 57-3-260 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DEPARTMENT OF TRANSPORTATION; BY ADDING SECTIONS 55-1-110, 55-1-120 AND 55-1-130 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE DIVISION OF AERONAUTICS; BY ADDING SECTION 10-3-70 SO AS TO CODIFY A PROVISO RELATED TO THE OFFICE OF GOVERNOR; BY ADDING SECTION 1-11-498 SO AS TO CODIFY A PROVISO RELATING TO THE DEPARTMENT OF ADMINISTRATION; BY ADDING SECTION 11-5-300 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE OFFICE OF STATE TREASURER; BY ADDING SECTION 25-1-180 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE OFFICE OF THE ADJUTANT GENERAL; BY ADDING SECTIONS 7-3-80, 7-3-90, AND 7-3-100 SO AS TO CODIFY CERTAIN PROVISOS RELATING TO THE ELECTION COMMISSION; BY ADDING SECTION 12-2-150 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO THE DEPARTMENT OF REVENUE; BY ADDING SECTIONS 1-1-1720, 59-101-440, 59-53-110, 59-101-450, 1-11-492, 1-1-1730, 11-11-85, 1-1-1740, 11-49-180, BY AMENDING SECTION 12-36-1310, RELATING TO THE USE TAX, BY ADDING SECTIONS 4-10-610, 11-55-60, 59-1-498, 1-1-1750, 1-11-499, 1-1-1760; BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS; BY ADDING SECTIONS 1-1-1770 AND 1-3-70 ALL SO AS TO CODIFY CERTAIN PROVISOS RELATING TO GENERAL

PROVISIONS; AND BY AMENDING SECTION 11-11-220 SO AS TO CODIFY A CERTAIN PROVISO RELATING TO STATEWIDE REVENUE.
lc-0545sa24.docx

Read the first time and referred to the Committee on Finance.

H. 5267 -- Rep. Forrest: A BILL TO AMEND ACT 307 OF 2012, RELATING TO THE ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE SALUDA COUNTY SCHOOL DISTRICT MUST BE ELECTED, SO AS TO REAPPORTION THESE DISTRICTS, TO PROVIDE DEMOGRAPHIC INFORMATION IN REGARD TO THESE DISTRICTS, AND TO UPDATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED.
lc-0418hdb24.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Tuesday, April 9, 2024 - 5:00 p.m. - 6:30 p.m.
Members, Reception, Columbia Marriott, 1200 Hampton Street, hosted by the **PUBLIC CHARTER SCHOOL ALLIANCE OF SOUTH CAROLINA**

Tuesday, April 9, 2024 - 5:00 p.m. - 7:00 p.m.
Members and Staff, Reception, The Palmetto Club, hosted by **CAMP HALL COMMERCE PARK (SANTEE COOPER, BERKELEY ELECTRIC COOPERATIVE, EDISTO ELECTRIC COOPERATIVE)**

Tuesday, April 9, 2024 - 5:00 p.m. - 7:30 p.m.
Members and Staff, Reception, The Palmetto Club, hosted by **HISTORIC MITCHELLVILLE FREEDOM PARK**

Tuesday, April 9, 2024 - 5:30 p.m. - 6:30 p.m.
Members and Staff, Reception, Bourbon, 1214 Main Street, hosted by **HCA HEALTHCARE**

Wednesday, April 10, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by **SOUTH CAROLINA'S COALITION FOR MATHEMATICS & SCIENCE**

Wednesday, April 10, 2024 - 11:30 a.m. - 2:00 p.m.
Members, Luncheon, 112 Blatt Building, hosted by the **SOUTH CAROLINA ASSOCIATION FOR COMMUNITY ECONOMIC DEVELOPMENT**

Wednesday, April 10, 2024 - 5:00 p.m. - 7:00 p.m.
Members and Staff, Reception, 1208 Washington Place, hosted by the **SOUTH CAROLINA ASSOCIATION FOR JUSTICE**

Wednesday, April 10, 2024 - 6:00 p.m. - 8:00 p.m.
Members, Staff and Families, Reception, South Carolina State Museum, hosted by the **SOUTH CAROLINA STATE MUSEUM FOUNDATION**

Thursday, April 11, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by the **FUTURE SCHOLAR 529 COLLEGE SAVINGS PLAN, STATE TREASURER'S OFFICE**

Tuesday, April 16, 2024 - 6:00 p.m. - 8:30 p.m.
Members, Staff and Families, Reception and Legislative Softball Game, Founders Park, 431 Williams Street, hosted by **BLUE CROSS BLUE SHIELD OF SOUTH CAROLINA**

Wednesday, April 17, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by **LEADERSHIP SOUTH CAROLINA**

Wednesday, April 17, 2024 - 11:30 a.m. - 2:00 p.m.
Members and Staff, Luncheon, State House Grounds, hosted by the **SOUTH CAROLINA STATE FIREFIGHTERS' ASSOCIATION**

Wednesday, April 17, 2024 - 6:00 p.m. - 8:00 p.m.
Members and Staff, Reception, South Carolina National Guard Armory, 1225 Bluff Road, hosted by the **SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES**

Thursday, April 18, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA RECYCLERS ASSOCIATION**

Thursday, April 18, 2024 - 11:30 a.m. - 2:00 p.m.
Members, Luncheon, 112 Blatt Building, hosted by **AMIKIDS**

Tuesday, April 23, 2024 - 6:30 p.m. - 10:00 p.m.
Members, Reception and Dinner (Citadel Barbeque), Goodman Building, South Carolina State Fairgrounds, hosted by **THE CITADEL ALUMNI ASSOCIATION**

Wednesday, April 24, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by **DONATE LIFE SOUTH CAROLINA**

Wednesday, April 24, 2024 - 11:30 a.m. - 2:00 p.m.
Members and Staff, Luncheon, State House Grounds, hosted by the **SOUTH CAROLINA RESTAURANT AND LODGING ASSOCIATION (HOSPITALITY DAY)**

Wednesday, April 24, 2024 - 5:00 p.m. - 7:00 p.m.
Members and Staff, Reception, South Carolina Beer Wholesalers Association, 1114 College Street, hosted by the **SOUTH CAROLINA BEER WHOLESALERS ASSOCIATION**

Wednesday, April 24, 2024 - 5:30 p.m. - 7:30 p.m.
Members, Reception, Savage Craft Ale Works, 430 Center Street, West Columbia, hosted by the **SOUTH CAROLINA BOATING AND FISHING ALLIANCE**

Wednesday, April 24, 2024 - 5:30 p.m. - 7:30 p.m.
Members, Reception, Bourbon, 1214 Main Street, hosted by **TOGETHER SC**

Wednesday, April 24, 2024 - 6:30 p.m. - 8:00 p.m.
Members, Reception, Parker Poe Law Firm, 1221 Main Street, hosted by the **CITY OF CHARLESTON**

Thursday, April 25, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by the **COALITION FOR ACCESS TO HEALTHCARE**

Tuesday, April 30, 2024 - 6:00 p.m. - 8:00 p.m.
Members and Staff, Reception, Columbia Convention Center, hosted by the **SOUTH CAROLINA ASSOCIATION OF COUNCIL ON AGING DISORDERS**

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

S. 95 -- Senators Campsen, Senn, Verdin, M. Johnson, Kimbrell, Gustafson, Young, Grooms, Fanning, Loftis, Garrett and Rice: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMPTROLLER GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMPTROLLER GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

The Senate proceeded to a consideration of the Joint Resolution, the question being the second reading of the Joint Resolution.

Senator CAMPSEN explained the Joint Resolution.

Amendment No. 1

Senator CAMPSEN proposed the following amendment (SJ-95.PB0013S), which was adopted:

Amend the joint resolution, as and if amended, SECTION 1.A., by striking the added second undesignated paragraph in Section 7, Article VI and inserting:

Beginning sixty days after the ratification of the provisions of this paragraph, the state constitutional office of the Comptroller General is abolished. The General Assembly shall provide by law for the duties and responsibilities held by the Comptroller General.

Amend the joint resolution further, by striking the undesignated paragraph containing the question to be submitted to the voters and inserting:

"Must Section 7, Article VI of the Constitution of this State relating to state constitutional officers be amended so as to delete the Comptroller General from the list of state officers that the Constitution requires to be elected, provide that sixty days after the ratification of this provision the office is abolished, and authorize the General Assembly to provide by law for the duties and responsibilities held by the Comptroller General; and must Section 12, Article IV be amended so as to delete the Comptroller General's name from the list of elected state constitutional officers a majority of which may submit a written declaration that the Governor is unable to discharge his duties; and must Section 13, Article X be amended so as to provide if the principal of or interest on any general obligation debt is not paid when due, that instead of the Comptroller General, the Governor shall levy an ad valorem tax to meet the payment?

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question then was second reading of the Joint Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb

Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Joint Resolution, as amended, was read the second time, passed and ordered to a third reading.

Statement by Senator SENN

For the first time in my eight years in the Senate, a fire alarm went off and it was very loud. Because I was in the middle of a very important call that could not wait, I went to the parking garage to finish the call. Unfortunately, from there I did not hear the bell ring and missed this vote which I would have voted for in the affirmative.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 995 -- Senators Hutto, Shealy, Reichenbach, Devine, Senn, McLeod, Rankin, Garrett, Alexander and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO SECTIONS 16-15-385 THROUGH 16-15-425, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE; BY AMENDING SECTION 16-15-395, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-405, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-410, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO

AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (SJ-995.MB0008S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 23-3-430(C)(2) of the S.C. Code is amended to read:

(C) (2) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses shall be referred to as a Tier II offender:

(a) criminal sexual conduct in the second degree (Section 16-3-653);

(b) engaging a child for sexual performance (Section 16-3-810);

(c) producing, directing, or promoting sexual performance by a child (Section 16-3-820);

(d) trafficking in persons (Section 16-3-2020) except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;

(e) criminal sexual conduct with minors, second degree (Section 16-3-655(B)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(f) criminal sexual conduct with minors, third degree (Section 16-3-655(C)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted

person is not an offender and is not required to register pursuant to the provisions of this article;

(g) criminal solicitation of a minor if the purpose or intent of the solicitation or attempted solicitation was to:

(i) persuade, induce, entice, or coerce the person solicited to engage or participate in sexual activity as defined in Section 16-15-375(5);

(ii) perform a sexual activity in the presence of the person solicited (Section 16-15-342); ~~or~~

(h) violations of Article 3, Chapter 15, Title 16 involving a minor;~~.~~

(i) sexual exploitation of a minor, first degree (Section 16-15-395), except as otherwise provided in this article;

(j) sexual exploitation of a minor, second degree (Section 16-15-405), except as otherwise provided in this article; or

(k) sexual exploitation of a minor, third degree (Section 16-15-410), except as otherwise provided in this article.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb

Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

Statement by Senator SENN

For the first time in my eight years in the Senate, a fire alarm went off and it was very loud. Because I was in the middle of a very important call that could not wait, I went to the parking garage to finish the call. Unfortunately, from there I did not hear the bell ring and missed this vote which I would have voted for in the affirmative.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

S. 1074 -- Senators Davis and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS OF A CMA, SO AS TO CHANGE THE REQUIREMENTS FOR A QUALIFIED CMA; AND BY AMENDING SECTION 40-47-196, RELATING TO DELEGATION OF TASKS, SO AS TO PROVIDE THAT A

PHYSICIAN OR PHYSICIAN ASSISTANT, PURSUANT TO THE PHYSICIAN ASSISTANT'S SCOPE OF PRACTICE GUIDELINES, MAY DELEGATE NURSING TASKS TO UAP UNDER THE SUPERVISION OF THE PHYSICIAN OR PHYSICIAN ASSISTANT.

The Senate proceeded to a consideration of the Bill.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the third time, passed and ordered sent to the House.

Statement by Senator SENN

For the first time in my eight years in the Senate, a fire alarm went off and it was very loud. Because I was in the middle of a very important call that could not wait, I went to the parking garage to finish the call. Unfortunately, from there I did not hear the bell ring and missed this vote which I would have voted for in the affirmative.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 728 -- Senator Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-9-197(A)(3), RELATING TO THE FIREFIGHTER CANCER HEALTH CARE BENEFIT PLAN, SO AS TO PROVIDE THAT THE DEFINITION OF "FIREFIGHTER" SHALL INCLUDE NON-RESIDENTS OF SOUTH CAROLINA WHO WORK IN THE STATE.

CARRIED OVER

S. 208 -- Senators Goldfinch and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO PROVIDE THAT A COUNTY MAY IMPOSE AN ADDITIONAL DRIVER'S LICENSE FEE AND AN ADDITIONAL MOTOR VEHICLE LICENSING AND REGISTRATION FEE FROM RESIDENTS NEW TO THIS STATE UPON A SUCCESSFUL REFERENDUM, AND TO PROVIDE THAT THE FUNDS REALIZED FROM THE ADDITIONAL FEES MUST BE USED ONLY FOR COUNTY INFRASTRUCTURE, PUBLIC EDUCATION RELATED EXPENSES, AND GREENSPACE CONSERVATION OR PRESERVATION; BY AMENDING SECTION 56-1-20, RELATING TO DRIVER'S LICENSE REQUIRED, SURRENDER AND DISPOSITION OF OUT-OF-STATE LICENSES, LOCAL LICENSES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM; AND BY AMENDING SECTION 56-3-210, RELATING TO THE TIME PERIOD FOR PROCURING REGISTRATION AND LICENSE, TEMPORARY LICENSE PLATES, TRANSFER OF LICENSE PLATES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM.

On motion of Senator VERDIN, the Bill was carried over.

CARRIED OVER

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett,

Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS

CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

On motion of Senator MALLOY, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 1132 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-7-20, RELATING TO DEFINITIONS CONCERNING BARBERS AND BARBERING, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-7-390, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGISTS AND COSMETOLOGY, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-13-360, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS

PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; AND BY REPEALING SECTION 40-7-255 RELATING TO THE REGULATION OF HAIR-BRAIDING PRACTITIONERS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-1132.WAB0001S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 40-7-390(6) and inserting:

(6) unless otherwise prescribed by law, persons authorized by state law to practice cosmetology only when they are practicing in salons or schools of cosmetology and persons providing blow-dry styling but no other services requiring a license under this chapter; and

Amend the bill further, SECTION 3, by striking Section 40-13-20(3)(a) and (b) and inserting:

(a) arranging, styling, thermal curling, chemical waving, pressing, shampooing, cutting, shaping, chemical bleaching, chemical coloring, chemical relaxing, or similar work, upon the hair, wig, or hairpiece of any person, by any means, with hands or mechanical or electrical apparatus or appliances;

(b) using cosmetic preparations, makeup, antiseptics, lotions, creams, chemical preparations on, or otherwise, or waxing, tweezing, cleansing, stimulating, manipulating, beautifying, or similar work on the scalp, legs, feet, face, neck, arms or hands; or

Amend the bill further, SECTION 3, by striking Section 40-13-20(6) and inserting:

~~(5)~~(6) "Esthetician" means a person including, but not limited to, an independent contractor, who is licensed to practice skin care, makeup, or similar work. Skin care is for the sole purpose of beautifying the skin.

Amend the bill further, SECTION 3, Section 40-13-20, by adding a subsection to read:

(9) "Makeup artistry" means the application of a cosmetic to enhance the appearance of the face or skin, including powder, foundation, rouge, eyeshadow, eyeliner, mascara, and lipstick. It includes the application of makeup applied using an airbrush. It excludes the application of permanent makeup or tattooing. It is distinct from the practice of cosmetology.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

On motion of Senator HUTTO, the Bill was carried over.

READ THE SECOND TIME

H. 3992 -- Reps. Blackwell, McGinnis, Sandifer, Ligon, Cromer, Magnuson, White, Pace and Burns: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-31-60, RELATING TO DELINQUENT UNEMPLOYMENT COMPENSATION TAX RATES, SO AS TO PERMIT EMPLOYERS WITH INSTALLMENT PAYMENT AGREEMENTS APPROVED BY THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO PAY THE TAX AT A REDUCED RATE, AND TO PROVIDE FOR THE AUTOMATIC REVERSION OF THIS RATE UPON FAILURE TO TIMELY COMPLY WITH THE PAYMENT AGREEMENT.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

Statement by Senator SENN

For the first time in my eight years in the Senate, a fire alarm went off and it was very loud. Because I was in the middle of a very important call that could not wait, I went to the parking garage to finish the call. Unfortunately, from there I did not hear the bell ring and missed this vote which I would have voted for in the affirmative.

CARRIED OVER

S. 955 -- Senators Campsen and Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-5-400 SO AS TO ESTABLISH THE LIMITED COMMERCIAL BLUE CRAB LICENSE AND THE REQUIREMENTS FOR OBTAINING THE LICENSE; BY AMENDING SECTION 50-5-325, RELATING TO COMMERCIAL EQUIPMENT LICENSES AND FEES, SO AS TO REVISE THE FEE STRUCTURE FOR THE COMMERCIAL TRAP LICENSE; BY AMENDING SECTION 50-5-350, RELATING TO THE TRANSFERABILITY OF LICENSES, SO AS TO EXEMPT THE LIMITED COMMERCIAL BLUE CRAB LICENSE FROM THE GENERAL TRANSFER PROHIBITION; BY AMENDING SECTION 50-5-360, RELATING TO LICENSES TO ENGAGE IN SHEDDING PEELER CRABS, SO AS TO REQUIRE THAT AN APPLICANT'S OR LICENSEE'S BUSINESS PREMISES BE CAPABLE OF PEELER SHEDDING OPERATIONS; BY AMENDING SECTION 50-5-545, RELATING TO TRAPS FOR TAKING BLUE CRAB, SO AS TO PROVIDE FOR THE MATERIAL, DIMENSIONS, AND ESCAPE VENT REQUIREMENTS OF THE TRAPS; BY ADDING SECTION 50-5-1302 SO AS TO ESTABLISH A RECREATIONAL LIMIT OF ONE-HALF BUSHEL OF BLUE CRABS PER PERSON PER DAY NOT TO EXCEED ONE BUSHEL PER BOAT; BY ADDING SECTION 50-5-1345 SO AS TO PROHIBIT THE USE OF CRAB TRAPS IN THE WATERS OF THIS STATE FROM JANUARY 16 THROUGH JANUARY 29 OF EACH YEAR; BY AMENDING SECTION 50-5-330, RELATING TO RECREATIONAL EQUIPMENT LIMITS, SO AS TO INCREASE

THE NUMBER OF TRAPS THAT MAY BE USED FOR RECREATIONAL PURPOSES FROM TWO TO TEN WITH A RECREATIONAL CRAB TRAP ENDORSEMENT; AND BY AMENDING SECTION 50-9-540, RELATING TO RECREATIONAL SALTWATER FISHING LICENSES SO AS TO PROVIDE FOR THE COST OF THE RECREATIONAL CRAB TRAP ENDORSEMENT.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (SFGF-955.BC0008S):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Article 3, Chapter 5, Title 50 of the S.C. Code is amended by adding:

Section 50-5-400. (A) For the privilege of taking blue crabs by trap for a commercial purpose in the waters of this State, an individual must obtain a limited commercial blue crab license, a commercial saltwater fishing license, and a commercial equipment license for traps.

(B) The cost of a limited commercial blue crab license is one hundred dollars for residents and five hundred dollars for nonresidents.

(C) The following individuals are eligible to obtain a limited commercial blue crab license:

(1) an individual who possessed a valid commercial equipment license for traps during the 2023-2024 license year and who has verifiable documentation of at least four thousand pounds of commercial blue crab landings during the first six months of the 2023-2024 license year, the entirety of the 2022-2023 license year, or the entirety of the 2021-2022 license year;

(2) an individual who is selected via an applicant lottery pursuant to subsection (D); or

(3) an individual who receives a valid limited commercial blue crab license via transfer pursuant to subsection (E).

(D) If the total number of limited commercial blue crab licenses issued by the department in a license year is below one hundred, then the department may award additional licenses, not to exceed one hundred total limited commercial blue crab licenses, via an applicant lottery.

(E) A limited commercial blue crab license may be transferred by the licensee to another individual after providing information relating to the transfer as required by the department.

(F) The maximum number of traps used for taking blue crab, inclusive of peeler traps, that may be licensed to:

(1) an individual who obtains a limited commercial blue crab license under subsection (C)(1) is the greater of two hundred traps and the highest number of traps licensed by the individual in the three previous license years;

(2) an individual who receives a limited commercial blue crab license via transfer is the greater of two hundred traps and the average number of traps licensed by a holder of the transferred limited commercial blue crab license in the three previous license years; or

(3) an individual who is selected via lottery is two hundred traps.

(G) If the 2023-2024 license year is used to determine the highest number of traps that may be licensed under subsection (F), then only the first six months of the license year must be used in the determination.

(H) A limited commercial blue crab license must be renewed annually. Prior to every fourth license year, a licensee must have verifiable documentation of at least four thousand pounds of commercial blue crab landings in at least one of the three previous license years. If a licensee does not meet the documented landings threshold, then the licensee's limited commercial blue crab license must not be renewed by the department.

SECTION 2. Section 50-5-350(B) of the S.C. Code is amended to read:

(B) Licenses and permits, other than a limited commercial blue crab license, are not transferable; however, any licensed commercial saltwater fisherman may operate any licensed commercial equipment with written permission of the owner except:

(1) channel nets; and

(2) any commercial equipment licensed at the resident fee when the nonresident fee is greater if the operator is a nonresident.

SECTION 3. Section 50-5-325(A) of the S.C. Code is amended to read:

(A) Commercial equipment, excluding vessels, used in the salt waters of this State and in fisheries for anadromous and catadromous species in any waters of this State must be licensed by the department. The owner and operator are responsible for obtaining a license:

(1) to use a trawl or trawls, and the cost is one hundred twenty-five dollars for residents and three hundred dollars for nonresidents;

(2) to use traps~~,~~ other than traps for taking blue crab, and the cost is twenty-five dollars ~~per~~ for fifty traps and one dollar for each trap thereafter for residents, and one hundred twenty-five dollars ~~per~~ for fifty traps and five dollars for each trap thereafter for nonresidents;

(3) to use traps for taking blue crab, and the cost is two dollars for each trap for residents and ten dollars for each trap for nonresidents;

~~(3)~~(4) to use a channel net for taking shrimp, and the cost is two hundred fifty dollars for each net;

~~(4)~~(5) to use a gill net for taking shad, herring, or sturgeon, and the cost is ten dollars per one hundred net yards or a fraction thereof for residents and fifty dollars per one hundred net yards or a fraction thereof for nonresidents, and to use any other gill net or haul seine the cost is ten dollars per one hundred net feet or a fraction thereof for residents and fifty dollars per one hundred net feet or a fraction thereof for nonresidents;

~~(5)~~(6) to use hand-held equipment to take shellfish, including tongs, rakes, and forks, at no cost;

~~(6)~~(7) to use a drag dredge, and the cost is seventy-five dollars for residents and three hundred seventy-five dollars for nonresidents;

~~(7)~~(8) to use other mechanically operated or boat assisted equipment, other than equipment used to set or retrieve licensed equipment, and the cost is one hundred twenty-five dollars for residents and six hundred twenty-five dollars for nonresidents;

~~(8)~~(9) to use trotlines with baits or hooks, and the cost is ten dollars for residents and fifty dollars for nonresidents for each line having not more than fifty baits or hooks per line;

~~(9)~~(10) to use any other commercial equipment, and the cost is ten dollars for each type for residents and fifty dollars per type for nonresidents.

SECTION 4. Section 50-5-360(B) of the S.C. Code is amended to read:

(B) In order to engage in shedding peeler crabs, a person or entity must first be a licensed wholesale seafood dealer, ~~and~~ must be licensed for peeler crabs, and the person's or entity's business premises must be capable of peeler shedding operations. The fee for a resident peeler crab license is an additional seventy-five dollars, and the fee for a nonresident license is an additional three hundred seventy-five dollars. Persons holding this license and engaged in shedding peeler crabs are authorized to receive, possess, and sell peeler crabs regardless of size. The department may inspect the business premises of a person or entity applying for a peeler crab license and of a peeler crab licensee to ensure the applicant's or licensee's business premises are capable of peeler shedding operations.

SECTION 5. Section 50-5-545 of the S.C. Code is amended to read:

Section 50-5-545. (A) Except as provided in this section, ~~from June 1 through March 14,~~ a trap used for taking blue crab ~~used~~ for commercial purposes from June 1 through March 14, or for recreational purposes year round, must have at least two unobstructed, circular escape vents (rings) which must be two and three-eighths inches or greater in inside diameter and located on vertical surfaces. At least one vent (ring) must be in the upper chamber. All vents (rings) must be within two inches of the horizontal partition or the base of the trap.

(B) A trap used for taking blue crab constructed of a single chamber must have at least one two and three-eighths inch or larger inside diameter escape vent (ring) located on a vertical surface within two inches of the base of the trap. Peeler traps are exempt year round.

(C) A trap used for taking blue crab, other than peeler traps, must be constructed of wire with a minimum mesh size of one and one-half inches, have throats or entrances located only on a vertical surface, and have a maximum dimension of twenty-four inches by twenty-four inches by twenty-four inches or a volume of eight cubic feet.

SECTION 6. Article 13, Chapter 5, Title 50 of the S.C. Code is amended by adding:

Section 50-5-1345. (A) The department must promulgate regulations establishing criteria for the designation of closed seasons and closed or partially closed areas for the taking of blue crabs by trap. In accordance with the established criteria, the department may designate closed seasons and closed or partially closed areas for the taking of blue crabs by trap upon at least forty-five days' public notice.

(B) A trap that is in the waters of this State during a closed season or in a closed or partially closed area may be confiscated by the department or by an agent of the department.

(C) It is unlawful to take or attempt to take blue crabs by trap during a closed season or in a closed or partially closed area. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than two hundred dollars nor more than five hundred dollars.

(D) Nothing in this section limits the authority of the department under Section 50-5-32.

SECTION 7. Article 13, Chapter 5, Title 50 of the S.C. Code is amended by adding:

Section 50-5-1302. (A) For the purposes of this section, "day" means sunrise on one day to sunrise on the following day.

(B) It is unlawful for a person to take or possess for recreational purposes more than one bushel of blue crabs in any one day, not to exceed two bushels in any one day on any boat.

(C) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars and not more than five hundred dollars.

SECTION 8. Section 50-5-330(A) of the S.C. Code is amended to read:

(A) A person may fish or use the following in the salt waters of this State solely for recreational purposes without being commercially licensed:

(1) shrimp seines;

(2) hand-operated tongs, rakes except bull rakes, and forks except seed forks, used to harvest shellfish;

(3) hook and line or rod and reel;

(4) minnow traps, drop nets, and dip nets;

(5) cast nets; however, the use must comply with all other provisions of law;

(6) no more than two crab traps without a recreational crab trap endorsement;

(7) no more than five crab traps with a recreational crab trap endorsement;

~~(7)~~(8) no more than two trotlines with a cumulative total of not more than fifty hooks or baits;

~~(8)~~(9) no more than ten bush or pole lines with single hooks or baits.

SECTION 9. Section 50-9-540 of the S.C. Code is amended by adding:

(E) For the privilege of fishing more than two and up to five crab traps recreationally, a recreational saltwater license holder must purchase an annual enhanced recreational crab trap endorsement at a cost of five dollars.

SECTION 10. Section 5 of this act takes effect on January 1, 2025. All other sections take effect on July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The question being the adoption of the amendment.

On motion of Senator CAMPSEN, the Bill was carried over.

READ THE SECOND TIME

S. 1051 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1330, RELATING TO WATERCRAFT RESTRICTIONS ON LAKE H. TAYLOR BLALOCK, SO AS TO EXTEND THE HUNTING OF WATERFOWL FOR FIVE YEARS.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 1095 -- Senators M. Johnson and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATIONS DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATIONS DEVICE", AND TO PROVIDE PENALTIES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

AMENDED, READ THE SECOND TIME

S. 1099 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-360, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

The Senate proceeded to a consideration of the Bill.

Senator VERDIN proposed the following amendment (SJ-1099.PB0003S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

SECTION 2. This act takes effect January 1, 2025.

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

ADOPTED

S. 1161 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF US 276 (LAURENS ROAD) BETWEEN MILLENNIUM BOULEVARD (N) AND FORRESTER DRIVE IN GREENVILLE COUNTY “SCHP PATROLMAN EDWIN D. MILAM MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

S. 1162 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SC-183 FROM S-87 (SULPHUR SPRINGS ROAD) TO S-430 (RIDGE ROAD) IN GREENVILLE COUNTY "SCHP PATROLMAN ALBERT T. SEALY JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned Wednesday, March 27, 2024, that it will adjourn to meet Thursday, March 28, 2024, under the provisions of Rule 1B.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator GOLDFINCH, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Carol Santiago of Lancaster, S.C. Carol was a human resources specialist assigned to the 228th Theater Tactical Signal Brigade in the South Carolina Army National Guard. Carol served our State with great honor and will be dearly missed.

And

MOTION ADOPTED

On motion of Senator SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Lt. Col. William Lloyd Glasgow of Columbia, S.C. Lt. Col. Glasgow played football at Mississippi State where he was a member of Kappa Sigma fraternity, Student Council and the Army ROTC program to mention a few. He served numerous deployments in Vietnam that earned him a Bronze Star and many accolades and commendations before his retirement in 1977. Lt. Col. Glasgow was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 1:41 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

***

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Isaiah 64:8

The prophet Isaiah urges us to recall: "O Lord, you are our Father; we are the clay, and you are our potter; we are all the work of your hand."

Friends, let us pray: Holy God, here during this Holy Week, as we call upon You to embrace us afresh in Your loving care, we urge You to inspire these Senators and their staff members as they work together to mold and shape South Carolina. May their craftsmanship result in a State that is fully able to handle the demands of today, as well as those of the future. To that end, may all of these leaders discern not only how to respond to the challenges, but also to know how they can best accomplish good for the people they serve. And as always, O Lord, continue to hold and keep safe our women and men in uniform wherever they happen to be serving. And may the glory in all things always be ultimately Yours, O loving Lord. In Your wondrous name we pray. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Gambrell	Garrett
Grooms	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Martin
Massey	Matthews	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler

Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Privilege of the Chamber

On motion of Senator MARTIN, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to Chief Michael Lancaster upon the occasion of his retirement and wished him much happiness in all future endeavors.

Privilege of the Chamber

On motion of Senator GROOMS, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to Secretary of Transportation Christy A. Hall on the occasion of her retirement and wished her much happiness in all future endeavors.

Doctor of the Day

Senator McLEOD introduced Dr. Marilyn Malia of Orangeburg, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CORBIN, at 1:10 P.M., Senator LOFTIS was granted a leave of absence for today.

Leave of Absence

On motion of Senator CLIMER, at 2:41 P.M., Senator GOLDFINCH was granted a leave of absence for today.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 266	Sen. McLeod
S. 994	Sen. Setzler
S. 1126	Sen. Campsen
S. 1150	Sen. M. Johnson

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1211 -- Senator Matthews: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF DEBI

NICOLE PRICE AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
sr-0668km-hw24.docx

The Senate Resolution was adopted.

S. 1212 -- Senator Garrett: A SENATE RESOLUTION TO CONGRATULATE NINETY-SIX HIGH SCHOOL WRESTLERS FRANK TAYLOR AND PJ RUSHTON FOR WINNING THE 2024 SOUTH CAROLINA CLASS A/AA INDIVIDUAL STATE CHAMPIONSHIP TITLES.
lc-0571cm-gm24.docx

The Senate Resolution was adopted.

S. 1213 -- Senators Climer and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STUDENT PHYSICAL PRIVACY ACT" BY ADDING ARTICLE 4 TO CHAPTER 23, TITLE 59 SO AS TO STATE PURPOSES, PROVIDE DEFINITIONS, PROVIDE THAT EVERY PUBLIC SCHOOL RESTROOM AND CHANGING FACILITY THAT IS ACCESSIBLE BY MULTIPLE PERSONS MUST BE DESIGNATED FOR USE ONLY BY MEMBERS OF ONE SEX, AND TO PROVIDE CIVIL PENALTIES.
sr-0666km24.docx

Read the first time and referred to the Committee on Education.

S. 1214 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 56 TO TITLE 46 SO AS TO REGULATE THE SALE AND DISTRIBUTION OF PRODUCTS CONTAINING HEMP-DERIVED CANNABINOID; AND BY AMENDING SECTION 59-1-380, RELATING TO TOBACCO-FREE SCHOOL CAMPUS POLICIES, SO AS TO ADD REFERENCES TO HEMP-DERIVED CANNABINOIDS.
lc-0393ph24.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 1215 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO INDIVIDUAL ANTLERLESS DEER TAGS, ANTLERLESS DEER LIMITS FOR PRIVATE LANDS IN GAME ZONES 1-4, AND YOUTH DEER HUNTING DAY, DESIGNATED AS REGULATION

DOCUMENT NUMBER 5260, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0632wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1216 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5259, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0631wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1217 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO RULES AND REGULATIONS GOVERNING THE ISSUANCE OF DEER DEPREDATION PERMITS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5250, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0630wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1218 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO FAMILY DAY CARE HOMES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5229, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0676wab-rt24.docx

Read the first time and ordered placed on the Calendar without reference.

H. 3748 -- Reps. Caskey, Wooten, Wetmore, Hartnett, Erickson, W. Newton, Pope, Robbins, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-11-680, RELATING TO THE UNLAWFUL ALTERATION OR REMOVAL OF BOUNDARY LANDMARKS, SO AS TO CLARIFY THAT THE SECTION PROHIBITS MOVING, ALTERING, DESTROYING, OR REMOVING GEODETIC CONTROL MONUMENTS OR CERTAIN LAND SURVEYING MONUMENTS, TO UPDATE THE PENALTIES FOR VIOLATIONS OF THIS SECTION, AND TO DEFINE NECESSARY TERMS.
lc-0092hdb23.docx

Read the first time and referred to the Committee on Judiciary.

H. 4082 -- Rep. Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS SO AS TO EXEMPT CERTAIN MEDICINE USED FOR OPHTHALMIC DISEASE.
lc-0181dg23.docx

Read the first time and referred to the Committee on Finance.

H. 4274 -- Reps. W. Newton, Herbkersman, Erickson, Bradley and Hager: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 7 TO CHAPTER 3, TITLE 15 SO AS TO ESTABLISH THE "SOUTH CAROLINA PUBLIC EXPRESSION PROTECTION ACT", REGARDING A CAUSE OF ACTION ASSERTED IN A CIVIL ACTION BASED UPON A PERSON'S COMMUNICATION IN CERTAIN CIRCUMSTANCES, AND TO ESTABLISH REQUIREMENTS FOR THESE PROCEEDINGS.
lc-0101ha23.docx

Read the first time and referred to the Committee on Judiciary.

H. 4559 -- Reps. Bernstein, Rose, Clyburn, Mitchell, Yow and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-108, RELATING TO PROBATE, TESTACY, AND APPOINTMENT PROCEEDINGS AND THE ULTIMATE TIME LIMIT, SO AS TO ALLOW APPROPRIATE APPOINTMENT PROCEEDINGS REGARDING AN INDIVIDUAL'S ESTATE FOR THE SOLE PURPOSE OF ALLOWING A CLAIM TO BE MADE PURSUANT TO THE "HONORING OUR PACT ACT OF

2022" REGARDLESS OF THE DATE OF THAT INDIVIDUAL'S DEATH.
lc-0189ha24.docx

Read the first time and referred to the Committee on Judiciary.

H. 4594 -- Reps. Ballentine, Pope, Clyburn, West, Elliott and T. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2023 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.
lc-0282dg24.docx

Read the first time and referred to the Committee on Finance.

H. 4601 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-4100, RELATING TO PREVENTING ESCAPE OF MATERIALS LOADED ON VEHICLES AND CLEANING THE HIGHWAYS OF ESCAPED SUBSTANCES OR CARGO, SO AS TO INCORPORATE THE PROVISIONS OF SECTION 56-5-4110 TO CLARIFY THE EXCEPTIONS FOR TRANSPORTATION OF CERTAIN FARM PRODUCTS AND MATERIALS; AND BY REPEALING SECTION 56-5-4110 RELATING TO THE REQUIREMENTS THAT LOADS AND COVERS MUST BE FIRMLY ATTACHED.
lc-0170ahb24.docx

Read the first time and referred to the Committee on Transportation.

H. 4609 -- Reps. Hixon, B. L. Cox and O'Neal: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-2-105, RELATING TO GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS, SO AS TO PROVIDE CERTAIN MUNICIPALITIES AND COUNTIES MAY ENACT ORDINANCES TO ALLOW GOLF CARTS TO OPERATE IN DESIGNATED AREAS WITHIN THEIR JURISDICTIONS AT NIGHT.
lc-0397cm24.docx

Read the first time and referred to the Committee on Transportation.

H. 4820 -- Reps. Forrest, Hixon, Hayes, Chumley, Burns, Haddon, Magnuson, Chapman, McDaniel and Gibson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-580, RELATING TO THE SEASON FOR HUNTING AND TAKING MALE WILD TURKEYS, BAG LIMITS, TAKING FEMALE WILD TURKEYS, AND ANNUAL REPORTING, SO AS TO ADJUST THE HUNTING AND LIMIT FOR TAKING MALE WILD TURKEYS; AND TO PROVIDE A SUNSET PROVISION.
lc-0305ph24.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 5023 -- Reps. Brewer, Gilliam, Lawson, Sessions, Schuessler, Hager, Hartnett, Gatch, Mitchell, Hewitt, Robbins, J. Moore, Wooten, Guffey, O'Neal, J. L. Johnson, Pedalino and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-219 SO AS TO ESTABLISH THE WORK ZONE PROGRAM WITHIN THE DEPARTMENT OF PUBLIC SAFETY; BY AMENDING SECTION 56-1-15, RELATING TO THE ADMINISTRATION OF DRIVER'S LICENSE EXAMINATIONS, SO AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE; AND BY AMENDING SECTION 56-1-130, RELATING TO LICENSE EXAMINATIONS AND BASIC AND CLASSIFIED LICENSES, SO AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE.
lc-0493cm24.docx

Read the first time and referred to the Committee on Transportation.

H. 5024 -- Reps. Elliott, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-14990, RELATING TO SURVIVING SPOUSES APPLYING FOR LICENSE PLATES OR THE TRANSFER OF CERTAIN LICENSE PLATES, SO AS TO PROVIDE SURVIVING SPOUSES OF MEMBERS OF THE NATIONAL GUARD MAY APPLY TO OBTAIN NATIONAL GUARD LICENSE PLATES OR TRANSFER NATIONAL GUARD LICENSE PLATES ISSUED TO THEIR SPOUSES.
lc-0502cm24.docx

Read the first time and referred to the Committee on Transportation.

H. 5120 -- Reps. G. M. Smith, West, Sandifer and Davis: A CONCURRENT RESOLUTION TO URGE FEDERAL LEGISLATORS TO WORK IN GOOD FAITH TO ENACT LEGISLATION THAT REFORMS FEDERAL PERMITTING AND ENVIRONMENTAL REVIEW PROCESSES, TO PROMOTE ECONOMIC AND ENVIRONMENTAL STEWARDSHIP BY EXPEDITING THE DEPLOYMENT OF MODERN ENERGY INFRASTRUCTURE, AND TO INCLUDE STEPS TO CONSIDER FOR THESE REFORMS, AS WELL AS DETRIMENTS TO THE NATION AND ITS RESIDENTS AND BUSINESSES FOR FAILURE TO ACT.
lc-0277ha-ha24.docx

The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

H. 5231 -- Rep. Bamberg: A BILL TO AMEND ACT 104 OF 2021, RELATING TO THE ESTABLISHMENT OF THE CONSOLIDATED BAMBERG COUNTY SCHOOL DISTRICT AND ITS NINE MEMBER BOARD OF TRUSTEES, SO AS TO PROVIDE THAT SEVEN MEMBERS OF THE BOARD ARE TO BE ELECTED FROM SINGLE-MEMBER DISTRICTS WHICH CORRESPOND WITH THE BAMBERG COUNTY COUNCIL DISTRICTS, AND TWO ADDITIONAL MEMBERS ARE TO BE ELECTED FROM THE COUNTY AT-LARGE.
lc-0408hdb24.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 5244 -- Reps. Ligon, B. Newton, Sessions, Neese, Pope, Guffey, O'Neal, Felder and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-3-16000 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "CATAWBA NATION" SPECIAL LICENSE PLATES.
lc-0532cm24.docx

Read the first time and referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 87 -- Senator Malloy: A BILL TO AMEND SECTION 15-78-120 OF THE SOUTH CAROLINA CODE OF LAWS, RELATING TO LIMITATIONS ON LIABILITY, SO AS TO INCREASE THE LIMITS

FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE FROM THREE HUNDRED THOUSAND DOLLARS TO FIVE HUNDRED THOUSAND DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE FROM SIX HUNDRED THOUSAND DOLLARS TO ONE MILLION DOLLARS, AND TO PROVIDE THAT A PARTY WHO FILES AN OFFER OF JUDGMENT THAT IS NOT ACCEPTED, SHALL BE ALLOWED TO RECOVER FROM THE OFFEREE, AS PROVIDED FOR IN SECTION 15-35-400(B), REGARDLESS OF WHETHER THE TOTAL OF ADMINISTRATIVE, FILING, OR OTHER COURT COSTS, AND EIGHT PERCENT INTEREST ON THE AMOUNT OF THE VERDICT OR AWARD FROM THE DATE OF THE OFFER, COMBINED WITH THE VERDICT OR AWARD, EXCEEDS THE LIABILITY LIMITS SPECIFIED IN THIS SECTION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 154 -- Senators Young, Senn and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STREET GANG AND CRIMINAL ENTERPRISE PREVENTION AND ANTI-RACKETEERING ACT"; BY AMENDING ARTICLE 3 OF CHAPTER 8, TITLE 16, RELATING TO THE CRIMINAL GANG PREVENTION ACT, SO AS TO RETITLE THE ARTICLE, REVISE THE DEFINITIONS FOR PURPOSES OF THE ARTICLE, AND RESTRUCTURE THE ARTICLE AND THE OFFENSES AND PENALTIES CONTAINED WITHIN IT; AND BY ADDING ARTICLE 5 TO CHAPTER 8, TITLE 16 SO AS TO CREATE ANTI-RACKETEERING PROVISIONS TO COMPLIMENT THE REVISED STREET GANG AND CRIMINAL ENTERPRISE PREVENTION ARTICLE, DEFINE NECESSARY TERMS, AND CREATE VARIOUS RACKETEERING OFFENSES AND ESTABLISH PENALTIES FOR VIOLATIONS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 266 -- Senators Hutto, Jackson, Shealy, Devine and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-820, RELATING TO OUT-OF-HOME

PLACEMENT, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; BY AMENDING SECTION 63-19-1020, RELATING TO INSTITUTING PROCEEDINGS, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; BY AMENDING SECTION 63-19-1440, RELATING TO COMMITMENT, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; BY AMENDING SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 533 -- Senators Alexander, Peeler, Cromer, Davis, Bennett, Grooms, Hembree, Verdin, Massey, Climer, Martin, Shealy, Turner, Kimbrell, Gambrell, Rice, Loftis, Reichenbach, Cash, Gustafson, Campsen, Corbin, Williams and Stephens: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 15-38-15, 15-38-20(A), 15-38-40(B), AND 15-38-50, ALL RELATING TO THE SOUTH CAROLINA CONTRIBUTION AMONG TORTFEASORS ACT, TO INCLUDE PERSONS OR ENTITIES FOR THE PURPOSES OF ALLOCATION OF FAULT AND TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 543 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-11-140,

RELATING TO AUTHORIZATION OF FISCAL ACCOUNTABILITY AUTHORITY THROUGH THE OFFICE OF INSURANCE RESERVE FUND, SO AS TO PROVIDE FOR EXTENSION OF COVERAGE TO EMPLOYEES OF ENTITIES INSURED BY THE INSURANCE RESERVE FUND PROVIDED THAT EMPLOYEES ACTED IN GOOD FAITH AND WITHIN THE SCOPE OF EMPLOYMENT.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 723 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-40-20, RELATING TO THE PURPOSES AND RULES OF CONSTRUCTION FOR THE RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO EXEMPT CERTAIN TENANCIES FROM THE ACT; AND BY AMENDING SECTION 45-2-60, RELATING TO THE EJECTMENT OF A PERSON FROM A LODGING ESTABLISHMENT, SO AS TO AUTHORIZE AN INNKEEPER TO REQUEST ASSISTANCE FROM LAW ENFORCEMENT TO EJECT A PERSON AND TO PROVIDE THAT A PERSON EJECTED FROM A CAMPGROUND HAS TEN DAYS TO MAKE A CLAIM FOR PROPERTY LEFT AT THE TIME OF EJECTMENT.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 841 -- Senators Alexander and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PROSECUTORS PERSONAL PRIVACY PROTECTION ACT" BY ADDING ARTICLE 9 TO CHAPTER 2, TITLE 30 SO AS TO DEFINE NECESSARY TERMS, AND TO PROVIDE CURRENT AND FORMER PROSECUTORS HAVE THE OPTION OF MAKING PERSONAL CONTACT INFORMATION HELD BY STATE OR LOCAL GOVERNMENTS CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE, TO PROVIDE LIMITED EXCEPTIONS, AND TO PROVIDE RELATED PROCEDURES FOR EXERCISING THIS OPTION, AMONG OTHER THINGS; AND TO PROVIDE THE SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION SHALL CREATE A FORM FOR USE BY PROSECUTORS WHEN REQUESTING NONDISCLOSURE OF

PERSONAL CONTACT INFORMATION, AND TO SPECIFY REQUIREMENTS FOR THE FORM.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 844 -- Senator Rankin: A JOINT RESOLUTION TO CREATE A REVIEW AND STUDY COMMITTEE, TO PROVIDE THAT THE REVIEW AND STUDY COMMITTEE SHALL CONDUCT A THOROUGH STUDY AND REVIEW OF SOUTH CAROLINA'S CIVIL JUSTICE AND INSURANCE LAWS REGARDING COVERAGE AVAILABILITY, PREMIUM RATES, AND DEDUCTIBLES; AND TO PROVIDE THAT THE REVIEW AND STUDY COMMITTEE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND THE GOVERNOR.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 849 -- Senators Verdin and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-230, RELATING TO SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A SCHEDULE III CONTROLLED SUBSTANCE, WITH EXCEPTIONS; AND BY ADDING SECTION 44-53-372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 866 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-48-30, RELATING TO DEFINITIONS, SO AS TO PROVIDE A REASONABLE EXPECTATION STANDARD FOR THE DETERMINATION OF WHETHER SOMEONE IS LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE; AND BY AMENDING SECTION 44-48-20, RELATING TO LEGISLATIVE FINDINGS, SO AS TO CLARIFY THE METHOD OF DETERMINATION FOR THE

LIKELIHOOD THAT A PERSON WILL ENGAGE IN FUTURE ACTS OF SEXUAL VIOLENCE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 890 -- Senators Tedder and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-440, RELATING TO DISCHARGING FIREARMS AT OR INTO DWELLINGS, STRUCTURES, ENCLOSURES, VEHICLES, OR EQUIPMENT, AND PENALTIES, SO AS TO PROVIDE IT IS UNLAWFUL TO KNOWINGLY DISCHARGE FIREARMS AT OR IN THE DIRECTION OF ONE OR MORE INDIVIDUALS, AND PROVIDE A PENALTY.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 971 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-100, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BARNWELL COUNTY, SO AS TO IDENTIFY THE VOTING PLACE FOR CERTAIN PRECINCTS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 975 -- Senators Martin, Corbin, Rice, Kimbrell and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-17-780 SO AS TO PROHIBIT BUSINESSES, NON-PROFIT ORGANIZATIONS, COLLEGES, SCHOOLS, AND EMPLOYERS FROM MANDATING THAT EMPLOYEES, CONTRACTORS, STUDENTS, PATRONS, CUSTOMERS, CLIENTS, OR GUESTS MUST RECEIVE A NOVEL VACCINE OR GENE THERAPY; BY ADDING SECTION 41-1-55 SO AS TO PROHIBIT EMPLOYERS FROM TAKING ANY ADVERSE PRE-EMPLOYMENT OR EMPLOYMENT ACTION AGAINST AN INDIVIDUAL WHO DECLINES TO RECEIVE A VACCINE OR GENE THERAPY; BY AMENDING SECTION 40-43-86, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, SO AS TO PROVIDE THAT A PHARMACIST MAY REFUSE TO FILL A PRESCRIPTION DUE TO RELIGIOUS, MORAL, OR ETHICAL

REASONS; BY AMENDING SECTION 44-1-100, RELATING TO ASSISTANCE FROM PEACE AND HEALTH OFFICERS, SO AS TO PROVIDE THAT THE DIRECTOR MAY NOT REQUEST ASSISTANCE IN ENFORCING ORDERS PURSUANT TO THIS CHAPTER; BY AMENDING SECTION 44-4-130, RELATING TO DEFINITIONS FOR EMERGENCY HEALTH POWERS, SO AS TO PROVIDE DEFINITIONS; BY AMENDING SECTION 44-4-330, RELATING TO THE PURCHASE AND DISTRIBUTION OF PHARMACEUTICAL AGENTS OR MEDICAL SUPPLIES, SO AS TO PROVIDE THAT DHEC MAY PURCHASE AND DISTRIBUTE APPROVED PHARMACEUTICAL AGENTS OR MEDICAL SUPPLIES; BY AMENDING SECTION 44-4-500, RELATING TO CONTROL AND TREATMENT OF INFECTIOUS DISEASE, SO AS TO PROVIDE THAT DHEC MUST USE EVERY AVAILABLE MEANS TO PREVENT THE TRANSMISSION OF INFECTIOUS DISEASE FOR WHICH THE PUBLIC HEALTH EMERGENCY HAS BEEN CALLED; BY AMENDING SECTION 44-4-510, RELATING TO PHYSICAL EXAMINATIONS OR TESTS AND ISOLATION OR QUARANTINE OF PERSONS REFUSING EXAMINATION, SO AS TO PROVIDE THAT TESTS MUST BE FDA APPROVED FOR ACCURATE DETECTION OF THE BIOLOGICAL AGENT; BY AMENDING SECTION 44-4-520, RELATING TO VACCINATIONS AND TREATMENT, SO AS TO PROVIDE THAT DHEC MAY NOT ISOLATE AN INDIVIDUAL TO PREVENT THE SPREAD OF A POSSIBLY CONTAGIOUS DISEASE, BUT ONLY A DISEASE KNOWN TO BE CONTAGIOUS, AND TO PROVIDE THAT A VACCINE MUST NOT BE A GENE THERAPY; BY AMENDING SECTION 44-4-530, RELATING TO ISOLATION AND QUARANTINE OF INDIVIDUALS OR GROUPS AND PENALTY FOR NONCOMPLIANCE, SO AS TO PROVIDE THAT DHEC MAY ISOLATE OR QUARANTINE AN INDIVIDUAL OR GROUPS OF INDIVIDUALS WHO HAVE BEEN DIAGNOSED WITH OR EXPOSED TO THE CONTAGIOUS DISEASE FOR WHICH THE PUBLIC HEALTH EMERGENCY WAS DECLARED; BY AMENDING SECTION 44-4-540, RELATING TO ISOLATION AND QUARANTINE PROCEDURES, SO AS TO REMOVE ISOLATION PARAMETERS; AND BY AMENDING SECTION 44-4-570, RELATING TO EMERGENCY POWERS REGARDING LICENSING OF HEALTH PERSONNEL, SO AS TO REMOVE THE REQUIREMENT THAT IN-STATE HEALTH PROVIDERS MUST ASSIST IN VACCINATIONS, TREATMENTS, AND

EXAMINATIONS, AND TO REMOVE THE PROVISION THAT ANY EMERGENCY ASSISTANT MEDICAL EXAMINER OR CORONER APPOINTED PURSUANT TO THIS SECTION IS IMMUNE FROM CIVIL LIABILITY FOR DAMAGES RESULTING FROM THEIR SERVICES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 1048 -- Senators M. Johnson, Young, Malloy, Setzler, Rankin, Talley, Hembree, Gustafson, Davis and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-3-710 SO AS TO PROVIDE THE BASIS FOR LIABILITY FOR A PERSON OR ESTABLISHMENT WHO ILLEGALLY FURNISHES ALCOHOL TO AN INDIVIDUAL WHO INJURES A THIRD PARTY BASED UPON WHAT THE FURNISHER KNEW OR SHOULD HAVE KNOWN UNDER THE CIRCUMSTANCES; TO SPECIFY WHEN THE RIGHT OF ACTION IS NOT AVAILABLE; AND TO PROVIDE THE EVIDENTIARY STANDARD FOR THE VISIBLE INTOXICATION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 1088 -- Senators Young, Hutto and Massey: A BILL TO AMEND SECTION 2 OF ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2026.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 1112 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-2340, RELATING TO FINGERPRINT REVIEW, SO AS TO PROVIDE FOR FINGERPRINT-BASED BACKGROUND CHECKS FOR PERSONS APPLYING FOR LICENSURE AS A FOSTER PARENT, ADOPTIVE PARENT, LEGAL GUARDIAN, OR EMPLOYEE OR VOLUNTEER OF A CHILD PLACING AGENCY, RESIDENTIAL TREATMENT

PROGRAM, OR CONTRACTED SERVICE PROVIDER WHO HAS DIRECT UNSUPERVISED CONTACT WITH CHILDREN; BY AMENDING SECTION 63-7-2345, RELATING TO PAYMENT OF COSTS OF FEDERAL BUREAU OF INVESTIGATION FINGERPRINT REVIEWS, SO AS TO PROVIDE THAT COSTS FOR FINGERPRINT-BASED BACKGROUND CHECKS MUST BE PAID BY THE INDIVIDUAL OR ENTITY REQUESTING THE BACKGROUND CHECKS; BY AMENDING SECTION 63-7-2350, RELATING TO RESTRICTIONS ON FOSTER CARE, ADOPTION, OR LEGAL GUARDIAN PLACEMENTS, SO AS TO PROVIDE THAT A CHILD MAY BE PLACED IN THE HOME OF A KIN OR FICTIVE KIN CAREGIVER WHO HAS BEEN CONVICTED OF OR PLED GUILTY TO A CRIMINAL OFFENSE IF MORE THAN FIVE YEARS HAVE PASSED SINCE THE CONVICTION AND THE OFFENSE WAS NOT A FELONY INVOLVING VIOLENCE OR ANY CRIME AGAINST A CHILD; BY AMENDING SECTION 63-13-50, RELATING TO FINGERPRINT EXEMPTIONS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-60, RELATING TO CRIMINAL HISTORY REVIEW FEE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-190, RELATING TO FINGERPRINT REVIEWS OF DEPARTMENT OF SOCIAL SERVICES PERSONNEL, SO AS TO PROVIDE THAT VOLUNTEERS OR EMPLOYEES OF A CONTRACTOR OR SUBCONTRACTOR WHO CONTRACTS FOR DELIVERY OF PROTECTIVE SERVICES, FAMILY PRESERVATION SERVICES, FOSTER CARE SERVICES, FAMILY REUNIFICATION SERVICES, ADOPTION SERVICES AND OTHER RELATED SERVICES OR PROGRAMS OR A PERSON WHO HAS DIRECT UNSUPERVISED CONTACT WITH A CHILD IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES SHALL UNDERGO A STATE FINGERPRINT-BASED BACKGROUND CHECK; BY AMENDING SECTION 63-13-420, RELATING TO LICENSURE REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-430, RELATING TO LICENSE RENEWAL, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-620, RELATING TO STATEMENT OF APPROVAL REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-630, RELATING TO APPROVAL RENEWAL, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-820, RELATING TO REGISTRATION

REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-830, RELATING TO STATEMENT OF REGISTRATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-1010, RELATING TO REGISTRATION REQUIRED FOR CHURCH AND RELIGIOUS CENTERS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-11-70, RELATING TO BACKGROUND CHECKS AND PARDONS, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 1126 -- Senators Kimbrell, Peeler, Rice, M. Johnson, Adams, Climer, Garrett, Cash, Young, Alexander, Reichenbach, Shealy, Grooms, Cromer, Turner, Loftis, Fanning, Gustafson, Goldfinch, Massey and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 4, ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO VOTER QUALIFICATIONS, SO AS TO CLARIFY THAT ONLY A CITIZEN OF THE UNITED STATES AND OF THIS STATE OF THE AGE OF EIGHTEEN AND UPWARDS WHO IS PROPERLY REGISTERED IS ENTITLED TO VOTE AS PROVIDED BY LAW.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

S. 1150 -- Senators Climer, Verdin, Kimbrell and M. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 46-57-65 SO AS TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY PERSON TO LABEL ANY CULTIVATED FOOD PRODUCT AS BEEF, POULTRY, FISH, OR ANY OTHER MEAT THAT THE CULTIVATED FOOD PRODUCT MAY RESEMBLE FOR THE PURPOSES OF MANUFACTURING, SELLING, OR HOLDING OR OFFERING FOR SALE IN THIS STATE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 1175 -- Senator Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-3-800 SO

AS TO PROVIDE DEFINITIONS FOR THE SOUTH CAROLINA DRAM SHOP ACT; BY ADDING SECTION 15-3-810 SO AS TO PROVIDE THAT AN INDIVIDUAL WHO SUFFERS DEATH, BODILY INJURY, OR PROPERTY DAMAGE BY AN INTOXICATED PERSON HAS A CAUSE OF ACTION FOR DAMAGES AGAINST THE HOLDER OF A PERMIT TO SELL BEER, WINE, OR LIQUOR IF THE PERMIT HOLDER KNOWINGLY SOLD, FURNISHED, OR SERVED ALCOHOL TO THE INTOXICATED PERSON AND THE SALE, FURNISHMENT, OR SERVICE WAS THE PROXIMATE CAUSE OF THE INJURY GIVING RISE TO THE CLAIM; AND BY ADDING SECTION 15-3-820 SO AS TO PROVIDE THAT AN INDIVIDUAL WHO SUFFERS DEATH, BODILY INJURY, OR PROPERTY DAMAGE BY A PERSON UNDER THE LAWFUL DRINKING AGE HAS A CAUSE OF ACTION FOR DAMAGES AGAINST THE HOLDER OF A PERMIT TO SELL BEER, WINE, OR LIQUOR IF THE PERMIT HOLDER KNOWINGLY SOLD, FURNISHED, OR SERVED ALCOHOL TO THE PERSON UNDER THE LAWFUL DRINKING AGE AND THE SALE, FURNISHMENT, OR SERVICE WAS THE PROXIMATE CAUSE OF THE INJURY GIVING RISE TO THE CLAIM.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 4029 -- Reps. Dillard, Hyde, Bailey, Brittain, Weeks and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 4552 -- Reps. Pendarvis, Clyburn, Henegan, M.M. Smith, B.L. Cox, Robbins, Brewer, King, Wheeler, Henderson-Myers, Erickson, Stavrinakis, Weeks, Davis, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO

PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4909 -- Reps. B. Newton, Neese, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-350, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO REMOVE ONE PRECINCT AND REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

H. 4928 -- Reps. Davis, B.J. Cox, Hart, Jefferson, J. Moore, Caskey and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-21-10, RELATING TO THE ESTABLISHMENT OF VETERANS' TRUST FUND, SO AS TO PROVIDE FOR FUNDRAISING; AND BY AMENDING SECTION 25-21-30, RELATING TO THE DUTIES AND FUNCTIONS OF THE VETERANS' TRUST FUND BOARD OF TRUSTEES, SO AS TO PROVIDE FOR THE ABILITY TO FUNDRAISE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4937 -- Reps. Collins, Hiott and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-450, RELATING TO DESIGNATION OF VOTING PRECINCTS IN PICKENS COUNTY, SO AS TO AUTHORIZE THE PICKENS COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS, WITH APPROVAL FROM A MAJORITY OF THE PICKENS COUNTY LEGISLATIVE DELEGATION, TO LOCATE A POLLING PLACE WITHIN FIVE MILES OF A PRECINCT'S BOUNDARIES IF NO SUITABLE LOCATION EXISTS WITHIN THE PRECINCT.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., March 27, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3121 -- Reps. Hyde, Carter, B. Newton, Neese, T. Moore, Pope, Bauer, Davis, M.M. Smith, Willis, Brewer, Robbins, Felder, Stavrinakis, Wetmore and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3810 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO A PROPERTY OWNER WHO ENCUMBERS HIS PROPERTY WITH A PERPETUAL RECREATIONAL TRAIL EASEMENT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3992 -- Reps. Blackwell, McGinnis, Sandifer, Ligon, Cromer, Magnuson, White, Pace and Burns: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-31-60, RELATING TO DELINQUENT UNEMPLOYMENT COMPENSATION TAX RATES, SO AS TO PERMIT EMPLOYERS WITH INSTALLMENT PAYMENT AGREEMENTS APPROVED BY THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO PAY THE TAX AT A REDUCED RATE, AND TO PROVIDE FOR THE AUTOMATIC REVERSION OF THIS RATE UPON FAILURE TO TIMELY COMPLY WITH THE PAYMENT AGREEMENT.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

S. 1051 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1330, RELATING TO WATERCRAFT RESTRICTIONS ON

LAKE H. TAYLOR BLALOCK, SO AS TO EXTEND THE HUNTING OF WATERFOWL FOR FIVE YEARS.

S. 1099 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-360, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

CARRIED OVER

S. 208 -- Senators Goldfinch and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO PROVIDE THAT A COUNTY MAY IMPOSE AN ADDITIONAL DRIVER'S LICENSE FEE AND AN ADDITIONAL MOTOR VEHICLE LICENSING AND REGISTRATION FEE FROM RESIDENTS NEW TO THIS STATE UPON A SUCCESSFUL REFERENDUM, AND TO PROVIDE THAT THE FUNDS REALIZED FROM THE ADDITIONAL FEES MUST BE USED ONLY FOR COUNTY INFRASTRUCTURE, PUBLIC EDUCATION RELATED EXPENSES, AND GREENSPACE CONSERVATION OR PRESERVATION; BY AMENDING SECTION 56-1-20, RELATING TO DRIVER'S LICENSE REQUIRED, SURRENDER AND DISPOSITION OF OUT-OF-STATE LICENSES, LOCAL LICENSES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM; AND BY AMENDING SECTION 56-3-210, RELATING TO THE TIME PERIOD FOR PROCURING REGISTRATION AND LICENSE, TEMPORARY LICENSE PLATES, TRANSFER OF LICENSE PLATES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM.

On motion of Senator GAMBRELL, the Bill was carried over.

OBJECTION

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME,

IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO

DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

Senator MALLOY objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
AMENDED, AMENDMENT PROPOSED, OBJECTION

S. 857 -- Senators Davis and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGY AND COSMETOLOGISTS SO AS TO PROVIDE A DEFINITION FOR "MOBILE SALON" AND "PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATION"; AND BY ADDING SECTION 40-13-365 SO AS TO PROVIDE FOR PERMITTING AND REGULATION OF MOBILE SALONS AND PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-857.WAB0002S), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X. Section 40-13-110(A)(6) of the S.C. Code is amended to read:

(6) practiced or attempted to practice cosmetology in any place other than a licensed salon, ~~except~~unless otherwise prescribed by law or

in case of an emergency including, but not limited to, illness, invalidism, or death when a licensed operator may perform services for a person in another place by appointment only;

SECTION X. Section 40-13-230(B)(2) of the S.C. Code is amended to read:

(2) has completed at least ~~four hundred fifty~~six hundred hours in classes in skin care in a reliable school approved by the board or comparable training approved by the board; and

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

Senator DAVIS proposed the following amendment (LC-857.WAB0003S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 6 and inserting:

SECTION 6. SECTION 3 of this act takes effect July 1, 2024. SECTIONS 1, 2, 4 and 5 of this act take effect July 1, 2025.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator DAVIS proposed the following amendment (LC-857.WAB0005S), which was proposed:

Amend the bill, as and if amended, by striking SECTION 3 and inserting:

SECTION X.A. Section 40-13-230(B) of the S.C. Code is amended to read:

(B) A license as an esthetician must be issued by the board to a person who:

(1) is at least sixteen years of age and possesses at least a tenth grade education or the equivalent as established by tests used in the public schools or tests approved by the board;

(2) has completed at least ~~four hundred fifty~~six hundred hours in classes in skin care in a reliable school approved by the board or comparable training approved by the board; ~~and~~

(3) has passed the examination prescribed by the board and pays the required fee~~.~~; and

(4) Students enrolled in esthetician programs prior to July 1, 2024, shall be issued a license for completion of at least four hundred and fifty hours in classes in skin care in a reliable school approved by the board or comparable training approved by the board so long as all other requirements for licensure are met.

B. This SECTION takes effect July 1, 2024.

Amend the bill further, by striking SECTION 6 and inserting:

SECTION 6. Except as otherwise provided, this act takes effect June 1, 2025.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The question being adoption of the amendment.

Senator JACKSON objected to further consideration of the Bill.

OBJECTION

S. 1132 -- Senators Davis, Climer and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-7-20, RELATING TO DEFINITIONS CONCERNING BARBERS AND BARBERING, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-7-390, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGISTS AND COSMETOLOGY, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-13-360, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; AND

BY REPEALING SECTION 40-7-255 RELATING TO THE REGULATION OF HAIR-BRAIDING PRACTITIONERS.

Senator JACKSON objected to consideration of the Bill.

OBJECTION

S. 1095 -- Senators M. Johnson and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATIONS DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATIONS DEVICE", AND TO PROVIDE PENALTIES.

Senator M. JOHNSON objected to consideration of the Bill.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION UNDER RULE 32B ADOPTED

Senator MASSEY, Chairman of the Committee on Rules, moved under the provisions of Rule 32B to call S. 994 from the Contested Calendar.

The motion under Rule 32B was adopted.

MADE SPECIAL ORDER

S. 533 -- Senators Alexander, Peeler, Cromer, Davis, Bennett, Grooms, Hembree, Verdin, Massey, Climer, Martin, Shealy, Turner, Kimbrell, Gambrell, Rice, Loftis, Reichenbach, Cash, Gustafson, Campsen, Corbin, Williams and Stephens: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 15-38-15, 15-38-20(A), 15-38-40(B), AND 15-38-50, ALL RELATING TO THE SOUTH CAROLINA CONTRIBUTION AMONG TORTFEASORS ACT, TO INCLUDE PERSONS OR ENTITIES FOR THE PURPOSES OF ALLOCATION OF FAULT AND TO MAKE CONFORMING CHANGES.

Senator MASSEY moved that the Bill be made a Special Order.

Point of Order

Senator MATTHEWS raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

Senator MARTIN spoke against the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator MALLOY argued in favor of the motion.

The question then was the motion to make the Bill a Special Order.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Gambrell
Garrett	Grooms	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Malloy	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--35

NAYS

Harpootlian	Matthews	McLeod

Total--3

The Bill was made a Special Order.

MOTION ADOPTED

At 2:42 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

NONCONCURRENCE

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS

IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS

INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator DAVIS explained the amendments.

On motion of Senator DAVIS, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE THIRD TIME
SENT TO THE HOUSE

S. 95 -- Senators Campsen, Senn, Verdin, M. Johnson, Kimbrell, Gustafson, Young, Grooms, Fanning, Loftis, Garrett and Rice: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMPTROLLER GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMPTROLLER GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

The Senate proceeded to a consideration of the Joint Resolution, the question being the third reading of the Joint Resolution.

Be it enacted by the General Assembly of the State of South Carolina;

SECTION 1.A. It is proposed that Section 7, Article VI of the Constitution of this State be amended to read:

Section 7. There shall be elected by the qualified voters of the State a Secretary of State, an Attorney General, a Treasurer, a Superintendent of Education, Comptroller General, Commissioner of Agriculture, and an Adjutant General who shall hold their respective offices for a term of four years, coterminous with that of the Governor. The duties and compensation of such offices shall be prescribed by law and their

compensation shall be neither increased nor diminished during the period for which they shall have been elected.

Beginning upon the expiration of the term of the Adjutant General serving in office on the date of the ratification of the provisions of this paragraph, the Adjutant General must be appointed by the Governor, upon the advice and consent of the Senate. The appointed Adjutant General shall serve for a term not coterminous with the Governor and may be removed only for cause. The General Assembly shall provide by law for the term, duties, compensation, and qualifications for office, the procedures by which the appointment is made, and the procedures by which the Adjutant General may be removed from office.

Beginning sixty days after the ratification of the provisions of this paragraph, the state constitutional office of the Comptroller General is abolished. The General Assembly shall provide by law for the duties and responsibilities held by the Comptroller General.

B. It is proposed that Section 12, Article IV of the Constitution of this State be amended to read:

Section 12. (1) Whenever the Governor transmits to the President of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Lieutenant Governor as acting Governor.

(2) Whenever a majority of the Attorney General, the Secretary of State, ~~the Comptroller General,~~ and the State Treasurer, or of such other body as the General Assembly may provide, transmits to the President of the Senate and the Speaker of the House of Representatives a written declaration that the Governor is unable to discharge the powers and duties of his office, the Lieutenant Governor shall forthwith assume the powers and duties of the office as acting Governor.

Thereafter, if the Governor transmits to the President of the Senate and the Speaker of the House of Representatives his written declaration that no such inability exists, he shall forthwith resume the powers and duties of his office unless a majority of the above members or of such other body, whichever the case may be, transmits within four days to the President of the Senate and the Speaker of the House of Representatives their written declaration that the Governor is unable to discharge the powers and duties of his office. Thereupon, the General Assembly shall forthwith consider and decide the issue, and if not in session, it shall assemble within forty-eight hours for the sole purpose of deciding such issue. If the General Assembly, within twenty-one days, excluding

Sundays, after the first day it meets to decide the issue, determines by two-thirds vote of each House that the Governor is unable to discharge the powers and duties of his office, the Lieutenant Governor shall continue to discharge the same as acting Governor; otherwise, the Governor shall resume the powers and duties of his office.

C. It is proposed that Section 13, Article X of the Constitution of this State be amended to read:

Section 13. (1) Subject to the conditions and limitations in this section, the State shall have power to incur indebtedness in the following categories and in no others: (a) general obligation debt; and (b) indebtedness payable only from a revenue-producing project or from a special source as provided in subsection (9) hereof.

(2) "General obligation debt" shall mean any indebtedness of the State which shall be secured in whole or in part by a pledge of the full faith, credit and taxing power of the State.

(3) General obligation debt may not be incurred except for a public purpose and all general obligation debt shall mature not later than thirty years from the time such indebtedness shall be incurred.

(4) In each act authorizing the incurring of general obligation debt the General Assembly shall allocate on an annual basis sufficient tax revenues to provide for the punctual payment of the principal of and interest on such general obligation debt. If at any time any payment due as the principal of or interest on any general obligation debt shall not be paid as and when the same become due and payable, the ~~State Comptroller General~~ Governor shall forthwith levy and the State Treasurer shall collect an ad valorem tax without limit as to rate or amount upon all taxable property in the State sufficient to meet the payment of the principal and interest of such general obligation debt then due.

(5) If general obligation debt be authorized by (a) two-thirds of the members of each House of the General Assembly; or (b) by a majority vote of the qualified electors of the State voting in a referendum called by the General Assembly there shall be no conditions or restrictions limiting the incurring of such indebtedness except (i) those restrictions and limitations imposed in the authorization to incur such indebtedness, and (ii) the provisions of subsection (3) hereof.

(6) General obligation debt may be also incurred on such terms and conditions as the General Assembly may by law prescribe under the following limitations:

(a) General obligation bonds for highway purposes (highway bonds) may be issued if such bonds shall be additionally secured by a pledge of

the revenues derived from the "sources of revenue" as such term is defined in this subsection; provided, that the maximum annual debt service on all highway bonds so additionally secured which shall thereafter be outstanding shall not exceed fifteen percent of the proceeds received from the sources of revenue for the fiscal year next preceding.

For the purpose of this subsection, the term "sources of revenue" shall mean so much of the revenues as may be made applicable by the General Assembly for state highway purposes from any and all taxes or licenses imposed upon individuals or vehicles for the privilege of using the public highways of the State.

(b) General obligation bonds for any state institution of higher learning designated by the General Assembly (state institution bonds) may be issued, if such bonds shall be additionally secured by a pledge of the revenues derived from the tuition fees received by the particular institution of higher learning for which such state institution bonds are issued; provided, that the maximum annual debt service on all state institution bonds so additionally secured issued for such state institution thereafter to be outstanding shall not exceed ninety percent of the sums received by such state institution of higher learning from tuition fees for the fiscal year next preceding.

(c) General obligation bonds for any public purpose including those purposes set forth in (a) and (b) may be issued; provided, that the maximum annual debt service on all general obligation bonds of the State thereafter to be outstanding (excluding highway bonds, state institution bonds, tax anticipation notes, and bond anticipation notes) must not exceed five percent of the general revenues of the State for the fiscal year next preceding (excluding revenues which are authorized to be pledged for state highway bonds and state institution bonds).

Upon implementation of the provisions of this item by law, the percentage rate of general revenues may be reduced to four or increased to seven percent by legislative enactment passed by a two-thirds vote of the total membership of the Senate and a two-thirds vote of the total membership of the House of Representatives.

During the regular session of the General Assembly in 1990 and during every fifth annual regular session thereafter, the General Assembly shall conduct and complete a review of the law implementing this item. Unless during such session that review results in an amendment to or repeal of the law implementing this item, which must be accomplished by legislative enactment passed by a two-thirds vote of the total membership of the Senate and a two-thirds vote of the total membership of the House of Representatives.

(7) General obligation indebtedness may be incurred in anticipation of state tax collections (tax anticipation notes) under such terms and conditions as the General Assembly may prescribe by law. Such tax anticipation notes shall be secured by a pledge of such taxes and by a pledge of the full faith, credit and taxing power of the State. All tax anticipation notes shall be expressed to mature not later than ninety days from the end of the fiscal year in which such notes are issued.

(8) General obligation notes may be issued in anticipation of the proceeds of general obligation bonds which may be lawfully issued (bond anticipation notes) under terms and conditions which the General Assembly may prescribe by law. Such bond anticipation notes shall be secured by a pledge of the proceeds of the bonds in anticipation of which such bond anticipation notes are issued and by a pledge of the full faith, credit and taxing power of the State.

Bond anticipation notes shall be expressed to mature not later than one year following the date of issuance, but if the General Assembly shall so authorize by law, bond anticipation notes may be refunded or renewed.

(9) The General Assembly may authorize the State or any of its agencies, authorities, or institutions to incur indebtedness for any public purpose payable solely from a revenue-producing project or from a special source, which source does not involve revenues from any tax but may include fees paid for the use of any toll bridge, toll road, or tunnel. Such indebtedness may be incurred upon such terms and conditions as the General Assembly may prescribe by law. All indebtedness incurred pursuant to the provisions of this subsection shall contain a statement on the face thereof specifying the sources from which payment is to be made.

SECTION 2. The proposed amendment in SECTION 1 must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

"Must Section 7, Article VI of the Constitution of this State relating to state constitutional officers be amended so as to delete the Comptroller General from the list of state officers that the Constitution requires to be elected, provide that sixty days after the ratification of this provision the office is abolished, and authorize the General Assembly to provide by law for the duties and responsibilities held by the Comptroller General; and must Section 12, Article IV be amended so as to delete the Comptroller General's name from the list of elected state constitutional officers a majority of which may submit a written declaration that the Governor is unable to discharge his duties; and must Section 13, Article

X be amended so as to provide if the principal of or interest on any general obligation debt is not paid when due, that instead of the Comptroller General, the Governor shall levy an ad valorem tax to meet the payment?

Yes ☐

No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'."

The Joint Resolution was read the third time, passed and ordered sent to the House of Representatives with amendments.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE AND LOCAL CALENDAR.

AMENDED, READ THE SECOND TIME

S. 994 -- Senators Alexander, Hutto, Verdin, Grooms, Kimbrell, Gambrell, Shealy, Hembree, McElveen, Davis, Young, Loftis, K. Johnson, McLeod, Martin, Senn, Garrett, Fanning, Cromer, Devine, Williams and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-65 SO AS TO PROVIDE REGULATIONS FOR THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION.

The Senate proceeded to a consideration of the Bill.

Senators ALEXANDER and GARRETT proposed the following amendment (SR-994.JG0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-95-65(H) and inserting:

(H) A non-refundable fee of two thousand dollars for each ENDS product shall be paid the first time a manufacturer submits a certification form to offset the costs incurred by the Attorney General for processing the certifications and operating the directory. The Attorney General shall thereafter collect an annual renewal fee of five hundred dollars for each ENDS product to offset the costs associated with maintaining the directory and satisfying the requirements of this section. The fees

received under this subsection, and any penalties collected under subsections (N) or (P), by the Attorney General shall be deposited into the general fund of the State.

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

The amendment was adopted.

Senators ALEXANDER, MALLOY and GARRETT proposed the following amendment (SR-994.JG0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-95-65(K) and inserting:

(K) The Attorney General, the South Carolina Law Enforcement Division, or the South Carolina Department of Revenue shall have the power to seize and destroy any ENDS products that are not listed on the directory and which are in possession of a distributor or retailer. The cost of seizure and destruction shall be borne by the distributor or retailer from whom the ENDS products are seized.

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Motion Adopted

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, S. 994 was placed in the status of Interrupted Debate for tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators DEVINE, ALEXANDER and MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Bertha Maxwell-Roddey of Seneca, S.C. Bertha worked in the Charlotte-Mecklenburg School System in North Carolina as a teacher and principal. She was the first African American to serve as an administrator in a predominately white school. She became the first chair of the Afro-American and African Studies Department of the University of North Carolina at Charlotte. She started the first Head Start program in Charolotte, co-founded the Harvey B. Gantt Center for African American Arts and Culture, founded and served as the first chair of the National Council for Black Studies and co-founded the Theodore and Bertha M. Roddey Foundation. Bertha earned many awards including the Thurgood Marshall Award of Education, Order of the Long Leaf Pine, Elizabeth Catlett Delta Legacy "Woman Making a Difference" and the Eagle Fly Free Award to mention a few. She was active in the Gamma Lambda Chapter of Delta Sigma Theta Sorority and served as Charlotte Alumnae Chapter President, National First Vice President and the twentieth National President. She retired from academics as the Frank Porter Graham Professor Emeritus at UNCC. Bertha was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Debi Nicole Price of Walterboro, S.C. Debi graduated from Walterboro High School and the University of South Carolina Salkehatchie and later earned a Master's degree in Early Elementary Education, specializing in Special Education from the University of South Carolina. She taught at Forest Hills Elementary School where she was named Rookie Teacher of the Year in 2012, Teacher of the Year in 2016 and was voted the Best Teacher in Colleton County in 2020. Debi was a faithful member of Grace Advent Christian Church. She was an avid Gamecock fan and enjoyed attending concerts, going to the beach and being a DJ for parties and events. Debi was a loving daughter and devoted teacher who will be dearly missed.

ADJOURNMENT

At 3:06 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

* * *

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator HARPOOTLIAN. **(This is a Statewide Session Day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:
S. 161 Sen. Climer
S. 527 Sen. Bennett

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1219 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SHARMEN ANN MCALISTER OSWALD FOR HER DEDICATED SERVICE AS A GILBERT MIDDLE SCHOOL LIBRARIAN.
sr-0669km-vc24.docx
The Senate Resolution was adopted.

S. 1220 -- Senator Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 57-3-640, RELATING TO DRIVEWAYS AND ROADS IN STATE PARKS, SO AS TO PROVIDE THE DEPARTMENT OF TRANSPORTATION MUST OBTAIN APPROVAL FROM COUNTY LEGISLATIVE DELEGATIONS BEFORE ADDING OR CHANGING ENCHROACHMENTS OR ACCESS POINTS IN STATE PARKS.
lc-0573cm24.docx
Read the first time and referred to the Committee on Transportation.

ADJOURNMENT

At 11:05 A.M., on motion of Senator JACKSON, the Senate adjourned to meet Monday, April 1, 2024, at 11:00 A.M., under the provisions of Rule 1B.

***

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator JACKSON.

ADJOURNMENT

At 11:03 A.M., on motion of Senator MASSEY, the Senate adjourned to meet Tuesday, April 2, 2024, at 12:00 Noon.

* * *

Tuesday, April 2, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Isaiah 40:11

We turn again to the writings of Isaiah and hear him proclaim: "He will feed his flock like a shepherd; he will gather the lambs in his arms, and carry them in his bosom, and gently lead the mother sheep."

Let us bow in prayer: Dear Lord almighty, especially here in this incredibly high-tech world of ours, we dare not forget the loving declaration made by the prophet Isaiah, how he reminded each of us to hold fast to our responsibility to care, to care genuinely for those who are less fortunate than we happen to be. Indeed, O God, may this Senate always lead the way here in South Carolina to work in ways that meet the needs of our many sisters and brothers and children who require special assistance. May these leaders never be so preoccupied with other matters that they happen to overlook those who depend upon them to do what is right and just. In Your loving and ever caring name we pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Motion Adopted

On motion of Senator SETZLER, with unanimous consent, Senators GROOMS, McELVEEN, FANNING, GOLDFINCH, YOUNG and MATTHEWS were granted leave to attend a subcommittee meeting.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell

Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	*Johnson, Michael*	Loftis
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Withdrawn and Resubmitted
Document No. 5190
Agency: Department of Mental Health
Chapter: 87
Statutory Authority: 1976 Code Sections 44-9-100, 44-11-70, and 56-21-70
SUBJECT: Parking Regulations
Received by President of the Senate January 9, 2024
Referred to Medical Affairs Committee
Legislative Review Expiration May 8, 2024
Withdrawn and Resubmitted April 2, 2024

Document No. 5235
Agency: Department of Labor, Licensing and Regulation - State Board of Physical Therapy Examiners
Chapter: 101
Statutory Authority: 1976 Code Section 40-45-60
SUBJECT: Board of Physical Therapy Examiners
Received by President of the Senate January 9, 2024
Referred to Committee on Medical Affairs
Legislative Review Expiration May 8, 2024
Withdrawn and Resubmitted March 28, 2024

Document No. 5252
Agency: Department of Labor, Licensing and Regulation - State Board of Social Work Examiners
Chapter: 110

Statutory Authority: 1976 Code Sections 40-1-70 and 40-63-70
SUBJECT: State Board of Social Work Examiners
Received by President of the Senate January 9, 2024
Referred to Family and Veterans' Services Committee
Legislative Review Expiration May 8, 2024
Withdrawn and Resubmitted April 2, 2024

Document No. 5253
Agency: Department of Labor, Licensing and Regulation - South Carolina Real Estate Commission
Chapter: 105
Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-57-60, 40-57-135, 40-57-320, 40-57-340, and 40-57-740
SUBJECT: Real Estate Commission
Received by President of the Senate January 9, 2024
Referred to Labor, Commerce and Industry Committee
Legislative Review Expiration May 8, 2024
Withdrawn and Resubmitted April 2, 2024

Document No. 5257
Agency: Department of Labor, Licensing and Regulation - State Board of Pharmacy
Chapter: 99
Statutory Authority: 1976 Code Sections 40-1-70, 40-43-60(D)(8), 40-43-83(I), and 40-43-86(B)(3)(c)
SUBJECT: State Board of Pharmacy
Received by President of the Senate January 9, 2024
Referred to Medical Affairs Committee
Legislative Review Expiration May 8, 2024
Withdrawn and Resubmitted April 2, 2024

Leave of Absence

On motion of Senator WILLIAMS, at 12:06 P.M., Senator ALLEN was granted a leave of absence until 1:00 P.M.

Leave of Absence

On motion of Senator WILLIAMS, at 12:07 P.M., Senator STEPHENS was granted a leave of absence for today.

Leave of Absence

On motion of Senator KIMBRELL, at 5:59 P.M., Senator FANNING was granted a leave of absence for the balance of today.

Leave of Absence

On motion of Senator SHEALY, at 5:59 P.M., Senator MARTIN was granted a leave of absence for the balance of today.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:
S. 1126 Sens. Bennett and Martin
S. 1150 Sen. Martin

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:
S. 250 Sen. Malloy

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1221 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO RECORDKEEPING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5258, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0691wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1222 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE LICENSING BOARD FOR CONTRACTORS, RELATING TO STATE LICENSING BOARD FOR CONTRACTORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5244,

PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0687wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1223 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA ENVIRONMENTAL CERTIFICATION BOARD, RELATING TO ENVIRONMENTAL CERTIFICATION BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5245, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0692wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1224 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, RELATING TO PROFESSIONAL LAND SURVEYOR LICENSURE REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5246, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0688wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1225 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULE FOR THE BUILDING CODES COUNCIL, DESIGNATED AS REGULATION DOCUMENT NUMBER 5243, PURSUANT TO THE PROVISIONS OF ARTICLE

1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0686wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1226 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA REAL ESTATE COMMISSION, RELATING TO SOUTH CAROLINA REAL ESTATE COMMISSION (RESIDENTIAL PROPERTY CONDITION DISCLOSURE STATEMENT FORM), DESIGNATED AS REGULATION DOCUMENT NUMBER 5238, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0684wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1227 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO COMPENSATION FOR THE OCCUPATIONAL HEALTH AND SAFETY REVIEW BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5236, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0690wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1228 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO TRANSPORTATION OF RADIOACTIVE WASTE INTO OR WITHIN SOUTH CAROLINA, DESIGNATED AS REGULATION DOCUMENT NUMBER 5226, PURSUANT TO THE

PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0693wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1229 -- Senator Fanning: A SENATE RESOLUTION TO RECOGNIZE AND HONOR REVEREND DR. KENNETH MONROE, PRESIDING BISHOP OF THE EASTERN NORTH CAROLINA EPISCOPAL DISTRICT OF THE AFRICAN METHODIST EPISCOPAL ZION CHURCH, UPON THE OCCASION OF HIS RETIREMENT AFTER YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.
lc-0441vr-gm24.docx

The Senate Resolution was adopted.

S. 1230 -- Senator Alexander: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, APRIL 17, 2024, IMMEDIATELY FOLLOWING JUDICIAL ELECTIONS, AS THE TIME TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF THE COLLEGE OF CHARLESTON TO FILL THE TERM OF THE MEMBER FOR THE SECOND CONGRESSIONAL DISTRICT SEAT 3, THIRD CONGRESSIONAL DISTRICT SEAT 5, FOURTH CONGRESSIONAL DISTRICT SEAT 7, FIFTH CONGRESSIONAL DISTRICT SEAT 9, SIXTH CONGRESSIONAL DISTRICT SEAT 11, SEVENTH CONGRESSIONAL DISTRICT SEAT 13, AT-LARGE SEAT 15, AND AT-LARGE SEAT 17, OF WHICH ALL TERMS WILL EXPIRE JUNE 30, 2026; TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF FRANCIS MARION UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE FIRST CONGRESSIONAL DISTRICT SEAT 1, WHOSE TERM WILL EXPIRE ON JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE SECOND CONGRESSIONAL DISTRICT SEAT 2, WHOSE TERM WILL EXPIRE ON JUNE 30, 2024, THE TERM OF THE MEMBER FOR THE FIFTH CONGRESSIONAL DISTRICT SEAT 5 AND FOR THE SIXTH CONGRESSIONAL DISTRICT SEAT 6, OF WHICH BOTH TERMS WILL EXPIRE ON JUNE 30, 2026, AND THE TERM OF THE MEMBER FOR AT-LARGE SEATS 8, 10, 12, AND 13, OF WHICH ALL TERMS WILL EXPIRE JUNE 30, 2026; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF

LANDER UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE FIRST CONGRESSIONAL DISTRICT SEAT 9, WHOSE TERM WILL EXPIRE ON JUNE 30, 2024; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO FILL THE TERM OF THE MEMBER FOR THE FIRST CONGRESSIONAL DISTRICT MEDICAL SEAT, SECOND CONGRESSIONAL DISTRICT MEDICAL SEAT, THIRD CONGRESSIONAL DISTRICT MEDICAL SEAT, FOURTH CONGRESSIONAL DISTRICT LAY SEAT, FIFTH CONGRESSIONAL DISTRICT LAY SEAT, SIXTH CONGRESSIONAL DISTRICT MEDICAL SEAT, AND SEVENTH CONGRESSIONAL DISTRICT LAY SEAT, OF WHICH ALL TERMS WILL EXPIRE JUNE 30, 2026; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY TO FILL THE TERM OF A MEMBER FOR THE FIFTH CONGRESSIONAL DISTRICT SEAT 5, SEVENTH CONGRESSIONAL DISTRICT SEAT 7, AND AT-LARGE SEATS 9 AND 11, OF WHICH ALL TERMS WILL EXPIRE ON JUNE 30, 2026; AND TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY FOR THE FOURTH CONGRESSIONAL DISTRICT SEAT 4, WHOSE TERM WILL EXPIRE ON JUNE 30, 2028; AND TO FIX WEDNESDAY, APRIL 17, 2024, IMMEDIATELY FOLLOWING COLLEGE AND UNIVERSITY BOARDS OF TRUSTEES ELECTIONS, AS THE TIME TO ELECT MEMBERS TO THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S APPELLATE PANEL.
lc-0435hdb-hdb24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1231 -- Senators Loftis, Corbin, Massey, Martin, Alexander and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27-37-200 SO AS TO PROVIDE A PROCEDURE FOR THE REMOVAL OF A PERSON UNLAWFULLY OCCUPYING A RESIDENTIAL DWELLING; BY ADDING SECTION 16-11-785 SO AS TO PROVIDE A CRIMINAL PENALTY FOR A PERSON WHO UNLAWFULLY DETAINS OR OCCUPIES OR TRESPASSES UPON A RESIDENTIAL DWELLING AND WHO INTENTIONALLY DAMAGES THE DWELLING CAUSING ONE THOUSAND DOLLARS OR MORE IN DAMAGES; BY ADDING SECTION 16-11-790 SO AS TO PROVIDE A CRIMINAL PENALTY FOR A PERSON WHO LISTS OR

ADVERTISES RESIDENTIAL REAL PROPERTY FOR SALE KNOWING THAT THE PURPORTED SELLER HAS NO LEGAL TITLE OR AUTHORITY TO SELL THE PROPERTY, OR RENTS OR LEASES THE PROPERTY TO ANOTHER PERSON KNOWING THAT HE HAS NO LAWFUL OWNERSHIP IN THE PROPERTY OR LEASEHOLD INTEREST IN THE PROPERTY; AND BY ADDING SECTION 16-11-795 SO AS TO PROVIDE A CRIMINAL PENALTY FOR A PERSON WHO, WITH THE INTENT TO DETAIN OR REMAIN UPON REAL PROPERTY, KNOWINGLY AND WILLFULLY PRESENTS TO ANOTHER PERSON A FALSE DOCUMENT PURPORTING TO BE A VALID LEASE AGREEMENT, DEED, OR OTHER INSTRUMENT CONVEYING REAL PROPERTY RIGHTS.

sr-0136jg24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1232 -- Senator Fanning: A CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF FAIRFIELD STREET IN THE TOWN OF WINNSBORO IN FAIRFIELD COUNTY FROM ITS INTERSECTION WITH TRUMAN STREET TO THE ADULT CENTER FOR EDUCATION "T.E. GREENE STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THESE WORDS.

lc-0577cm-cm24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1233 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 215 IN FAIRFIELD COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 34 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 213 "ELDER RICHARD BROWN MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0574cm-ar24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1234 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF UNITED STATES HIGHWAY 21 SOUTH IN FAIRFIELD COUNTY FROM THE INTERSECTION OF WEST CHURCH STREET AND LONGTOWN ROAD TO THE RICHLAND COUNTY LINE "DONALD PRIOLEAU SR. ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS STRETCH OF ROAD CONTAINING THESE WORDS.
lc-0575cm-cm24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1235 -- Senators Alexander and Setzler: A SENATE RESOLUTION TO CONGRATULATE DR. GEORGE R. ASKEW, JR. UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0667km-vc24.docx

The Senate Resolution was adopted.

S. 1236 -- Senator Kimbrell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR GEORGE "TROTTING SALLY" WASHINGTON MULLINS.
sr-0673km-vc24.docx

The Senate Resolution was adopted.

H. 3227 -- Reps. Rutherford, Crawford, Gagnon, Mitchell, Taylor, Guffey, O'Neal, Pope, Felder and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-1-40 AND 63-19-20, BOTH RELATING TO STATUS OFFENSES, SO AS TO ELIMINATE PLAYING A PINBALL MACHINE AS A STATUS OFFENSE; AND BY REPEALING SECTION 63-19-2430 RELATING TO THE PLAYING OF PINBALL MACHINES BY A MINOR.
lc-0041vr23.docx

Read the first time and referred to the Committee on Judiciary.

H. 3980 -- Reps. J. E. Johnson, M. M. Smith, Moss, Lawson, Guffey, West, Brittain, Hardee, McGinnis, Bailey, B. L. Cox, Pace, Mitchell, Chapman, Davis, B. Newton, Burns, Cromer, Hixon, A. M. Morgan and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 14-1-250 SO AS TO REQUIRE JUDGES AND OTHER JUDICIAL OFFICIALS OF THE UNIFIED JUDICIAL SYSTEM TO REPORT ALL CASES OF SUSPECTED FALSE STATEMENTS OR MISREPRESENTATIONS TO THE INSURANCE FRAUD DIVISION OF THE OFFICE OF ATTORNEY GENERAL; AND BY AMENDING SECTION 38-55-570, RELATING TO NOTIFICATION OF INSURANCE FRAUD DIVISION OF KNOWLEDGE OR BELIEF OF FALSE STATEMENTS OR MISREPRESENTATIONS, SO AS TO INCLUDE A REFERENCE TO THE OBLIGATION OF JUDGES AND OTHER OFFICIALS OF THE UNIFIED JUDICIAL SYSTEM TO REPORT SUSPECTED FALSE STATEMENTS OR MISREPRESENTATIONS TO THE INSURANCE FRAUD DIVISION.
lc-0106ph23.docx

Read the first time and referred to the Committee on Judiciary.

H. 4158 -- Reps. Pendarvis, M. M. Smith, Bauer, King, Henderson-Myers, Gilliard, Rivers, Jefferson, Henegan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27-40-350 SO AS TO PROVIDE THAT RESIDENTIAL TENANTS WHO ARE VICTIMS OF CERTAIN DOMESTIC VIOLENCE MAY TERMINATE A RENTAL AGREEMENT AND TO PROVIDE FOR NECESSARY REQUIREMENTS.
lc-0245sa23.docx

Read the first time and referred to the Committee on Judiciary.

H. 4189 -- Rep. Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-20, RELATING TO LICENSING AND FEES, SO AS TO AMEND MEETING REQUIREMENTS, REMOVE A CERTIFICATION FEE AND OUTLINE HOW TO MAKE PROPER PAYMENTS TO THE DEPARTMENT; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS

AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND, SO AS TO CHANGE THE ALLOWED TRANSFER OF COLLECTED TAXES FROM TWENTY PERCENT TO FORTY PERCENT; AND BY AMENDING 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.
lc-0237ph23.docx

Read the first time and referred to the Committee on Banking and Insurance.

H. 4289 -- Reps. McGinnis, Erickson, Ballentine, Murphy, Brewer, Robbins, Gatch, Mitchell, Yow, Cromer, Beach, Pace, Taylor, Guffey, Magnuson, Burns, Kilmartin, Chapman, Gagnon, Forrest, Oremus and Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-101-680 SO AS TO PROVIDE THAT A PUBLIC INSTITUTION OF HIGHER LEARNING MAY NOT CONDITION OR PROMISE ADMISSIONS OR BENEFITS TO CERTAIN APPLICANTS FOR CERTAIN SUPPORT OR DISAGREEMENTS WITH CERTAIN STATEMENTS REGARDING DIVERSITY, EQUITY, INCLUSION, OR ASSOCIATED ISSUES.
lc-0273sa23.docx

Read the first time and referred to the Committee on Education.

H. 4294 -- Reps. Connell, Mitchell, Hager, Wheeler and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-1-320, RELATING TO THE LIMITATION ON MILLAGE INCREASES, SO AS TO ALLOW THE GOVERNING BODY OF A RURAL COUNTY TO SUSPEND THE LIMITATION FOR THE PURPOSE OF SUPPORTING A FIRE PROTECTION DISTRICT.
lc-0193dg23.docx

Read the first time and referred to the Committee on Finance.

H. 4304 -- Reps. Connell, Mitchell, Yow, Murphy, Elliott, Robbins, Collins, Pope and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-75-30 SO AS TO PERMIT PARENTAL AND FILIAL CONSORTIUM CLAIMS.
lc-0141ahb23.docx

Read the first time and referred to the Committee on Judiciary.

H. 4349 -- Rep. Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-1500, RELATING TO THE GREENVILLE TECHNICAL COLLEGE AREA COMMISSION, SO AS TO REMOVE OBSOLETE REFERENCES, TO REVISE RESIDENCY REQUIREMENTS FOR CERTAIN COMMISSION SEATS, AND TO REVISE THE ABSENCE POLICY FOR COMMISSION MEMBERS, AMONG OTHER THINGS.
lc-0320wab23.docx

Read the first time and referred to the Committee on Education.

H. 4548 -- Reps. Oremus, Hayes, McCravy, Trantham, Atkinson, Clyburn, Henegan, Taylor, West, Erickson, Wooten, Forrest, S. Jones, Long, Herbkersman, Cobb-Hunter, Haddon, Bailey, Whitmire, Hart and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-1-1790, RELATING TO THE EARNINGS LIMITATION FOR A RETIRED MEMBER OF THE SOUTH CAROLINA RETIREMENT SYSTEM UPON THE RETURN TO COVERED EMPLOYMENT, SO AS TO PROVIDE THAT THIS LIMITATION DOES NOT APPLY TO MEMBERS WHO RETURN TO COVERED EMPLOYMENT AS A SCHOOL BUS DRIVER.
lc-0389sa24.docx

Read the first time and referred to the Committee on Finance.

H. 4649 -- Reps. Bannister, Carter, Leber, Vaughan, West, Elliott, Williams, Henegan, Caskey, Erickson, Bradley and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-275 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS WITH MORE THAN FIFTEEN THOUSAND STUDENTS MAY USE CERTAIN SECURITY PERSONNEL TO PROMOTE SAFETY AND SECURITY ON SCHOOL PREMISES IF LICENSED AS A PROPRIETARY SECURITY BUSINESS, AND TO PROVIDE DISTRICTS REMAIN OBLIGATED TO USE SCHOOL RESOURCE OFFICERS AS OTHERWISE PROVIDED BY LAW; BY AMENDING SECTION 40-18-60, RELATING TO PROPRIETARY SECURITY BUSINESS LICENSURE, SO AS TO ADD PROVISIONS CONCERNING PUBLIC SCHOOL DISTRICTS APPLYING FOR LICENSURE; BY AMENDING SECTION 40-18-80, RELATING TO SECURITY OFFICER REGISTRATION CERTIFICATION, SO AS TO PROVIDE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL IMPLEMENT CERTAIN RELATED TRAINING REQUIREMENTS; AND BY AMENDING SECTION 40-18-140, RELATING TO EXCEPTIONS FROM PRIVATE SECURITY AND INVESTIGATION AGENCY LICENSURE REQUIREMENTS, SO AS TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS ARE EXCLUDED FROM THESE REQUIREMENTS.
lc-0512wab24.docx

Read the first time and referred to the Committee on Education.

H. 4673 -- Reps. Erickson, Gilliam, Williams and Henegan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-50, RELATING TO BEGINNERS' PERMITS, HOURS AND CONDITIONS OF VEHICLE OPERATION, RENEWAL AND FEES, DRIVERS' TRAINING COURSES, AND ELIGIBILITY FOR FULL LICENSURE, SO AS TO EXEMPT ADDITIONAL PERSONS FROM OBTAINING BEGINNERS' PERMITS BEFORE OPERATING MOTOR VEHICLES, AND TO PROVIDE PERSONS AT LEAST EIGHTEEN YEARS OLD MAY TAKE THE DRIVING TEST AFTER MAINTAINING A BEGINNERS' PERMIT FOR AT LEAST THIRTY DAYS.
lc-0442cm24.docx

Read the first time and referred to the Committee on Transportation.

H. 4681 -- Reps. M. M. Smith, Henegan, Chapman and Hartnett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-1-230, RELATING TO THE FIRST RESPONDERS ADVISORY COMMITTEE, SO AS TO INCREASE THE NUMBER OF COMMITTEE MEMBERS FROM NINE TO TEN BY ADDING A PERSON WHO REPRESENTS THE SOUTH CAROLINA CORONERS' ASSOCIATION AS A MEMBER.
lc-0435cm24.docx

Read the first time and referred to the Committee on Judiciary.

H. 4702 -- Reps. Davis, Pope, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA COMPUTER SCIENCE EDUCATION INITIATIVE ACT" BY ADDING SECTION 59-29-250 SO AS TO PROVIDE FOR THE EXPANSION AND ENHANCEMENT OF COMPUTER SCIENCE EDUCATION IN PUBLIC HIGH SCHOOLS THROUGH THE CREATION AND IMPLEMENTATION OF A STATEWIDE COMPUTER SCIENCE EDUCATION PLAN AND THE REQUIREMENT THAT EACH PUBLIC SCHOOL OFFERS AT LEAST ONE COMPUTER SCIENCE COURSE THAT MEETS CERTAIN CRITERIA, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION AND THE STATE DEPARTMENT OF EDUCATION.
lc-0422wab24.docx

Read the first time and referred to the Committee on Education.

H. 4703 -- Reps. Davis, Pope, West, Schuessler, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STEM OPPORTUNITY ACT" BY ADDING ARTICLE 17 TO CHAPTER 1, TITLE 13 SO AS TO ESTABLISH THE SOUTH CAROLINA SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM) COALITION, THE SOUTH CAROLINA SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM) EDUCATION FUND WITHIN THE STATE TREASURY, AND THE SC STEM COALITION ADVISORY COUNCIL, AND TO PROVIDE THEIR RESPECTIVE PURPOSES AND FUNCTIONS.
lc-0526wab24.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4867 -- Reps. Lawson, Hayes, G. M. Smith, Moss, Hiott, Blackwell, B. L. Cox, Caskey, M. M. Smith, Hart, Sandifer, J. E. Johnson, Brittain and Bauer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-23-45 SO AS TO REQUIRE ALL 911 TELECOMMUNICATORS THAT PROVIDE DISPATCH FOR EMERGENCY MEDICAL CONDITIONS TO BE TRAINED IN HIGH-QUALITY TELECOMMUNICATO CARDIOPULMONARY RESUSCITATION (T-CPR).
lc-0473cm24.docx

Read the first time and referred to the Committee on Judiciary.

H. 4871 -- Reps. Haddon, Ligon and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 47-9-420 SO AS TO PROHIBIT THE INTERFERENCE OR INTERACTION WITH FARM ANIMALS BEING TRANSPORTED BY A MOTOR VEHICLE WITHOUT PERMISSION.
lc-0318ph24.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 4874 -- Reps. Hixon, Chapman and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 17 TO TITLE 50 SO AS TO REGULATE CAPTIVE WILDLIFE BY DEFINING TERMS, OUTLINING THE PERMITTING PROCESS, LISTING EXCEPTIONS, AND PROVIDING PENALTIES FOR VIOLATIONS, AMONG OTHER THINGS; BY AMENDING SECTION 50-16-40, RELATING TO EXCEPTIONS TO THE PERMIT REQUIREMENT FOR WILDLIFE IMPORTED FOR EXHIBITION PURPOSES, SO AS TO LIMIT THE EXCEPTIONS; AND BY REPEALING SECTION 50-11-1180 RELATING TO THE AUTHORITY OF THE DEPARTMENT TO ISSUE PERMITS TO COLLECT PROTECTED WILDLIFE FOR SCIENTIFIC OR PROPAGATING PURPOSES.
lc-0313ph24.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4912 -- Rep. Murphy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-43-220, RELATING TO ASSESSMENT RATIOS FOR AD VALOREM TAXATION, SO AS TO ALLOW CERTAIN CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE TO CONTINUE TO CLAIM THE SPECIAL FOUR PERCENT ASSESSMENT RATIO WHEN THE CIVILIAN RECEIVES CERTAIN ORDERS FOR A CHANGE OF STATION.
lc-0335dg24.docx

Read the first time and referred to the Committee on Finance.

H. 4934 -- Reps. Mitchell, Gilliam, Pace, Yow, Murphy, Guffey, Pope, Sandifer, Hart and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-7-90, RELATING TO LEAVES OF ABSENCE FOR PUBLIC OFFICERS AND EMPLOYEES IN NATIONAL GUARD OR RESERVE MILITARY FORCES, SO AS TO PROVIDE THAT CERTAIN STATE EMPLOYEES RECEIVE FORTY-FIVE DAYS OF PAID MILITARY LEAVE EACH YEAR.
lc-0469sa24.docx

Read the first time and referred to the Committee on Finance.

H. 4953 -- Reps. B. J. Cox, Davis, M. M. Smith, Bustos, Hart, Williams, Henegan, Caskey, Jefferson, J. Moore and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-80, RELATING TO STATE VETERANS' CEMETERIES, SO AS TO REMOVE A RESIDENCY REQUIREMENT.
lc-0472sa24.docx

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 5014 -- Reps. Caskey, Ballentine, Calhoon, Forrest, Kilmartin, May, McCabe, Ott, Taylor, White and Wooten: A BILL TO EXTEND THE ONE PERCENT SALES TAX IMPOSED BY ACT 378 OF 2004, AS AMENDED, THE LEXINGTON COUNTY SCHOOL DISTRICT PROPERTY TAX RELIEF ACT, FOR AN ADDITIONAL SEVEN YEARS.
lc-0349dg24.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 5016 -- Reps. B. Newton, Murphy, Caskey, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 11-7-70 SO AS TO PROVIDE THAT THE GOVERNOR SHALL APPOINT THE STATE AUDITOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 1-3-240, RELATING TO REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE STATE AUDITOR; AND BY REPEALING SECTION 11-7-10 RELATING TO THE SELECTION OF THE STATE AUDITOR.
lc-0500sa24.docx

Read the first time and referred to the Committee on Finance.

H. 5066 -- Reps. Elliott, G. M. Smith, W. Newton, Bailey, Wheeler, T. Moore, Taylor, Hixon, Oremus, Blackwell, Schuessler, Stavrinakis, Wetmore, Bradley, Erickson, Hyde, Ballentine, Calhoon, Crawford, Guest and M. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 103 TO TITLE 38 ENTITLED THE "FAIR ACCESS TO INSURANCE REQUIREMENTS" SO AS TO PROVIDE AN AFFORDABLE OPTION TO PROVIDE LIQUOR LIABILITY INSURANCE TO ANY PERSON OR BUSINESS REQUIRED TO MAINTAIN SUCH A POLICY, TO CREATE THE AFFORDABLE LIQUOR LIABILITY FUND TO AID IN THE FUNDING OF THE PROGRAM, AND TO PROVIDE THAT THE EXCISE TAX ON ALCOHOLIC LIQUOR BY THE DRINK MUST BE CREDITED TO THE FUND IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 12-33-245, RELATING TO THE EXCISE TAX, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 61-2-145, RELATING TO LIABILITY INSURANCE COVERAGE REQUIREMENTS, SO AS TO PROVIDE FOR A LIQUOR LIABILITY RISK MITIGATION PROGRAM; AND TO PROVIDE THAT THE INSURANCE RESERVE FUND IS AUTHORIZED TO PROVIDE A START-UP LOAN TO THE FUND.
lc-0366dg24.docx

Read the first time and referred to the Committee on Banking and Insurance.

H. 5118 -- Reps. G. M. Smith, West, Davis, Hager, Hewitt, Kirby, Long, M. M. Smith, B. Newton, Pendarvis, Sandifer, Hiott, Landing, Crawford, Brittain, Lawson, Williams, Whitmire, Jefferson, Bustos, Hartnett, Carter, Blackwell, Neese, W. Newton, Bradley, Erickson,

Murphy, Brewer, Yow, Mitchell, Connell, Jordan, Thayer, Elliott, Wooten, Pedalino, Bailey, T. Moore, McGinnis, Gatch, Ligon, Gagnon, Hardee, B. L. Cox, Chapman, Leber, Anderson, Bannister, Calhoon, Felder, Hixon, Lowe, Taylor, Thigpen, Willis and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA TEN-YEAR ENERGY TRANSFORMATION ACT"; BY AMENDING SECTION 58-3-20, RELATING TO THE MEMBERSHIP, ELECTION, AND QUALIFICATIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO CHANGE THE NUMBER OF COMMISSIONERS FROM SEVEN TO THREE TO BE ELECTED BY THE GENERAL ASSEMBLY FROM THE STATE AT LARGE; BY AMENDING SECTION 58-3-140, RELATING TO THE PUBLIC SERVICE COMMISSION'S POWERS TO REGULATE PUBLIC UTILITIES, SO AS TO ESTABLISH CONSIDERATIONS AND STATE POLICY FOR THE COMMISSION'S DECISION-MAKING PROCESS, TO ESTABLISH A SCHEDULE FOR CERTAIN TESTIMONY AND DISCOVERY IN CONTESTED PROCEEDINGS, TO PERMIT ELECTRICAL UTILITY CUSTOMERS TO ADDRESS THE COMMISSION AS PUBLIC WITNESSES, AND TO ESTABLISH REQUIREMENTS FOR AN INDEPENDENT THIRD PARTY CONSULTANT HIRED BY THE COMMISSION; BY AMENDING SECTION 58-3-250, RELATING TO SERVICE OF ORDERS AND DECISIONS ON PARTIES, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS REPRESENTATION OF PUBLIC INTEREST BEFORE THE COMMISSION, SO AS TO ESTABLISH ITS CONSIDERATIONS FOR PUBLIC INTEREST; BY ADDING SECTION 58-4-150 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO PREPARE A COMPREHENSIVE STATE ENERGY ASSESSMENT AND ACTION PLAN AND TO ESTABLISH REQUIREMENTS FOR THIS PLAN; BY ADDING CHAPTER 38 TO TITLE 58 SO AS TO ESTABLISH THE SOUTH CAROLINA ENERGY POLICY INSTITUTE; BY ADDING SECTION 58-33-195 SO AS TO ENCOURAGE DOMINION ENERGY, THE PUBLIC SERVICE AUTHORITY, DUKE ENERGY CAROLINAS, AND DUKE ENERGY PROGRESS TO EVALUATE CERTAIN ELECTRICAL GENERATION FACILITIES AND PROVIDE FOR CONSIDERATIONS RELATED TO THESE FACILITIES; BY ADDING SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN

ELECTRICAL GENERATION AND TRANSMISSION FACILITIES WITH INVESTOR-OWNED ELECTRIC UTILITIES, AND TO PROVIDE REQUIREMENTS FOR JOINT OWNERSHIP; BY AMENDING SECTION 58-27-650, RELATING TO REASSIGNMENT OF ELECTRIC SUPPLIERS' SERVICE AREAS, SO AS TO PERMIT THE COMMISSION TO APPROVE A REQUEST FOR ANY ELECTRIC SUPPLIER TO SERVE ANY TRANSFORMATIONAL ECONOMIC DEVELOPMENT PROJECT CUSTOMER UNDER CERTAIN CONDITIONS; BY AMENDING ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO AS ESTABLISH THE COUNCIL IN THE OFFICE OF REGULATORY STAFF, TO PROVIDE FOR ITS DUTIES AND MEMBERSHIP, AND TO PROVIDE FOR THE COUNCIL'S DIRECTOR; BY AMENDING SECTION 37-6-604, RELATING TO THE CONSUMER ADVOCATE'S INTERVENTION ON MATTERS FILED AT THE COMMISSION, SO AS TO TRANSFER THESE DUTIES TO THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 58-33-196 SO AS TO ENCOURAGE CONSIDERATION OF DEPLOYMENT OF NUCLEAR FACILITIES AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 58-37-70 SO AS TO PERMIT A SMALL MODULAR NUCLEAR PILOT PROGRAM AND TO ESTABLISH REQUIREMENTS; BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 58 SO AS TO PROVIDE FOR STATE AGENCY REVIEW OF ENERGY INFRASTRUCTURE PROJECT APPLICATIONS AND TO PROVIDE A SUNSET; BY AMENDING SECTION 58-40-10, RELATING TO THE DEFINITION OF "CUSTOMER-GENERATOR", SO AS TO ESTABLISH CHARACTERISTICS FOR A "CUSTOMER-GENERATOR"; BY AMENDING SECTION 58-41-30, RELATING TO VOLUNTARY RENEWABLE ENERGY PROGRAMS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS AND CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-41-10, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF "ENERGY STORAGE FACILITIES"; BY AMENDING SECTION 58-41-20, RELATING TO PROCEEDINGS FOR ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES AND RELATED PROCESSES, SO AS TO AUTHORIZE COMPETITIVE PROCUREMENT PROGRAMS FOR RENEWABLE ENERGY, CAPACITY, AND STORAGE, TO PERMIT COMPETITIVE PROCUREMENT OF NEW RENEWABLE ENERGY CAPACITY

AND ESTABLISH REQUIREMENTS FOR NON-COMPETITIVE PROCUREMENT PROGRAMS, AND TO DELETE LANGUAGE REGARDING THE COMMISSION HIRING THIRD-PARTY EXPERTS FOR THESE PROCEEDINGS; BY ADDING SECTION 58-41-25 SO AS TO PROVIDE FOR A PROCESS FOR COMPETITIVE PROCUREMENT OF RENEWABLE ENERGY FACILITIES; BY AMENDING SECTION 58-33-20, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION "LIKE FACILITY"; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE FOR A LIKE FACILITY, TO ESTABLISH REQUIREMENTS AND CONSIDERATIONS FOR PROPOSED FACILITIES, TO PROVIDE WHAT ACTIONS MAY BE TAKEN WITHOUT PERMISSION FROM THE COMMISSION, AND TECHNICAL CHANGES; BY AMENDING SECTION 58-37-40, RELATING TO INTEGRATED RESOURCES PLANS, SO AS TO ADD CONSIDERATION OF A UTILITY'S TRANSMISSION AND DISTRIBUTION RESOURCE PLAN, TO ESTABLISH PROCEDURAL REQUIREMENTS AND EVALUATION BY THE COMMISSION, AND REQUIRE PARTIES TO BEAR THEIR OWN COSTS; BY AMENDING SECTION 58-3-260, RELATING TO COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES, SO AS TO MODIFY REQUIREMENTS FOR ALLOWABLE EX PARTE COMMUNICATIONS AND BRIEFINGS, AND TO PERMIT COMMISSION TOURS OF UTILITY PLANTS OR OTHER FACILITIES UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-3-270, RELATING TO EX PARTE COMMUNICATION COMPLAINT PROCEEDINGS AT THE ADMINISTRATIVE LAW COURT, SO AS TO PERMIT AN ORDER TOLLING ANY DEADLINES ON A PROCEEDING SUBJECT TO A COMPLAINT TO THE EXTENT THE PROCEEDING WAS PREJUDICED SO THAT THE COMMISSION COULD NOT CONSIDER THE MATTER IMPARTIALLY; BY ADDING CHAPTER 43 TO TITLE 58 SO AS TO ESTABLISH ECONOMIC DEVELOPMENT RATES FOR ELECTRICAL UTILITIES; BY AMENDING SECTION 58-33-310, RELATING TO AN APPEAL FROM A FINAL ORDER OR DECISION OF THE COMMISSION, SO AS TO REQUIRE A FINAL ORDER ISSUED PURSUANT TO CHAPTER 33, TITLE 58 BE IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT AND TO PROVIDE FOR AN EXPEDITED HEARING; BY AMENDING SECTION 58-33-

320, RELATING TO JOINT HEARINGS AND JOINT INVESTIGATIONS, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-4-160 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE ESTABLISHING A THIRD-PARTY ADMINISTRATOR FOR ENERGY EFFICIENCY AND DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO ADD A REFERENCE TO "DEMAND-SIDE MANAGEMENT PROGRAM" AND PROVIDE DEFINITIONS FOR "COST-EFFECTIVE" AND "DEMAND-SIDE MANAGEMENT PILOT PROGRAM"; BY AMENDING SECTION 58-37-20, RELATING TO COMMISSION PROCEDURES ENCOURAGING ENERGY EFFICIENCY PROGRAMS, SO AS TO EXPAND COMMISSION CONSIDERATIONS FOR COST-EFFECTIVE DEMAND-SIDE MANAGEMENT PROGRAMS, AND REQUIRE EACH INVESTOR-OWNED ELECTRICAL UTILITY TO SUBMIT AN ANNUAL REPORT TO THE COMMISSION REGARDING ITS DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-37-35 SO AS TO PERMIT PROGRAMS AND CUSTOMER INCENTIVES TO ENCOURAGE OR PROMOTE DEMAND-SIDE MANAGEMENT PROGRAMS FOR CUSTOMER SITED DISTRIBUTION RESOURCES, AND TO PROVIDE CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-37-50, RELATING TO AGREEMENTS FOR ENERGY EFFICIENCY AND CONSERVATION MEASURES, SO AS TO ESTABLISH CERTAIN TERMS AND RATE RECOVERY FOR AGREEMENTS FOR FINANCING AND INSTALLING ENERGY EFFICIENCY AND CONSERVATION MEASURES, AND FOR APPLICATION TO A RESIDENCE OCCUPIED BEFORE THE MEASURES ARE TAKEN; BY ADDING SECTION 58-31-215 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY, IN CONSULTATION WITH THE DEPARTMENT OF COMMERCE, TO SERVE AS AN ANCHOR SUBSCRIBER OF NATURAL GAS AND PIPELINE CAPACITY FOR THIS STATE, TO ESTABLISH THE "ENERGY INVESTMENT AND ECONOMIC DEVELOPMENT FUND", AND TO PROVIDE FOR RELATED REQUIREMENTS; BY AMENDING SECTION 58-3-70, RELATING TO COMPENSATION OF PUBLIC SERVICE COMMISSION MEMBERS, SO AS TO

ESTABLISH SALARIES IN AMOUNTS EQUAL TO NINETY-SEVEN AND ONE-HALF PERCENT OF SUPREME COURT ASSOCIATE JUSTICES.
lc-0284ha24.docx

Read the first time and referred to the Committee on Judiciary.

H. 5121 -- Rep. Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-1-50, RELATING TO GEOGRAPHIC BOUNDARIES FOR LAKE MARION, SO AS TO INCLUDE AN ADDITIONAL GEOGRAPHIC REFERENCE; AND BY AMENDING SECTION 50-13-675, RELATING TO NONGAME FISHING DEVICES OR GEAR PERMITTED IN CERTAIN BODIES OF FRESHWATER, SO AS TO PERMIT HOOP NETS IN THE CONGAREE RIVER.
lc-0350ph24.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 5154 -- Reps. West and Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-5-1030, RELATING TO CIVIL PENALTIES, SO AS TO PROVIDE A GAS UTILITY WHICH VIOLATES SECTION 58-5-1020 OR A REGULATION UNDER ARTICLE 9 OF CHAPTER 5, TITLE 58 IS SUBJECT TO A CIVIL PENALTY NOT MORE THAN THE CIVIL PENALTY PROVIDED BY 49 U.S.C. SECTION 60122 AND 49 C.F.R. 190.233.
lc-0285ha24.docx

Read the first time and referred to the Committee on Judiciary.

H. 5169 -- Reps. Haddon, G. M. Smith, Hiott, Taylor, Hixon, Forrest, Wooten, Crawford, Gibson, Hartnett, Robbins, Sessions, Mitchell, T. Moore, Gilliam, Brewer, Ligon, Bradley, Brittain, Guest, B. L. Cox, Long, Chapman, J. E. Johnson, Burns, O'Neal, Vaughan, McCravy, Davis, Nutt, Trantham, Hyde, McGinnis, Hardee, Bailey, S. Jones, Guffey, West, Schuessler, Gatch, Gagnon, Herbkersman, Lawson, Moss, Murphy, Chumley, Carter, Magnuson, M. M. Smith, Pope, Cromer, Oremus and Beach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 1, TITLE 46 BY ENACTING THE "FARMERS PROTECTION ACT" TO

PREVENT DISCRIMINATION IN FINANCING AGAINST FARMERS.
lc-0359ph24.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 5183 -- Reps. M. M. Smith, West, Hewitt, Chapman, B. Newton, Hiott, Sessions, Pope, Davis, Gagnon, Thayer and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-20, RELATING TO THE DEFINITION OF A CERTIFIED MEDICAL ASSISTANT, SO AS TO REVISE THE REQUIRED QUALIFICATIONS FOR CERTIFICATION; AND BY AMENDING SECTION 40-47-196, RELATING TO THE DELEGATION OF NURSING TASKS TO UNLICENSED ASSISTIVE PERSONNEL BY CERTAIN MEDICAL PROFESSIONALS, SO AS TO DESIGNATE ADDITIONAL TASKS THAT MAY BE DELEGATED.
lc-0638wab24.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 5225 -- Reps. Cobb-Hunter and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-1180 SO AS TO ALLOW AN INCOME TAX DEDUCTION FOR EACH CLINICAL ROTATION SERVED BY A PHYSICIAN, ADVANCED PRACTICE NURSE, OR PHYSICIAN ASSISTANT AS A PRECEPTOR FOR CERTAIN PROGRAMS.
lc-0368dg24.docx

Read the first time and referred to the Committee on Finance.

H. 5245 -- Reps. G. M. Smith, Erickson, Bradley and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-50, RELATING TO CHARTER SCHOOL ADMISSIONS, SO AS TO PROVIDE CHARTER SCHOOLS MAY GIVE ENROLLMENT PREFERENCE TO CHILDREN OF ACTIVE DUTY MILITARY SERVICEMEMBERS IN THIS STATE IF THEIR ENROLLMENT DOES NOT CONSTITUTE MORE THAN TWENTY PERCENT OF THE OVERALL ENROLLMENT, AND TO REVISE EXISTING ENROLLMENT PREFERENCE PROVISIONS.
lc-0622wab24.docx

Read the first time and referred to the Committee on Education.

REPORT OF STANDING COMMITTEE

Senator RANKIN from the Committee on Judiciary polled out H. 4364 favorable:

H. 4364 -- Reps. W. Newton, Davis, Rutherford, Bernstein, M.M. Smith, Ott, Brittain, Guest, Hewitt, Elliott, Stavrinakis, Bradley, Wooten, Murphy, Herbkersman, Leber, Sessions, Caskey, Rose, Mitchell, Brewer, Guffey, Hardee, Collins, Gatch, B. Newton, Pace, Bauer, Bailey, Erickson, Schuessler and Hart: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-2-170, RELATING TO DRIVE-THROUGH OR CURBSIDE SERVICE OF ALCOHOLIC BEVERAGES, SO AS TO PROVIDE CERTAIN EXCEPTIONS; BY ADDING SECTION 61-4-45 SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISSUE CERTAIN LICENSES OR PERMITS ALLOWING A RETAILER TO OFFER CERTAIN CURBSIDE DELIVERY OR PICK UP; BY ADDING SECTION 61-4-280 SO AS TO PROVIDE THAT A RETAIL DEALER MAY HIRE A DELIVERY SERVICE TO DELIVER CERTAIN BEER AND WINE AND TO PROVIDE FOR REQUIREMENTS; BY ADDING SECTION 61-6-1570 SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISSUE CERTAIN LICENSES OR PERMITS ALLOWING A RETAILER TO OFFER CERTAIN CURBSIDE DELIVERY OR PICK UP; AND BY ADDING SECTION 61-6-1580 SO AS TO PROVIDE THAT A RETAIL DEALER MAY HIRE A DELIVERY SERVICE TO DELIVER CERTAIN ALCOHOLIC LIQUORS AND TO PROVIDE FOR REQUIREMENTS.

Poll of the Judiciary Committee
Polled 23; Ayes 18; Nays 4; Not Voting 1

AYES

Rankin	Hutto	Malloy
Campsen	Sabb	Climer
Mcleod	Senn	Talley
Harpootlian	Loftis	Adams
Gustafson	Kimbrell	*M. Johnson*
Reichenbach	Tedder	Devine

Total--18

NAYS

Massey Rice Cash
Garrett

Total--4

NOT VOTING

Stephens

Total--1

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., April 2, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION

32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE

PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

asks for a Committee of Conference, and has appointed Reps. Sandifer, Mark Smith and King to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

H. 4116--CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators ALLEN, CLIMER and GOLDFINCH were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

CARRIED OVER

S. 208 -- Senators Goldfinch and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO PROVIDE THAT A COUNTY MAY IMPOSE AN ADDITIONAL DRIVER'S LICENSE FEE AND AN ADDITIONAL MOTOR VEHICLE LICENSING AND REGISTRATION FEE FROM RESIDENTS NEW TO THIS STATE UPON A SUCCESSFUL REFERENDUM, AND TO PROVIDE THAT THE FUNDS REALIZED FROM THE ADDITIONAL FEES MUST BE USED ONLY FOR COUNTY INFRASTRUCTURE, PUBLIC EDUCATION RELATED EXPENSES, AND GREENSPACE CONSERVATION OR PRESERVATION; BY AMENDING

SECTION 56-1-20, RELATING TO DRIVER'S LICENSE REQUIRED, SURRENDER AND DISPOSITION OF OUT-OF-STATE LICENSES, LOCAL LICENSES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM; AND BY AMENDING SECTION 56-3-210, RELATING TO THE TIME PERIOD FOR PROCURING REGISTRATION AND LICENSE, TEMPORARY LICENSE PLATES, TRANSFER OF LICENSE PLATES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM.

On motion of Senator GAMBRELL, the Bill was carried over.

COMMITTEE AMENDMENT TABLED
AMENDED, CARRIED OVER

S. 843 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-56-120, RELATING TO MISREPRESENTATIONS PROHIBITED, SO AS TO PROHIBIT A SOLICITATION FROM A PERSON OR GROUP REPRESENTING ITSELF AS A SOUTH CAROLINA-BASED NATIVE AMERICAN INDIAN TRIBE OR SOUTH CAROLINA-BASED NATIVE AMERICAN ENTITY UNLESS THE GROUP HAS BEEN FEDERALLY ACKNOWLEDGED AS A TRIBE, OR DESIGNATED AS A TRIBE, GROUP, OR SPECIAL INTEREST ORGANIZATION BY THE BOARD OF THE STATE COMMISSION FOR MINORITY AFFAIRS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-843.DG0001S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 33-56-120(H) and inserting:

(H)(1) In connection with the solicitation of contributions or the sale of goods or services for charitable purposes, a charitable organization, professional fundraising counsel, professional solicitor, or commercial co-venturer shall not represent that it is a South Carolina-based Native American Indian Tribe unless:

(a) it is a federally acknowledged tribe, as provided in Part 83 of Title 25 of the Code of Federal Regulations, that is located within the boundaries of the State of South Carolina, or

(b) it has been designated as a state-recognized tribe by the Board of the State Commission for Minority Affairs, as provided in the regulations promulgated pursuant to Title 1, Chapter 31 of the South Carolina Code of Laws.

(2) An entity designated by the Board of the State Commission for Minority Affairs as a Native American Indian Group or a Native American Special Interest Organization that has not been federally acknowledged as a tribe or has not been designated as a state recognized tribe must not represent itself or its members as a Native American Indian Tribe.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

Senator CLIMER moved to lay the amendment on the table.

The amendment was laid on the table.

Senator CLIMER proposed the following amendment (LC-843.PH0006S), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 33-56-120(H)(1)(a) and (b) and inserting:

(a) it is a federally acknowledged tribe, as provided in Part 83 of Title 25 of the Code of Federal Regulations, that is located within the boundaries of the State of South Carolina;

(b) it is an entity created by a federally acknowledged tribe that meets the requirements of subitem (a); or

(c) it has been designated as a state-recognized tribe by the Board of the State Commission for Minority Affairs, as provided in the regulations promulgated pursuant to Title 1, Chapter 31 of the South Carolina Code of Laws.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was withdrawn.

Senator HUTTO proposed the following amendment (LC-843.PH0007S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 33-56-120(H)(1), (a), (b), and (2) and inserting:

(H) In connection with the solicitation of contributions or the sale of goods or services for charitable purposes, a charitable organization, professional fundraising counsel, professional solicitor, or commercial co-venturer shall not represent that it is a South Carolina-based Native American Indian Tribe, Native American Indian Group, or Native American Indian special interest organization unless:

(1) it is a federally acknowledged tribe, as provided in Part 83 of Title 25 of the Code of Federal Regulations, that is located within the boundaries of the State of South Carolina;

(2) it is an entity created by a federally acknowledged tribe that meets the requirements in item (1); or

(3) it has been designated as a state-recognized tribe, group, or special interest organization by the Board of the State Commission for Minority Affairs, as provided in the regulations promulgated pursuant to Title 1, Chapter 31 of the South Carolina Code of Laws.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

On motion of Senator CAMPSEN, the Bill was carried over.

CARRIED OVER

S. 846 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-31-401, RELATING TO CORPORATE NAME, SO AS TO PROHIBIT THE USE OF CERTAIN INDIAN DESCRIPTIONS AS PART OF A NONPROFIT CORPORATION'S CORPORATE NAME UNLESS THE ENTITY IS A FEDERALLY ACKNOWLEDGED TRIBE OR A STATE DESIGNATED TRIBE, GROUP, OR SPECIAL INTEREST ORGANIZATION.

On motion of Senator DAVIS, the Bill was carried over.

OBJECTION

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC

INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

Senator MALLOY objected to consideration of the Bill.

CARRIED OVER

S. 1095 -- Senators M. Johnson and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATIONS DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATIONS DEVICE", AND TO PROVIDE PENALTIES.

On motion of Senator M. JOHNSON, the Bill was carried over.

OBJECTION

S. 87 -- Senator Malloy: A BILL TO AMEND SECTION 15-78-120 OF THE SOUTH CAROLINA CODE OF LAWS, RELATING TO LIMITATIONS ON LIABILITY, SO AS TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE FROM THREE HUNDRED THOUSAND DOLLARS TO FIVE HUNDRED THOUSAND DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE FROM SIX HUNDRED THOUSAND DOLLARS TO ONE MILLION DOLLARS, AND TO PROVIDE THAT A PARTY WHO FILES AN OFFER OF JUDGMENT THAT IS NOT ACCEPTED, SHALL BE ALLOWED TO RECOVER FROM THE OFFEREE, AS PROVIDED FOR IN SECTION 15-35-400(B), REGARDLESS OF WHETHER THE TOTAL OF ADMINISTRATIVE, FILING, OR OTHER COURT COSTS, AND EIGHT PERCENT INTEREST ON THE AMOUNT OF THE VERDICT OR AWARD FROM THE DATE OF THE OFFER, COMBINED WITH THE VERDICT OR AWARD, EXCEEDS THE LIABILITY LIMITS SPECIFIED IN THIS SECTION.

Senator MASSEY objected to consideration of the Bill.

CARRIED OVER

S. 154 -- Senators Young, Senn and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STREET GANG AND CRIMINAL ENTERPRISE PREVENTION AND ANTI-RACKETEERING ACT"; BY AMENDING ARTICLE 3 OF CHAPTER 8, TITLE 16, RELATING TO THE CRIMINAL GANG PREVENTION ACT, SO AS TO RETITLE THE ARTICLE, REVISE THE DEFINITIONS FOR PURPOSES OF THE ARTICLE, AND RESTRUCTURE THE ARTICLE AND THE OFFENSES AND PENALTIES CONTAINED WITHIN IT; AND BY ADDING ARTICLE 5 TO CHAPTER 8, TITLE 16 SO AS TO CREATE ANTI-RACKETEERING PROVISIONS TO COMPLIMENT THE REVISED STREET GANG AND CRIMINAL ENTERPRISE PREVENTION ARTICLE, DEFINE NECESSARY TERMS, AND CREATE VARIOUS RACKETEERING OFFENSES AND ESTABLISH PENALTIES FOR VIOLATIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-154.MB0005S):

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

SECTION 1. This act may be cited as the "South Carolina Criminal Gang and Criminal Enterprise Prevention and Anti-Racketeering Act".

Amend the bill further, SECTION 2, by striking the third undesignated paragraph and inserting:

(3) The substantial harm inflicted on the people and economy of this State by pervasive violent gangs and other forms of criminal enterprise is legitimately a matter of grave concern to the people of this State who have a basic right to be protected from that criminal activity and to be given adequate remedies to redress its harms. Gangs, in particular, are responsible for a disproportionate amount of violent, sexual, and property crime which often involves the recruitment, use, or victimization of minors.

Amend the bill further, SECTION 2, by striking the fifth undesignated paragraph and inserting:

(5) The General Assembly finds that the most effective punishment and deterrence of the criminal activities of criminal gangs is not just through incarceration where appropriate, but also through forfeiture of the profits, proceeds, and instrumentalities acquired, accumulated, or used by criminal gangs.

Amend the bill further, SECTION 3, by striking the name of Article 3 and inserting:

~~Criminal~~ South Carolina Criminal Gang and Criminal Enterprise Prevention Act

Amend the bill further, SECTION 3, by striking Section 16-8-210 and inserting:

Section 16-8-210. This article may be cited as the "~~Criminal~~ South Carolina Criminal Gang and Criminal Enterprise Prevention Act".

Amend the bill further, SECTION 3, by striking Section 16-8-230(2) and inserting:

(2) "Criminal gang" means any organization, association, or group of three or more persons associated in fact, whether formal or informal, which engages in criminal gang activity as defined in this section. The existence of such organization, association, or group of individuals associated in fact may be established by evidence of a common name or common identifying signs, symbols, tattoos, graffiti, or attire or other distinguishing characteristics including, but not limited to, common activities, customs, or behaviors. The term does not include three or more

persons exercising the right to assembly or associated in fact, whether formal or informal, who are not engaged in criminal gang activity as applied in this article.

Amend the bill further, SECTION 3, by striking Section 16-8-240(A) and (B) and inserting:

(A) It is unlawful for a person employed by or associated with a criminal gang to conduct or participate in a criminal gang activity offense, as defined in Section 16-8-230.

(B) It is unlawful for a person to commit a criminal gang activity offense, as defined in Section 16-8-230, with the intent to obtain or earn membership or maintain or increase his status or position in a criminal gang.

Amend the bill further, SECTION 3, by striking Section 16-8-240(D), (E), (F), (G), (H), (I), and (J) and inserting:

(D) It is unlawful for a person who occupies a position of organizer, a supervisory position, or any other position of management or leadership with regard to a criminal gang to engage in, directly or indirectly, or conspire to engage in criminal gang activity.

(E) It is unlawful for a person to cause, encourage, solicit, recruit, or coerce another to become a member or associate of a criminal gang, to participate in a criminal gang, or to conduct or participate in criminal gang activity.

(F) It is unlawful for any person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to deter such person from assisting a member or associate of a criminal gang to withdraw from a criminal gang.

(G) It is unlawful for a person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to punish or retaliate against a person for having withdrawn from a criminal gang.

(H) It is unlawful for a person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to punish or retaliate against a person for refusing to or encouraging another to refuse to become or obtain the status of a member or associate of a criminal gang.

(I) It is unlawful for a person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with

the intent to punish or retaliate against a person for providing statements or testimony against criminal gangs or any criminal gang member or associate.

(J) It is unlawful for a person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to intimidate, deter, or prevent a person from communicating to a law enforcement or corrections officer, prosecuting attorney, or judge information relating to criminal gangs, criminal gang members or associates, or criminal gang activity.

Amend the bill further, SECTION 3, by striking Section 16-8-240(L) and inserting:

(L) In addition to any other penalty provided in this section, all sentences imposed pursuant to this section require as a special condition of the sentence that the person sentenced may not knowingly have contact of any kind or character with any other member or associate of a criminal gang, may not participate in any criminal gang activity and, in cases involving a victim, may not knowingly have contact of any kind or character with any such victim or any member of the victim's family or household. This special condition of the sentence does not apply to prisoners or inmates in the custody of the Department of Corrections or local jails or a child in the custody of the Department of Juvenile Justice or local jail.

Amend the bill further, SECTION 3, by striking Section 16-8-250(A) and inserting:

(A) Any real property which is erected, established, maintained, owned, leased, or used by a criminal gang for the purpose of conducting criminal gang activity constitutes a public nuisance and may be abated pursuant to Chapter 43, Title 15.

Amend the bill further, SECTION 3, by striking Section 16-8-250(C) and inserting:

(C) The State, political subdivision, or any person aggrieved by a criminal gang or criminal gang activity may bring an action to enjoin a violation of this article.

Amend the bill further, SECTION 3, by striking Section 16-8-270(A) and inserting:

(A) For the purpose of proving the existence of a criminal gang and criminal gang activity, the adjudication or conviction by any plea or trial of a criminal gang activity offense enumerated in Section 16-8-230 by any member or associate of a criminal gang is admissible in any trial or proceeding. If the prosecution seeks to offer evidence of a third party

adjudication or conviction, the person so adjudicated or convicted must be available for cross examination in order for the evidence to be admitted. The pendency of an appeal may be shown but does not affect admissibility.

Amend the bill further, by striking SECTION 5 and inserting:

SECTION 5. The General Assembly finds that the sections presented in this act constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of criminal gang and criminal enterprise prevention and associated anti-racketeering provisions as clearly enumerated in the title. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The question being adoption of the amendment.

On motion of Senator MALLOY, the Bill was carried over.

OBJECTION

S. 266 -- Senators Hutto, Jackson, Shealy, Devine and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-820, RELATING TO OUT-OF-HOME PLACEMENT, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; BY AMENDING SECTION 63-19-1020, RELATING TO INSTITUTING PROCEEDINGS, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; BY AMENDING SECTION 63-19-1440, RELATING TO COMMITMENT, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; BY AMENDING SECTION 63-19-1810, RELATING TO

DETERMINATION OF RELEASE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

Senator CASH objected to consideration of the Bill.

OBJECTION

S. 543 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-11-140, RELATING TO AUTHORIZATION OF FISCAL ACCOUNTABILITY AUTHORITY THROUGH THE OFFICE OF INSURANCE RESERVE FUND, SO AS TO PROVIDE FOR EXTENSION OF COVERAGE TO EMPLOYEES OF ENTITIES INSURED BY THE INSURANCE RESERVE FUND PROVIDED THAT EMPLOYEES ACTED IN GOOD FAITH AND WITHIN THE SCOPE OF EMPLOYMENT.

Senator ALEXANDER objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

S. 723 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-40-20, RELATING TO THE PURPOSES AND RULES OF CONSTRUCTION FOR THE RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO EXEMPT CERTAIN TENANCIES FROM THE ACT; AND BY AMENDING SECTION 45-2-60, RELATING TO THE EJECTMENT OF A PERSON FROM A LODGING ESTABLISHMENT, SO AS TO AUTHORIZE AN INNKEEPER TO REQUEST ASSISTANCE FROM LAW ENFORCEMENT TO EJECT A PERSON AND TO PROVIDE THAT A PERSON EJECTED FROM A CAMPGROUND HAS TEN DAYS TO MAKE A CLAIM FOR PROPERTY LEFT AT THE TIME OF EJECTMENT.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-723.PB0004S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 27-40-120 of the S.C. Code is amended to read:

Section 27-40-120. The following arrangements are not governed by this chapter:

(1) residence at an institution, public or private, if incidental to detention or the provision of medical, geriatric, educational, counseling, religious, or similar service;

(2) occupancy under a contract of sale of a dwelling unit or the property of which it is a part, if the occupant is the purchaser or a person who succeeds to his interest;

(3) occupancy by a member or a fraternal or social organization in the portion of a structure operated for the benefit of the organization;

(4) transient occupancy in a hotel, motel, or other accommodations subject to the sales tax on accommodations as provided by Section 12-36-920;

(5) occupancy by an employee of a landlord whose right to occupancy is conditional upon employment in and about the premises;

(6) occupancy by an owner of a condominium unit or a holder of a proprietary lease in a cooperative;

(7) occupancy under a rental agreement covering the premises used by the occupant primarily for agricultural purposes;

(8) occupancy under a rental agreement in a premises regulated by the provisions of Chapter 32 of Title 27 of the 1976 Code (Vacation Time Sharing Plan Act)~~.~~;

(9) residence, whether temporary or not, at a charitable or emergency protective shelter, public or private; or

(10) tenancy where a rental space is offered for occupancy in a vehicle which primarily is designed as temporary living quarters for recreational camping or travel use that has its own motor or is mounted on or drawn by another vehicle.

SECTION 2. Chapter 2, Title 45 of the S.C. Code is amended by adding:

Section 45-2-65. (A) After making a reasonable attempt to verbally warn a tenant to cease and desist, the owner, operator, manager, or keeper of a campground has the right to demand the tenant's removal and request law enforcement assistance to immediately remove a tenant who by violating any of the provisions of Section 45-2-60 has willfully denied any other tenants their right to quiet enjoyment of their tenancies.

(B) A tenant who refuses to leave after receiving the warning and demand as provided in subsection (A) may be arrested by law enforcement and charged with trespass as provided in Section 16-11-620.

(C) An action for damages or otherwise must not be allowed in a court of law against the owner, operator, manager, or keeper of a campground for reasonable exercise of rights pursuant to this section.

(D) A tenant who leaves or is arrested as provided in this section is considered to have abandoned his right to use the campground, and the owner, operator, manager, or keeper may make the rental available to other persons.

(E) A tenant removed from a campground as provided in this section has ten days from the date of removal to make a written claim for any property left behind. After providing a written claim, the tenant has twenty days to collect the property. After the passage of twenty days from the date of the tenant's written claim, any property left uncollected may be kept or otherwise disposed of in the sole discretion of the owner, operator, manager, or keeper of a campground.

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

On motion of Senator SABB, the Bill was carried over.

OBJECTION

S. 841 -- Senators Alexander and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PROSECUTORS PERSONAL PRIVACY PROTECTION ACT" BY ADDING ARTICLE 9 TO CHAPTER 2, TITLE 30 SO AS TO DEFINE NECESSARY TERMS, AND TO PROVIDE CURRENT AND FORMER PROSECUTORS HAVE THE OPTION OF MAKING PERSONAL CONTACT INFORMATION HELD BY STATE OR LOCAL GOVERNMENTS CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE, TO PROVIDE LIMITED EXCEPTIONS, AND TO PROVIDE RELATED PROCEDURES FOR EXERCISING THIS

OPTION, AMONG OTHER THINGS; AND TO PROVIDE THE SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION SHALL CREATE A FORM FOR USE BY PROSECUTORS WHEN REQUESTING NONDISCLOSURE OF PERSONAL CONTACT INFORMATION, AND TO SPECIFY REQUIREMENTS FOR THE FORM.

Senator ALEXANDER objected to consideration of the Bill.

CARRIED OVER

S. 844 -- Senator Rankin: A JOINT RESOLUTION TO CREATE A REVIEW AND STUDY COMMITTEE, TO PROVIDE THAT THE REVIEW AND STUDY COMMITTEE SHALL CONDUCT A THOROUGH STUDY AND REVIEW OF SOUTH CAROLINA'S CIVIL JUSTICE AND INSURANCE LAWS REGARDING COVERAGE AVAILABILITY, PREMIUM RATES, AND DEDUCTIBLES; AND TO PROVIDE THAT THE REVIEW AND STUDY COMMITTEE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND THE GOVERNOR.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 849 -- Senators Verdin and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-230, RELATING TO SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A SCHEDULE III CONTROLLED SUBSTANCE, WITH EXCEPTIONS; AND BY ADDING SECTION 44-53-372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-849.MB0006S):

Amend the bill, as and if amended, SECTION 1, by striking Section 44-53-230(c)(13) and inserting:

13. Xylazine.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 53, Title 44 of the S.C. Code is amended by adding:

Section 44-53-373. Nothing in this article applies to veterinarians in connection with the practice of their profession and the legitimate use of xylazine within the veterinary practice, including:

(A) the distribution or possession of xylazine by a licensed veterinarian for use in legitimate veterinary practice;

(B) the possession of xylazine pursuant to a valid prescription from a licensed veterinarian; or

(C) the possession of xylazine in an injectable form for use in a nonhuman species.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The question being the adoption of the amendment.

On motion of Senator HUTTO, the Bill was carried over.

CARRIED OVER

S. 866 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-48-30, RELATING TO DEFINITIONS, SO AS TO PROVIDE A REASONABLE EXPECTATION STANDARD FOR THE DETERMINATION OF WHETHER SOMEONE IS LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE; AND BY AMENDING SECTION 44-48-20, RELATING TO LEGISLATIVE FINDINGS, SO AS TO CLARIFY THE METHOD OF DETERMINATION FOR THE LIKELIHOOD THAT A PERSON WILL ENGAGE IN FUTURE ACTS OF SEXUAL VIOLENCE.

On motion of Senator CORBIN, the Bill was carried over.

CARRIED OVER

S. 890 -- Senators Tedder and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-440, RELATING TO DISCHARGING FIREARMS AT OR INTO DWELLINGS, STRUCTURES, ENCLOSURES, VEHICLES, OR EQUIPMENT, AND PENALTIES, SO AS TO PROVIDE IT IS UNLAWFUL TO KNOWINGLY DISCHARGE FIREARMS AT OR

IN THE DIRECTION OF ONE OR MORE INDIVIDUALS, AND PROVIDE A PENALTY.

On motion of Senator CORBIN, the Bill was carried over.

READ THE SECOND TIME

S. 971 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-100, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BARNWELL COUNTY, SO AS TO IDENTIFY THE VOTING PLACE FOR CERTAIN PRECINCTS.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Gambrell
Garrett	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Tedder	Turner
Verdin	Williams	

Total--38

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 1048 -- Senators M. Johnson, Young, Malloy, Setzler, Rankin, Talley, Hembree, Gustafson, Davis and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-3-710 SO AS TO PROVIDE THE BASIS FOR LIABILITY FOR A PERSON OR ESTABLISHMENT WHO ILLEGALLY FURNISHES ALCOHOL TO AN INDIVIDUAL WHO INJURES A THIRD PARTY BASED UPON WHAT THE FURNISHER KNEW OR SHOULD HAVE KNOWN UNDER THE CIRCUMSTANCES; TO SPECIFY WHEN THE RIGHT OF ACTION IS NOT AVAILABLE; AND TO PROVIDE THE EVIDENTIARY STANDARD FOR THE VISIBLE INTOXICATION.

Senator MASSEY objected to consideration of the Bill.

CARRIED OVER

S. 1088 -- Senators Young, Hutto and Massey: A BILL TO AMEND SECTION 2 OF ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2026.

On motion of Senator MALLOY, the Bill was carried over.

READ THE SECOND TIME

S. 1112 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-2340, RELATING TO FINGERPRINT REVIEW, SO AS TO PROVIDE FOR FINGERPRINT-BASED BACKGROUND CHECKS FOR PERSONS APPLYING FOR LICENSURE AS A FOSTER PARENT, ADOPTIVE PARENT, LEGAL GUARDIAN, OR EMPLOYEE OR VOLUNTEER OF A CHILD PLACING AGENCY, RESIDENTIAL TREATMENT PROGRAM, OR CONTRACTED SERVICE PROVIDER WHO HAS DIRECT UNSUPERVISED CONTACT WITH CHILDREN; BY AMENDING SECTION 63-7-2345, RELATING TO PAYMENT OF COSTS OF FEDERAL BUREAU OF INVESTIGATION FINGERPRINT REVIEWS, SO AS TO PROVIDE THAT COSTS FOR FINGERPRINT-BASED BACKGROUND CHECKS MUST BE PAID

BY THE INDIVIDUAL OR ENTITY REQUESTING THE BACKGROUND CHECKS; BY AMENDING SECTION 63-7-2350, RELATING TO RESTRICTIONS ON FOSTER CARE, ADOPTION, OR LEGAL GUARDIAN PLACEMENTS, SO AS TO PROVIDE THAT A CHILD MAY BE PLACED IN THE HOME OF A KIN OR FICTIVE KIN CAREGIVER WHO HAS BEEN CONVICTED OF OR PLED GUILTY TO A CRIMINAL OFFENSE IF MORE THAN FIVE YEARS HAVE PASSED SINCE THE CONVICTION AND THE OFFENSE WAS NOT A FELONY INVOLVING VIOLENCE OR ANY CRIME AGAINST A CHILD; BY AMENDING SECTION 63-13-50, RELATING TO FINGERPRINT EXEMPTIONS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-60, RELATING TO CRIMINAL HISTORY REVIEW FEE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-190, RELATING TO FINGERPRINT REVIEWS OF DEPARTMENT OF SOCIAL SERVICES PERSONNEL, SO AS TO PROVIDE THAT VOLUNTEERS OR EMPLOYEES OF A CONTRACTOR OR SUBCONTRACTOR WHO CONTRACTS FOR DELIVERY OF PROTECTIVE SERVICES, FAMILY PRESERVATION SERVICES, FOSTER CARE SERVICES, FAMILY REUNIFICATION SERVICES, ADOPTION SERVICES AND OTHER RELATED SERVICES OR PROGRAMS OR A PERSON WHO HAS DIRECT UNSUPERVISED CONTACT WITH A CHILD IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES SHALL UNDERGO A STATE FINGERPRINT-BASED BACKGROUND CHECK; BY AMENDING SECTION 63-13-420, RELATING TO LICENSURE REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-430, RELATING TO LICENSE RENEWAL, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-620, RELATING TO STATEMENT OF APPROVAL REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-630, RELATING TO APPROVAL RENEWAL, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-820, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-830, RELATING TO STATEMENT OF REGISTRATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-1010, RELATING TO REGISTRATION REQUIRED FOR CHURCH AND RELIGIOUS CENTERS, SO AS TO MAKE CONFORMING

CHANGES; AND BY AMENDING SECTION 63-11-70, RELATING TO BACKGROUND CHECKS AND PARDONS, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator SHEALY explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Gambrell
Garrett	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Tedder	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1126 -- Senators Kimbrell, Peeler, Rice, M. Johnson, Adams, Climer, Garrett, Cash, Young, Alexander, Reichenbach, Shealy, Grooms, Cromer, Turner, Loftis, Fanning, Gustafson, Goldfinch, Massey, Campsen, Bennett and Martin: A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 4, ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO VOTER QUALIFICATIONS, SO AS TO CLARIFY THAT ONLY A CITIZEN OF THE UNITED STATES AND OF THIS STATE OF THE AGE OF EIGHTEEN AND UPWARDS WHO IS PROPERLY REGISTERED IS ENTITLED TO VOTE AS PROVIDED BY LAW.

On motion of Senator JACKSON, the Resolution was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 1150 -- Senators Climer, Verdin, Kimbrell, M. Johnson and Martin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 46-57-65 SO AS TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY PERSON TO LABEL ANY CULTIVATED FOOD PRODUCT AS BEEF, POULTRY, FISH, OR ANY OTHER MEAT THAT THE CULTIVATED FOOD PRODUCT MAY RESEMBLE FOR THE PURPOSES OF MANUFACTURING, SELLING, OR HOLDING OR OFFERING FOR SALE IN THIS STATE.

The Senate proceeded to a consideration of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (SR-1150.KM0004S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 47-17-510 of the S.C. Code is amended to read:

Section 47-17-510. (A) ~~A person who advertises, offers for sale, or sells all or part of a carcass shall not engage in any misleading or deceptive practices, labeling, or misrepresenting a product as "meat" or "clean meat" that is cell-cultured meat/protein, or is not derived from harvested production livestock, poultry, fish, or crustaceans.~~For the purposes of this section, "cell-cultivated food product" means any food product developed in a laboratory or facility and grown from a sample of living animal cells including, but not limited to, livestock, poultry, fish, or crustaceans.

(B) It shall be unlawful for any person to label any cell-cultivated food product as beef, poultry, fish, crustacean, or any other animal protein that the cell-cultivated food product may resemble for the purposes of manufacturing, selling, or holding or offering for sale in this State.

(C) Any person who manufactures, sells, or holds or offers for sale any cell-cultivated food product in this State must place a notice on the

cell-cultivated food's packaging that indicates that the cell-cultivated food product is not beef, poultry, fish, crustacean, or any other animal protein that the cell-cultivated food product may resemble. The notice on the packaging shall be at a minimum twenty percent of the front of the packaging and must be prominently printed in a font size no smaller than sixteen. Further, the notice shall state: "This product contains protein that was developed in a lab and grown from a biopsy of animal cells. The protein in this product is not naturally grown beef, poultry, fish, crustacean, or any other animal protein."

(D) Each package that violates a provision of this section shall be a separate and distinct offense.

(E) The Department of Agriculture may promulgate regulations as necessary to implement this section.

SECTION 2. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Gustafson
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler

Shealy	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 1175 -- Senator Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-3-800 SO AS TO PROVIDE DEFINITIONS FOR THE SOUTH CAROLINA DRAM SHOP ACT; BY ADDING SECTION 15-3-810 SO AS TO PROVIDE THAT AN INDIVIDUAL WHO SUFFERS DEATH, BODILY INJURY, OR PROPERTY DAMAGE BY AN INTOXICATED PERSON HAS A CAUSE OF ACTION FOR DAMAGES AGAINST THE HOLDER OF A PERMIT TO SELL BEER, WINE, OR LIQUOR IF THE PERMIT HOLDER KNOWINGLY SOLD, FURNISHED, OR SERVED ALCOHOL TO THE INTOXICATED PERSON AND THE SALE, FURNISHMENT, OR SERVICE WAS THE PROXIMATE CAUSE OF THE INJURY GIVING RISE TO THE CLAIM; AND BY ADDING SECTION 15-3-820 SO AS TO PROVIDE THAT AN INDIVIDUAL WHO SUFFERS DEATH, BODILY INJURY, OR PROPERTY DAMAGE BY A PERSON UNDER THE LAWFUL DRINKING AGE HAS A CAUSE OF ACTION FOR DAMAGES AGAINST THE HOLDER OF A PERMIT TO SELL BEER, WINE, OR LIQUOR IF THE PERMIT HOLDER KNOWINGLY SOLD, FURNISHED, OR SERVED ALCOHOL TO THE PERSON UNDER THE LAWFUL DRINKING AGE AND THE SALE, FURNISHMENT, OR SERVICE WAS THE PROXIMATE CAUSE OF THE INJURY GIVING RISE TO THE CLAIM.

Senator MASSEY objected to consideration of the Bill.

CARRIED OVER

S. 1215 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO INDIVIDUAL ANTLERLESS DEER TAGS, ANTLERLESS DEER LIMITS FOR PRIVATE LANDS IN GAME ZONES 1-4, AND YOUTH DEER HUNTING DAY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5260, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to a consideration of the Resolution.

Senator CAMPSEN explained the Resolution.

On motion of Senator CAMPSEN, the Resolution was carried over.

CARRIED OVER

S. 1216 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5259, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to a consideration of the Resolution.

Senator CAMPSEN explained the Resolution.

On motion of Senator CAMPSEN, the Resolution was carried over.

CARRIED OVER

S. 1217 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO RULES AND REGULATIONS GOVERNING THE ISSUANCE OF DEER DEPREDATION PERMITS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5250, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to a consideration of the Resolution.

Senator CAMPSEN explained the Resolution.

On motion of Senator CAMPSEN, the Resolution was carried over.

CARRIED OVER

S. 1218 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO FAMILY DAY CARE HOMES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5229, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to a consideration of the Resolution.

Senator YOUNG explained the Resolution.

On motion of Senator YOUNG, the Resolution was carried over.

OBJECTION

H. 4029 -- Reps. Dillard, Hyde, Bailey, Brittain, Weeks and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

H. 4552 -- Reps. Pendarvis, Clyburn, Henegan, M.M. Smith, B.L. Cox, Robbins, Brewer, King, Wheeler, Henderson-Myers, Erickson, Stavrinakis, Weeks, Davis, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS.

Senator ALEXANDER objected to consideration of the Bill.

READ THE SECOND TIME

H. 4909 -- Reps. B. Newton, Neese, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-350, RELATING TO DESIGNATION OF

VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO REMOVE ONE PRECINCT AND REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

H. 4928 -- Reps. Davis, B.J. Cox, Hart, Jefferson, J. Moore, Caskey and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-21-10, RELATING TO

THE ESTABLISHMENT OF VETERANS' TRUST FUND, SO AS TO PROVIDE FOR FUNDRAISING; AND BY AMENDING SECTION 25-21-30, RELATING TO THE DUTIES AND FUNCTIONS OF THE VETERANS' TRUST FUND BOARD OF TRUSTEES, SO AS TO PROVIDE FOR THE ABILITY TO FUNDRAISE.

Senator ALEXANDER objected to consideration of the Bill.

READ THE SECOND TIME

H. 4937 -- Reps. Collins, Hiott and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-450, RELATING TO DESIGNATION OF VOTING PRECINCTS IN PICKENS COUNTY, SO AS TO AUTHORIZE THE PICKENS COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS, WITH APPROVAL FROM A MAJORITY OF THE PICKENS COUNTY LEGISLATIVE DELEGATION, TO LOCATE A POLLING PLACE WITHIN FIVE MILES OF A PRECINCT'S BOUNDARIES IF NO SUITABLE LOCATION EXISTS WITHIN THE PRECINCT.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy

Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 2:06 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE

S. 994 -- Senators Alexander, Hutto, Verdin, Grooms, Kimbrell, Gambrell, Shealy, Hembree, McElveen, Davis, Young, Loftis, K. Johnson, McLeod, Martin, Senn, Garrett, Fanning, Cromer, Devine, Williams and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-65 SO AS TO PROVIDE REGULATIONS FOR THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Amendment No. 3

Senator TEDDER proposed the following amendment (SMIN-994.MW0007S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, SECTION 1, Section 44-95-65(A), by adding an item to read:

(3) "Advertise" means the publication or dissemination of an advertisement.

(4) "Advertisement" includes any written or verbal statement, illustration, or depiction which is calculated to induce sales of ENDS products, including any written, printed, graphic, or other material, billboard sign, or other outdoor display, public transit card, other periodical literature, publication, in a radio or television broadcast, or in any other media.

(5) "Marketing" means any act or process of promoting or selling of ENDS products, including but not limited to, sponsorship of sporting events, point-of-sale advertising, and promotion of products specifically designed to appeal to certain demographics.

(6) "Minor" means an individual under the age of eighteen years of age.

(7) "Packaging" means any receptacle that contains an ENDS product.

Amend the bill further, SECTION 1, by striking Section 44-95-65(N) and inserting:

(N) If a retailer, wholesaler, or distributor violates subsections (M), (T) or (U), the retailer, wholesaler, or distributor is subject to a civil penalty of:

(1) not more than five hundred dollars for a first violation;

(2) at least seven hundred fifty dollars but not more than one thousand dollars for a second violation within a thirty-six-month period;

(3) at least one thousand dollars but not more than one thousand five hundred dollars for a third violation within a thirty-six-month period; or

(4) at least one thousand five hundred dollars but not more than three thousand dollars for a fourth or any subsequent violation within a thirty-six-month period.

Amend the bill further, SECTION 1, by striking Section 44-95-65(T) and inserting:

(T) No manufacturer, distributor, or retailer of ENDS products may sell, offer for sale, advertise, or otherwise distribute ENDS products that:

(1) uses, in the labeling of the product, its packaging, its advertisement, or in its marketing materials,

(a) the terms "candy", "candies", or variants in spelling;

(b) the terms “bubble gum”, “cotton candy”, “gummy bear”, “lollipop,” or other variants of these words;

(c) the terms “cake”, “cupcake”, “pie”, or any other variation of these words;

(d) the terms “ice cream”, “sherbert”, “popsicle”, “bomb pop”, or any other variation of these words.

(2) uses, in the labeling or design of the product, its packaging, its advertisement, or in its marketing materials, images of or references to cartoons, cartoon characters, superheroes, television shows, video games and movies, or other similar characters or references, that have been commonly used to market products to minors;

(3) uses, in the labeling or design of the product, its packaging, its advertisement, or in its marketing materials, trade dress, trademarks, or other related imagery that imitate or replicate trade dress, trademarks, or other imagery of food brands or products that have been commonly marketed to minors;

(4) uses, in the labeling or design of the product, or its packaging, or its marketing materials, trade dress, trademarks, or other related imagery that imitate or replicate trade dress, trademarks, or other imagery of school supplies.

(U) A manufacturer, distributor, or retailer of ENDS products shall not advertise or market any ENDS except in the following manner:

(1) any advertisement placed in or on broadcast or cable television, radio, print, and digital communications, or any event marketing or sponsorships, shall only be made where at least 85 percent of the intended audience is reasonably expected to be eighteen years of age or older, as determined by reliable, up-to-date audience composition demographic data or event organizer restrictions;

(2) advertisements may not be materially false or untrue and any statement contained therein must be consistent with the ENDS product’s labeling;

(3) advertisements may not contain any health or therapeutic claims; and

(4) advertisements on billboard signs must not be within 1,000 feet of a primary or secondary school, playground, or youth center.

(V) The Attorney General may promulgate regulations for the implementation and enforcement of this section.

Renumber sections to conform.

Amend title to conform.

Senator TEDDER explained the amendment.

Senator GAMBRELL spoke on the amendment.

On motion of Senator GAMBRELL, with unanimous consent, the amendment was carried over.

Motion Adopted

On motion of Senator McELVEEN, with unanimous consent, Senators GROOMS, McELVEEN, FANNING, GOLDFINCH, YOUNG and MATTHEWS were granted leave to attend a subcommittee meeting.

Amendment No. 4

Senator TEDDER proposed the following amendment (SMIN-994.MW0008S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, SECTION 1, Section 44-95-65, by adding a subsection to read:

(U) Funds collected pursuant to civil penalties in subitem (N) shall be distributed to an ENDS Compliance Fund.

(V) Notwithstanding another provision of law, the ENDS Compliance Fund must be distributed annually in equal amounts as follows:

(1) to an entity that conducts ENDS related health or cancer research as recommended by the Department of Behavioral Health;

(2) to the Smoking Prevention and Cessation Trust Fund created pursuant to Section 11-11-250(A).

Renumber sections to conform.

Amend title to conform.

On motion of Senator TEDDER, with unanimous consent, the amendment was carried over.

Amendment No. 5

Senator TEDDER proposed the following amendment (SMIN-994.MW0011S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 44-95-65(A), by adding an item to read:

(3) “Advertise” means the publication or dissemination of an advertisement.

(4) “Advertisement” includes any written or verbal statement, illustration, or depiction which is calculated to induce sales of ENDS products, including any written, printed, graphic, or other material, billboard sign, or other outdoor display, public transit card, other

periodical literature, publication, in a radio or television broadcast, or in any other media.

(5) "Marketing" means any act or process of promoting or selling of ENDS products including, but not limited to, sponsorship of sporting events, and promotion of products specifically designed to appeal to certain demographics.

(6) "Minor" means an individual under the age of eighteen years of age.

(7) "Packaging" means any receptacle that contains an ENDS product.

Amend the bill further, SECTION 1, by striking Section 44-95-65(N) and inserting:

(N) If a retailer, wholesaler, or distributor violates subsections (M), (T) or (U), the retailer, wholesaler, or distributor is subject to a civil penalty of:

(1) not more than five hundred dollars for a first violation;

(2) at least seven hundred fifty dollars but not more than one thousand dollars for a second violation within a thirty-six-month period;

(3) at least one thousand dollars but not more than one thousand five hundred dollars for a third violation within a thirty-six-month period; or

(4) at least one thousand five hundred dollars but not more than three thousand dollars for a fourth or any subsequent violation within a thirty-six-month period.

Amend the bill further, SECTION 1, by striking Section 44-95-65(T) and inserting:

(S) Each retailer, wholesaler, and distributor may be subject to unannounced compliance checks for purposes of enforcing this section. Unannounced follow-up compliance checks of all noncompliant retailers, wholesalers, and distributors are required within thirty days after any violation of this section. The Attorney General shall make the results of all compliance checks available to the public on request.

(T) No manufacturer, distributor, or retailer of ENDS products may sell, offer for sale, advertise, or otherwise distribute ENDS products that:

(1) uses, in the labeling of the product, its packaging, its advertisement, or in its marketing materials:

(a) the terms "candy", "candies", or variants in spelling;

(b) the terms "bubble gum", "cotton candy", "gummy bear", "lollipop", or other variants of these words;

(c) the terms "cake", "cupcake", "pie", or any other variation of these words;

(d) the terms "ice cream", "sherbert", "popsicle", "bomb pop", or any other variation of these words.

(2) uses, in the labeling or design of the product, its packaging, its advertisement, or in its marketing materials, images of or references to cartoons, cartoon characters, superheroes, television shows, video games and movies, or other similar characters or references, that have been commonly used to market products to minors;

(3) uses, in the labeling or design of the product, its packaging, its advertisement, or in its marketing materials, trade dress, trademarks, or other related imagery that imitate or replicate trade dress, trademarks, or other imagery of food brands or products that have been commonly marketed to minors;

(4) uses, in the labeling or design of the product, or its packaging, or its marketing materials, trade dress, trademarks, or other related imagery that imitate or replicate trade dress, trademarks, or other imagery of school supplies.

(U) A manufacturer, distributor, or retailer of ENDS products shall not advertise or market any ENDS except in the following manner:

(1) any advertisement placed in or on broadcast or cable television, radio, print, and digital communications, shall only be made where at least eighty-five percent of the intended audience is reasonably expected to be eighteen years of age or older, as determined by reliable, up-to-date audience composition demographic data or event organizer restrictions;

(2) advertisements may not be materially false or untrue and any statement contained therein must be consistent with the ENDS product's labeling;

(3) advertisements may not contain any health or therapeutic claims; and

(4) advertisements on billboard signs must not be within 1,000 feet of a primary or secondary school, playground, or youth center.

(V) The Attorney General may promulgate regulations for the implementation and enforcement of this section.

Renumber sections to conform.

Amend title to conform.

Senator TEDDER explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator TEDDER, with unanimous consent, Amendment No. 3 and Amendment No. 4 were withdrawn.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Gambrell
Garrett	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Talley	Tedder
Turner	Verdin	Williams

Total--39

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House of Representatives with amendments.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

COMMITTEE AMENDMENT TABLED
DEBATE INTERRUPTED

S. 533 -- Senators Alexander, Peeler, Cromer, Davis, Bennett, Grooms, Hembree, Verdin, Massey, Climer, Martin, Shealy, Turner, Kimbrell, Gambrell, Rice, Loftis, Reichenbach, Cash, Gustafson,

Campsen, Corbin, Williams and Stephens: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 15-38-15, 15-38-20(A), 15-38-40(B), AND 15-38-50, ALL RELATING TO THE SOUTH CAROLINA CONTRIBUTION AMONG TORTFEASORS ACT, TO INCLUDE PERSONS OR ENTITIES FOR THE PURPOSES OF ALLOCATION OF FAULT AND TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-533.SW0009S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 15-38-15(F) and inserting:

(F) This section does not apply to a defendant whose conduct is determined to be wilful, wanton, reckless, grossly negligent, or intentional or conduct involving the use, sale, or possession of alcohol or the illegal or illicit use, sale, or possession of drugs.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the committee amendment.

Senator MASSEY spoke on the committee amendment.

Senator RANKIN spoke on the committee amendment.

Senator MALLOY spoke on the committee amendment.

Point of Quorum

At 5:21 P.M., Senator MALLOY made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Senator MALLOY resumed speaking on the committee amendment.

Senator DEVINE spoke on the committee amendment.

Point of Quorum

At 5:33 P.M., Senator MALLOY made the point that a quorum was not present.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Tedder
Turner	Williams	Young

A quorum being present, the Senate resumed.

Senator DEVINE resumed speaking on the committee amendment.

Senator MASSEY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 21; Nays 20

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Gustafson	Hembree	Kimbrell
Loftis	Massey	Peeler
Reichenbach	Rice	Shealy
Turner	Verdin	Williams

Total--21

NAYS

Allen	Davis	Devine
Garrett	Goldfinch	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Malloy	Matthews
McElveen	McLeod	Rankin

Sabb	Senn	Setzler
Tedder	Young	

Total--20

The amendment was laid on the table.

Having voted on the prevailing side, Senator GUSTAFSON moved to reconsider the vote whereby the committee amendment was laid on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 19; Nays 22

AYES

Allen	Davis	Devine
Garrett	Goldfinch	Gustafson
Harpootlian	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Malloy
Matthews	McElveen	McLeod
Rankin	Sabb	Senn
Tedder		

Total--19

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Grooms	Hembree	Kimbrell
Loftis	Massey	Peeler
Reichenbach	Rice	Shealy
Turner	Verdin	Williams
Young		

Total--22

Having failed to receive the necessary vote, the motion failed.

The committee amendment was laid on the table.

Debate was interrupted by adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following name was reported to the Senate in open session:

STATEWIDE APPOINTMENT

Confirmation

Having received a favorable report from the Transportation Committee, the following appointment was confirmed in open session:

Initial Appointment, Secretary of Department of Transportation, with term coterminous with Governor

Justin P. Powell, 508 Carole Lane, Lexington, SC 29072 *VICE* Christy A. Hall

On motion of Senator GROOMS, the question was confirmation of Justin P. Powell.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The appointment of Justin P. Powell was confirmed.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator GUSTAFSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Charles Burke Baxley of Lugoff, S.C. Charles practiced law for forty-five years. He served on the Kershaw County Vocational Education Foundation, Indian Waters Council - Boy Scouts of America, Lugoff Optimist Club, Kershaw County Bar Association, Kershaw County Forest Landowners Association and Kershaw County Historical Society to mention a few. Charles received the Order of the Palmetto and Silver Beaver award from the Boy Scouts of America. He founded and served on the Kershaw County Education Foundation and Kershaw County School Board. Charles enjoyed woodworking, history, travel and aviation. After retiring in 2021, Charles was appointed to serve as chairman of the South Carolina Sestercentennial Commission. Charles was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator RICE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Matthew Hare of Easley, S.C. Matthew was a 2019 graduate of Easley High School. In 2022, Matthew began his law enforcement journey and upon graduation from the Criminal Justice Academy, became an esteemed officer with the Easley Police Department. He enjoyed spending time with family, playing video games with friends and watching Clemson football. Matthew was a loving son and brother who will be dearly missed.

ADJOURNMENT

At 6:11 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, April 3, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 46:1

We're reminded by the Psalmist that: "God is our refuge and strength, a very present help in trouble."

Let us pray: O holy Lord, there is no secret in the news that our world remains a terribly troubled place. Virtually every hour there are stories of people caught up in situations which are so incredibly unsettling. Reports of strife and turmoil around the globe as well as here at home bombard us again and again throughout each day. So this day, dear Lord, we bow before You to ask that You grant to these Senators and their aides -- as well as to others serving in leadership roles across this land -- the absolute courage to continue standing for righteousness and justice, not just for a few, but for everyone. And as all of these leaders labor diligently, may they feel the power of Your love embracing them. Moreover, O God also embrace in Your care and give strength to the people of Taiwan in the aftermath of yesterday's frightening and horrendous earthquake. In Your blessed we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Devine
Fanning	Gambrell	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	*Johnson, Kevin*
Kimbrell	Malloy	Martin
Massey	Matthews	McElveen

Peeler	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Talley	Tedder
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

Motion Adopted

Senator MASSEY asked unanimous consent to make a motion to take up S. 533 at the conclusion of the Uncontested Statewide Calendar.

There was no objection.

Doctor of the Day

Senator SETZLER introduced Dr. Greg Squires of Charleston, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator MATTHEWS, at 2:06 P.M., Senator STEPHENS was granted a leave of absence for today.

Leave of Absence

On motion of Senator TEDDER, at 2:08 P.M., Senator McLEOD was granted a leave of absence until 2:30 P.M.

Leave of Absence

On motion of Senator K. JOHNSON, at 3:32 P.M., Senator McELVEEN was granted a leave of absence until 5:00 P.M.

Leave of Absence

At 3:36 P.M., Senator SETZLER requested a leave of absence from 5:00 P.M. - 8:30 P.M.

Leave of Absence

On motion of Senator FANNING, at 5:46 P.M., Senator DEVINE was granted a leave of absence for the balance of the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 32 Sen. Sabb

S. 266 Sens. Allen and Tedder

S. 615 Sen. Tedder
S. 481 Sens. Gustafson, Garrett, Senn and Adams
S. 723 Sens. Turner and Campsen
S. 1126 Sens. Corbin and Verdin
S. 1150 Sen. Fanning

RECALLED AND ADOPTED

H. 4288 -- Reps. Erickson, McGinnis, Ballentine, Alexander, Anderson, Atkinson, Bailey, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B.J. Cox, B.L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, Mitchell, J. Moore, T. Moore, A.M. Morgan, T.A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G.M. Smith, M.M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 19, 2024, AS "SOUTH CAROLINA HIGHER EDUCATION DAY."

Senator HEMBREE asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

The Resolution was recalled from the Committee on Education.

Senator HEMBREE asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator HEMBREE, the Resolution was adopted and ordered sent to the House.

Motion Adopted

On motion of Senator GOLDFINCH, with unanimous consent, Senators STEPHENS, McELVEEN, M. JOHNSON, TALLEY and GOLDFINCH were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1237 -- Senator Fanning: A SENATE RESOLUTION TO HONOR ALFONSO "AL" BOYD FOR HIS CONTRIBUTIONS AS THE COMMANDER OF DISABLED AMERICAN VETERANS CHAPTER 19 IN CHESTER AND TO RECOGNIZE HIS CONTINUED EFFORTS TO SUPPORT VETERANS.
lc-0695wab-bl24.docx

The Senate Resolution was adopted.

S. 1238 -- Senators Malloy and Martin: A SENATE RESOLUTION TO EXPRESS THE BELIEF OF THE SOUTH CAROLINA SENATE THAT NASCAR RACING IS AN INTEGRAL PART OF THE STATE OF SOUTH CAROLINA AND ITS ECONOMY; TO RECOGNIZE AND CONGRATULATE THE DARLINGTON RACEWAY FOR ANNOUNCING THE CONTINUATION OF A SECOND RACE TO ITS SCHEDULE, DOUBLING THE ECONOMIC IMPACT TO THE STATE OF SOUTH CAROLINA AS ONE OF OUR STATE'S MOST TREASURED ATTRACTIONS; TO IDENTIFY NASCAR'S SEVENTY-SIX YEARS OF RACING AS A SIGNIFICANT PART OF SOUTH CAROLINA'S RICH HISTORY; AND TO NAME THE WEEKS AROUND BOTH RACES, THE OFFICIAL THROWBACK WEEKEND OF NASCAR, MAY 6TH THROUGH 12TH, 2024, AND THE TRADITIONAL LABOR DAY WEEKEND, AUGUST 26TH THROUGH SEPTEMBER 1ST, 2024, AS "DARLINGTON RACEWAY WEEK", TWO WEEKS TOO TOUGH TO TAME.
sr-0676km-hw24.docx

The Senate Resolution was adopted.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

H. 5231 -- Rep. Bamberg: A BILL TO AMEND ACT 104 OF 2021, RELATING TO THE ESTABLISHMENT OF THE CONSOLIDATED BAMBERG COUNTY SCHOOL DISTRICT AND ITS NINE MEMBER BOARD OF TRUSTEES, SO AS TO PROVIDE THAT SEVEN MEMBERS OF THE BOARD ARE TO BE ELECTED FROM SINGLE-MEMBER DISTRICTS WHICH CORRESPOND WITH THE BAMBERG COUNTY COUNCIL DISTRICTS, AND TWO ADDITIONAL MEMBERS ARE TO BE ELECTED FROM THE COUNTY AT-LARGE.

On motion of Senator HUTTO.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 971 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-100, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BARNWELL COUNTY, SO AS TO IDENTIFY THE VOTING PLACE FOR CERTAIN PRECINCTS.

S. 1112 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-2340, RELATING TO FINGERPRINT REVIEW, SO AS TO PROVIDE FOR FINGERPRINT-BASED BACKGROUND CHECKS FOR PERSONS APPLYING FOR LICENSURE AS A FOSTER PARENT, ADOPTIVE PARENT, LEGAL GUARDIAN, OR EMPLOYEE OR VOLUNTEER OF A CHILD PLACING AGENCY, RESIDENTIAL TREATMENT PROGRAM, OR CONTRACTED SERVICE PROVIDER WHO HAS DIRECT UNSUPERVISED CONTACT WITH CHILDREN; BY AMENDING SECTION 63-7-2345, RELATING TO PAYMENT OF COSTS OF FEDERAL BUREAU OF INVESTIGATION FINGERPRINT REVIEWS, SO AS TO PROVIDE THAT COSTS FOR FINGERPRINT-BASED BACKGROUND CHECKS MUST BE PAID BY THE INDIVIDUAL OR ENTITY REQUESTING THE BACKGROUND CHECKS; BY AMENDING SECTION 63-7-2350, RELATING TO RESTRICTIONS ON FOSTER CARE, ADOPTION, OR LEGAL GUARDIAN PLACEMENTS, SO AS TO PROVIDE THAT A CHILD MAY BE PLACED IN THE HOME OF A KIN OR FICTIVE KIN CAREGIVER WHO HAS BEEN CONVICTED OF OR

PLED GUILTY TO A CRIMINAL OFFENSE IF MORE THAN FIVE YEARS HAVE PASSED SINCE THE CONVICTION AND THE OFFENSE WAS NOT A FELONY INVOLVING VIOLENCE OR ANY CRIME AGAINST A CHILD; BY AMENDING SECTION 63-13-50, RELATING TO FINGERPRINT EXEMPTIONS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-60, RELATING TO CRIMINAL HISTORY REVIEW FEE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-190, RELATING TO FINGERPRINT REVIEWS OF DEPARTMENT OF SOCIAL SERVICES PERSONNEL, SO AS TO PROVIDE THAT VOLUNTEERS OR EMPLOYEES OF A CONTRACTOR OR SUBCONTRACTOR WHO CONTRACTS FOR DELIVERY OF PROTECTIVE SERVICES, FAMILY PRESERVATION SERVICES, FOSTER CARE SERVICES, FAMILY REUNIFICATION SERVICES, ADOPTION SERVICES AND OTHER RELATED SERVICES OR PROGRAMS OR A PERSON WHO HAS DIRECT UNSUPERVISED CONTACT WITH A CHILD IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES SHALL UNDERGO A STATE FINGERPRINT-BASED BACKGROUND CHECK; BY AMENDING SECTION 63-13-420, RELATING TO LICENSURE REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-430, RELATING TO LICENSE RENEWAL, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-620, RELATING TO STATEMENT OF APPROVAL REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-630, RELATING TO APPROVAL RENEWAL, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-820, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-830, RELATING TO STATEMENT OF REGISTRATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-1010, RELATING TO REGISTRATION REQUIRED FOR CHURCH AND RELIGIOUS CENTERS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-11-70, RELATING TO BACKGROUND CHECKS AND PARDONS, SO AS TO MAKE CONFORMING CHANGES.

S. 1150 -- Senators Climer, Verdin, Kimbrell, M. Johnson, Martin and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 46-57-65 SO AS TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY PERSON TO LABEL ANY CULTIVATED FOOD PRODUCT AS BEEF, POULTRY, FISH, OR ANY OTHER MEAT THAT THE CULTIVATED FOOD PRODUCT MAY RESEMBLE FOR THE PURPOSES OF MANUFACTURING, SELLING, OR HOLDING OR OFFERING FOR SALE IN THIS STATE.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 4909 -- Reps. B. Newton, Neese, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-350, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO REMOVE ONE PRECINCT AND REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

H. 4937 -- Reps. Collins, Hiott and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-450, RELATING TO DESIGNATION OF VOTING PRECINCTS IN PICKENS COUNTY, SO AS TO AUTHORIZE THE PICKENS COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS, WITH APPROVAL FROM A MAJORITY OF THE PICKENS COUNTY LEGISLATIVE DELEGATION, TO LOCATE A POLLING PLACE WITHIN FIVE MILES OF A PRECINCT'S BOUNDARIES IF NO SUITABLE LOCATION EXISTS WITHIN THE PRECINCT.

AMENDED, SECOND READING FAILED

S. 208 -- Senators Goldfinch and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO PROVIDE THAT A COUNTY MAY IMPOSE AN ADDITIONAL DRIVER'S LICENSE FEE AND AN ADDITIONAL MOTOR VEHICLE LICENSING AND REGISTRATION FEE FROM RESIDENTS NEW TO THIS STATE UPON A SUCCESSFUL REFERENDUM, AND TO PROVIDE THAT THE FUNDS REALIZED FROM THE ADDITIONAL FEES MUST BE USED ONLY FOR COUNTY INFRASTRUCTURE, PUBLIC EDUCATION RELATED EXPENSES, AND GREENSPACE

CONSERVATION OR PRESERVATION; BY AMENDING SECTION 56-1-20, RELATING TO DRIVER'S LICENSE REQUIRED, SURRENDER AND DISPOSITION OF OUT-OF-STATE LICENSES, LOCAL LICENSES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM; AND BY AMENDING SECTION 56-3-210, RELATING TO THE TIME PERIOD FOR PROCURING REGISTRATION AND LICENSE, TEMPORARY LICENSE PLATES, TRANSFER OF LICENSE PLATES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM.

The Senate proceeded to a consideration of the Bill.

Senator GOLDFINCH proposed the following amendment (LC-208.SA0005S), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking the name of the article and inserting:

Additional Driver's License Fees

Amend the bill further, SECTION 1, by striking Section 4-10-1110(A) and inserting:

(A) A county government may impose additional driver's license fees as provided for in Section 56-1-20(C) and 56-3-210(C)(2) on new residents to the State subject to a successful referendum.

Amend the bill further, SECTION 1, by striking Section 4-10-1120(A) and inserting:

(A) Upon receipt of the ordinance or the petition from county council, the county election commission shall conduct a referendum on the question of imposing an additional driver's license fee. A referendum for this purpose must be held at the next general election for representatives. Two weeks before the referendum, the election commission shall publish in a newspaper of general circulation the question that is to appear on the ballot. This notice is in lieu of any other notice otherwise required by law.

Amend the bill further, SECTION 1, by striking Section 4-10-1120(D)(1) before the first undesignated paragraph and inserting:

(D) The referendum question concerning whether to impose an additional fee on drivers' licenses must read substantially as follows:

Amend the bill further, SECTION 1, by deleting Section 4-10-1120(D)(1)(b).

Amend the bill further, SECTION 1, Section 4-10-1120(D)(1)(b), by deleting the undesignated paragraph.

Amend the bill further, by deleting SECTION 3.

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

The question being the adoption of the amendment.

On motion of Senator GOLDFINCH, the amendment was withdrawn.

Senator GOLDFINCH proposed the following amendment (SR-208.KM0008S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Chapter 10, Title 4 of the S.C. Code is amended by adding:

Article 11

Additional Driver's License Fees

Section 4-10-1110. (A) A county government may impose additional driver's license fees as provided for in Section 56-1-20(C) and 56-3-210(C)(2) on new residents to the State subject to a successful referendum.

(B) A referendum may be initiated either by an ordinance adopted by the county council or by a petition calling for a referendum signed by at least five percent of the resident electors of the county. The county council shall transmit the ordinance or petition calling for the referendum to the county election commission.

Section 4-10-1120. (A) Upon receipt of the ordinance or the petition from county council, the county election commission shall conduct a referendum on the question of imposing an additional driver's license fee. A referendum for this purpose must be held at the next general election for representatives. Two weeks before the referendum, the election commission shall publish in a newspaper of general circulation the question that is to appear on the ballot. This notice is in lieu of any other notice otherwise required by law.

(B) All qualified electors desiring to vote in favor of imposing the tax shall vote "Yes" and all qualified electors opposed to imposing the tax shall vote "No". If a majority of the votes cast are in favor of imposing the additional fees, the fees must be imposed as provided in this article,

and beginning on January first after November in which the referendum is held. The election commission shall conduct the referendum under the election laws of this State, mutatis mutandis, and shall certify the results no later than December thirty-first to the county governing body and to the Department of Transportation.

(C) Upon receipt of the returns of the referendum, the county council, by resolution, shall declare the results thereof. The county council shall transmit a copy of the resolution to the Executive Director of the Department of Motor Vehicles within seven days of its adoption. The results of the referendum may not be questioned except by a suit or proceeding instituted within thirty days from the date the resolution is adopted.

(D)(1) The referendum question concerning whether to impose an additional fee on drivers' licenses must read substantially as follows:

"Must an additional two hundred fifty-dollar fee be collected on drivers' licenses issued to those people establishing a residence in _____ County from another state or country, the proceeds of which shall be expended in the following manner?

_____% for county infrastructure

_____% for public education related expenses

_____% for greenspace conservation or preservation

Yes []

No []"

Section 4-10-1130. The funds collected pursuant to a successful referendum may only be spent for expenses related to county infrastructure, public education, and for greenspace conservation or preservation programs. The referendum must identify the percentage of the funds that will be dedicated to each permissible purpose. A county may choose to fund fewer than all of the permissible purposes.

Section 4-10-1140. (A) The funds derived from the fees collected pursuant to this article must be remitted to the county treasurer in which the fee was collected.

(B) County council shall appropriate the funds derived in accordance with the provisions contained in the referendum for infrastructure or greenspace conservation or preservation.

(C) Funds derived from the fees for public education shall be disbursed by the county treasurer to each school district in the county in direct proportion to the number of people subject to the new fees in each school district. The school district board of trustees shall appropriate the funds it receives.

Section 4-10-1150. The fees authorized in this article may be rescinded within a county in the same manner as authorized for imposition. However, a referendum to rescind the fees must be held only once every five years.

SECTION 2. Section 56-1-20 of the S.C. Code is amended to read:

Section 56-1-20. (A) No person, except those expressly exempted in this article shall drive any motor vehicle upon a highway in this State unless such person has a valid motor vehicle driver's license issued to him under the provisions of this article. No person shall receive a motor vehicle driver's license unless and until he surrenders to the Department of Motor Vehicles all valid operators' licenses in his possession issued to him by any other state within forty-five days of becoming a resident of this State, unless specifically exempted by law. All surrendered licenses shall be returned by the department to the issuing department, agency, or political subdivision. No person shall be permitted to have more than one valid motor vehicle driver's license or operator's license at any time.

(B) Any person holding a currently valid motor vehicle driver's license issued under this article may exercise the privilege thereby granted upon all streets and highways in the State and shall not be required to obtain any other license to exercise such privilege by any county, municipal, or local board or body having authority to adopt local police regulations; provided, however, that this provision shall not serve to prevent a county, municipal, or local board from requiring persons to obtain additional licenses to operate taxis, buses, or other public conveyances.

(C)(1) A person being issued a license pursuant to this article who surrenders a valid operator's license in his possession issued to him by any other state as required in subsection (A) and who is establishing residence in a county in which a successful referendum has been held pursuant to Section 4-10-1120, must pay a one-time fee of two hundred fifty dollars in addition to all other applicable fees and charges before he may be issued a motor vehicle driver's license or operator's license in this State.

(2) The one-time fee required pursuant to the provisions of this subsection does not apply to a person, his spouse, or his dependent, if the person is in this State for purposes of active duty military service as defined in Section 40-36-520.

SECTION 3. After the first county adopts a resolution pursuant to this act, the fees required pursuant to this act shall not begin to be collected for six months. The provisions contained in this section only

apply to the first county in which a successful referendum pursuant to this act is held.

SECTION 4. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 5. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

The amendment was adopted.

Objection

Senator GOLDFINCH asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

Senator MATTHEWS objected.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 7; Nays 34

AYES

Bennett	Devine	Fanning
Goldfinch	Gustafson	Hembree
Hutto		

Total--7

NAYS

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Harpootlian
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Matthews	McLeod
Peeler	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--34

There being no further amendments, the Bill, as amended, failed to receive second reading.

AMENDMENT PROPOSED, OBJECTION

S. 620 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-51-50, RELATING TO SALES OF PROPERTY BY A COUNTY RESULTING FROM DELINQUENT TAXES, SO AS TO ALLOW AN ELECTRONIC SALE AND TO PROVIDE FOR THE PROCEDURES OF AN ELECTRONIC SALE; AND BY AMENDING SECTION 12-51-60, RELATING TO PAYMENT BY THE SUCCESSFUL BIDDER IN A TAX SALE, SO AS TO PROVIDE FOR THE DISTRIBUTION OF PROCEEDS DERIVED FROM AN ELECTRONIC TAX SALE.

The Senate proceeded to a consideration of the Bill.

Senators DAVIS and MATTHEWS proposed the following amendment (SR-620.JG0002S):

Amend the bill, as and if amended, SECTION 1, Section 12-51-50, by adding a subsection to read:

(C) The county treasurer or tax collector shall follow the procedures of the State Procurement Code, as found in Chapter 35 of Title 11, or the procedures of the county procurement code, in the awarding of a contract with a private, online, auction vendor company.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The question being the adoption of the amendment.

Senator SENN objected to further consideration of the Bill.

OBJECTION

S. 843 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-56-120, RELATING TO MISREPRESENTATIONS PROHIBITED, SO AS TO PROHIBIT A SOLICITATION FROM A PERSON OR GROUP REPRESENTING ITSELF AS A SOUTH CAROLINA-BASED NATIVE AMERICAN INDIAN TRIBE OR SOUTH CAROLINA-BASED NATIVE AMERICAN ENTITY UNLESS THE GROUP HAS BEEN FEDERALLY ACKNOWLEDGED AS A TRIBE, OR DESIGNATED AS A TRIBE, GROUP, OR SPECIAL INTEREST ORGANIZATION BY THE BOARD OF THE STATE COMMISSION FOR MINORITY AFFAIRS.

Senator CAMPSEN objected to consideration of the Bill.

CARRIED OVER

S. 846 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-31-401, RELATING TO CORPORATE NAME, SO AS TO PROHIBIT THE USE OF CERTAIN INDIAN DESCRIPTIONS AS PART OF A NONPROFIT CORPORATION'S CORPORATE NAME UNLESS THE ENTITY IS A FEDERALLY ACKNOWLEDGED TRIBE OR A STATE DESIGNATED TRIBE, GROUP, OR SPECIAL INTEREST ORGANIZATION.

On motion of Senator McELVEEN, the Bill was carried over.

OBJECTION

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING

INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN

ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

Senator MALLOY objected to consideration of the Bill.

AMENDED, READ THE SECOND TIME

S. 857 -- Senators Davis and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGY AND COSMETOLOGISTS SO AS TO PROVIDE A DEFINITION FOR "MOBILE SALON" AND "PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATION"; AND BY ADDING SECTION 40-13-365 SO AS TO PROVIDE FOR PERMITTING AND REGULATION OF MOBILE SALONS AND PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATIONS.

The Senate proceeded to a consideration of the Bill.

Senator CASH proposed the following amendment (SR-857.JG0009S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 40-13-365(d)(6) and inserting:

(6) A mobile salon is prohibited from operating within eyesight of the nearest registered salon and is prohibited from operating within a one-hundred-yard radius of the nearest registered salon.

Renumber sections to conform.
Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 1132 -- Senators Davis, Climer and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-7-20, RELATING TO DEFINITIONS CONCERNING BARBERS AND BARBERING, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-7-390, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGISTS AND COSMETOLOGY, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-13-360, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; AND BY REPEALING SECTION 40-7-255 RELATING TO THE REGULATION OF HAIR-BRAIDING PRACTITIONERS.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being second reading of the Bill.

Objection

Senator DAVIS asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

Senator MATTHEWS objected.

Senator MATTHEWS objected to further consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED AMENDED, READ THE SECOND TIME

S. 955 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-5-400 SO AS TO ESTABLISH THE LIMITED COMMERCIAL BLUE CRAB LICENSE AND THE REQUIREMENTS FOR OBTAINING THE

LICENSE; BY AMENDING SECTION 50-5-325, RELATING TO COMMERCIAL EQUIPMENT LICENSES AND FEES, SO AS TO REVISE THE FEE STRUCTURE FOR THE COMMERCIAL TRAP LICENSE; BY AMENDING SECTION 50-5-350, RELATING TO THE TRANSFERABILITY OF LICENSES, SO AS TO EXEMPT THE LIMITED COMMERCIAL BLUE CRAB LICENSE FROM THE GENERAL TRANSFER PROHIBITION; BY AMENDING SECTION 50-5-360, RELATING TO LICENSES TO ENGAGE IN SHEDDING PEELER CRABS, SO AS TO REQUIRE THAT AN APPLICANT'S OR LICENSEE'S BUSINESS PREMISES BE CAPABLE OF PEELER SHEDDING OPERATIONS; BY AMENDING SECTION 50-5-545, RELATING TO TRAPS FOR TAKING BLUE CRAB, SO AS TO PROVIDE FOR THE MATERIAL, DIMENSIONS, AND ESCAPE VENT REQUIREMENTS OF THE TRAPS; BY ADDING SECTION 50-5-1302 SO AS TO ESTABLISH A RECREATIONAL LIMIT OF ONE-HALF BUSHEL OF BLUE CRABS PER PERSON PER DAY NOT TO EXCEED ONE BUSHEL PER BOAT; BY ADDING SECTION 50-5-1345 SO AS TO PROHIBIT THE USE OF CRAB TRAPS IN THE WATERS OF THIS STATE FROM JANUARY 16 THROUGH JANUARY 29 OF EACH YEAR; BY AMENDING SECTION 50-5-330, RELATING TO RECREATIONAL EQUIPMENT LIMITS, SO AS TO INCREASE THE NUMBER OF TRAPS THAT MAY BE USED FOR RECREATIONAL PURPOSES FROM TWO TO TEN WITH A RECREATIONAL CRAB TRAP ENDORSEMENT; AND BY AMENDING SECTION 50-9-540, RELATING TO RECREATIONAL SALTWATER FISHING LICENSES SO AS TO PROVIDE FOR THE COST OF THE RECREATIONAL CRAB TRAP ENDORSEMENT.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (SFGF-955.BC0008S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Article 3, Chapter 5, Title 50 of the S.C. Code is amended by adding:

Section 50-5-400. (A) For the privilege of taking blue crabs by trap for a commercial purpose in the waters of this State, an individual must obtain a limited commercial blue crab license, a commercial saltwater fishing license, and a commercial equipment license for traps.

(B) The cost of a limited commercial blue crab license is one hundred dollars for residents and five hundred dollars for nonresidents.

(C) The following individuals are eligible to obtain a limited commercial blue crab license:

(1) an individual who possessed a valid commercial equipment license for traps during the 2023-2024 license year and who has verifiable documentation of at least four thousand pounds of commercial blue crab landings during the first six months of the 2023-2024 license year, the entirety of the 2022-2023 license year, or the entirety of the 2021-2022 license year;

(2) an individual who is selected via an applicant lottery pursuant to subsection (D); or

(3) an individual who receives a valid limited commercial blue crab license via transfer pursuant to subsection (E).

(D) If the total number of limited commercial blue crab licenses issued by the department in a license year is below one hundred, then the department may award additional licenses, not to exceed one hundred total limited commercial blue crab licenses, via an applicant lottery.

(E) A limited commercial blue crab license may be transferred by the licensee to another individual after providing information relating to the transfer as required by the department.

(F) The maximum number of traps used for taking blue crab, inclusive of peeler traps, that may be licensed to:

(1) an individual who obtains a limited commercial blue crab license under subsection (C)(1) is the greater of two hundred traps and the highest number of traps licensed by the individual in the three previous license years;

(2) an individual who receives a limited commercial blue crab license via transfer is the greater of two hundred traps and the average number of traps licensed by a holder of the transferred limited commercial blue crab license in the three previous license years; or

(3) an individual who is selected via lottery is two hundred traps.

(G) If the 2023-2024 license year is used to determine the highest number of traps that may be licensed under subsection (F), then only the first six months of the license year must be used in the determination.

(H) A limited commercial blue crab license must be renewed annually. Prior to every fourth license year, a licensee must have verifiable documentation of at least four thousand pounds of commercial blue crab landings in at least one of the three previous license years. If a licensee does not meet the documented landings threshold, then the licensee's

limited commercial blue crab license must not be renewed by the department.

SECTION 2. Section 50-5-350(B) of the S.C. Code is amended to read:

(B) Licenses and permits, other than a limited commercial blue crab license, are not transferable; however, any licensed commercial saltwater fisherman may operate any licensed commercial equipment with written permission of the owner except:

(1) channel nets; and

(2) any commercial equipment licensed at the resident fee when the nonresident fee is greater if the operator is a nonresident.

SECTION 3. Section 50-5-325(A) of the S.C. Code is amended to read:

(A) Commercial equipment, excluding vessels, used in the salt waters of this State and in fisheries for anadromous and catadromous species in any waters of this State must be licensed by the department. The owner and operator are responsible for obtaining a license:

(1) to use a trawl or trawls, and the cost is one hundred twenty-five dollars for residents and three hundred dollars for nonresidents;

(2) to use traps~~,~~ other than traps for taking blue crab, and the cost is twenty-five dollars ~~per~~ for fifty traps and one dollar for each trap thereafter for residents, and one hundred twenty-five dollars ~~per~~ for fifty traps and five dollars for each trap thereafter for nonresidents;

(3) to use traps for taking blue crab, and the cost is two dollars for each trap for residents and ten dollars for each trap for nonresidents;

~~(3)~~(4) to use a channel net for taking shrimp, and the cost is two hundred fifty dollars for each net;

~~(4)~~(5) to use a gill net for taking shad, herring, or sturgeon, and the cost is ten dollars per one hundred net yards or a fraction thereof for residents and fifty dollars per one hundred net yards or a fraction thereof for nonresidents, and to use any other gill net or haul seine the cost is ten dollars per one hundred net feet or a fraction thereof for residents and fifty dollars per one hundred net feet or a fraction thereof for nonresidents;

~~(5)~~(6) to use hand-held equipment to take shellfish, including tongs, rakes, and forks, at no cost;

~~(6)~~(7) to use a drag dredge, and the cost is seventy-five dollars for residents and three hundred seventy-five dollars for nonresidents;

~~(7)~~(8) to use other mechanically operated or boat assisted equipment, other than equipment used to set or retrieve licensed

equipment, and the cost is one hundred twenty-five dollars for residents and six hundred twenty-five dollars for nonresidents;

~~(8)~~(9) to use trotlines with baits or hooks, and the cost is ten dollars for residents and fifty dollars for nonresidents for each line having not more than fifty baits or hooks per line;

~~(9)~~(10) to use any other commercial equipment, and the cost is ten dollars for each type for residents and fifty dollars per type for nonresidents.

SECTION 4. Section 50-5-360(B) of the S.C. Code is amended to read:

(B) In order to engage in shedding peeler crabs, a person or entity must first be a licensed wholesale seafood dealer, ~~and~~ must be licensed for peeler crabs, and the person's or entity's business premises must be capable of peeler shedding operations. The fee for a resident peeler crab license is an additional seventy-five dollars, and the fee for a nonresident license is an additional three hundred seventy-five dollars. Persons holding this license and engaged in shedding peeler crabs are authorized to receive, possess, and sell peeler crabs regardless of size. The department may inspect the business premises of a person or entity applying for a peeler crab license and of a peeler crab licensee to ensure the applicant's or licensee's business premises are capable of peeler shedding operations.

SECTION 5. Section 50-5-545 of the S.C. Code is amended to read:

Section 50-5-545. (A) Except as provided in this section, ~~from June 1 through March 14,~~ a trap used for taking blue crab ~~used~~ for commercial purposes from June 1 through March 14, or for recreational purposes year round, must have at least two unobstructed, circular escape vents (rings) which must be two and three-eighths inches or greater in inside diameter and located on vertical surfaces. At least one vent (ring) must be in the upper chamber. All vents (rings) must be within two inches of the horizontal partition or the base of the trap.

(B) A trap used for taking blue crab constructed of a single chamber must have at least one two and three-eighths inch or larger inside diameter escape vent (ring) located on a vertical surface within two inches of the base of the trap. Peeler traps are exempt year round.

(C) A trap used for taking blue crab, other than peeler traps, must be constructed of wire with a minimum mesh size of one and one-half inches, have throats or entrances located only on a vertical surface, and have a maximum dimension of twenty-four inches by twenty-four inches by twenty-four inches or a volume of eight cubic feet.

SECTION 6. Article 13, Chapter 5, Title 50 of the S.C. Code is amended by adding:

Section 50-5-1345. (A) The department must promulgate regulations establishing criteria for the designation of closed seasons and closed or partially closed areas for the taking of blue crabs by trap. In accordance with the established criteria, the department may designate closed seasons and closed or partially closed areas for the taking of blue crabs by trap upon at least forty-five days' public notice.

(B) A trap that is in the waters of this State during a closed season or in a closed or partially closed area may be confiscated by the department or by an agent of the department.

(C) It is unlawful to take or attempt to take blue crabs by trap during a closed season or in a closed or partially closed area. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than two hundred dollars nor more than five hundred dollars.

(D) Nothing in this section limits the authority of the department under Section 50-5-32.

SECTION 7. Article 13, Chapter 5, Title 50 of the S.C. Code is amended by adding:

Section 50-5-1302. (A) For the purposes of this section, "day" means sunrise on one day to sunrise on the following day.

(B) It is unlawful for a person to take or possess for recreational purposes more than one bushel of blue crabs in any one day, not to exceed two bushels in any one day on any boat.

(C) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars and not more than five hundred dollars.

SECTION 8. Section 50-5-330(A) of the S.C. Code is amended to read:

(A) A person may fish or use the following in the salt waters of this State solely for recreational purposes without being commercially licensed:

(1) shrimp seines;

(2) hand-operated tongs, rakes except bull rakes, and forks except seed forks, used to harvest shellfish;

(3) hook and line or rod and reel;

(4) minnow traps, drop nets, and dip nets;

(5) cast nets; however, the use must comply with all other provisions of law;

(6) no more than two crab traps without a recreational crab trap endorsement;

(7) no more than five crab traps with a recreational crab trap endorsement;

~~(7)~~(8) no more than two trotlines with a cumulative total of not more than fifty hooks or baits;

~~(8)~~(9) no more than ten bush or pole lines with single hooks or baits.

SECTION 9. Section 50-9-540 of the S.C. Code is amended by adding:

(E) For the privilege of fishing more than two and up to five crab traps recreationally, a recreational saltwater license holder must purchase an annual enhanced recreational crab trap endorsement at a cost of five dollars.

SECTION 10. Section 5 of this act takes effect on January 1, 2025. All other sections take effect on July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Senator CAMPSEN proposed the following amendment (SFGF-955.BC0010S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 50-5-400(G) and inserting:

(G) If the 2024-2025 license year or 2023-2024 license year is used to determine the highest number of traps that may be licensed under subsection (F), then only the first six months of the 2023-2024 license year must be used in the determination.

Amend the bill further, by striking SECTION 10 and inserting:

SECTION 10. Sections 4 and 6 of this act take effect on July 1, 2024. All other sections take effect on January 1, 2025.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Senators CAMPSEN and MATTHEWS proposed the following amendment (SFGF-955.BC0012S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 50-5-555 of the S.C. Code is amended by adding:

(G) The department may impose a civil penalty of up to one hundred dollars for each trap in violation of this section for a first offense, up to three hundred dollars for a second offense, and up to five hundred dollars for a third or subsequent offense.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

S. 154 -- Senators Young, Senn and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STREET GANG AND CRIMINAL ENTERPRISE PREVENTION AND ANTI-RACKETEERING ACT"; BY AMENDING ARTICLE 3 OF CHAPTER 8, TITLE 16, RELATING TO THE CRIMINAL GANG PREVENTION ACT, SO AS TO RETITLE THE ARTICLE, REVISE THE DEFINITIONS FOR PURPOSES OF THE ARTICLE, AND RESTRUCTURE THE ARTICLE AND THE OFFENSES AND PENALTIES CONTAINED WITHIN IT; AND BY ADDING ARTICLE 5 TO CHAPTER 8, TITLE 16 SO AS TO CREATE ANTI-RACKETEERING PROVISIONS TO COMPLIMENT THE REVISED STREET GANG AND CRIMINAL ENTERPRISE PREVENTION ARTICLE, DEFINE NECESSARY TERMS, AND CREATE VARIOUS RACKETEERING OFFENSES AND ESTABLISH PENALTIES FOR VIOLATIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-154.MB0005S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

SECTION 1. This act may be cited as the "South Carolina Criminal Gang and Criminal Enterprise Prevention and Anti-Racketeering Act".

Amend the bill further, SECTION 2, by striking the third undesignated paragraph and inserting:

(3) The substantial harm inflicted on the people and economy of this State by pervasive violent gangs and other forms of criminal enterprise is legitimately a matter of grave concern to the people of this State who have a basic right to be protected from that criminal activity and to be given adequate remedies to redress its harms. Gangs, in particular, are responsible for a disproportionate amount of violent, sexual, and

property crime which often involves the recruitment, use, or victimization of minors.

Amend the bill further, SECTION 2, by striking the fifth undesignated paragraph and inserting:

(5) The General Assembly finds that the most effective punishment and deterrence of the criminal activities of criminal gangs is not just through incarceration where appropriate, but also through forfeiture of the profits, proceeds, and instrumentalities acquired, accumulated, or used by criminal gangs.

Amend the bill further, SECTION 3, by striking the name of Article 3 and inserting:

~~Criminal~~ South Carolina Criminal Gang and Criminal Enterprise Prevention Act

Amend the bill further, SECTION 3, by striking Section 16-8-210 and inserting:

Section 16-8-210. This article may be cited as the "~~Criminal~~ South Carolina Criminal Gang and Criminal Enterprise Prevention Act".

Amend the bill further, SECTION 3, by striking Section 16-8-230(2) and inserting:

(2) "Criminal gang" means any organization, association, or group of three or more persons associated in fact, whether formal or informal, which engages in criminal gang activity as defined in this section. The existence of such organization, association, or group of individuals associated in fact may be established by evidence of a common name or common identifying signs, symbols, tattoos, graffiti, or attire or other distinguishing characteristics including, but not limited to, common activities, customs, or behaviors. The term does not include three or more persons exercising the right to assembly or associated in fact, whether formal or informal, who are not engaged in criminal gang activity as applied in this article.

Amend the bill further, SECTION 3, by striking Section 16-8-240(A) and (B) and inserting:

(A) It is unlawful for a person employed by or associated with a criminal gang to conduct or participate in a criminal gang activity offense, as defined in Section 16-8-230.

(B) It is unlawful for a person to commit a criminal gang activity offense, as defined in Section 16-8-230, with the intent to obtain or earn membership or maintain or increase his status or position in a criminal gang.

Amend the bill further, SECTION 3, by striking Section 16-8-240(D), (E), (F), (G), (H), (I), and (J) and inserting:

(D) It is unlawful for a person who occupies a position of organizer, a supervisory position, or any other position of management or leadership with regard to a criminal gang to engage in, directly or indirectly, or conspire to engage in criminal gang activity.

(E) It is unlawful for a person to cause, encourage, solicit, recruit, or coerce another to become a member or associate of a criminal gang, to participate in a criminal gang, or to conduct or participate in criminal gang activity.

(F) It is unlawful for any person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to deter such person from assisting a member or associate of a criminal gang to withdraw from a criminal gang.

(G) It is unlawful for a person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to punish or retaliate against a person for having withdrawn from a criminal gang.

(H) It is unlawful for a person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to punish or retaliate against a person for refusing to or encouraging another to refuse to become or obtain the status of a member or associate of a criminal gang.

(I) It is unlawful for a person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to punish or retaliate against a person for providing statements or testimony against criminal gangs or any criminal gang member or associate.

(J) It is unlawful for a person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to intimidate, deter, or prevent a person from communicating to a law enforcement or corrections officer, prosecuting attorney, or judge information relating to criminal gangs, criminal gang members or associates, or criminal gang activity.

Amend the bill further, SECTION 3, by striking Section 16-8-240(L) and inserting:

(L) In addition to any other penalty provided in this section, all sentences imposed pursuant to this section require as a special condition

of the sentence that the person sentenced may not knowingly have contact of any kind or character with any other member or associate of a criminal gang, may not participate in any criminal gang activity and, in cases involving a victim, may not knowingly have contact of any kind or character with any such victim or any member of the victim's family or household. This special condition of the sentence does not apply to prisoners or inmates in the custody of the Department of Corrections or local jails or a child in the custody of the Department of Juvenile Justice or local jail.

Amend the bill further, SECTION 3, by striking Section 16-8-250(A) and inserting:

(A) Any real property which is erected, established, maintained, owned, leased, or used by a criminal gang for the purpose of conducting criminal gang activity constitutes a public nuisance and may be abated pursuant to Chapter 43, Title 15.

Amend the bill further, SECTION 3, by striking Section 16-8-250(C) and inserting:

(C) The State, political subdivision, or any person aggrieved by a criminal gang or criminal gang activity may bring an action to enjoin a violation of this article.

Amend the bill further, SECTION 3, by striking Section 16-8-270(A) and inserting:

(A) For the purpose of proving the existence of a criminal gang and criminal gang activity, the adjudication or conviction by any plea or trial of a criminal gang activity offense enumerated in Section 16-8-230 by any member or associate of a criminal gang is admissible in any trial or proceeding. If the prosecution seeks to offer evidence of a third party adjudication or conviction, the person so adjudicated or convicted must be available for cross examination in order for the evidence to be admitted. The pendency of an appeal may be shown but does not affect admissibility.

Amend the bill further, by striking SECTION 5 and inserting:

SECTION 5. The General Assembly finds that the sections presented in this act constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of criminal gang and criminal enterprise prevention and associated anti-racketeering provisions as clearly enumerated in the title. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality

but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (SJ-154.MB0006S), which was withdrawn:

Amend the bill, as and if amended, by deleting SECTIONS 1, 2, and 3.

Amend the bill further, by striking SECTION 5 and inserting:

SECTION 5. The General Assembly finds that the sections presented in this act constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of criminal enterprise prevention and associated anti-racketeering provisions as clearly enumerated in the title. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

Renumber sections to conform.

Amend title to conform.

Motion Adopted

On motion of Senator MALLOY, with unanimous consent, the amendment was withdrawn.

Senator MALLOY proposed the following amendment (SJ-154.MB0007S), which was adopted:

Amend the bill, as and if amended, by deleting SECTIONS 1, 2, and 3.

Amend the bill further, SECTION 4, Section 16-8-540, by adding subsections to read:

(E) When two or more defendants are jointly charged with engaging in a violation of Section 16-8-530, they must be tried jointly unless the court orders separate trials. Severance may not be granted as a matter of law when codefendants present mutually antagonistic defenses, but may

be granted, in the court's exercise of discretion, only when there is a serious risk that a joint trial would compromise a specific trial right of a codefendant or prevent the jury making a reliable judgement about a codefendant's guilt. In ordering separate trials, the court in its discretion may order a separate trial as to one or more defendants, and a joint trial as to the others, or may order any number of the defendants to be tried at one trial, and any number of the others at different trials, or may order a separate trial for each defendant; provided, that when two or more persons can be jointly tried, the fact that separate accusatory pleadings were filed does not prevent their joint trial.

(F) Nothing in this section limits prosecution under any other provision of law.

Amend the bill further, SECTION 4, by striking Section 16-8-550(A) and inserting:

(A) The circuit court, after making due provisions for the rights of innocent persons, may enjoin violations of Section 16-8-530 by issuing appropriate orders and judgments including, but not limited to:

(1) ordering any defendant to divest himself of any interest in any enterprise, real property, or personal property;

(a) The court may determine any real property maintained, owned, leased, or used by an enterprise for the purpose of conducting racketeering activities constitutes a public nuisance and may be abated pursuant to Chapter 43, Title 15.

(b) An action to abate a nuisance pursuant to this section may be brought by the Attorney General or the circuit solicitor in the appropriate state or municipal court;

(2) imposing reasonable restrictions upon the future activities or investments of any defendant including, but not limited to, prohibiting any defendant from engaging in the same type of endeavor as the enterprise in which he was engaged in violation of Section 16-8-530;

(3) ordering the dissolution or reorganization of any enterprise;

(4) ordering the suspension or revocation of any license, permit, or prior approval granted to any enterprise by any agency of the State; or

(5) imposing restrictions that a person sentenced may not knowingly have contact of any kind or character with any other member or associate of the enterprise. This condition does not apply to prisoners or inmates in custody of the South Carolina Department of Corrections or a local jail within the State and does not apply to a child in the custody of the Department of Juvenile Justice or a local jail.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 8, Article 5, Title 16 of the S.C. Code is amended by adding:

Section 16-8-560. In any criminal proceeding, the crime will be considered to have been committed in any county in which an incident of racketeering activity, as defined in this article, occurred or in which an interest or control of an enterprise or real or personal property is acquired or maintained.

Amend the bill further, by striking SECTION 5 and inserting:

SECTION 5. The General Assembly finds that the sections presented in this act constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of criminal enterprise prevention and associated anti-racketeering provisions as clearly enumerated in the title. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Motion Adopted

Senator MALLOY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 543 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-11-140, RELATING TO AUTHORIZATION OF FISCAL

ACCOUNTABILITY AUTHORITY THROUGH THE OFFICE OF INSURANCE RESERVE FUND, SO AS TO PROVIDE FOR EXTENSION OF COVERAGE TO EMPLOYEES OF ENTITIES INSURED BY THE INSURANCE RESERVE FUND PROVIDED THAT EMPLOYEES ACTED IN GOOD FAITH AND WITHIN THE SCOPE OF EMPLOYMENT.

Senator ALEXANDER objected to consideration of the Bill.

AMENDED, READ THE SECOND TIME

S. 723 -- Senators Talley, Turner and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-40-20, RELATING TO THE PURPOSES AND RULES OF CONSTRUCTION FOR THE RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO EXEMPT CERTAIN TENANCIES FROM THE ACT; AND BY AMENDING SECTION 45-2-60, RELATING TO THE EJECTMENT OF A PERSON FROM A LODGING ESTABLISHMENT, SO AS TO AUTHORIZE AN INNKEEPER TO REQUEST ASSISTANCE FROM LAW ENFORCEMENT TO EJECT A PERSON AND TO PROVIDE THAT A PERSON EJECTED FROM A CAMPGROUND HAS TEN DAYS TO MAKE A CLAIM FOR PROPERTY LEFT AT THE TIME OF EJECTMENT.

The Senate proceeded to a consideration of the Bill.

Senators MASSEY, RANKIN and TURNER proposed the following amendment (SR-723.JG0005S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 37, Title 27 of the S.C. Code is amended by adding:

Amend the bill further, SECTION 10001, by adding:

Section 27-37-200. (A) A property owner or his authorized representative may request from the sheriff of the county in which the property is located the immediate removal of a person unlawfully occupying a residential dwelling pursuant to this section if the following conditions are met:

(1) the requesting person is the property owner or authorized agent of the property owner;

(2) the real property that is being occupied includes a residential dwelling;

(3) an unauthorized person has unlawfully entered, remains, or continues to reside on the owner’s property;

(4) the real property was not open to members of the public at the time the unauthorized person entered;

(5) the property owner has directed the unauthorized person to leave the property;

(6) the unauthorized person is not a current or former tenant pursuant to a written or oral agreement authorized by the property owner;

(7) the unauthorized person is not an immediate family member of the property owner; and

(8) there is no pending litigation related to the real property between the property owner and the person unlawfully occupying the property.

(B) To request the immediate removal of an unlawful occupant of a residential dwelling, the property owner or his authorized representative must submit a complaint to remove persons unlawfully occupying residential real property to the sheriff of the county in which the real property is located. In the submitted complaint, the owner or authorized agent of the owner of the real property must state the legal description of the property and declare under the penalty of perjury that:

(1) he is the owner of the real property or the authorized representative of the owner of the real property;

(2) he purchased the property and provide the date of purchase;

(3) the real property is a residential dwelling;

(4) an unauthorized person has unlawfully entered and is remaining or residing unlawfully on the real property;

(5) the real property was not open to members of the public at the time the unauthorized person entered;

(6) he has directed the unauthorized person to leave the real property, but they have not done so;

(7) the person is not a current or former tenant pursuant to any valid lease authorized by the property owner, and any lease that may be produced by an occupant is fraudulent;

(8) the unauthorized person sought to be removed is not an owner or a co-owner of the property and has not been listed on the title to the property unless the person has engaged in title fraud;

(9) the unauthorized person is not an immediate family member of the property owner;

(10) there is no litigation related to the real property pending between the property owner and the person sought to be removed;

(11) the owner of the property understands that a person removed from the property pursuant to this procedure may bring a cause of action against the owner of the property for any false statements made in the complaint, or for wrongfully using the procedure, and that as a result of

such action the owner of the property may be held liable for actual damages, penalties, costs, and reasonable attorney's fees;

(12) the owner of the property is requesting the sheriff to immediately remove the unauthorized person from the residential property;

(13) the owner of the property must attach a copy of a valid government-issued identification, or if a representative of the property owner, attach documents evidencing representative's authority to act on the property owner's behalf; and

(14) the form must be signed by the owner of the property or the representative of the owner of the property, and it must include the following language: I HAVE READ EVERY STATEMENT MADE IN THIS PETITION AND EACH STATEMENT IS TRUE AND CORRECT. I UNDERSTAND THAT THE STATEMENTS MADE IN THIS PETITION ARE BEING MADE UNDER PENALTY OF PERJURY, PUNISHABLE AS PROVIDED IN SECTION 16-9-10 OF THE SOUTH CAROLINA CODE.

(C) Upon receipt of the complaint, the sheriff shall verify that the person submitting the complaint is the record owner of the real property or the authorized representative of the owner and appears otherwise entitled to relief under this section. If the complaint is verified, then the sheriff must, without delay, serve a notice to immediately vacate on all unlawful occupants and shall put the owner in possession of the real property. Service may be accomplished by hand delivery of the notice to an occupant or by posting the notice on the front door or entrance of the dwelling. The sheriff shall also attempt to verify the identities of all persons occupying the dwelling and note the identities on the return of service. If appropriate, the sheriff may arrest any person found in the dwelling for trespassing, outstanding warrants, or any other legal cause.

(D) The sheriff is entitled to a fee for service of the notice to immediately vacate as provided in Section 23-19-10. After the sheriff serves the notice to immediately vacate, the property owner or authorized representative may request that the sheriff stand by to keep the peace while the property owner or agent of the owner changes the locks and removes the personal property of the unlawful occupants from the premises to or near the property line. When such a request is made, the sheriff may charge a reasonable hourly rate, and the person requesting the sheriff to stand by and keep the peace is responsible for paying the reasonable hourly rate set by the sheriff. The sheriff is not liable to the unlawful occupant or any other party for loss, destruction, or damage of property. The property owner or his authorized representative is not

liable to an unlawful occupant or any other party for the loss, destruction, or damage to the personal property unless the removal was wrongful.

(E) A person may bring a civil cause of action for wrongful removal against the person who requested such removal under this section. A person harmed by a wrongful removal under this section may be restored to possession of the real property and may recover actual costs and damages incurred, statutory damages equal to triple the fair market rent of the dwelling, court costs, and reasonable attorney's fees. The court shall advance the cause on the calendar.

(F) This section does not limit the rights of a property owner or limit the authority of a law enforcement officer to arrest an unlawful occupant for trespassing, vandalism, theft, or other crimes.

Amend the bill further, by adding appropriately numbered SECTIONS to read:

SECTION X. Chapter 11, Title 16 of the S.C. Code is amended by adding:

Section 16-11-785. A person who unlawfully detains or occupies or trespasses upon a residential dwelling and who intentionally damages the dwelling causing one thousand dollars or more in damages is guilty of a felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both.

SECTION X. Chapter 11, Title 16 of the S.C. Code is amended by adding:

Section 16-11-790. A person who lists or advertises residential real property for sale knowing that the purported seller has no legal title or authority to sell the property, or rents or leases the property to another person knowing that he has no lawful ownership in the property or leasehold interest in the property, is guilty of a felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both.

SECTION X. Chapter 11, Title 16 of the S.C. Code is amended by adding:

Section 16-11-795. Any person who, with the intent to detain or remain upon real property, knowingly and willfully presents to another person a false document purporting to be a valid lease agreement, deed, or other instrument conveying real property rights is guilty of a misdemeanor and, upon conviction, must be fined in the discretion of the court or imprisoned not more than one year, or both.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 841 -- Senators Alexander and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PROSECUTORS PERSONAL PRIVACY PROTECTION ACT" BY ADDING ARTICLE 9 TO CHAPTER 2, TITLE 30 SO AS TO DEFINE

NECESSARY TERMS, AND TO PROVIDE CURRENT AND FORMER PROSECUTORS HAVE THE OPTION OF MAKING PERSONAL CONTACT INFORMATION HELD BY STATE OR LOCAL GOVERNMENTS CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE, TO PROVIDE LIMITED EXCEPTIONS, AND TO PROVIDE RELATED PROCEDURES FOR EXERCISING THIS OPTION, AMONG OTHER THINGS; AND TO PROVIDE THE SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION SHALL CREATE A FORM FOR USE BY PROSECUTORS WHEN REQUESTING NONDISCLOSURE OF PERSONAL CONTACT INFORMATION, AND TO SPECIFY REQUIREMENTS FOR THE FORM.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-841.MB0005S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

SECTION 1. This act may be cited as the "Prosecutors and Public Defenders Personal Privacy Protection Act".

Amend the bill further, SECTION 2, by striking the name to Article 9 and inserting:

Prosecutors and Public Defenders Personal Privacy Protection Act

Amend the bill further, SECTION 2, by striking Section 30-2-900(1) and (2) and inserting:

(1) "Eligible requesting party" means an active or former prosecutor or public defender who has filed a formal request under the provisions of the article.

(2) "Personal contact information" means the name, home address, personal cellular phone number, or property tax map number, if applicable, of the eligible requesting party that is included in a database or an image or a copy of an official record posted on a publicly available state or local government agency website.

Amend the bill further, SECTION 2, Section 30-2-900 by adding:

(4) "Public defender" means current and former:

(a) circuit defenders, county public defenders, or assistant public defenders as set forth in Sections 17-3-520, 17-3-530, 17-3-540, and 17-3-580;

(b) federal public defender for the District of South Carolina and assistant federal public defenders for the District of South Carolina.

Amend the bill further, SECTION 2, by striking Section 30-2-910(A) and inserting:

(A) Information that relates to the personal contact information of an eligible requesting party and is held or maintained by a state or local government agency if the prosecutor or public defender:

(1) notifies the state or local government agency of the prosecutor's or public defender's choice to remove and redact personal contact information from a publicly available state or local government agency database or from an image or copy of an official record that is placed or will be placed on a publicly available internet website maintained by or operated on behalf of a state or local government agency by submission of a form provided by the South Carolina Commission on Prosecution Coordination; and

(2) provides verification of current or active service as a prosecutor or public defender from the prosecutor's or public defender's current or former prosecution or public defender employer.

Amend the bill further, SECTION 2, by striking Section 30-2-910(B)(1) and inserting:

(1) the prosecutor or public defender rescinds in writing the request to restrict public access to or posting online of personal contact information and provides notice to the state or local government agency;

Amend the bill further, SECTION 2, by striking Section 30-2-910(B)(3) and inserting:

(3) the prosecutor or public defender requests release of the prosecutor's or public defender's personal information from a state or local government agency for a specific purpose and for a limited time; or

Amend the bill further, SECTION 2, by striking Section 30-2-910(C) and (D) and inserting:

(C) Personal contact information provided under the provisions of this article may be disclosed to another government agency, under subpoena, by order of the court, or upon written consent of the eligible prosecutor or public defender.

(D) Any personal contact information, as defined under this article, must be redacted, if requested by an eligible requesting party, from any public document otherwise eligible to be released under any other provision of law. The provisions of this article may not be construed to prevent disclosure of other public information otherwise allowed by law.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 2, Title 30 of the S.C. Code is amended by adding:

Section 30-2-915. Any eligible requesting party may petition the court for an order directing compliance with this article. Liability may not accrue to a state or local government employee or to his agents for claims or damages that arise from personal contact information on the public record.

Amend the bill further, by striking SECTION 3 and inserting:

SECTION 3. Within thirty days after the effective date of this act, the South Carolina Commission on Prosecution Coordination shall create and distribute to the offices of the solicitors, the South Carolina Attorney General, the United States Attorney for the District of South Carolina, the circuit public defenders, and the federal public defender for the District of South Carolina a form to use to request a state or local government agency remove or redact personal contact information from an image or copy of an official record placed on a publicly available internet website maintained by or operated on behalf of a state or local government agency. The form shall be created in collaboration with South Carolina Court Administration and the Criminal Justice Academy to ensure consistent information is provided to the state or local government agency. The form must contain fields for the following information: legal name, date of birth, home address, driver's license number, personal email address, South Carolina Bar number, dates of service, status of service, and an exception section to notify a state or local government agency of rescission of the request to protect personal contact information and to permit disclosure of personal contact information for a specific purpose and for a limited time.

Amend the bill further, by adding appropriately numbered SECTIONS to read:

SECTION X. Section 30-2-500 of the S.C. Code is amended to read:

Section 30-2-500. For the purposes of this article:

(1) "Personal contact information" means the name, home address ~~or~~, personal cellular telephone number, property tax map number, if applicable, of the eligible requesting party that is included in a database or on an image or a copy of an official record posted on a publicly available state or local government agency website.

(2) "Eligible requesting party" means an active or former law enforcement officer who has filed a formal request under the provision of this article.

(3) "Law enforcement officer" means an active or former federal, state, or local certified law enforcement officer or corrections officer.

SECTION X. Section 30-2-510 of the S.C. Code is amended to read:

Section 30-2-510. (A) Information that relates to the personal contact information of an eligible requesting party and is held or maintained by a state or local government agency is confidential and must not be disclosed to the public by the state or local government agency if the law enforcement officer:

(1) notifies the state or local government agency of the law enforcement officer's choice to ~~restrict public access to or posting of personal contact information~~ remove and redact personal contact information from a publicly available state or local government agency database or from an image or copy of an official record that is placed or will be placed on a publicly available internet website maintained by or operated on behalf of a state or local government agency by submission of a form produced by the South Carolina Criminal Justice Academy; and

(2) provides a verification of current employment or previous employment as a law enforcement officer to include contact information for his employer.

(B) A choice made under this article remains valid with the following exceptions:

(1) the law enforcement officer rescinds the request in writing and provides notice to the state or local government agency;

(2) the state or local government agencies disclose personal contact information related to violations of law or regulation as permitted by law;

(3) the law enforcement officer requests release of the law enforcement officer's personal contact information from a state or local government agency for a specific purpose and for a limited time; or

(4) the personal contact information is included in a collision report or uniform traffic ticket maintained and provided by the South Carolina Department of Motor Vehicles as permitted by law.

(C) Information protected under the provisions of this article may be disclosed to another governmental agency, under subpoena, by order of the court, or upon written consent of the eligible law enforcement officer.

(D) Any personal contact information as defined under this article must be redacted, if requested by an eligible requesting party, from any public document otherwise eligible to be released under any other provision of law. The provisions of this article must not be construed to prevent the disclosure of ~~any other otherwise public information allowed by law~~other public information otherwise allowed by law.

(E) A governmental agency that redacts or withholds information under this article shall provide to ~~the~~a requestor a description of the redacted or withheld information and a citation to this ~~act~~article.

(F) Nothing in this article shall be construed to limit access to otherwise protected information in public records by applicable law including, but not limited to, the Driver's Privacy Protection Act (18 U.S.C.A. Section 2721, et seq.) and the Fair Credit Reporting Act (15 U.S.C. Section 1681, et seq.).

SECTION X. Chapter 2, Title 30 of the S.C. Code is amended by adding:

Section 30-2-515. Any eligible requesting party may petition the court for an order directing compliance with this article. Liability may not accrue to a state or local government employee or to his agents for claims or damages that arise from personal contact information on the public record.

SECTION X. Section 30-2-700 of the S.C. Code is amended to read:

Section 30-2-700. For the purpose of this article:

(1) "Personal contact information" means the name, home address ~~or~~, personal cellular telephone number, or tax map number, if applicable, of the eligible requesting party that are included in a database or an image or a copy of an official record on a publicly available state or local government website.

(2) "Eligible requesting party" means an active or a former judge who has filed a formal request under the provisions of this article.

SECTION X. Section 30-2-710 of the S.C. Code is amended to read:

Section 30-2-710. (A) Information that relates to the personal contact information of an eligible requesting party and is held or maintained by a state or local government agency is confidential and must not be disclosed to the public by the state or local government agency if the judge:

(1) notifies the state or local government agency of the judge's choice to ~~restrict public access to or posting online of personal contact information~~remove and redact personal contact information from a publicly available state or local government agency database or from an image or copy of an office record that is placed or will be placed on a publicly available internet website maintained by or operated on behalf of the state or local government agency by submission of a form ~~provided~~produced by the South Carolina Court Administration; and

(2) provides verification of current or prior service as a judge from the South Carolina Court Administration.

(B) A choice made under this article remains valid with the following exceptions:

(1) the judge rescinds in writing the request to restrict public access to or posting online of personal contact information and provides notice to the state or local government agency;

(2) the state or local government agencies disclose personal contact information related to violations of law or regulation, as permitted by law;

(3) the judge requests release of the judge's personal contact information from a state or local government agency for a specific purpose and for a limited time; or

(4) the personal contact information is included in a collision report or uniform traffic ticket maintained and provided by the South Carolina Department of Motor Vehicles, as permitted by law.

(C) Personal contact information provided under the provisions of this article may be disclosed to another government agency, under subpoena, by order of the court, or upon written consent of the eligible judge.

(D) Any personal contact information, as defined under this article, must be redacted, if requested by an eligible requesting party, from any public document otherwise eligible to be released under any other provision of law. The provisions of this article must not be construed to prevent the disclosure of other public information otherwise allowed by law.

(E) A state or local government agency that redacts or withholds information under this article shall provide to ~~the~~a requestor a description of the redacted or withheld information and a citation to this article.

(F) Nothing in this article shall be construed to limit access to otherwise protected information available by applicable law including, but not limited to, the Driver's Privacy Protection Act (18 U.S.C.A. Section 2721, et seq.) and the Fair Credit Reporting Act (15 U.S.C.A. Section 1681, et seq.).

SECTION X. Chapter 2, Title 30 of the S.C. Code is amended by adding:

Section 30-2-715. Any eligible requesting party may petition the court for an order directing compliance with this article. Liability may not accrue to a state or local government employee or to his agents for claims or damages that arise from personal contact information on the public record.

SECTION 4. This act takes effect on July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 844 -- Senator Rankin: A JOINT RESOLUTION TO CREATE A REVIEW AND STUDY COMMITTEE, TO PROVIDE THAT THE REVIEW AND STUDY COMMITTEE SHALL CONDUCT A

THOROUGH STUDY AND REVIEW OF SOUTH CAROLINA'S CIVIL JUSTICE AND INSURANCE LAWS REGARDING COVERAGE AVAILABILITY, PREMIUM RATES, AND DEDUCTIBLES; AND TO PROVIDE THAT THE REVIEW AND STUDY COMMITTEE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND THE GOVERNOR.

On motion of Senator MASSEY, the Resolution was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 849 -- Senators Verdin and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-230, RELATING TO SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A SCHEDULE III CONTROLLED SUBSTANCE, WITH EXCEPTIONS; AND BY ADDING SECTION 44-53-372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-849.MB0006S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-53-230(c)(13) and inserting:

13. Xylazine.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 53, Title 44 of the S.C. Code is amended by adding:

Section 44-53-373. Nothing in this article applies to veterinarians in connection with the practice of their profession and the legitimate use of xylazine within the veterinary practice, including:

(A) the distribution or possession of xylazine by a licensed veterinarian for use in legitimate veterinary practice;

(B) the possession of xylazine pursuant to a valid prescription from a licensed veterinarian; or

(C) the possession of xylazine in an injectable form for use in a nonhuman species.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 866 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-48-30,

RELATING TO DEFINITIONS, SO AS TO PROVIDE A REASONABLE EXPECTATION STANDARD FOR THE DETERMINATION OF WHETHER SOMEONE IS LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE; AND BY AMENDING SECTION 44-48-20, RELATING TO LEGISLATIVE FINDINGS, SO AS TO CLARIFY THE METHOD OF DETERMINATION FOR THE LIKELIHOOD THAT A PERSON WILL ENGAGE IN FUTURE ACTS OF SEXUAL VIOLENCE.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-866.SW0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-48-30(9) and inserting:

(9) "Likely to engage in acts of sexual violence" means that a ~~person is predisposed~~person's propensity to ~~engage in~~ commit acts of sexual violence ~~and more probably than not will~~ is of such a degree ~~engage in acts of sexual violence to such a degree~~ as to pose a menace to the health and safety of others.

Amend the bill further, SECTION 2, by striking Section 44-48-20 and inserting:

Section 44-48-20. The General Assembly finds that a mentally abnormal and extremely dangerous group of sexually violent predators exists who require involuntary civil commitment in a secure facility for long-term control, care, and treatment. The General Assembly further finds that the likelihood these sexually violent predators will engage in repeated acts of sexual violence if not treated for their mental conditions is significant. Because the existing civil commitment process is inadequate to address the special needs of sexually violent predators and the risks that they present to society, the General Assembly has determined that a separate, involuntary civil commitment process for the long-term control, care, and treatment of sexually violent predators is necessary. The General Assembly also determines that, because of the nature of the mental conditions from which sexually violent predators suffer and the dangers they present, it is necessary to house involuntarily committed sexually violent predators in secure facilities separate from persons involuntarily committed under traditional civil commitment statutes. The civil commitment of sexually violent predators is not intended to stigmatize the mentally ill community.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 890 -- Senators Tedder and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-440, RELATING TO DISCHARGING FIREARMS AT OR INTO DWELLINGS, STRUCTURES, ENCLOSURES, VEHICLES, OR EQUIPMENT, AND PENALTIES, SO AS TO PROVIDE IT IS

UNLAWFUL TO KNOWINGLY DISCHARGE FIREARMS AT OR IN THE DIRECTION OF ONE OR MORE INDIVIDUALS, AND PROVIDE A PENALTY.

Senator CORBIN objected to consideration of the Bill.

READ THE SECOND TIME

S. 1088 -- Senators Young, Hutto and Massey: A BILL TO AMEND SECTION 2 OF ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2026.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

Motion Adopted

Senator HUTTO asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 1126 -- Senators Kimbrell, Peeler, Rice, M. Johnson, Adams, Climer, Garrett, Cash, Young, Alexander, Reichenbach, Shealy, Grooms, Cromer, Turner, Loftis, Fanning, Gustafson, Goldfinch, Massey, Campsen, Bennett, Martin, Corbin and Verdin: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 4, ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO VOTER QUALIFICATIONS, SO AS TO CLARIFY THAT ONLY A CITIZEN OF THE UNITED STATES AND OF THIS STATE OF THE AGE OF EIGHTEEN AND UPWARDS WHO IS

PROPERLY REGISTERED IS ENTITLED TO VOTE AS PROVIDED BY LAW.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-1126.PB0002S), which was adopted:

Amend the joint resolution, as and if amended, SECTION 2, by striking the second undesignated paragraph and inserting:

"Must Section 4, Article II of the Constitution of this State, relating to voter qualifications, be amended so as to provide that only a citizen of the United States and of this State of the age of eighteen and upwards who is properly registered is entitled to vote as provided by law?

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Senators JACKSON, MATTHEWS and DEVINE proposed the following amendment (LC-1126.WAB0003S), which was ruled out of order:

Amend the joint resolution, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. It is proposed that Article I of the Constitution of this State be amended by adding:

Section 26. The provisions of Section 3 and Section 10 of this article provide for right of bodily integrity and autonomy that includes a limited right to an abortion. The General Assembly shall provide by law for regulation of abortion in this State, including that a clinically diagnosable pregnancy may be terminated up to the point of viability and whether state funding may be used to terminate a clinically diagnosable pregnancy.

Amend the joint resolution further, by adding an appropriately numbered SECTION to read:

SECTION X. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

"Must Article I of the Constitution of this State, relating to the Declaration of Rights, be amended so as to provide for a right to bodily

integrity and autonomy that includes a limited right to an abortion and to authorize the General Assembly to provide by law for the regulation of abortion in this State, including that a clinically diagnosable pregnancy may be terminated up to the point of viability and whether state funding may be used to terminate a clinically diagnosable pregnancy?

Yes o
No o

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'."

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS explained the amendment.

The question being the adoption of the amendment.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MATTHEWS spoke against the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

The question then being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*

Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--40

NAYS

Devine	Matthews	McLeod

Total--3

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 4029 -- Reps. Dillard, Hyde, Bailey, Brittain, Weeks and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.

On motion of Senator BENNETT, the Bill was carried over.

AMENDED, READ THE SECOND TIME

H. 4552 -- Reps. Pendarvis, Clyburn, Henegan, M.M. Smith, B.L. Cox, Robbins, Brewer, King, Wheeler, Henderson-Myers, Erickson, Stavrinakis, Weeks, Davis, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT proposed the following amendment (LC-4552.DG0003S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 3 and inserting:

SECTION 3. This act takes effect July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4928 -- Reps. Davis, B.J. Cox, Hart, Jefferson, J. Moore, Caskey and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-21-10, RELATING TO THE ESTABLISHMENT OF VETERANS' TRUST FUND, SO AS TO PROVIDE FOR FUNDRAISING; AND BY AMENDING SECTION 25-21-30, RELATING TO THE DUTIES AND FUNCTIONS OF THE VETERANS' TRUST FUND BOARD OF TRUSTEES, SO AS TO PROVIDE FOR THE ABILITY TO FUNDRAISE.

The Senate proceeded to a consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (SR-4928.KM0001S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 25-21-30(11) and inserting:

(11) fundraise, to include making disbursements from the fund in support of fundraising activities. The disbursements may not exceed the lesser of one percent of the assets of the fund or fifty percent of the amount allowed to be disbursed pursuant to Section 25-21-40 per calendar year based on the closing balance of the fund and the end of the preceding calendar year.

Renumber sections to conform.

Amend title to conform.

Senator McELVEEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian

Hembree	Hutto	Jackson
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1221 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO RECORDKEEPING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5258, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1222 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE LICENSING BOARD FOR CONTRACTORS, RELATING TO STATE LICENSING BOARD FOR CONTRACTORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5244, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1223 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA ENVIRONMENTAL CERTIFICATION BOARD, RELATING TO ENVIRONMENTAL CERTIFICATION BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5245, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1224 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, RELATING TO PROFESSIONAL LAND SURVEYOR LICENSURE REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5246, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1225 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULE FOR THE BUILDING CODES COUNCIL, DESIGNATED AS REGULATION DOCUMENT NUMBER 5243, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1226 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA REAL ESTATE COMMISSION, RELATING

TO SOUTH CAROLINA REAL ESTATE COMMISSION (RESIDENTIAL PROPERTY CONDITION DISCLOSURE STATEMENT FORM), DESIGNATED AS REGULATION DOCUMENT NUMBER 5238, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1227 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO COMPENSATION FOR THE OCCUPATIONAL HEALTH AND SAFETY REVIEW BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5236, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1228 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO TRANSPORTATION OF RADIOACTIVE WASTE INTO OR WITHIN SOUTH CAROLINA, DESIGNATED AS REGULATION DOCUMENT NUMBER 5226, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

OBJECTION

H. 4364 -- Reps. W. Newton, Davis, Rutherford, Bernstein, M.M. Smith, Ott, Brittain, Guest, Hewitt, Elliott, Stavrinakis, Bradley, Wooten, Murphy, Herbkersman, Leber, Sessions, Caskey, Rose, Mitchell, Brewer, Guffey, Hardee, Collins, Gatch, B. Newton, Pace, Bauer, Bailey, Erickson, Schuessler and Hart: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-2-170, RELATING TO DRIVE-THROUGH OR CURBSIDE SERVICE OF ALCOHOLIC BEVERAGES, SO AS TO PROVIDE CERTAIN EXCEPTIONS; BY ADDING SECTION

61-4-45 SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISSUE CERTAIN LICENSES OR PERMITS ALLOWING A RETAILER TO OFFER CERTAIN CURBSIDE DELIVERY OR PICK UP; BY ADDING SECTION 61-4-280 SO AS TO PROVIDE THAT A RETAIL DEALER MAY HIRE A DELIVERY SERVICE TO DELIVER CERTAIN BEER AND WINE AND TO PROVIDE FOR REQUIREMENTS; BY ADDING SECTION 61-6-1570 SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISSUE CERTAIN LICENSES OR PERMITS ALLOWING A RETAILER TO OFFER CERTAIN CURBSIDE DELIVERY OR PICK UP; AND BY ADDING SECTION 61-6-1580 SO AS TO PROVIDE THAT A RETAIL DEALER MAY HIRE A DELIVERY SERVICE TO DELIVER CERTAIN ALCOHOLIC LIQUORS AND TO PROVIDE FOR REQUIREMENTS.

Senator GARRETT objected to consideration of the Bill.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

CARRIED OVER

S. 533 -- Senators Alexander, Peeler, Cromer, Davis, Bennett, Grooms, Hembree, Verdin, Massey, Climer, Martin, Shealy, Turner, Kimbrell, Gambrell, Rice, Loftis, Reichenbach, Cash, Gustafson, Campsen, Corbin, Williams and Stephens: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 15-38-15, 15-38-20(A), 15-38-40(B), AND 15-38-50, ALL RELATING TO THE SOUTH CAROLINA CONTRIBUTION AMONG TORTFEASORS ACT, TO INCLUDE PERSONS OR ENTITIES FOR THE PURPOSES OF ALLOCATION OF FAULT AND TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Motion Adopted

Senator MASSEY asked unanimous consent to waive the two hour time limit under the provisions of Rule 15A.

Motion Under Rule 15A Failed

At 5:29 P.M., Senator MASSEY moved under the provisions of Rule 15A that debate on the entire matter be brought to a close.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 20; Nays 23

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Grooms	Hembree	Kimbrell
Loftis	Massey	Peeler
Reichenbach	Rice	Shealy
Turner	Verdin	

Total--20

NAYS

Allen	Davis	Devine
Fanning	Garrett	Goldfinch
Gustafson	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Malloy	Martin	Matthews
McLeod	Rankin	Sabb
Senn	Talley	Tedder
Williams	Young	

Total--23

Having failed to receive the necessary vote, the motion under Rule 15A failed.

Motion Adopted

Senator MASSEY moved to discharge S. 533 from the Special Order Status.

The was no objection.

Recorded Vote

Senator MARTIN desired to be recorded as voting against the motion.

Motion Adopted

On motion of Senator MASSEY, the Bill was carried over.

Recorded Vote

Senators MARTIN and CLIMER desired to be recorded as voting against the motion to carry over the Bill.

Statement by Senators YOUNG and MICHAEL JOHNSON

For weeks, we worked with representatives of the insurance industry and others promoting the passage of S. 533 as originally filed to draft a compromise version that could pass the Senate. After dozens of hours and several meetings, we reached an amended version of S. 533 that would have allowed allocation of fault to non-parties on a verdict form with limited exceptions. Additionally, the compromise version included additional provisions to address liquor liability insurance issues by establishing a visible intoxication liability standard; clarifying that existing mandatory insurance coverage requirements are aggregate and not per occurrence limits; specifying that non-profits, like Veterans of Foreign Wars (VFW) posts serving alcohol, would be required to carry no more than $500,000 in aggregate liability insurance coverage; and allowing a business serving alcohol to qualify for a reduction in aggregate insurance coverage limits by meeting certain requirements. Unfortunately, just prior to the start of debate on the Bill, the proposed compromise version was rejected. Because the cloture vote applied to the original version of S. 533 and not the compromise version that we reached in our extensive efforts, we voted "no" to cloture.

***

Statement by Senator SENN

I write to express frustration about a lot of wasted hope and time spent on this Bill which was an attempt to address joint tortfeasor liability in a fair manner. This Bill died because of an unwillingness on the part of the impacted industries to negotiate. In particular, the proponents of the Bill insisted that they get 100% of what they wanted and in so doing, they failed to get anything accomplished.

To be sure, it was always going to be difficult to get full agreement on how to handle bars when their tenders negligently serve alcohol. The good bars and restaurants which are careful not to serve drunks are getting charged the same insurance premiums as the bad ones who let patrons get stinking drunk and drive away. There is no fairness or justice in such lack of inequitable premiums and the insurance industry is in part to blame because they treat all insureds the same regardless of lack of culpability. This needs to change and there is a legislative effort underway to ensure this practice stops but that Bill cannot pass this year.

It requires study and verification, and the insurance companies often fight us from getting the information we need. They say that they have a business privacy right not to disclose how they set premiums to state regulators. So that is a bigger battle for another year.

I believe that many issues could have been resolved for most businesses and industries other than bars with the passage of S. 533 and that there has been a missed opportunity. A negotiated Bill to try and fix it all was being circulated in the lobby but not to decision makers by Senator YOUNG and Senator MICHAEL JOHNSON. Those were the only two Senators tapped by Senator SHANE MASSEY to work with the lobbyists for all sides to get the differences resolved. Senator MASSEY's strategy of having only two Senators who are also lawyers mediate matters for the parties unfortunately did not succeed. NONE of the rest of the Senators were made privy to those negotiations which went on for hours and hours while the rest of us sat there twiddling our thumbs. It was very unusual to have only two Senators attempt to get the parties to agree but that is what we were told was happening. According to those two Senators and others in the lobby, their proposals would fix problems with apportioning liability properly to the other industries except the bar business.

After negotiations, the proponents allegedly insisted on an all or nothing proposition. Therefore, to any business group that wanted this Bill to pass, know that your team of lobbyists banned together thinking they were coming from a position of strength by sticking together in hope of an all or nothing proposition which is not what negotiations are about. When their position was, "We agree to zero changes in the Bill", zero is what every proponent got.

There is hope left in that there is a House Bill that might still offer an opportunity for bars and restaurants to get some insurance premium relief. That Bill is H. 5066 and if passed will allow restaurants and bars that close at or before 10:00 P.M. to get a better cost for coverage. The details of that Bill will need to be sorted out and have not been reviewed by me as of this date.

***

MOTION TO VARY THE ORDER OF THE DAY ADOPTED

On motion of Senator MASSEY, under Rule 32A, the Senate agreed to vary the order of the day and proceed directly to the Second Reading Calendar.

AMENDED, READ THE SECOND TIME

S. 843 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-56-120, RELATING TO MISREPRESENTATIONS PROHIBITED, SO AS TO PROHIBIT A SOLICITATION FROM A PERSON OR GROUP REPRESENTING ITSELF AS A SOUTH CAROLINA-BASED NATIVE AMERICAN INDIAN TRIBE OR SOUTH CAROLINA-BASED NATIVE AMERICAN ENTITY UNLESS THE GROUP HAS BEEN FEDERALLY ACKNOWLEDGED AS A TRIBE, OR DESIGNATED AS A TRIBE, GROUP, OR SPECIAL INTEREST ORGANIZATION BY THE BOARD OF THE STATE COMMISSION FOR MINORITY AFFAIRS.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN proposed the following amendment (SJ-843.PB0016S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 33-56-120, by adding a subsection to read:

(I) This section does not provide, convey, or authorize any entity to conduct gaming, gambling, or casino operations in South Carolina.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis

Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Shealy	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 32 -- Senators Hutto, Senn and Sabb: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-77-170, RELATING TO THE REQUIRED CONDITIONS TO SUE OR RECOVER UNDER THE UNINSURED MOTORIST PROVISION WHEN THE OWNER OR OPERATOR OF THE MOTOR VEHICLE CAUSING INJURY OR DAMAGE IS UNKNOWN, SO AS TO ALLOW AN INSURED TO SEEK A COURT ORDER FOR A PRESUIT DEPOSITION WHEN THE INSURED IS UNABLE TO OBTAIN AN AFFIDAVIT FROM A WITNESS TO THE ACCIDENT AND TO ALLOW AN INSURED TO SUBMIT ELECTRONIC OR OTHER RECORDING OF THE ACCIDENT TO MEET THE REQUIRED CONDITIONS OF THE UNINSURED MOTORIST PROVISION.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Shealy	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT TABLED
AMENDED, READ THE SECOND TIME

S. 846 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-31-401, RELATING TO CORPORATE NAME, SO AS TO PROHIBIT THE USE OF CERTAIN INDIAN DESCRIPTIONS AS PART OF A NONPROFIT CORPORATION'S CORPORATE NAME UNLESS THE ENTITY IS A FEDERALLY ACKNOWLEDGED TRIBE OR A STATE DESIGNATED TRIBE, GROUP, OR SPECIAL INTEREST ORGANIZATION.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-846.PH0001S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 33-31-401(g)(1), (2), (3), (4), (5), (6), (7), (8), (9), and (10) and inserting:

(g)(1) After the effective date of this subsection, no domestic corporation or association organized or doing business in this State claiming to represent a bona fide Native American Indian Group or Native American Indian Tribe may use any of the following terms as part of its corporate name, unless the corporation or association complies with the requirements provided in subsection (g)(2):

(i) Indian Nation;

(ii) Indian Tribe;

(iii) Indian People;

(iv) Indian Group;

(v) Indian Organization;

(vi) Indian Association;

(vii) Indian Reservation;

(viii) Indian Council;

(ix) Urban Indian; or

(x) State Recognized Tribe.

(2) A corporation or association claiming to represent a bona fide Native American Indian Group or Native American Indian Tribe may use the terms listed in subsection (g)(1) in its corporate name only if:

(i) it is a federally acknowledged tribe, as provided in Part 83 of Title 25 of the Code of Federal Regulations; or

(ii) it has been designated as a state-recognized tribe by the board of the State Commission for Minority Affairs, as provided in the regulations promulgated pursuant to Chapter 31, Title 1 of the South Carolina Code of Laws.

(3) The Secretary of State may request written verification from the State Commission of Minority Affairs to the status of a Native American Indian Group or Native American Indian Tribe prior to filing a document containing a corporate name that includes any of the terms listed in subsection (g)(1).

(4) If the Secretary of State refuses to file a document for failing to meet the requirements provided in this section, the corporation or association that submitted the document may file an appeal pursuant to Section 33-31-126.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER moved to lay the amendment on the table.

The amendment was laid on the table.

Senator HUTTO proposed the following amendment (LC-846.PH0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 33-31-401(g) and inserting:

(g)(1) After the effective date of this subsection, no domestic corporation or association organized or doing business in this State claiming to represent a bona fide Native American Indian Group, Native American Indian Tribe, or Native American special interest organization may use any of the following terms as part of its corporate name, unless the corporation or association complies with the requirements provided in subsection (g)(2):

(i) Indian Nation;

(ii) Indian Tribe;

(iii) Indian People;

(iv) Indian Group;

(v) Indian Organization;

(vi) Indian Association;

(vii) Indian Reservation;

(viii) Indian Council;

(ix) Urban Indian; or

(x) State Recognized Tribe.

(2) A corporation or association claiming to represent a bona fide Native American Indian Group, Native American Indian Tribe, or Native American special interest organization may use the terms listed in subsection (g)(1) in its corporate name only if:

(i) it is a federally acknowledged tribe, as provided in Part 83 of Title 25 of the Code of Federal Regulations; or

(ii) it has been designated as a state-recognized group, tribe, or special interest organization by the board of the State Commission for Minority Affairs, as provided in the regulations promulgated pursuant to Chapter 31, Title 1 of the South Carolina Code of Laws.

(3) The Secretary of State may request written verification from the State Commission of Minority Affairs to the status of a Native American Indian Group, Native American Indian Tribe, or Native American special interest organization prior to filing a document containing a corporate name that includes any of the terms listed in subsection (g)(1).

(4) If the Secretary of State refuses to file a document for failing to meet the requirements provided in this section, the corporation or association that submitted the document may file an appeal pursuant to Section 33-31-126.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Motion Adopted

Senator CAMPSEN asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

S. 1132 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-7-20, RELATING TO DEFINITIONS CONCERNING BARBERS AND BARBERING, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-7-390, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGISTS AND COSMETOLOGY, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-13-360, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; AND

BY REPEALING SECTION 40-7-255 RELATING TO THE REGULATION OF HAIR-BRAIDING PRACTITIONERS.

The Senate proceeded to a consideration of the Bill.

Senators HUTTO and DAVIS proposed the following amendment (LC-1132.PH0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by deleting Section 40-7-20(3).

Amend the bill further, SECTION 3, by deleting Section 40-13-20(2).

Amend the bill further, SECTION 4, by deleting Section 40-13-360(4).

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 4

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Shealy	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Bennett	Loftis	Senn
Tedder		

Total--4

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT TABLED
READ THE SECOND TIME

S. 266 -- Senators Hutto, Jackson, Shealy, Devine, McLeod, Allen and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-820, RELATING TO OUT-OF-HOME PLACEMENT, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; BY AMENDING SECTION 63-19-1020, RELATING TO INSTITUTING PROCEEDINGS, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; BY AMENDING SECTION 63-19-1440, RELATING TO COMMITMENT, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; BY AMENDING SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-266.MF0016S), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 63-19-20(9) of the S.C. Code is amended to read:

(9) "Status offense" means an offense which would not be a misdemeanor or felony if committed by an adult including, but not limited to, incorrigibility or beyond the control of parents, truancy, or running away~~, playing or loitering in a billiard room, playing a pinball machine, or gaining admission to a theater by false identification~~.

SECTION 2. Sections 63-19-820(C) and (E) of the S.C. Code are amended to read:

(C) ~~No~~ A child ~~may~~ must not be placed in secure confinement or ordered detained by the court in secure confinement in an adult jail or other place of detention for adults for more than six hours. ~~However, the prohibition against the secure confinement of juveniles in adult jails does not apply to juveniles who have been waived to the court of general sessions for the purpose of standing trial as an adult. Juveniles~~ A child placed in secure confinement in an adult jail during this six-hour period must be confined in an area of the jail which is separated by sight and sound from adults similarly confined.

(E) ~~A child who is taken into custody because of a violation of law which would not be a criminal offense under the laws of this State if committed by an adult must not be placed or ordered detained in an adult detention facility. A child who is taken into custody because of a violation of the law which would not be a criminal offense under the laws of this State if committed by an adult must not be placed or ordered detained more than twenty-four hours in a juvenile detention facility, unless an order previously has been issued by the court, of which the child has notice and which notifies the child that further violation of the court's order may result in the secure detention of that child in a juvenile detention facility. If a juvenile is ordered detained for violating a valid court order, the juvenile may be held in secure confinement in a juvenile detention facility for not more than seventy-two hours, excluding weekends and holidays. However, nothing in this section precludes a law enforcement officer from taking a status offender into custody.~~ A child who is taken into custody because of a violation of law which would not be a criminal offense under the laws of this State if committed by an adult, or because of a violation of a court order related to a status offense, must not be placed or ordered detained in an adult or juvenile detention facility. If an order previously has been issued by the court, of which the

child has notice and which notifies the child that further violation of the court's order may result in the out-of-home placement of that child, the child may be held in secure confinement in a juvenile detention facility, therapeutic foster care, crisis shelter, or other alternative nonsecure placement approved by the Department of Juvenile Justice, when leaving the child outside of state custody will not reasonably protect the child or the public, for not more than forty-eight hours, excluding weekends and holidays. However, nothing in this section precludes a law enforcement officer from initiating a case against a child allegedly committing a status offense, as long as all requirements listed in Section 63-19-1020(B) are met.

SECTION 3. Section 63-19-1020 of the S.C. Code is amended to read:

Section 63-19-1020. (A) The parent or custodian of a child, an official of a child welfare board, a public official charged by law with the care of the poor, the recognized agents of an agency, association, society, or institution, a person having knowledge or information of a nature which convinces the person that a child is delinquent or that a child, by reason of his own acts in accordance with this chapter, is subject to the jurisdiction of the court, any person who has suffered injury through the delinquency of a child, or an officer having an arrested child in charge, may institute a proceeding respecting the child.

(B) Before the department may accept a referral for the status offense of incorrigibility or before a petition for the offense of incorrigibility may be filed, the person or entity seeking to institute the proceeding first shall provide documentation indicating that the parent or custodian and the child have made reasonable efforts to resolve the challenges confronting the family through participation in family counseling, pastoral counseling, parenting improvement classes, or other family therapy services. If no prior assistance has been sought, the department shall refer the parent or custodian to service providers in the family's community or provide services itself to assist the family.

SECTION 4. Section 63-19-1410 of the S.C. Code is amended to read:

Section 63-19-1410. (A) When a child is found by decree of the court to be subject to this chapter, the court shall in its decree make a finding of the facts upon which the court exercises its jurisdiction over the child. Following the decree, the court by order shall enter the least restrictive appropriate disposition order from the following options in view of the seriousness of the delinquent act, such child's culpability as indicated by the circumstances of the particular case, the age of such child, such

child's prior record, and such child's strengths and needs; and by order may:

(1) cause a child concerning whom a petition has been filed to be examined or treated by a physician, psychiatrist, or psychologist and for that purpose place the child in a ~~hospital or other~~ suitable facility; and

(2) order care and treatment as it considers best, except as otherwise provided in this section and may designate a state agency as the lead agency to provide a family assessment to the court. The assessment shall include, but is not limited to, the strengths and weaknesses of the family, problems interfering with the functioning of the family and with the best interests of the child, and recommendations for a comprehensive service plan to strengthen the family and assist in resolving these issues.

The lead agency shall provide the family assessment to the court in a timely manner, and the court shall conduct a hearing to review the proposed plan and adopt a plan as part of its order that will best meet the needs and best interest of the child. In arriving at a comprehensive plan, the court shall consider:

(a) additional testing or evaluation that may be needed;

(b) economic services including, but not limited to, employment services, job training, food stamps, and aid to families with dependent children;

(c) counseling services including, but not limited to, marital counseling, parenting skills, and alcohol and drug abuse counseling; and

(d) any other programs or services appropriate to the child's and family's needs.

The lead agency is responsible for monitoring compliance with the court-ordered plan and shall report to the court as the court requires. In support of an order, the court may require the parents or other persons having custody of the child or any other person who has been found by the court to be encouraging, causing, or contributing to the acts or conditions which bring the child within the purview of this chapter to do or omit to do acts required or forbidden by law, when the judge considers the requirement necessary for the welfare of the child. In case of failure to comply with the requirement, the court may proceed against those persons for contempt of court;

(3) place the child on probation or under supervision in the child's own home or in the custody of a suitable person elsewhere, upon conditions as the court may determine:

(a) A child placed on probation by the court remains under the authority of the court only until the expiration of the specified term of the child's probation. This specified term of probation ~~may~~

presumptively shall not exceed two years for a felony offense or one year for a misdemeanor or status offense, but in no case may probation ~~expire before but not~~ extend after the twentieth birthday of the child. Probation means casework services during a continuance of the case. A child adjudicated delinquent for a probation violation or held in contempt for violation of a prior court order may be placed on probation for up to an additional six months. When a child is adjudicated for multiple offenses, the maximum term of probation shall be calculated based on the most severe adjudicated offense. The court may impose a longer term of probation if agreed to by the parties, or can extend the term if it is needed for the child to finish an evidence-based program as recommended by a clinical evaluation, but in no case may probation extend after the child's twentieth birthday;

(b) Probation means casework services during a continuance of the case. Probation must not be ordered or administered as punishment but as a measure for the protection, guidance, and well-being of the child and the child's family. Probation methods must be directed to the discovery and correction of the basic causes of maladjustment and to the development of the child's personality and character, with the aid of the social resources of the community~~.~~;

(c) ~~As a condition of probation, the court may order the child to participate in a community mentor program as provided for in Section 63-19-1430.~~ The court may impose monetary restitution or participation in supervised work or community service, or both, as a condition of probation. Restitution presumptively shall not be ordered for any child who is under the age of sixteen at the time of the offense. To overcome this presumption, the State has a burden of proving by the preponderance of the evidence that the child has the ability to pay the restitution. The Department of Juvenile Justice, in coordination with local community agencies, shall develop and encourage employment of a constructive nature designed to make reparation and to promote the rehabilitation of the child. When considering the appropriate amount of monetary restitution to be ordered, the court shall establish the monetary loss suffered by the victim and then weigh and consider this amount against the number of individuals involved in causing the monetary loss, the child's particular role in causing this loss, and the child's ability to pay the amount over a reasonable period of time. The order for monetary restitution shall specify a monthly payment schedule that will result in full payment for the established amount of restitution by the end of the child's probationary period. In the absence of a monthly payment schedule, the Department of Juvenile Justice shall impose a payment

schedule of equal monthly payments that will result in full restitution being paid by the end of the child's probationary period. If the court determines at a contempt of court hearing that the basis for holding the child in contempt is that the child has willfully failed to pay restitution, the court shall make specific findings on the record of the child's willful failure to pay and shall issue an order, other than a commitment order, that addresses the child's failure to pay. The Department of Juvenile Justice shall develop a system for the transferring of court-ordered restitution from the child to the victim or owner of property injured, destroyed, or stolen.; ~~As a condition of probation the court may impose upon the child a fine not exceeding two hundred dollars when the offense is one in which a magistrate, municipal, or circuit court judge has the authority to impose a fine. A fine may be imposed when commitment is suspended but not in addition to commitment;~~

(d) If a child is ordered to complete drug screens as a condition of probation or during the community evaluation period and if the child's health insurance does not cover the costs of the drug screens, the Department of Juvenile Justice shall pay for the drug screens or administer them at their local offices at no charge for the child. A child must not be required to pay for drug screens as part of any court order.;

(4) order the child to participate in a community mentor program as provided in Section 63-19-1430;

(5) commit the child to the custody or to the guardianship of a public or private institution or agency authorized to care for children or to place them in family homes or under the guardianship of a suitable person. Commitment must be for an indeterminate period but in no event beyond the child's twenty-second birthday.; Such commitment may only be ordered subject to the commitment limitations established by Section 63-19-1440;

(6) require that a child under twelve years of age who is adjudicated delinquent for an offense listed in Section 23-3-430(C) be given appropriate psychiatric or psychological treatment to address the circumstances of the offense for which the child was adjudicated; ~~and~~

(7) place a child on administrative supervision with the Department of Juvenile Justice for a period of up to one year in order to pay restitution calculated pursuant to subitem (A)(3)(c), or complete community service or other sanction. Administrative supervision is not probation, and administrative supervision terminates automatically upon completion of the ordered sanction or sanctions; and

(8) dismiss the petition or otherwise terminate ~~its~~ the court's jurisdiction at any time on the motion of either party or on its own motion.

(B) Whenever the court commits a child to an institution or agency, it shall transmit with the order of commitment a summary of its information concerning the child, and the institution or agency shall give to the court information concerning the child which the court may require. Counsel of record, if any, must be notified by the court of an adjudication under this section, and in the event there is no counsel of record, the child or the child's parents or guardian must be notified of the adjudication by regular mail from the court to the last address of the child or the child's parents or guardian.

(C) No adjudication by the court of the status of a child is a conviction, nor does the adjudication operate to impose civil disabilities ordinarily resulting from conviction, nor may a child be charged with crime or convicted in a court, except as provided in Section 63-19-1210(6). The disposition made of a child or any evidence given in court does not disqualify the child in a future civil service application or appointment.

SECTION 5. Section 63-19-1440 of the S.C. Code is amended to read:

Section 63-19-1440. (A) A child, after the child's twelfth birthday and before the eighteenth birthday or while under the jurisdiction of the family court for disposition of ~~an~~ criminal offense that occurred prior to the child's eighteenth birthday, or for conduct that is a violation of probation or an act of contempt of court where the prior order of probation or court order arose from an adjudication for a criminal offense, may be committed to the custody of the Department of Juvenile Justice which shall arrange for placement in a suitable corrective environment. Children under the age of twelve years may be committed ~~only~~ to the custody of the department which shall arrange for placement in a suitable corrective environment other than institutional confinement. No child under the age of eighteen years may be committed or sentenced to any other penal or correctional institution of this State.

(B) A child may be committed to the custody of the Department of Juvenile Justice as provided below if:

(1) the child has a current adjudication for an offense which would be an A, B, C, or D felony if committed by an adult;

(2) the child has a current adjudication for an offense which would be a misdemeanor if committed by an adult and one or more of the following apply:

(a) the current adjudicated offense involved the use of a firearm, as defined in Section 16-23-490(D); or

(b) the child has had at least one prior adjudication for an offense that would be a felony if committed by an adult and at least three other prior adjudications for a delinquent act;

(3) the child the child is adjudicated for an offense which would be a felony if committed by an adult;

(4) the child is adjudicated for an offense which is a lesser included offense to the petitioned felony offense; and

(5) the parties agree that a commitment is in the child's best interest.

In any case in which the court commits the child to the custody of the department, the court shall issue individualized written findings as to why a less restrictive disposition option would not adequately protect the public or rehabilitate the child. For the purposes of this section, an adjudication is considered a prior adjudication only if the date of the commission of the subsequent offense or delinquent act occurred after the imposition of the sentence for the prior offense or delinquent act.~~All commitments to the custody of the Department of Juvenile Justice for delinquency as opposed to the conviction of a specific crime may be made only for the reasons and in the manner prescribed in Sections 63-3-510, 63-3-520, 63-3-580, 63-3-600, 63-3-650, and this chapter, with evaluations made and proceedings conducted only by the judges authorized to order commitments in this section. When a child is committed to the custody of the department, commitment must be for an indeterminate sentence, not extending beyond the twenty-second birthday of the child unless sooner released by the department, or for a determinate commitment sentence not to exceed ninety days.~~

(C) ~~The court, before committing a child as a delinquent or as a part of a sentence including commitments for contempt, shall order a community evaluation or temporarily commit the child to the Department of Juvenile Justice for not more than forty-five days for evaluation. A community evaluation is equivalent to a residential evaluation, but it is not required to include all components of a residential evaluation. However, in either evaluation the department shall make a recommendation to the court on the appropriate disposition of the case and shall submit that recommendation to the court before final disposition. The department is authorized to allow any child adjudicated delinquent for a status offense, a misdemeanor offense, or violation of probation or contempt for any offense who is temporarily committed to the department's custody for a residential evaluation, to reside in that child's home or in his home community while undergoing a community~~

~~evaluation, unless the committing judge finds and concludes in the order for evaluation, that a community evaluation of the child must not be conducted because the child presents an unreasonable flight or public safety risk to his home community. The court may waive in writing the evaluation of the child and proceed to issue final disposition in the case if the child:~~

~~(1) has previously received a residential evaluation or a community evaluation and the evaluation is available to the court;~~

~~(2) has been within the past year temporarily or finally discharged or conditionally released for parole from a correctional institution of the department, and the child's previous evaluation or other equivalent information is available to the court; or~~

~~(3) receives a determinate commitment sentence not to exceed ninety days.~~A child must not be committed to the Department of Juvenile Justice for a status offense, or any violation of a court order related to a status offense. A child who is determined by the court to have violated the conditions of probation set forth by the court in an order issued as a result of the child's adjudication of delinquency for a status offense may not be committed to the Department of Juvenile Justice.

(D) All commitments to the custody of the Department of Juvenile Justice for delinquency as opposed to the conviction of a specific crime may be made only for the reasons and in the manner prescribed in Sections 63-3-510, 63-3-520, 63-3-600, 63-3-650, and this chapter, with evaluations made and proceedings conducted only by the judges authorized to order commitments in this section. When a child is committed to the custody of the department, the court must order:

(1) an indeterminate sentence, not extending beyond the twenty-second birthday of the child unless sooner released by the department; or

(2) a determinate commitment sentence not to exceed ninety days.

(E) If a child is subject to a disposition order for more than one adjudicated offense, the child may not be committed for consecutive determinate commitment sentences when the total length of the determinate commitment would be for longer than the minimum parole guideline as established by the release authority, pursuant to Article 17 of this title, if the child were to be committed to the Department of Juvenile Justice for an indeterminate period of time.~~When a juvenile is adjudicated delinquent or convicted of a crime or has entered a plea of guilty or nolo contendere in a court authorized to commit to the custody of the Department of Juvenile Justice, the juvenile may be committed for an indeterminate period until the juvenile has reached age twenty-two or~~

~~until sooner released by the releasing entity or released by order of a judge of the Supreme Court or the circuit court of this State, rendered at chambers or otherwise, in a proceeding in the nature of an application for a writ of habeas corpus. A juvenile who has not been paroled or otherwise released from the custody of the department by the juvenile's nineteenth birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections. If not sooner released by the releasing entity, the juvenile must be released by age twenty-two according to the provisions of the juvenile's commitment; however, notwithstanding the above provision, any juvenile committed as an adult offender by order of the court of general sessions must be considered for parole or other release according to the laws pertaining to release of adult offenders.~~

~~(E) A juvenile committed to the Department of Juvenile Justice following an adjudication for a violent offense contained in Section 16-1-60 or for the offense of assault and battery of a high and aggravated nature, who has not been paroled or released from the custody of the department by his eighteenth birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections. A juvenile who has not been paroled or released from the custody of the department by his nineteenth birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections at age nineteen. If not released sooner by the Board of Juvenile Parole, a juvenile transferred pursuant to this subsection must be released by his twenty-second birthday according to the provisions of his commitment. Notwithstanding the above provision, a juvenile committed as an adult offender by order of the court of general sessions must be considered for parole or other release according to the laws pertaining to release of adult offenders.~~

(F)~~ Notwithstanding subsections (A) and (E), a child may be committed to the custody of the Department of Juvenile Justice or to a secure evaluation center operated by the department for a determinate period not to exceed ninety days when:~~

~~(1) the child has been adjudicated delinquent by a family court judge for a status offense, as defined in Section 63-19-20, excluding truancy, and the order acknowledges that the child has been afforded all due process rights guaranteed to a child offender;~~

~~(2) the child is in contempt of court for violation of a court order to attend school or an order issued as a result of the child's adjudication of delinquency for a status offense, as defined in Section 63-19-20; or~~

~~(3) the child is determined by the court to have violated the conditions of probation set forth by the court in an order issued as a result of the child's adjudication of delinquency for a status offense, as defined in Section 63-19-20 including truancy.~~

~~Orders issued pursuant to this subsection must acknowledge:~~

~~(a) that the child has been advised of all due process rights afforded to a child offender; and~~

~~(b) that the court has received information from the appropriate state or local agency or public entity that has reviewed the facts and circumstances causing the child to be before the court.~~ A child adjudicated delinquent for a violation of a probation order related to a misdemeanor or felony offense must not receive an indeterminate commitment sentence but may receive a determinate sentence not to exceed one hundred eighty days for a violation of a probation order related to a misdemeanor charge or three hundred sixty-five days for a violation of a probation order related to a felony charge.

(G) Prior to the issuance of a determinate commitment sentence for a violation of probation or contempt of court, the court must make a finding on the record that less restrictive alternatives have been considered and are unavailable or inappropriate or that the child has already been ordered to comply with a less restrictive alternative sanction.~~A child committed under this section may not be confined with a child who has been determined by the department to be violent.~~

(H)(1) The court, before committing a child as a delinquent, shall order a community evaluation or temporarily commit the child to the Department of Juvenile Justice for not more than thirty-five days for evaluation, subject to the exceptions listed below. A community evaluation is equivalent to a residential evaluation, but it is not required to include all components of a residential evaluation. However, in either evaluation the department shall make a recommendation to the court on the appropriate disposition of the case and shall submit that recommendation to the court before final disposition.

(2) The court shall only order an evaluation if the child is eligible for commitment pursuant to Section 63-19-1440(B). There is a presumption for a community evaluation. The court may order a residential evaluation for the child in the custody of the department only if the court finds that the child presents an unreasonable flight or public safety risk to their home community. The court shall issue individualized written findings establishing why a community evaluation with additional supervision measures arranged by the Department of Juvenile Justice would not adequately protect the public or reasonably ensure the

child's presence at a dispositional hearing. The court also may commit a child to the Department of Juvenile Justice for a residential evaluation if the court finds at a contempt hearing that the child willfully failed to cooperate with or successfully complete a community evaluation ordered pursuant to this section.

(3) The court may waive in writing the evaluation of the child and proceed to issue final disposition in the case if the child:

(a) has previously received a residential evaluation or a community evaluation and the evaluation is available to the court;

(b) has been within the past year temporarily or finally discharged or conditionally released for parole from a correctional institution of the department, and the child's previous evaluation or other equivalent information is available to the court; or

(c) receives a determinate commitment sentence not to exceed ninety days.~~After having served at least two-thirds of the time ordered by a court, a child committed to the Department of Juvenile Justice for a determinate period pursuant to this section may be released by the department prior to the expiration of the determinate period for "good behavior" as determined by the department. The court, in its discretion, may state in the order that the child is not to be released prior to the expiration of the determinate period ordered by the court.~~

(I) When a child is adjudicated delinquent or convicted of a crime or has entered a plea of guilty or nolo contendere in a court authorized to commit to the custody of the Department of Juvenile Justice, the child may be committed for an indeterminate period until the child has reached age twenty-two or until sooner released by the releasing entity or released by order of a judge of the Supreme Court or the circuit court of this State, rendered at chambers or otherwise, in a proceeding in the nature of an application for a writ of habeas corpus. A child who has not been paroled or otherwise released from the custody of the department by the child's nineteenth birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections. If not sooner released by the releasing entity, the child must be released by age twenty-two according to the provisions of the child's commitment; however, notwithstanding the above provision, any child committed as an adult offender by order of the court of general sessions must be considered for parole or other release according to the laws pertaining to release of adult offenders.~~Juveniles detained in any temporary holding facility or juvenile detention center or who are temporarily committed for evaluation to a Department of Juvenile Justice evaluation center for the offense for which they were subsequently~~

~~committed by the family court to the custody of the Department of Juvenile Justice shall receive credit toward their parole guidelines, if indeterminately sentenced, or credit toward their date of release, if determinately sentenced, for each day they are detained in or temporarily committed to any secure pre-dispositional facility, center, or program.~~

(J) A child committed to the Department of Juvenile Justice following an adjudication for a violent offense contained in Section 16-1-60 or for the offense of assault and battery of a high and aggravated nature, who has not been paroled or released from the custody of the department by his eighteenth birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections. A child who has not been paroled or released from the custody of the department by his nineteenth birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections at age nineteen. If not released sooner by the Board of Juvenile Parole, a child transferred pursuant to this subsection must be released by his twenty-second birthday according to the provisions of his commitment. Notwithstanding the above provision, a child committed as an adult offender by order of the court of general sessions must be considered for parole or other release according to the laws pertaining to release of adult offenders.

(K) A child committed under this section may not be confined with a child who has been determined by the department to be violent.

(L) Children detained in any temporary holding facility or juvenile detention center, short-term alternative placement or its equivalent, or who are temporarily committed for evaluation to a Department of Juvenile Justice evaluation center for the offense for which they were subsequently committed by the family court to the custody of the Department of Juvenile Justice shall receive credit toward their parole guidelines, if indeterminately sentenced, or credit toward their date of release, if determinately sentenced, for each day they are detained in or temporarily committed to any secure pre-dispositional facility, center, or program.

SECTION 6. Section 63-19-1810(A) of the S.C. Code is amended to read:

(A) The release and revocation of release of juveniles adjudicated delinquent and committed to the department must be determined by:

(1) the department for ~~juveniles~~ children adjudicated delinquent and committed after March 31, 2007, for an indeterminate period for ~~a status offense or~~ a misdemeanor, all statutorily non-violent offenses, and violations of probation related to any charges~~other than assault and~~

~~battery of a high and aggravated nature or assault with intent to kill, and for juveniles who have violated probation for a status offense or a misdemeanor, other than assault and battery of a high and aggravated nature or assault with intent to kill~~; or

(2) the Board of Juvenile Parole for juveniles adjudicated delinquent and committed for statutorily violent ~~an~~ offense~~s other than an offense provided for in item (1)~~.

SECTION 7. A. Section 63-19-2050(A) of the S.C. Code is amended to read:

(A)(1) A person who has been taken into custody for, charged with, or adjudicated delinquent for having committed a ~~status offense or a~~ nonviolent crime, as defined in Section 16-1-70, may petition the court for an order expunging all official records relating to:

(a) being taken into custody;

(b) the charges filed against the person;

(c) the adjudication; and

(d) the disposition.

(2) A person may not petition the court if the person has a prior adjudication for an offense that would carry a maximum term of imprisonment of five years or more if committed by an adult.

B. Section 63-19-2050(C) of the S.C. Code, as last amended by Act 254 of 2018, is further amended to read:

(C)(1) If the person has been taken into custody for, charged with, or adjudicated delinquent for having committed a status offense, the court shall grant the expungement order. If the person has been taken into custody for, charged with, or adjudicated delinquent for having committed multiple status offenses, the court may grant an expungement order for the multiple status offenses.

(2) If the person has been taken into custody for, charged with, or adjudicated delinquent for having committed a nonviolent crime, as defined in Section 16-1-70, the court may grant the expungement order. For the purpose of this section, any number of offenses for which the individual received youthful offender sentences at a single sentencing proceeding for offenses that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.

(3) The court shall not grant the expungement order unless the court finds that the person is at least eighteen years of age, has successfully completed any dispositional sentence imposed, has not been subsequently adjudicated for or convicted of any criminal offense, and does not have any criminal charges pending in family court or general

sessions court. If the person was found not guilty in an adjudicatory hearing in the family court, the court shall grant the expungement order regardless of the person's age and the person must not be charged a fee for the expungement. An adjudication for a violent crime, as defined in Section 16-1-60, must not be expunged.

SECTION 8. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO moved to lay the amendment on the table.

The amendment was laid on the table.

Senator MALLOY proposed the following amendment (SJ-266.MB0017S), which was not adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. This act may be referred to as the "South Carolina Juvenile Justice Reform Act".

SECTION 2. Section 63-1-20 of the S.C. Code is amended to read:

Section 63-1-20. (A) A children's policy is hereby established for this State.

(B) This policy shall be interpreted in conjunction with all relevant laws and regulations and shall apply to all children who have need of services including, but not limited to, those mentally, socially, emotionally, physically, developmentally, culturally, educationally or economically disadvantaged or handicapped, those dependent, neglected, abused or exploited and those who by their circumstance or action violate the laws of this State and are found to be in need of treatment or rehabilitation.

(C) It shall be the policy of this State to concentrate on the prevention of children's problems as the most important strategy which can be planned and implemented on behalf of children and their families. The State shall encourage community involvement in the provision of children's services including, as an integral part, local government, public and private voluntary groups, public and private nonprofit groups and private-for-profit groups in order to encourage and provide innovative strategies for children's services. To maximize resources in providing services to children in need, all agencies providing services to children shall develop methods to coordinate their services and resources. For children with multiple needs, the furtherance of this policy

requires all children's services agencies to recognize that their jurisdiction in meeting these children's needs is not mutually exclusive.

(D) When children or their families request help, state and local government resources shall be utilized to compliment community efforts to help meet the needs of children by aiding in the prevention and resolution of their problems. The State shall direct its efforts first to strengthen and encourage family life as the most appropriate environment for the care and nurturing of children. To this end, the State shall assist and encourage families to utilize all available resources. For children in need of services, care and guidance the State shall secure those services as are needed to serve the emotional, mental and physical welfare of children and the best interests of the community, preferably in their homes or the least restrictive environment possible. When children must be placed in care away from their homes, the State shall ~~insure~~ ensure that they are protected against any harmful effects resulting from the temporary or permanent inability of parents to provide care and protection for their children. It is the policy of this State to reunite the child with his family in a timely manner, whether or not the child has been placed in the care of the State voluntarily. When children must be permanently removed from their homes, they shall be placed in adoptive homes so that they may become members of a family by legal adoption or, absent that possibility, other permanent settings.

(E) It shall be the policy of this State that the primary goal of the juvenile justice system is to provide for any child who comes within the jurisdiction of the family court with the care and guidance as will secure his or her physical, emotional, moral, and mental well-being as well as to provide for the safety and security of the child and the community as a whole. It is the intent of the General Assembly to promote a system that will impose accountability for violations of the law, while also providing the treatment, rehabilitation, and education that will equip our children with the ability to live responsible and productive lives, preferably in the child's own home. These policies seek to guarantee due process of law in every proceeding, through which all interested parties are assured fair hearings at which legal rights are recognized and enforced. Above all, this chapter shall be liberally construed to reflect that the paramount juvenile justice policy of this state is to ensure the best interests of children who fall within the family court's jurisdiction.

To accomplish these goals, juvenile justice policies shall be designed and construed to recognize that the ultimate solutions to juvenile crime must be family-based and community-centered. The policy implementation must protect the public safety and support the

strengthening of families and educational institutions. Policies must facilitate efficient and effective cooperation, coordination and collaboration among agencies of the local, state and federal government; be outcome-based, allowing for the effective and accurate assessment of program performance; and encourage public and private partnerships to address community risk factors.

The General Assembly also recognizes that placing children in state custody is associated with higher rates of repeat offenses and negative outcomes for the child. It is, therefore, the intent of the General Assembly to preserve and strengthen family relationships, countenancing the removal of a child from his or her home only when it is essential to protect the child. Whenever the court places children in state custody or requires children to participate in community-based interventions, every effort shall be made to ensure these removals or interventions are supported by researched evidence and are mindful of and influenced by research into the effects of trauma, mental health disorders, and other factors on children's development and rehabilitation.

~~(E)~~(F) The children's policy provided for in this chapter shall be implemented through the cooperative efforts of state, county, and municipal legislative, judicial, and executive branches, as well as other public and private resources. Where resources are limited, services shall be targeted to those children in greatest need.

~~(F)~~(G) In order to carry out this policy each agency, department, institution, committee, and commission which is concerned or responsible for children shall submit as a part of its annual budget request a listing of programs and services for children, the priority order of these programs and services in relation to other services, if any, that are provided by the agency, department, institution, committee, or commission, and a summary of the expenses incurred for the administration of its children's services and programs. In addition, each agency, department, institution, committee, and commission which must submit pursuant to law an annual report to the General Assembly shall include as part of the report a comprehensive statement of how its children's services and programs contributed to the implementation of this policy. Copies of all these budget requests and annual reports must be provided to the Office of the Governor by the agency, department, institution, committee, or commission.

SECTION 3. Chapter 19, Title 63 of the S.C. Code is amended by adding:

Article 6

Juvenile Offender Civil Citations

Section 63-19-700. Each circuit solicitor must establish a juvenile offender civil citation program to provide a civil alternative to criminal prosecution for eligible children who have committed acts of delinquency as set forth in this article. The Juvenile Offender Civil Citation Program shall be coordinated by a statewide civil citation coordinator within the Department of Juvenile Justice and shall include assessment and intervention services that a child voluntarily agrees to complete in lieu of formal custody and prosecution.

Section 63-19-710. A law enforcement officer having probable cause to believe that a child has committed or attempted to commit an eligible offense of delinquency may refer an eligible child to the Juvenile Offender Civil Citation Program through the issuance of a civil citation. The issuance of a civil citation shall be at the discretion of the law enforcement officer and limited to qualified child offenders. Participation in the Juvenile Offender Civil Citation Program is voluntary on the part of the child offender. Referral to the Juvenile Offender Civil Citation Program shall be made with the consent of the victim if one exists, however, ultimate discretion to admit the child remains with the solicitor's office. The parent or guardian of the child may refuse the child's participation at any time.

Section 63-19-720. (A) A child is eligible to participate in a civil citation program only if he is alleged to have committed an eligible offense. An allegation of the commission of an ineligible offense in addition to an eligible offense precludes participation in the program. An eligible offense includes all alleged offenses except:

(1) any violent offense as defined by Section 16-1-60;

(2) any offense that may be classified as an A, B, C, or D felony; and

(3) any offense involving allegations of harassment or stalking, involving a firearm, or of failure to stop for a blue light.

(B) For the purposes of this article, an "eligible child offender" means a child who meets both of the following:

(1) no prior adjudication of delinquency, and

(2) no prior referral to the Juvenile Offender Civil Citation Program or any other diversion program unless more than one year has elapsed since the first referral and the prior referral was for a different offense.

(C) A law enforcement officer who chooses not to refer an otherwise eligible child to a civil citation program must provide the reason or reasons for the lack of the referral on a report provided to the program administrator within ten business days from the date the child was taken

into custody. The officer must provide the justifications with reasonable specificity for each instance.

Section 63-19-730. (A) A civil citation provided to the child shall include a description of the offense alleged to have been committed; contact information for the designated civil citation program; notification that the child must contact the identified civil citation program within seven business days to schedule their intake and initial assessment; and a warning that failure to contact and to participate with the identified civil citation program may result in the child's detention and the commencement of delinquency proceedings as otherwise provided in this chapter.

(B) At the time of issuance of a civil citation by the law enforcement officer, the law enforcement officer shall advise the child that the child has the option to refuse the civil citation and instead be taken into custody and be subject to the jurisdiction of the family court and prosecution as otherwise provided in this chapter. Upon issuance of a civil citation, the law enforcement officer shall submit the civil citation to the appropriate juvenile civil citation program administrator.

(C) A child issued a civil citation shall contact the identified civil citation program office within seven business days or as otherwise directed in the civil citation and thereafter report to the identified program office to which the child is referred.

(D) Program administrators shall assess referred children using an approved risk assessment tool and may recommend the child to participate in counseling, treatment, community service, or other interventions appropriate to the needs of the child as identified by the assessment.

(E) Upon successful completion of all terms and conditions of the Juvenile Offender Civil Citation Program, the child shall be discharged without detention.

(F) If the child fails to comply with any requirements of the Juvenile Offender Civil Citation Program, including any assessments or required services, or otherwise violates any terms or conditions imposed by the program, the child shall be unsuccessfully discharged from the Juvenile Offender Civil Citation Program. The civil citation program administrator shall serve notice upon on the child to appear before the family court and shall advise the referring law enforcement officer of a child's unsuccessful termination from the program. If the child is not able to be served by the program administrators, the officer, upon receiving notice that the child to whom they have issued a civil citation has been unsuccessfully discharged from the Juvenile Offender Civil

Citation Program, shall be authorized to take the child into custody or serve notice to appear before the family court and to commence delinquency proceedings as otherwise provided in this chapter.

(G) The solicitor's office and program administrators may not impose a fee for participation in the program.

(H) Participation in the Juvenile Offender Civil Citation Program shall not, with respect to a subsequent detention, serve to disqualify or otherwise preclude a child from participating in any diversion program at the discretion of the circuit solicitor.

Section 63-19-740. Final discretion regarding the eligibility of program participants remains with the program administrators who may waive requirements of victim consent or failure to contact the office within the required time periods if it is in the best interest of the child to do so.

Section 63-19-750. The Department of Juvenile Justice shall maintain a database of program participants for the purpose of identifying eligibility and overall program statistics. Specific information pertaining to each participant is confidential and not subject to disclosure under the Freedom of Information Act unless otherwise provided for by law. Any necessary information shall be disclosed to law enforcement, civil citation program offices, circuit solicitor's offices, or the Attorney General's office for the purposes of establishing eligibility of participants, or may be disclosed by court order. The results of the offender's participation in the program shall be disclosed to the victim of the offense if one exists. Generalized program statistics, data, and information that do not identify a specific program participant are not considered confidential under this subsection.

SECTION 4. Section 16-17-425 of the S.C. Code is amended to read:

Section 16-17-425. (A) It is unlawful for a student of a school or college in this State to make threats to ~~take the life of or to inflict bodily harm upon another~~ commit an act of mass violence at a school, college, or school- or college-sponsored activity by using any form of communication whatsoever. As used in this section, "an act of mass violence" means an act that a reasonable person would conclude could lead to serious bodily injury or death to two or more people.

(B) A person who violates subsection (A) is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars or imprisoned for not more than one year, or both.

(C) Nothing contained in this section may be construed to repeal, replace, or preclude application of any other criminal statute.

SECTION 5. Section 16-23-430 of the S.C. Code is amended to read:

Section 16-23-430. (A) It shall be unlawful for any person, except state, county, or municipal law enforcement officers or personnel authorized by school officials, to carry on his person, while on any elementary or secondary school property, a knife, with a blade over two inches long, a ~~blackjack, a metal pipe or pole,~~ ~~firearms~~ firearm, or any other type of weapon, device, or object ~~which may be used~~ with the intent by the person to inflict serious bodily injury or death.

(B) It shall be unlawful for any person, except state, county, or municipal law enforcement officers or personnel authorized by school officials, to carry on his person, while on any elementary or secondary school property a weapon, device, or object with the intent to inflict bodily injury.

(C) This section does not apply to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23 when the weapon remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

~~(C)~~(D) A person who violates the provisions of subsection (A) of this section is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years, or both. A person who violates the provisions of subsection (B) of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than one year, or both. Subsection (B) is a lesser-included offense of subsection (A). Any weapon or object used in violation of this section may be confiscated by the law enforcement division making the arrest.

SECTION 6. Section 63-1-40(6) of the S.C. Code is amended to read:

(6) "Status offense" means any offense which would not be a misdemeanor or felony if committed by an adult, such as, but not limited to, incorrigibility (beyond the control of parents), truancy, or running away~~, playing or loitering in a billiard room, playing a pinball machine or gaining admission to a theater by false identification~~.

SECTION 7. Section 63-3-520 of the S.C. Code is amended to read:

Section 63-3-520. (A) The magistrate courts and municipal courts of this State have concurrent jurisdiction with the family courts for the trial of persons under ~~seventeen~~ eighteen years of age charged with traffic violations or violations of the provisions of Title 50 relating to fish, game, and watercraft when these courts would have jurisdiction of the offense charged if committed by an adult.

(B) The family court shall report to the Department of Motor Vehicles all adjudications of a ~~juvenile~~ child for moving traffic violations and other violations that affect the ~~juvenile's~~child's privilege to operate a motor vehicle including, but not limited to, controlled substance and alcohol violations as required by other courts of this State pursuant to Section 56-1-330 and shall report to the Department of Natural Resources adjudications of the provisions of Title 50.

SECTION 8. Section 63-7-310 of the S.C. Code is amended by adding an appropriately lettered new subsection to read:

( ) A person required to report pursuant to subsection (A) or (B) is not required to report when employed by a lawyer who is providing representation in a criminal, delinquency, civil, or family law matter, and the basis for the suspicion arises in the course of that representation.

SECTION 9. Section 63-19-20(9) of the S.C. Code is amended to read:

(9) "Status offense" means an offense which would not be a misdemeanor or felony if committed by an adult including, but not limited to, incorrigibility or beyond the control of parents, truancy, or running away~~, playing or loitering in a billiard room, playing a pinball machine, or gaining admission to a theater by false identification~~.

SECTION 10. Chapter 19, Title 63 of the S.C. Code is amended by adding:

ARTICLE 2

Children's Bill of Rights

Section 63-19-100. A child in the care and custody of a state, county, municipal or regional institutional facility for the detention of children or for the treatment and rehabilitation of children within this State has the right:

(1) to be treated with basic human dignity and respect, without intentional infliction of humiliation;

(2) to have fair and equal access to services, placement, care, treatment, and benefits;

(3) to a program of education that meets the requirements of law and is appropriate for the developmental maturity of the child;

(4) to receive adequate, healthy, and appropriate food;

(5) to receive adequate, appropriate and accessible basic necessities, including, without limitation, shelter, clean clothing, and personal hygiene products and facilities;

(6) to have access to necessary medical and behavioral health care services including, without limitation:

(a) dental, vision, and mental health services,

(b) medical and psychological screening, assessment and testing, and

(c) referral to, and receipt of, medical, emotional, psychological or psychiatric evaluation and treatment as soon as practicable after the need for such services has been identified;

(7) to be free from:

(a) abuse or neglect, as defined in Section 63-7-20(6),

(b) corporal punishment, except the reasonable use of force that is necessary to preserve the order, security or safety of the child, the public, the staff of the facility or other children who are detained in the facility,

(c) discrimination or harassment on the basis of his or her actual or perceived race, ethnicity, ancestry, national origin, color, religion, sex, sexual orientation, gender identity or expression, mental or physical disability, or exposure to any communicable disease,

(d) the deprivation of food, sleep, exercise, education, pillows, blankets, or personal hygiene products as a form of punishment or discipline,

(e) searches for the purpose of harassment or as a form of punishment or discipline, or

(f) restrictions from a daily shower, clean clothing, drinking water, a toilet, or reading materials relating to the education as a form of punishment or discipline;

(8) to have reasonable access and accommodations to participate in religious services of his or her choice when reasonably available on the premises of the facility or to refuse to participate in religious services;

(9) to communicate with other persons, including, without limitation, the right:

(a) to have regular contact through visits, telephone calls and mail with:

(i) parents,

(ii) guardians,

(iii) siblings,

(iv) biological or adoptive children,

(v) attorneys, and

(vi) other adults with whom the child has established a familial or mentoring relationship including, without limitation, clergy, caseworkers, teachers, mentors and other persons, upon approval of the facility;

(b) to communicate confidentially with:

(i) any agency which provides child welfare services to the child concerning his or her care,

(ii) attorneys, legal services organizations, and their employees or staff,

(iii) ombudspersons and other advocates,

(iv) members of the clergy, and

(v) holders of public office, and people who work at a state or federal court;

Except as otherwise provided by specific statute, a communication made pursuant to this subsection is not a privileged communication.

(c) to report any alleged violation of his or her rights pursuant to Section 63 19 130 without being threatened or punished; and

(10) to receive information concerning his or her rights set forth in this title.

Section 63-19-110. A detention facility shall:

(1) inform the child of his or her rights as set forth in Section 63-19-100;

(2) provide the child with a written copy of those rights;

(3) provide an additional written copy of those rights to the child upon request;

(4) to the extent that it is practicable, provide a written copy of those rights to the parent or guardian of the child; and

(5) post a written copy of the rights set forth in Section 63-19-100 in a conspicuous place inside the facility.

Section 63-19-120. An institutional facility may impose reasonable restrictions on the time, place, and manner in which a child may exercise his or her rights set forth in Section 63-19-100 if such restrictions are necessary to preserve the order, security or safety of the child, the public, the staff of the facility, or other children who are held in the facility.

Section 63-19-130. If a child believes that any of his or her rights set forth in Section 63-19-100 have been violated, the child may raise and redress a grievance through, without limitation:

(A) a member of the staff of the facility,

(B) a probation officer or parole officer,

(C) an agency which provides child welfare services to the child, and any employee thereof,

(D) a juvenile court with jurisdiction over the child,

(E) a guardian ad litem for the child,

(F) an attorney for the child, or

(G) the Department of Children's Advocacy.

SECTION 11. Article 1, Chapter 19, Title 63 of the S.C. Code is amended by adding:

Section 63-19-210. (A) Prior to any custodial interrogation by law enforcement of any child fifteen years of age or younger, the law enforcement officer or official must arrange for the child to consult with legal counsel either in person, by telephone, or by video conference. The consultation must be made before any request for the child to waive his Miranda rights. The consultation may not be waived.

(B) The court shall, in adjudicating the admissibility of any statements of a child fifteen years of age or younger made during or after a custodial interrogation, consider the effect of the failure to comply with subdivision (A).

(C) This section does not apply if both of the following criteria are met:

(1) the officer who questions the child reasonably believes the information sought is necessary to protect life or property from an imminent threat, and

(2) the officer's questions are limited to those questions that are reasonably necessary to obtain that information.

(D) This section does not apply to a probation officer in the normal performance of his duties.

SECTION 12. Section 63-19-340 of the S.C. Code is amended to read:

Section 63-19-340. An annual report of the department must be prepared by the director which shall include an account of all funds received and expended, persons served by the department including a report of the state and condition of the correctional institutions, and community programs operated by the department. The annual report must include:

(1) the total number of

(a) offenses referred to the department;

(b) the top ten most frequent offenses referred to the department;

(c) status offenses referred to the department;

(d) probation violation or contempt of court charges referred to the department following one or more adjudications for a status offense;

(e) misdemeanor referrals;

(f) probation violation or contempt of court charges referred to the department following an adjudication for one or more misdemeanors;

(g) non-violent felony referrals;

(h) probation violation or contempt of court charges referred to the department following an adjudication for one or more non-violent felonies;

(i) violent offenses as defined in Section 16-1-60; and

(j) probation violation or contempt of court charges referred to the department following an adjudication for one or more violent offenses as defined in Section 16-1-60; and

(2) the number of cases in each category listed in subitems (1)(c) through (1)(j) associated with the following outcomes:

(a) cases which are dismissed or diverted;

(b) cases in which a child is detained pre-trial, separately counting children detained in the department's custody and children detained in a facility operated by another state or local government entity;

(c) adjudications after which a child is placed on probation;

(d) adjudications after which a child is ordered to undergo a community evaluation;

(e) adjudications after which a child is committed to the department's custody for a residential evaluation;

(f) adjudications after which a child is committed to the department for a determinate sentence;

(g) adjudications after which the department places a child in an alternative placement; and

(h) adjudications after which the child is committed to the department for an indeterminate period of time;

(3) the department must also provide the totals of each category specified in subsections (1) and (2) broken down by the sex and race of the child; and

(4) the number of individual children placed in corrective room restriction while in the department's custody, the number of corrective room restrictions imposed (including multiple restrictions placed on an individual child), the average and median length of time children were placed in corrective room restriction, and the number of corrective room restrictions which lasted for seventy-two consecutive hours or more.

SECTION 13. Section 63-19-350 of the S.C. Code is amended by adding an appropriately numbered new subsection to read:

( ) developing and utilizing structured decision-making tools at all key points in the juvenile justice process, to include detention, diversion, disposition, and release from commitment.

SECTION 14. Section 63-19-360(3) of the S.C. Code is amended to read:

(3) establishing and maintaining residential and nonresidential reception and evaluation centers at which all children committed to its custody by a circuit or family court must be received, examined, and evaluated before assignment to one of its institutions or before other disposition or recommendation is made concerning the child. The

commitment of a child to a reception and evaluation center or youth ~~correctional~~ rehabilitative institution of the department may be made only after the child has been adjudicated delinquent. The evaluation conducted by the reception and evaluation centers includes, but is not limited to:

(a) a ~~complete~~ comprehensive, individualized biopsychosocial assessment to include an examination of the child's social, physical, ~~psychological,~~ and mental health functioning ~~examination~~;

(b) an investigation and consideration of family and community environment and other facts in the background of the person concerned that might relate to the person's delinquency;

(c) a determination of the ~~correctional~~ rehabilitative or custodial care that would be most appropriate. The department shall create facilities and employ personnel ~~as will~~ that enable the centers to conduct the necessary ~~physical, mental, and psychological~~ examinations and assessments required by this section;

SECTION 15. Article 3, Chapter 19, Title 63 of the S.C. Code is amended by adding:

Section 63-19-362. When a delinquency petition alleging that a child has committed an offense which would be a misdemeanor that would carry a maximum term of imprisonment of less than five years if committed by an adult and the offense occurred while the child was in the custody of the Department, then the petition must include information that shows the Department has sought to resolve the expressed problem through available administrative approaches, the child has not responded to such approaches and continues to engage in delinquent behavior, and court intervention is needed.

SECTION 16. Article 3, Chapter 19, Title 63 of the S.C. Code is amended by adding:

Section 63-19-365. (A) As used in this section,

(1) "solitary confinement" means physical and social isolation in a room or cell for twenty-two hours per day or more.

(2) "corrective room restriction" means the confinement of a child to a room as a protective action and includes, without limitation:

(a) administrative seclusion;

(b) behavioral room confinement;

(c) corrective room rest; and

(d) room confinement.

(B) No child shall at any time be held in solitary confinement.

(C) A child who is held in a state, county, municipal or regional institutional facility for the detention of children or for the treatment and

rehabilitation of children may be subjected to corrective room restriction only if all other less-restrictive options have been exhausted and only for the purpose of ensuring the safety of the child, staff or others or ensuring the security of the facility.

(D) A child must only be subjected to corrective room restriction for the minimum time required to address the unsafe behavior and the child must be returned to the general population of the facility as soon as reasonably possible.

(E) Any action that results in corrective room restriction for more than two hours must be documented in writing and approved by a supervisor.

(F) The facility shall conduct a safety and well-being check on a child subjected to corrective room restriction at least once every ten minutes while the child is subjected to corrective room restriction.

(G) A child who is subjected to corrective room restriction for more than twenty-four hours must be provided:

(1) not less than one hour of out-of-room, large muscle exercise each day, including, without limitation, access to outdoor recreation if weather permits;

(2) access to the same meals and medical and mental health treatment, the same access to contact with parents or legal guardians, and the same access to legal assistance and educational services as is provided to children in the general population of the facility;

(3) any other interaction or services necessary to prevent a violation of Subsection (B); and

(4) a review of the corrective room restriction status at least once every twenty-four hours. If, upon review, the corrective room restriction is continued, the continuation must be documented in writing, including, without limitation, an explanation as to why no other less-restrictive option is available.

(H) The facility shall not subject a child to corrective room restriction for more than seventy-two consecutive hours.

(I) Each county, municipal, regional, or state institutional facility for the detention of children or for the treatment and rehabilitation of children shall report monthly to the Department of Children's Advocacy the number of children who were subjected to corrective room restriction during that month and the length of time that each child was in corrective room restriction. Any incident that resulted in the use of corrective room restriction for seventy-two consecutive hours must be addressed in the monthly report, and the report must include the reason or reasons any attempt to return the child to the general population of the facility was unsuccessful.

SECTION 17. Section 63-19-370 of the S.C. Code is amended to read:

Section 63-19-370. The department may enter into agreements with the governing bodies of other state departments or institutions for the purpose of effecting a more efficient and economical management of any institution or program under its supervision. The department is authorized to make contracts and expend public funds as required to carry out the functions prescribed for it in this chapter within the limits of appropriated funds.

The department may establish agreements with the Department of Education, the Department of Mental Health, individual school districts, and other state and local departments specific to reentry services for children returning to schools and communities after being in the department's custody including, but not limited to, mental health counseling, mentoring programs, and educational support services. Programs, resources, and services provided under such agreements shall be accessible to students if they are needed while under supervision by the department and for a reasonable time after supervision has concluded.

All revenues generated from United States Department of Agriculture grants, the Education Finance Act, the Detention Center, and Medicaid federal funding may be retained, carried forward, and expended by the Department of Juvenile Justice, in accordance with applicable regulations, for the costs associated with related programs.

SECTION 18. Article 3, Chapter 19, Title 63 of the S.C. Code is amended by adding:

Section 63-19-500. (A) At least one pre-detention intervention program shall be established in each judicial circuit in the state to provide services to children in all counties in that circuit for the purpose of offering an alternative to referral to the juvenile justice system for children who commit first-time, non-violent as defined in Section 16-1-70, delinquent acts. Each program shall be available to serve all eligible children in each county in that circuit, and no child shall be required to pay program fees. These programs must divert eligible children from initial contact with the juvenile justice system using approaches that are evidence-based, culturally relevant, trauma-informed, developmentally appropriate, and that promote long-term success for children.

(B) The department shall develop a plan for the establishment, implementation, and oversight of pre-detention diversion programs around the state to which all first-time, non-violent offenders must be referred. The department shall provide competitively awarded funding

to at least one such program in each judicial circuit to supplement other funding received by the program. Programs receiving funding from the department must adhere to the standards and procedures for such programs developed by the department, which must include requirements for applicants, organizational characteristics, reporting and auditing criteria, and such other standards for eligibility and accountability, and funding shall be based on the number of children served and such other requirements as may be established by the department. Pre-detention diversion programs may incorporate some or all of the following: educational services, including academic and vocational services; mentoring services; mental health services; and behavioral health services.

(C) A law enforcement officer who takes a child into custody for a non-violent offense as defined in Section 16-1-70 shall utilize a database system provided by the department to review the child's criminal history with the juvenile justice system. If the child has no prior referral to the department, the law enforcement officer must refer the child to the local pre-detention diversion program for that circuit utilizing a referral form provided by the department, and must provide a copy of the referral form to the child's parent or guardian, the department, and the entity designated to run the pre-detention diversion program.

(D) If a referral to the juvenile justice system is received for a first-time non-violent offender, the referral shall not be accepted and shall be returned to the referral source with instructions to refer the child to the entity designated to run the pre-detention diversion program in that respective circuit.

(E) All records of a child's referral to and participation in a pre-detention diversion program must be kept separate from records of children referred to the juvenile justice system. A referral to a pre-detention diversion program is not a referral to the juvenile justice system, and accordingly, must not be reflected on a child's criminal history.

(F) Each pre-detention diversion program shall submit data to the department on at least an annual basis which identifies for each child participating in the diversion program:

(1) the race, ethnicity, gender, and age of that child;

(2) the alleged offense committed, including the statute number of the offense;

(3) the county in which the offense was committed and the law enforcement agency that had contact with the child for the offense; and

(4) other information as specified by the department.

SECTION 19. Article 3, Chapter 19, Title 63 of the S.C. Code is amended by adding:

Section 63-19-520. (A) There is hereby established in the department's budget the Juvenile Justice Improvement Fund. All expenditures from the Juvenile Justice Improvement Fund shall be for the development, implementation, or monitoring of community based diversion or intervention programs, practices, and services for children and their families that reduce youth risk factors and/or rates of recidivism. The department shall at least annually transfer into the Juvenile Justice Improvement Fund available state general recurring funds identified as savings as a result of decreased reliance on out of home placement of youth.

(B) The department shall create a plan to incentivize the development of a continuum of evidence-based community intervention programs and services for children under supervision of the department. These programs and services shall serve to divert children from further involvement with the juvenile justice system. Intervention programs may incorporate some or all of the following: educational services, including academic and vocational services; mentoring services; mental health services; and behavioral health services. Funding prioritization shall be given to community-based intervention programs that provide services to counties that demonstrate a high rate of out of home placement of children and that have few existing community based alternatives.

(C) The department may contract with a service coordination agency or agencies to assist the department with building a continuum of community-based services for children and families across the state. Among other services, a service coordination agency may provide referral processing, billing, reporting, monitoring of the quality of direct service providers, monitoring of evidence-based programs for fidelity, completion of on-going service gaps analyses, filling of service gaps, assessment of existing treatment capacity, development of new treatment capacity, and selection of and subcontracting with direct service providers.

SECTION 20. Section 63-19-810 of the S.C. Code is amended to read:

Section 63-19-810. (A) When a child found violating a criminal law or ordinance is taken into custody, the taking into custody is not an arrest. The jurisdiction of the court attaches from the time of the taking into custody. When a child is taken into custody, the officer taking the child into custody shall notify the parent, guardian, or custodian of the child as soon as possible. Unless otherwise ordered by the court, the person taking the child into custody may release the child to a parent, a

responsible adult, a responsible agent of a court-approved foster home, group home, nonsecure facility, or program upon the written promise, signed by the person, to bring the child to the court at a stated time or at a time the court may direct. The written promise, accompanied by a written report by the officer, must be submitted to the South Carolina Department of Juvenile Justice as soon as possible, but not later than twenty-four hours after the child is taken into custody. If the person fails to produce the child as agreed, or upon notice from the court, a summons or a warrant may be issued for the apprehension of the person or of the child.

(B) When a child is not released pursuant to subsection (A), the officer taking the child into custody shall immediately notify the authorized representative of the Department of Juvenile Justice, who shall respond within one hour by telephone or to the location where the child is being detained. Upon responding, the authorized representative of the department shall review the facts in the officer's report or petition and any other relevant facts and advise the officer if, in his opinion, there is a need for detention of the child. The officer's written report must be furnished to the authorized representatives of the department and must state:

(1) the facts of the offense;

(2) the reason why the child was not released to the parent. Unless the child is to be detained, the child must be released by the officer to the custody of his parents or other responsible adult upon their written promise to bring the child to the court at a stated time or at a time the court may direct. However, if the offense for which the child was taken into custody is a violent crime as defined in Section 16-1-60, the child may be released only by the officer who took the child into custody. If the officer does not consent to the release of the child, the parents or other responsible adult may apply to any judge of the family court within the circuit for an ex parte order of release of the child. The officer's written report must be furnished to the family court judge. The family court judge may establish conditions for such release.

(C) ~~When a child is charged by a law enforcement officer for an offense which would be a misdemeanor or felony if committed by an adult, not including a traffic or wildlife violation over which courts other than the family court have concurrent jurisdiction as provided in Section 63-3-520, the law enforcement officer also shall notify the principal of the school in which the child is enrolled, if any, of the nature of the offense. This information may be used by the principal for monitoring~~

~~and supervisory purposes but otherwise must be kept confidential by the principal in the same manner required by Section 63-19-2220(E).~~

~~(D)~~ ~~Juveniles~~ A child may be held in nonsecure custody within the law enforcement center for only the time necessary for purposes of identification, investigation, detention, intake screening, awaiting release to parents or other responsible adult, or awaiting transfer to a juvenile detention facility or to the court for a detention hearing. A child seventeen years of age or older who has not been released to a parent, guardian, or responsible adult, must have a hearing before a magistrate or municipal court judge pursuant to Chapter 15, Title 17 as soon as practicable but not later than twenty-four hours from the time of being taken into custody. The judge shall order his release pending trial in the appropriate magistrate or family court, on his own recognizance without surety unless the court determines in its discretion that such a release does not reasonably assure the appearance of the child as required, or there is an unreasonable danger to the community or an individual. If the child is not released without surety, the court must place his findings regarding his risk of danger or failure to appear in writing as part of the record. The judge as a condition of release shall require the child to appear before the family court at the next available date. Any conditions of release by the magistrate are not binding upon the family court who may review the conditions of bond de novo, and order detention, placement, or release of the child pursuant to Section 63-19-830.

SECTION 21. Section 63-19-820 of the S.C. Code is amended to read:

Section 63-19-820. (A) When the officer who took the child into custody determines that placement of a ~~juvenile~~ child outside the home is necessary, the authorized representative of the Department of Juvenile Justice shall make a diligent effort to place the child in an approved home, program, or facility, other than a secure juvenile detention facility, when these alternatives are appropriate and available.

(B) Pre-trial detention is authorized only when that is the least restrictive appropriate option available to prevent an unreasonable flight or public safety risk, taking into account the overall rehabilitative purposes of the juvenile justice system and the likely harm to children and to public safety from unnecessary detention, and the child's presumption of innocence. If a child is eligible for detention, authorities should consider what alternatives to detention, if any, would mitigate any flight or public safety risk. A child is eligible for detention in a secure juvenile detention facility only if the child:

(1) is charged with a violent crime as defined in Section 16-1-60;

(2) is charged with a crime which, if committed by an adult, would be a felony or would carry a maximum term of imprisonment of five years or more; ~~a misdemeanor other than a violent crime, and the child:~~

~~(a) is already detained or on probation or conditional release or is awaiting adjudication in connection with another delinquency proceeding;~~

~~(b) has a demonstrable recent record of wilful failures to appear at court proceedings;~~

~~(c) has a demonstrable recent record of violent conduct resulting in physical injury to others; or~~

~~(d) has a demonstrable recent record of adjudications for other felonies or misdemeanors; and~~

~~(i) there is reason to believe the child is a flight risk or poses a threat of serious harm to others; or~~

~~(ii) the instant offense involved the use of a firearm;~~

(3) is a fugitive from another jurisdiction;

(4) ~~requests protection in writing under circumstances that present an immediate threat of serious physical injury;~~

~~(5)~~ had in his possession a deadly weapon;

~~(6)~~(5) ~~has a demonstrable recent record of wilful failure to comply with prior placement orders including, but not limited to, a house arrest order~~ is court ordered to be detained;

~~(7)~~(6) has exhausted suitable community-based alternative programs or placements, ~~no suitable alternative placement~~ and it is determined that detention is ~~in the child's best interest or is~~ necessary to protect the child or public, or both; or

~~(8) is charged with an assault and battery or an assault and battery of a high and aggravated nature on school grounds or at a school-sponsored event against any person affiliated with the school in an official capacity.~~

(7) is charged with unlawful student threats pursuant to Section 16-17-425 or failure to stop for a blue light pursuant to Section 56-5-750.

~~A~~ Only a child who meets the criteria provided in this subsection is eligible for detention. Detention is not mandatory for a child meeting the criteria if that child can be supervised adequately at home or in a less secure setting or program. The use of secure detention shall be limited to a child who poses a current risk to public safety or is a current flight risk. If the officer does not consent to the release of the child, the parents or other responsible adult may apply to the family court within the circuit for an ex parte order of release of the child. The officer's written report

must be furnished to the family court judge who may establish conditions for the release.

(C) A child must not be detained in secure confinement if the child could not be committed to the custody of the Department of Juvenile Justice pursuant to Section 63-19-1450. The family court shall consider any past mental health, disability services, special education or similar records provided by any of the parties to determine if that section applies. A child considered not competent to stand trial by a competency evaluator is presumed to be ineligible for detention in secure confinement.

(D) ~~No~~ A child ~~may~~ must not be placed in secure confinement or ordered detained by the court in secure confinement in an adult jail or other place of detention for adults for more than six hours. ~~However, the prohibition against the secure confinement of juveniles in adult jails does not apply to juveniles who have been waived to the court of general sessions for the purpose of standing trial as an adult. Juveniles~~ A child placed in secure confinement in an adult jail during this six-hour period must be confined in an area of the jail which is separated by sight and sound from adults similarly confined.

~~(D)~~(E)Temporary holdover facilities may hold ~~juveniles~~ children during the period between initial custody and the initial detention hearing before a family court judge for a period up to forty-eight hours, excluding weekends and state holidays.

~~(E)~~(F) A child who is taken into custody because of a violation of law which would not be a criminal offense under the laws of this State if committed by an adult or because of a violation of a court order related to a status offense must not be placed or ordered detained in an adult or a juvenile detention facility. ~~A child who is taken into custody because of a violation of the law which would not be a criminal offense under the laws of this State if committed by an adult must not be placed or ordered detained more than twenty-four hours in a juvenile detention facility, unless~~ If an order previously has been issued by the court, of which the child has notice and which notifies the child that further violation of the court's order may result in the out-of-home placement ~~secure detention~~ of that child ~~in a juvenile detention facility. If a juvenile is ordered detained for violating a valid court order~~, the ~~juvenile~~ child may not be held in secure confinement in a juvenile detention facility, but may be held in a group home, residential treatment facility, therapeutic foster care, crisis shelter, or other alternative nonsecure placement provided by the Department of Juvenile Justice, when leaving the child outside of state custody will not reasonably protect the child or the public. ~~for not~~

~~more than seventy-two hours, excluding weekends and holidays.~~ However, nothing in this section precludes a law enforcement officer from taking a status offender into custody.

~~(F)~~(G) Children ten years of age and younger must not be incarcerated in a jail or detention facility for any reason. Children eleven or twelve years of age who are taken into custody for a violation of law which would be a criminal offense under the laws of this State if committed by an adult or who violates conditions of probation for such an offense ~~must~~ may be incarcerated in a ~~jail or~~ juvenile detention facility only by order of the family court.

~~(G)~~(H) For purposes of this section, "adult jail" or other place of detention for adults includes a state, county, or municipal police station, law enforcement lockup, or holding cell. "Secure confinement" means an area having bars or other restraints designed to hold one person or a group of persons at a law enforcement location for any period of time and for any reason. Secure confinement in an adult jail or other place of detention does not include a room or a multipurpose area within the law enforcement center which is not secured by locks or other security devices. Rooms or areas of this type include lobbies, offices, and interrogation rooms. ~~Juveniles~~ Children held in these areas are considered to be in nonsecure custody as long as the room or area is not designed for or intended for use as a residential area, the ~~juvenile~~ child is not handcuffed to a stationary object while in the room or area, and the ~~juvenile~~ child is under continuous visual supervision by facility staff while in this room or area which is located within the law enforcement center. Secure confinement also does not include a room or area used by law enforcement for processing "booking" purposes, irrespective of whether it is determined to be secure or nonsecure, as long as the ~~juvenile's~~ child's confinement in the area is limited to the time necessary to fingerprint, photograph, or otherwise "book" the ~~juvenile~~ child in accordance with state law.

SECTION 22. Section 63-19-830(A) of the S.C. Code is amended to read:

(A) If the officer who took the child into custody has not released the child to the custody of the child's parents or other responsible adult, the court shall hold a detention hearing within forty-eight hours from the time the child was taken into custody, excluding Saturdays, Sundays, and holidays. At this hearing, the authorized representative of the department shall submit to the court a report stating the facts surrounding the case and a recommendation as to the child's continued detention pending the adjudicatory and dispositional hearings. The court shall appoint counsel

for the child if none is retained. No child may proceed without counsel in this hearing, unless the child waives the right to counsel and then only after consulting at least once with an attorney. At the conclusion of this hearing, the court shall determine whether probable cause exists to justify the detention of the child and the appropriateness of, and need for, the child's continued detention. If continued detention of a ~~juvenile~~ child is considered appropriate by the court and if a juvenile detention facility exists in that county which meets state and federal requirements for the secure detention of ~~juveniles~~ children or if that facility exists in another county with which the committing county has a contract for the secure detention of its ~~juveniles~~ children and if commitment of a ~~juvenile~~ child by the court to that facility does not cause the facility to exceed its design and operational capacity, the family court shall order the detention of the ~~juvenile~~ child in that facility. The family court may also order that the child be detained or remain detained in an approved home, program, or facility, other than a secure juvenile detention facility. A ~~juvenile~~ child must not be detained in secure confinement or in an approved home, program, or facility, other than a secure juvenile detention facility in excess of ninety days except in exceptional circumstances as determined by the court. A detained ~~juvenile~~ child is entitled to further and periodic review:

(1) within ten days following the ~~juvenile's~~ child's initial detention hearing;

(2) within thirty days following the ten-day hearing; and

(3) at any other time for good cause shown upon motion of the child, the State, or the department.

If the child does not qualify for detention or otherwise require continued detention under the terms of Section 63-19-820(A) or (B), the child must be released to a parent, guardian, or other responsible person.

SECTION 23. Section 63-19-1010 of the S.C. Code is amended to read:

Section 63-19-1010. (A) The Department of Juvenile Justice shall provide intake and probation services for ~~juveniles~~ children brought before the family courts of this State and for persons committed or referred to the department in cooperation with all local officials or agencies concerned. The role and function of intake is to independently assess the circumstances and needs of children referred for possible prosecution in the family court. Recommendations by the department as to intake must be reviewed by the office of the solicitor in the circuit concerned, and the final determination as to whether or not the ~~juvenile~~ child is to be prosecuted in the family court must be made by the solicitor

or by the solicitor's authorized assistant, consistent with subsection (C). Statements of the ~~juvenile~~ child contained in the department's files must not be furnished to the solicitor's office as part of the intake review procedure, and the solicitor's office must not be privy to these statements in connection with its intake review.

(B) Where circumstances do not warrant prosecution in the discretion of the solicitor, the intake counselor shall offer referral assistance for services as appropriate for the child and family. In the event that a ~~juvenile~~ child is adjudicated to be delinquent or found by the family court to be in violation of the terms of probation, the intake counselor shall offer appropriate dispositional recommendations to the family court for its consideration and determination of the disposition of the case.

(C)(1) A child brought before the family court or referred to the department for a status offense or an offense which would be a crime if committed by an adult shall be referred to a diversion program and not for prosecution if the following criteria are met:

(a) the child has no prior adjudications;

(b) the child has not been referred to a diversion program within the last twelve months; and

(c) the child is not referred for a violent offense as defined in Section 16-1-60.

(2) If the solicitor or solicitor's authorized assistant has good cause to believe that diversion is insufficient to meet the purposes of this chapter, the solicitor or solicitor's authorized assistant may prosecute the child in family court. The petition shall include notice of the departure from the presumption of diversion and reasons for that departure. Upon motion of the child and upon a finding that no good cause exists, the family court may refer the child for diversion.

SECTION 24. Section 63-19-1020 of the S.C. Code is amended to read:

Section 63-19-1020. (A) The parent, guardian, or custodian of a child, an official of a child welfare board, a public official charged by law with the care of the poor, the recognized agents of an agency, association, society, or institution, a person having knowledge or information of a nature which convinces the person that a child is delinquent or that a child, by reason of his own acts in accordance with this chapter, is subject to the jurisdiction of the court, any person who has suffered injury through the delinquency of a child, or an officer having an arrested child in charge, may institute a proceeding respecting the child.

(B) Before the department may accept a referral for the status offenses of incorrigibility or runaway, or before a petition for the offenses of incorrigibility or runaway may be filed, the person or entity seeking to institute the proceeding first shall provide documentation indicating that the parent, guardian, or custodian and the child have made reasonable efforts to resolve the challenges confronting the family through participation in family counseling, pastoral counseling, parenting improvement classes, or other family therapy services. If no prior assistance has been sought, the department shall refer the parent, guardian, or custodian to service providers in the family's community or provide services itself to assist the family.

(C) The department may accept a referral for a school related offense and a petition may be filed for a school related offense if the child is: (1) charged with a felony offense, or (2) charged with a misdemeanor offense and the referring entity attaches documentation to the referral demonstrating that the child has three or more prior discipline referrals for related conduct within the prior six months for which the child received a school based consequence and/or appropriate community referral for services. Discipline referrals for being tardy to class, voluntarily missing class, violating school policy regarding school identification, violating school dress code policy, refusing to obey instruction of school personnel, using profanity, using or possessing tobacco products or paraphernalia, and other minor student misconduct shall not count as prior discipline referrals for purposes of this section. The department shall not accept a referral for and a petition shall not be filed for a school based misdemeanor offense unless documentation is provided by the referring entity that meets this criteria and further demonstrates that prior consequences, interventions, or community referrals instituted by the school have been attempted and proven unsuccessful. Any referral for a school-based offense must include a copy of the child's school disciplinary history for at least the current school year, including documentation of consequences instituted by the school for the alleged conduct being referred. Before filing of a petition for a school-based offense, consideration must be given to the school-based discipline or other consequences the child received for the alleged conduct subject to the petition.

(D) In addition to the requirements of subsection (C), any school or school district in such a case must provide to the solicitor information regarding:

(1) whether the child accused of an offense is a child with a disability pursuant to 20 U.S.C. section 1400 et seq., as and if amended, and Chapter 33, Title 59 of the South Carolina Code of Laws;

(2) if the child is a child with a disability, whether a manifestation review determination pursuant to 20 U.S.C. section 1415(k)(1)(E), as and if amended, occurred and, if so, whether the child's conduct was determined to be a manifestation of the child's disability;

(3) if the child's conduct was determined to be a manifestation of the child's disability, whether the school district followed the process set forth in 20 U.S.C. section 1415(k)(1)(F), as and if amended; and

(4) any efforts by the school or school district to review the appropriateness of the child's current individualized education program (IEP), behavior intervention plan, compliance with Section 504 of the Federal Rehabilitation Act of 1973, as amended, and placement, and any modifications where appropriate.

SECTION 25. Sections 63-19-1030(C) and (D) of the S.C. Code are amended to read:

(C) Before the hearing of a case of a child, the judge ~~shall~~ may cause an investigation of all the facts pertaining to the issue to be made. The investigation, if ordered, shall consist of an examination of the parentage and surroundings of the child, the child's age, habits and history, and also shall include inquiry into the home conditions, habits and character of the child's parents or guardian, if that is necessary in the discretion of the court. In these cases the court, if advisable, shall cause the child to be examined as to the child's ~~mentality~~ mental health by a competent and experienced psychologist or psychiatrist who shall make a report of the findings. Before the hearing in the case of a child, if the child attends school, a report on the child must be obtained from the school which the child attends. The school officials shall furnish the report upon the request of the court or its probation counselor. The court, when it is considered necessary, shall cause a complete physical examination to be made of the child by a competent physician.

(D) In ~~a~~ any case ~~where the delinquency proceedings may result in commitment to an institution in which the child's freedom is curtailed~~ upon service of a petition under this chapter, the child or the child's parents or guardian must be given written notice with particularity of the specific charge or factual allegations to be considered at the hearing. The notice must be given as soon as practicable and sufficiently in advance to permit preparation. The child or the child's parent or guardian also must be advised in the notice of their right to be represented by counsel and that, if they are unable to employ counsel, counsel will be appointed

to represent them. In the hearing, the parent or guardian and child also must be expressly informed of their right to counsel and must be specifically required to consider whether they do or do not waive the right of counsel.

SECTION 26. Article 9, Chapter 19, Title 63 of the S.C. Code is amended by adding:

Section 63-19-1050. Notwithstanding any other provision of law, no child respondent in a case filed under this chapter may be charged a fee to participate in any diversion or intervention program nor shall any child respondent be required to pay more than five hundred dollars in restitution as a requirement of any diversion or intervention program. An otherwise eligible child must not be denied admission into a diversion or intervention program for owing a restitution amount greater than five hundred dollars.

SECTION 27. Article 9, Chapter 19, Title 63 of the S.C. Code is amended by adding:

Section 63-19-1070. (A) Except where the petition alleges that the respondent has committed a violent offense, the court may at any time prior to an adjudication of the petition under Section 63-19-1410 and with the consent of the respondent order that the proceeding be adjourned in contemplation of dismissal. An adjournment in contemplation of dismissal is an adjournment of the proceeding, for a period not to exceed six months, with a view to ultimate dismissal of the petition in furtherance of justice. The court may provide such terms and conditions for such an order as the court finds appropriate, consistent with subsection (D).

(B) An order adjourning a petition in contemplation of dismissal may be issued upon motion of any party, or on the court's own motion. Upon issuing such an order, the court must set forth its reasons on the record.

(C) Upon motion of any party, or upon the court's own motion, the court may restore the matter to the calendar at any time during the pendency of the order. If the proceeding is not restored, the petition is, at the expiration of the order, deemed to have been dismissed by the court in furtherance of justice.

(D) Permissible terms and conditions of an adjournment in contemplation of dismissal order may include supervision by the Department of Juvenile Justice; a requirement that the respondent cooperate with a mental health, social services or other appropriate community facility or agency to which the respondent may be referred based on evidence available to the court or the Department of Juvenile Justice; payment of restitution orders determined by agreement of the

parties or consistent with the procedures of Section 63-19-1410(A)(3) not to exceed five hundred dollars, or other conditions agreed to by the parties; and a requirement that the respondent comply with other reasonable conditions as the court shall determine to be necessary or appropriate to ameliorate the conduct that gave rise to the filing of the petition or to prevent commitment to the Department of Juvenile Justice.

SECTION 28. Section 63-19-1210 of the S.C. Code is amended to read:

Section 63-19-1210. In accordance with the jurisdiction granted to the family court pursuant to Sections 63-3-510, 63-3-520, and 63-3-530, jurisdiction over a case involving a child must be transferred or retained as follows:

(1) If, during the pendency of a criminal or quasi-criminal charge against a child in a circuit court of this State, it is ascertained that the child was under the age of eighteen years at the time of committing the alleged offense, it is the duty of the circuit court immediately to transfer the case, together with all the papers, documents, and testimony connected with it, to the family court of competent jurisdiction, except in those cases where the Constitution gives to the circuit court exclusive jurisdiction or in those cases where jurisdiction has properly been transferred to the circuit court by the family court under the provisions of this section. The court making the transfer shall order the child to be taken immediately to the place of detention designated by the court or to that court itself, or shall release the child to the custody of some suitable person to be brought before the court at a time designated. The court then shall proceed as provided in this chapter. The provisions of this section are applicable to all existing offenses and to offenses created in the future unless the General Assembly specifically directs otherwise.

(2) Whenever a child is brought before a magistrate or city recorder and, in the opinion of the magistrate or city recorder, the child should be brought to the family court of competent jurisdiction under the provisions of this section, the magistrate or city recorder shall transfer the case to the family court and direct that the child involved be taken there.

(3) When an action is brought in a circuit court which, in the opinion of the judge, falls within the jurisdiction of the family court, he may transfer the action upon his own motion or the motion of any party.

(4) If a child seventeen years of age or older <u>at the time of the alleged commission of the offense</u> is charged with an offense which, if committed by an adult, would be a misdemeanor, a Class E or F felony as defined in Section 16-1-20, or a felony which provides for a maximum

term of imprisonment of ten years or less, and if the court, after full investigation, considers it contrary to the best interest of the child or of the public to retain jurisdiction, the court, in its discretion, acting as committing magistrate, may bind over the child for proper criminal proceedings to a court which would have trial jurisdiction of the offense if committed by an adult.

(5) If a child ~~fourteen, fifteen, or~~ who was sixteen years of age at the time of the alleged commission of the offense is charged with an offense which, if committed by an adult, would be a Class A, B, C, or D felony as defined in Section 16-1-20 or a felony which provides for a maximum term of imprisonment of fifteen years or more, the court, after full investigation and hearing, may determine it contrary to the best interest of the child or of the public to retain jurisdiction. The court, acting as committing magistrate, may bind over the child for proper criminal proceedings to a court which would have trial jurisdiction of the offenses if committed by an adult.

(6) Within thirty days after the filing of a petition in the family court alleging ~~the~~ a child fifteen or sixteen years of age has committed the offense of murder or criminal sexual conduct, the person executing the petition may request in writing that the case be transferred to the court of general sessions with a view to proceeding against the child as a criminal rather than as a child coming within the purview of this chapter. The judge of the family court is authorized to determine this request. If the request is denied, the petitioner may appeal within five days to the circuit court. Upon the hearing of the appeal, the judge of the circuit court is vested with the discretion of exercising and asserting the jurisdiction of the court of general sessions or of relinquishing jurisdiction to the family court. If the circuit judge elects to exercise the jurisdiction of the general sessions court for trial of the case, he shall issue an order to that effect, and then the family court has no further jurisdiction in the matter. Notwithstanding any other provision of law, for any child who has been charged with murder who was seventeen years of age or younger at the time of the alleged commission of the offense whose case is within or has been transferred to the jurisdiction of the general sessions court, the court may upon conviction sentence the child to a term of imprisonment less than the mandatory minimum sentence established under Section 16-3-20(A).

(7) Once the family court relinquishes its jurisdiction over the child and the child is bound over to be treated as an adult, Section 63-19-2020 dealing with the confidentiality of identity and fingerprints does not apply.

(8) When jurisdiction is relinquished by the family court in favor of another court, the court shall have full authority and power to grant bail, hold a preliminary hearing and any other powers as now provided by law for magistrates in such cases.

(9) If a child ~~fourteen~~ sixteen years of age or older is charged with a violation of Section 16-~~-~~23-~~-~~430, Section 16-23-20, or Section 44-53-445, the court, after full investigation and hearing, if it considers it contrary to the best interest of the child or the public to retain jurisdiction, acting as committing magistrate, may bind over the child for proper criminal proceedings to a court which would have trial jurisdiction of the offenses if committed by an adult.

(10) If a child ~~fourteen~~ sixteen years of age or older at the time of the alleged commission of the offense is charged with an offense which, if committed by an adult, provides for a term of imprisonment of ten years or more and the child previously has been adjudicated delinquent in family court or convicted in circuit court for two prior offenses which, if committed by an adult, provide for a term of imprisonment of ten years or more, the court, after full investigation and hearing, if it considers it contrary to the best interest of the child or the public to retain jurisdiction, acting as committing magistrate, may bind over the child for proper criminal proceedings to a court which would have trial jurisdiction of the offense if committed by an adult. For the purpose of this item, an adjudication or conviction is considered a second adjudication or conviction only if the date of the commission of the second offense occurred subsequent to the imposition of the sentence for the first offense.

(11) The determination of the family court regarding whether the child is to be transferred or bound over to the court of general sessions is a final order, appealable to the Supreme Court. Both the petitioner and the child have a right of appeal. An appeal must be taken under the appellate rules governing criminal appeals. The appeal pursuant to this subsection must be heard and a determination must be made within one hundred twenty days from the filing of the appeal, absent exceptional circumstances justifying a longer time period. The South Carolina Supreme Court may create rules governing the procedures for the appeal within its rulemaking authority pursuant to Article V of the Constitution of South Carolina.

SECTION 29. Section 63-19-1410 of the S.C. Code, as last amended by Act No. 268 of 2016, is amended to read:

Section 63-19-1410. (A) When a child is found by decree of the court to be subject to this chapter, the court shall in its decree make a finding

of the facts upon which the court exercises its jurisdiction over the child. Following the decree, the court shall enter the least restrictive appropriate disposition order from the following options in view of the seriousness of the delinquent act, such child's culpability as indicated by the circumstances of the particular case, the age of such child, such child's prior record, and such child's strengths and needs and by order may:

(1) cause a child concerning whom a petition has been filed to be examined or treated by a physician, psychiatrist, or psychologist and for that purpose place the child in a hospital or other suitable facility;

(2) order care and treatment as it considers best, except as otherwise provided in this section and may designate a state agency as the lead agency to provide a family assessment to the court. The assessment shall include, but is not limited to, the strengths and weaknesses of the family, problems interfering with the functioning of the family and with the best interests of the child, and recommendations for a comprehensive service plan to strengthen the family and assist in resolving these issues.

The lead agency shall provide the family assessment to the court in a timely manner, and the court shall conduct a hearing to review the proposed plan and adopt a plan as part of its order that will best meet the needs and best interest of the child. In arriving at a comprehensive plan, the court shall consider:

(a) additional testing or evaluation that may be needed;

(b) economic services including, but not limited to, employment services, job training, food stamps, and aid to families with dependent children;

(c) counseling services including, but not limited to, marital counseling, parenting skills, and alcohol and drug abuse counseling; and

(d) any other programs or services appropriate to the child's and family's needs.

The lead agency is responsible for monitoring compliance with the court-ordered plan and shall report to the court as the court requires. In support of an order, the court may require the parents or other persons having custody of the child or any other person who has been found by the court to be encouraging, causing, or contributing to the acts or conditions which bring the child within the purview of this chapter to do or omit to do acts required or forbidden by law, when the judge considers the requirement necessary for the welfare of the child. In case of failure to comply with the requirement, the court may proceed against those persons for contempt of court;

(3) place the child on probation or under supervision in the child's own home or in the custody of a suitable person elsewhere, upon conditions as the court may determine.

(a) A child placed on probation by the court remains under the authority of the court only until the expiration of the specified term of the child's probation. This specified term of probation ~~may~~ presumptively shall not exceed two years for a felony offense or one year for a misdemeanor or status offense, but in no case may probation ~~expire before but not~~ extend after the twentieth birthday of the child. A child adjudicated delinquent for a probation violation or held in contempt for violation of a prior court order may be placed on probation for up to an additional six months. When a child is adjudicated for multiple offenses, the maximum term of probation shall be calculated based on the most severe adjudicated offense. The court may impose a longer term of probation if agreed to by the parties, or if a longer term is needed for the child to complete an evidence-based program as recommended by a clinical evaluation but in no case may probation extend after the child's twentieth birthday.

(b) Probation means casework services during a continuance of the case. Probation must not be ordered or administered as punishment but as a measure for the protection, guidance, and well-being of the child and the child's family. Probation methods must be directed to the discovery and correction of the basic causes of maladjustment and to the development of the child's personality and character, with the aid of the social resources of the community.

(c) As a condition of probation, the court may order the child to participate in a community mentor program as provided for in Section 63-19-1430.

(d) The court may impose monetary restitution or participation in supervised work or community service, or both, as a condition of probation. Restitution presumptively shall not be ordered for any child who is under the age of sixteen at the time of the offense. To overcome this presumption, the state has a burden of proving by a preponderance of the evidence that the child has the ability to pay the restitution. The Department of Juvenile Justice, in coordination with local community agencies, shall develop and encourage employment of a constructive nature designed to make reparation and to promote the rehabilitation of the child. When considering the appropriate amount of monetary restitution to be ordered, the court shall establish the monetary loss suffered by the victim and then weigh and consider this amount against the number of individuals involved in causing the monetary loss, the

child's particular role in causing this loss, and the child's ability to pay the amount over a reasonable period of time. The order for monetary restitution shall specify a monthly payment schedule that will result in full payment for the established amount of restitution by the end of the child's probationary period. In the absence of a monthly payment schedule, the Department of Juvenile Justice shall impose a payment schedule of equal monthly payments that will result in full restitution being paid by the end of the child's probationary period. If the court determines at a contempt of court hearing that the basis for holding the child in contempt is that the child has willfully failed to pay restitution, the court shall make specific findings on the record of the child's willful failure to pay and shall issue an order, other than a commitment order, that addresses the child's failure to pay. The Department of Juvenile Justice shall develop a system for the transferring of court-ordered restitution from the child to the victim or owner of property injured, destroyed, or stolen. ~~As a condition of probation the court may impose upon the child a fine not exceeding two hundred dollars when the offense is one in which a magistrate, municipal, or circuit court judge has the authority to impose a fine. A fine may be imposed when commitment is suspended but not in addition to commitment;~~

(e) If a child is ordered to complete drug screens as a condition of probation or during the community evaluation period and if the child's health insurance does not cover the costs of the drug screens, the Department of Juvenile Justice shall pay for the drug screens or administer them at their local offices at no charge for the child. A child must not be required to pay for drug screens as part of any court order.

(4) order the child to participate in a community mentor program as provided in Section 63-19-1430;

(5) commit the child to the custody or to the guardianship of a public or private institution or agency authorized to care for children or to place them in family homes or under the guardianship of a suitable person. Commitment must be for an indeterminate period but in no event beyond the child's twenty-second birthday. Such commitment only may be ordered subject to the commitment limitations established by Section 63-19-1440;

(6) require that a child under twelve years of age who is adjudicated delinquent for an offense listed in Section 23-3-430(C) be given appropriate psychiatric or psychological treatment to address the circumstances of the offense for which the child was adjudicated; ~~and~~

(7) place a child on administrative supervision with the Department of Juvenile Justice for a period of up to one year in order to pay

restitution calculated pursuant to subitem (A)(3)(d), or complete community service or other sanction. Administrative supervision is not probation, and administrative supervision terminates automatically upon completion of the ordered sanction or sanctions; and

(8) dismiss the petition or otherwise terminate ~~its~~ the court's jurisdiction at any time on the motion of either party or on its own motion.

(B) Whenever the court commits a child to an institution or agency, it shall transmit with the order of commitment a summary of its information concerning the child, and the institution or agency shall give to the court information concerning the child ~~which~~ that the court may require. Counsel of record, if any, must be notified by the court of an adjudication under this section, and in the event there is no counsel of record, the child or the child's parents or guardian must be notified of the adjudication by regular mail from the court to the last address of the child or the child's parents or guardian.

(C) No adjudication by the court of the status of a child is a conviction, nor does the adjudication operate to impose civil disabilities ordinarily resulting from conviction, nor may a child be charged with crime or convicted in a court, except as provided in Section 63-19-1210(6). The disposition made of a child or any evidence given in court does not disqualify the child in a future civil service application or appointment.

SECTION 30. Article 13, Chapter 19, Title 63 of the S.C. Code is amended by adding:

Section 63-19-1415. (A) Each circuit solicitor may operate one or more specialty treatment court programs, such as a juvenile drug court or a juvenile mental health court, if authorized by the South Carolina Supreme Court.

(B) Such specialty treatment court programs are to be operated in accordance with national guidelines and evidence based research.

(C) When a child is charged with an offense which places him under the jurisdiction of the family court and the child has substance abuse or mental health issues, the child may be referred to a specialty treatment court program. Upon successful completion of the specialty treatment court program, the proceedings in the family court must be dismissed and the record of the child's offenses for which the child participated in the program must be automatically expunged at no charge to the child.

(D) The participation in the specialty treatment court program shall be voluntary and a child must not be ordered to participate in such program against his will.

SECTION 31. Section 63-19-1440 of the S.C. Code as last amended by Act No. 268 of 2016 is amended to read:

Section 63-19-1440.(A) A child, after the child's twelfth birthday and before the child's eighteenth birthday or while under the jurisdiction of the family court for disposition of ~~an~~ a criminal offense that occurred prior to the child's eighteenth birthday, or for conduct that is a violation of probation or an act of contempt of court where the prior order of probation or court order arose from an adjudication for a criminal offense, may be committed to the custody of the Department of Juvenile Justice which shall arrange for placement in a suitable corrective environment. Children under the age of twelve years may be committed ~~only~~ to the custody of the department which shall arrange for placement in a suitable corrective environment other than institutional confinement. ~~No~~ A child under the age of eighteen years may not be committed or sentenced to any other penal or correctional institution of this State.

(B) A child may be committed to the custody of the Department of Juvenile Justice as provided below if:

(1) the child has a current adjudication for an offense which would be an A, B, C, or D felony if committed by an adult;

(2) the child has a current adjudication for an offense which would be a misdemeanor if committed by an adult and one or more of the following apply:

(a) the current adjudicated offense involved the use of a firearm, as defined in section 16-23-490(D); or

(b) the child has had at least one prior adjudication for an offense that would be a felony if committed by an adult and at least three other prior adjudications for a delinquent act; or

(3)(a) the child is petitioned for an offense which would be a felony if committed by an adult;

(b) the child is adjudicated for an offense which is a lesser included offense to the petitioned felony offense; and

(c) the parties agree that a commitment is in the child's best interest.

In any case in which the court commits the child to the custody of the department, the court shall issue individualized written findings as to why a less restrictive disposition option would not adequately protect the public or rehabilitate the child. For the purposes of this section, an adjudication is considered a prior adjudication only if the date of the commission of the subsequent offense or delinquent act occurred after the imposition of the sentence for the prior offense or delinquent act.

(C) A child must not be committed to the Department of Juvenile Justice for a status offense or any violation of a court order related to a status offense. A child who is determined by the court to have violated the conditions of probation set forth by the court in an order issued as a result of the child's adjudication of delinquency for a status offense may not be committed to the Department of Juvenile Justice.

(D) All commitments to the custody of the Department of Juvenile Justice for delinquency as opposed to the conviction of a specific crime may be made only for the reasons and in the manner prescribed in Sections 63-3-510, 63-3-520, 63-3-580, 63-3-600, 63-3-650, and this chapter, with evaluations made and proceedings conducted only by the judges authorized to order commitments in this section. When a child is committed to the custody of the department, ~~commitment must be for~~ the court must order:

(1) an indeterminate sentence, not extending beyond the twenty-second birthday of the child unless sooner released by the department, ~~or~~

(2) ~~for~~ a determinate commitment sentence not to exceed ninety days~~.~~, or

(3) if the child is adjudicated delinquent for an offense which provides for a maximum term of imprisonment of fifteen years or more if committed by an adult, the court may order the child committed for a determinate sentence not to exceed one hundred eighty days.

If a child is subject to a disposition order for more than one adjudicated offense, the child may not be committed for consecutive determinate commitment sentences when the total length of the determinate commitment would be for longer than the minimum parole guideline as established by the release authority, pursuant to Article 17 of this Title, if the child were to be committed to the Department of Juvenile Justice for an indeterminate period of time. A child adjudicated delinquent for a violation of a probation order or held in contempt of court for a violation of a court order related to a misdemeanor or felony offense must not receive an indeterminate commitment sentence but may receive a determinate commitment sentence not to exceed seventy-two hours, when the child has at least one prior adjudication for a probation violation or contempt of court. Prior to the issuance of a determinate commitment sentence of up to seventy-two hours for a violation of probation or contempt of court, the court must make a finding on the record that less restrictive alternatives have been considered and are unavailable or inappropriate or that the child has already been ordered to

comply with a less restrictive alternative sanction but failed to comply with the sanction.

~~(C)~~(E)(1) The court, before committing a child as a delinquent ~~or as a part of a sentence including commitments for contempt~~, shall order a community evaluation or temporarily commit the child to the Department of Juvenile Justice for not more than ~~forty-five~~ thirty days for evaluation, subject to the exceptions listed below. A community evaluation is equivalent to a residential evaluation, but it is not required to include all components of a residential evaluation. However, in either evaluation the department shall make a recommendation to the court on the appropriate disposition of the case and shall submit that recommendation to the court before final disposition. ~~The department is authorized to allow any child adjudicated delinquent for a status offense, a misdemeanor offense, or violation of probation or contempt for any offense who is temporarily committed to the department's custody for a residential evaluation, to reside in that child's home or in his home community while undergoing a community evaluation, unless the committing judge finds and concludes in the order for evaluation, that a community evaluation of the child must not be conducted because~~

(2) The court shall only order an evaluation if the child is eligible for commitment pursuant to Section 63-19-1440(B). There is a presumption for a community evaluation. The court may order a residential evaluation for the child in the custody of the department only if the court finds that the child presents an unreasonable flight or public safety risk to his home community. The court shall issue individualized written findings why a community evaluation with additional supervision measures arranged by the Department of Juvenile Justice would not adequately protect the public or reasonably ensure the child's presence at a dispositional hearing. The court also may commit a child to the Department of Juvenile Justice for a residential evaluation if the court finds at a contempt hearing that the child willfully failed to cooperate with or successfully complete a community evaluation ordered pursuant to this section.

(3) The court may waive in writing the evaluation of the child and proceed to issue final disposition in the case if the child:

~~(1)~~(a) has previously received a residential evaluation or a community evaluation and the evaluation is available to the court;

~~(2)~~(b) has been within the past year temporarily or finally discharged or conditionally released for parole from a correctional institution of the department, and the child's previous evaluation or other equivalent information is available to the court; or

~~(3)~~(c) receives a determinate commitment sentence not to exceed ninety days.

~~(D)~~(F) When a ~~juvenile~~ child is adjudicated delinquent or convicted of a crime or has entered a plea of guilty or nolo contendere in a court authorized to commit to the custody of the Department of Juvenile Justice, the ~~juvenile~~ child may be committed for an indeterminate period until the ~~juvenile~~ child has reached age twenty-two or until sooner released by the releasing entity or released by order of a judge of the Supreme Court or the circuit court of this State, rendered at chambers or otherwise, in a proceeding in the nature of an application for a writ of habeas corpus. A ~~juvenile~~ child who has not been paroled or otherwise released from the custody of the department by the ~~juvenile's~~ child's nineteenth birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections. If not sooner released by the releasing entity, the ~~juvenile~~ child must be released by age twenty-two according to the provisions of the ~~juvenile's~~ child's commitment; however, notwithstanding the above provision, any ~~juvenile~~ child committed as an adult offender by order of the court of general sessions must be considered for parole or other release according to the laws pertaining to release of adult offenders.

~~(E)~~(G) A ~~juvenile~~ child committed to the Department of Juvenile Justice following an adjudication for a violent offense contained in Section 16-1-60 or for the offense of assault and battery of a high and aggravated nature, who has not been paroled or released from the custody of the department by his eighteenth birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections. A ~~juvenile~~ child who has not been paroled or released from the custody of the department by his nineteenth birthday must be transferred to the custody and authority of the Youthful Offender Division of the Department of Corrections at age nineteen. If not released sooner by the Board of Juvenile Parole, a ~~juvenile~~ child transferred pursuant to this subsection must be released by his twenty-second birthday according to the provisions of his commitment. Notwithstanding the above provision, a ~~juvenile~~ child committed as an adult offender by order of the court of general sessions must be considered for parole or other release according to the laws pertaining to release of adult offenders.

~~(F) Notwithstanding subsections (A) and (E), a child may be committed to the custody of the Department of Juvenile Justice or to a secure evaluation center operated by the department for a determinate period not to exceed ninety days when:~~

~~(1) the child has been adjudicated delinquent by a family court judge for a status offense, as defined in Section 63-19-20, excluding truancy, and the order acknowledges that the child has been afforded all due process rights guaranteed to a child offender;~~

~~(2) the child is in contempt of court for violation of a court order to attend school or an order issued as a result of the child's adjudication of delinquency for a status offense, as defined in Section 63-19-20; or~~

~~(3) the child is determined by the court to have violated the conditions of probation set forth by the court in an order issued as a result of the child's adjudication of delinquency for a status offense, as defined in Section 63-19-20 including truancy.~~

~~Orders issued pursuant to this subsection must acknowledge:~~

~~(a) that the child has been advised of all due process rights afforded to a child offender; and~~

~~(b) that the court has received information from the appropriate state or local agency or public entity that has reviewed the facts and circumstances causing the child to be before the court.~~

~~(G)~~(H) A child committed under this section may not be confined with a child who has been determined by the department to be violent.

~~(H)~~(I) After having served at least two-thirds of the time ordered by a court, a child committed to the Department of Juvenile Justice for a determinate period pursuant to this section may be released by the department prior to the expiration of the determinate period for "good behavior" as determined by the department. ~~The court, in its discretion, may state in the order that the child is not to be released prior to the expiration of the determinate period ordered by the court.~~

~~(I)~~(J) ~~Juveniles~~ Children detained in any temporary holding facility or juvenile detention center, short-term alternative placement or its equivalent, or who are temporarily committed for evaluation to a Department of Juvenile Justice evaluation center for the offense for which they were subsequently committed by the family court to the custody of the Department of Juvenile Justice shall receive credit toward their parole guidelines, if indeterminately sentenced, or credit toward their date of release, if determinately sentenced, for each day they are detained in or temporarily committed to any secure pre-dispositional facility, center, or program.

SECTION 32. Section 63-19-1450(A) of the S.C. Code is amended to read:

(A)(1) No ~~juvenile~~ child may be committed to an institution under the control of the Department of Juvenile Justice who is seriously handicapped by mental illness or ~~retardation~~ intellectual disability.

(a) The family court may order an evaluation for a determination of serious mental illness or intellectual disability sua sponte or upon a motion of any party involved with the case or upon a recommendation from the Department of Juvenile Justice pursuant to Section 44-24-150(A) and (B) or Section 44-20-450.

(b) Upon the return of the evaluation the court must hold a hearing to determine whether to proceed pursuant to Section 44-24-150(C), Section 44-20-450 or under Title 63 to determine if the child meets the definition of seriously handicapped by mental illness or intellectual disability and whether the child must be committed to the supervision of the Department of Mental Health or the Department of Disabilities and Special Needs. In making the determination the court shall consider, in addition to any evaluation ordered by the court or requested by the parties, the child's past mental health, disability services, special education or similar records provided by any of the parties to determine if this section applies.

(2) If, after a ~~juvenile~~ child is referred to the ~~Reception and Evaluation Center~~ custody of the Department of Juvenile Justice, it is determined that the ~~juvenile~~ child is mentally ill, as defined in Section 44-23-10, or a person with intellectual disability to an extent that the ~~juvenile~~ child could not be properly cared for in its custody, the department through the voluntary admission process or by instituting necessary legal action may accomplish the transfer of the ~~juvenile~~ child to another state agency which in its judgment is best qualified to care for the ~~juvenile~~ child in accordance with the laws of this State. This legal action pursuant to Section 63-3-510(A)(2) must be brought in the ~~juvenile's~~ child's resident county. The department shall establish standards with regard to the physical and mental health of ~~juveniles~~ children whom it can accept for commitment.

SECTION 33. Article 13, Chapter 19, Title 63 of the S.C. Code is amended by adding:

Section 63-19-1480. (A) Any case remaining open for twelve months after the date of the disposition shall be reviewed by the court at least annually and closed, unless the court finds by a preponderance of the evidence that the continued provision of services and court involvement are necessary and shall be fruitful to rehabilitate the child or protect the public interest. Upon making a finding that the purposes of this chapter have been met with regard to the child named in the petition, or for such other reason the court may consider appropriate and consistent with the purposes of this chapter, the court may order a case closed. If after the hearing, the court does not close the case, the court may amend earlier

dispositional orders when supported by developments since the issuance of such orders. All such findings shall be in writing and shall include the individualized basis upon which those findings were made.

(B) Upon request by the child, the solicitor, or the Department of Juvenile Justice, the court shall also review any case in which the child remains at the Department of Juvenile Justice more than six months after an order of commitment without having been released on parole or having been returned to the department's custody following revocation of parole, and may amend earlier dispositional orders at such hearings. Successive requests for review shall be granted upon request by the child, the solicitor, or the department of Juvenile Justice, but the court may deny such requests without a hearing if a review was held less than ninety days prior to receipt of a request for review. Any such request for review by the court shall be decided within forty-five days of the filing of that request. In each instance that the court reviews a case in which the child remains at the department or remains under the supervision of the department at the time of review, the child shall be entitled to the assistance of counsel.

SECTION 34. Section 63-19-1810(A) of the S.C. Code is amended to read:

(A) The release and revocation of release of ~~juveniles~~ children adjudicated delinquent and committed to the department must be determined by:

(1) the department for ~~juveniles~~ children adjudicated delinquent and committed ~~after March 31, 2007,~~ for an indeterminate period for ~~a status offense or~~ a misdemeanor, other than assault and battery of a high and aggravated nature or assault with intent to kill, and for ~~juveniles~~ children who have violated probation for ~~a status offense or~~ a misdemeanor, other than assault and battery of a high and aggravated nature or assault with intent to kill;

(2) the Board of Juvenile Parole for ~~juveniles~~ children adjudicated delinquent and committed for an offense other than an offense provided for in item (1).

SECTION 35. Section 63-19-1820 of the S.C. Code is amended to add an appropriately lettered new subsection to read:

( ) The releasing entity shall ensure that length of stay guidelines are based on evidence-based best practices and that the balance of public safety, personal accountability, and competency development are accounted for in length of stay decisions and plans. The projected release date for a committed child must be based on the severity of the committing offense and the child's risk for reoffending. The actual

release date may take into consideration other factors, including the child's progress in treatment and behavior during commitment.

SECTION 36. Section 63-19-1835 of the S.C. Code is amended to read:

Section 63-19-1835. (A) The department may grant up to a ten-day reduction of the probationary or parole term to probationers and parolees who are under the department's supervision for each month they are compliant with the terms and conditions of their probation or parole order.

(B) Except for an alleged community safety violation, in response to an alleged technical violation of the terms and conditions of a child's probationary or parole term the department must serve on the child a notice of administrative sanctions as an alternative to pursuing a probation violation or parole revocation. Prior to implementation of administrative sanctions, the child and the child's parent or guardian must agree in writing to the additional conditions set forth in the notice of administrative sanctions. Once the notice of administrative sanctions is signed, these additional conditions are considered to be incorporated as part of the original probation or parole order, and the department shall file a copy of the notice of administrative sanctions with the court or parole authority. The criteria for administering structured, community-based administrative sanctions shall be established by policy of the department. The department shall delineate in the policy a listing of administrative sanctions for the most common types of supervision violations including, but not limited to: failure to report; failure to pay restitution; failure to participate in a required program or service; failure to comply with mandatory school attendance order or order to refrain from engaging in misconduct resulting in school disciplinary referrals; failure to complete community service; failure to follow curfew or the conditions of electronic monitoring; failure to successfully complete an alternative placement program; and failure to refrain from the use of alcohol or controlled substances. The sanctions shall consider the severity of the current violation, the child's previous juvenile record, the number and severity of previous supervision violations, the child's risk and needs assessment, the child's age and developmental level, the child's mental health diagnosis or other special needs, the extent to which administrative sanctions were imposed for previous violations, and other relevant factors. The department, in determining the administrative sanctions to be served on a child, shall ascertain the availability of community-based programs and treatment options including, but not limited to: inpatient and outpatient substance abuse

treatment facilities, individual and family counseling, mentoring programs, day or night reporting centers, intensive supervision, electronic monitoring, community service, programs to reduce recidivism, and other community-based options consistent with evidence-based best practices. Nothing in this section precludes the department from responding immediately to an alleged community safety violation by initiating violation proceedings with the appropriate authority.

SECTION 37. Section 63-19-2020(E) of the S.C. Code is amended to read:

(E)(1) The department must notify the principal of a school or the administration of the college or university in which a child is enrolled, intends to be enrolled, or was last enrolled upon final disposition of a case in which the child is charged with any of the following offenses:

(a) a violent crime, as defined in Section 16-1-60;

(b) a crime in which a weapon, as defined in Section 59-63-370, was used;

(c) ~~assault and battery against school personnel, as defined in Section 16-3-612;~~

~~(d)~~ assault and battery of a high and aggravated nature or assault and battery in the first or second degree committed on school grounds or at a school-sponsored event against any person affiliated with the school in an official capacity; or

~~(e)~~(d) distribution or trafficking in unlawful drugs, as defined in Article 3, Chapter 53 of Title 44.

(2) Each school district, college, or university is responsible for developing a policy for ~~schools within the district~~ each school to follow to ensure that the confidential nature of a child offense history and other information received is maintained. This policy must provide for, but is not limited to:

(a) the retention of the child offense history and other information relating to the child offense history in the child's school disciplinary file or in some other confidential location;

(b) the destruction of the child offense history upon the child's completion of secondary school, the completion or withdrawal from the college or university, or upon reaching twenty one years of age; and

(c) limiting access to the child's school disciplinary file to school personnel. This access must only occur when necessary and appropriate to meet and adequately address the educational needs of the child.

SECTION 38. Section 63-19-2030(E) of the S.C. Code is amended to read:

(E)(1) Incident reports in which a child is the subject are to be provided to the victim of a crime pursuant to Section 16-3-1520.

(2) Incident reports, including information identifying a child, must be provided by law enforcement to the principal of the school, or the administration of the college or university in which the child is enrolled when the child has been charged with any of the following offenses:

~~(1)~~(a) a violent crime, as defined in Section 16-1-60;

~~(2)~~(b) an offense that would carry a maximum term of imprisonment of fifteen years or more if committed by an adult;

~~(3)~~(c) a crime in which a weapon, as defined in Section 59-63-370, was used;

~~(4) assault and battery against school personnel, as defined in Section 16-3-612;~~

~~(5)~~(d) assault and battery of a high and aggravated nature or assault and battery in the first or second degree committed on school grounds or at a school-sponsored event against any person affiliated with the school in an official capacity; or

~~(6)~~(e) distribution or trafficking in unlawful drugs, as defined in Article 3, Chapter 53, ~~of~~ Title 44.

(3) Incident reports involving other offenses must be provided upon request of the principal or the president of the college or university. This information must be maintained by the principal or the president of the college or university in the manner set forth in Section 63-19-2020(E) and must be forwarded with the child's permanent school records if the child transfers to another school or school district.

(4) Any disclosures made pursuant to subitem (E)(2) must include language clarifying that the child is innocent until proven guilty, and that once the charges are finally adjudicated by the family court, the school may make school assignment decisions based only on the adjudication and not on pending charges.

(5) If law enforcement has made a disclosure pursuant to Section 63-19-2030(E), it must supplement that notification with timely notification of any dismissal or reduction of any of the notified charges.

SECTION 39. Sections 63-19-2050(A) and (C) of the S.C. Code as last amended by Act No. 254 of 2018, are further amended to read:

(A)(1) A person who has been taken into custody for, charged with, or adjudicated delinquent for having committed a ~~status offense or a~~ nonviolent crime, as defined in Section 16-1-70, may petition the court for an order expunging all official records relating to:

(a) being taken into custody;

(b) the charges filed against the person;

(c) the adjudication; and

(d) the disposition.

(2) A person may not petition the court if the person has a prior adjudication for an offense that would carry a maximum term of imprisonment of five years or more if committed by an adult.

(C)(1) ~~If the person has been taken into custody for, charged with, or adjudicated delinquent for having committed a status offense, the court shall grant the expungement order. If the person has been taken into custody for, charged with, or adjudicated delinquent for having committed multiple status offenses, the court may grant an expungement order for the multiple status offenses.~~ All official records relating to the taking into custody, the charges filed, the adjudication, and the disposition for committing a status offense, as defined in Section 63-19-20, must be expunged subject to eligibility when the person has reached the age of eighteen. The expungements must occur if the person has no family court delinquency cases pending or family court delinquency sentences to be completed, or as soon thereafter once the person has completed the sentence for any pending cases, the service of any pending dispositional sentences imposed by the family court including probation or parole, or upon the final conclusion of any pending case in the family court if there is a dismissal, a finding of no delinquency, or no sentence is imposed. The expungements must occur after appropriate eligibility verifications upon the earliest of the following:

(a) after notice or written request by the eligible child;

(b) after a regular quarterly system-wide check of children in the system eligible to receive an expungement; or

(c) if technology allows within a jurisdiction, the review for eligibility must occur automatically upon each eligible child's eighteenth birthday.

(2) If the person has been taken into custody for, charged with, or adjudicated delinquent for having committed a nonviolent crime, as defined in Section 16-1-70, the court may grant the expungement order. For the purpose of this section, any number of offenses for which the individual received youthful offender sentences at a single sentencing proceeding for offenses that are closely connected and arose out of the same incident may be considered as one offense and treated as one conviction for expungement purposes.

(3) The court shall not grant the expungement order unless the court finds that the person is at least eighteen years of age, has successfully completed any dispositional sentence imposed, has not been

subsequently adjudicated for or convicted of any criminal offense, and does not have any criminal charges pending in family court or general sessions court. If the person was found not guilty in an adjudicatory hearing in the family court or the charge was dismissed, the court shall grant the expungement order regardless of the person's age and the person must not be charged a fee for the expungement. An adjudication for a violent crime, as defined in Section 16-1-60, must not be expunged.

SECTION 40. Section 63-19-2050 of the S.C. Code is amended by adding an appropriately lettered new subsection to read:

( ) Notwithstanding any other provision of law, an individual who is qualified to petition for record destruction under this section may not be charged a fee to petition for or obtain an order for record destruction, or for any part of the process for adjudicating such a petition.

SECTION 41. Article 19, Chapter 18, Title 59 of the S.C. Code is amended by adding:

Section 59-18-1970. (A) For purposes of this section, "a student who has experienced a disruption in the student's education" means a student who experiences one or more changes in public school or school district enrollment during a single school year as the result of:

(1) homelessness as defined in the federal McKinney Vento Homeless Assistance Act and as determined by the public school or school district;

(2) adjudication as:

(a) a victim of child abuse or neglect, pursuant to Chapter 7, Title 63; or

(b) having committed a status offense or an act which, if committed by an adult, would be a crime, pursuant to Chapter 19 of Title 63; or

(3) placement in a mental health treatment facility or habilitation program for developmental disabilities.

(B) If a student who has experienced a disruption in the student's education transfers to a new public school or school district, the receiving public school or school district shall communicate with the sending public school or school district within two business days of the student's enrollment. The sending public school or school district shall provide the receiving public school or school district with any requested records within two business days of having received the receiving public school's or school district's communication.

(C) A student who has experienced a disruption in the student's education because of transferring to a new public school as the result of circumstances set forth in this section shall have:

(1) priority placement in classes that meet state graduation requirements;

(2) timely placement in elective classes that are comparable to those in which the student was enrolled at the student's previous public school or schools as soon as the public school or school district receives verification from the student's records;

(3) equal access to participation in sports and other extracurricular activities, career and technical programs or other special programs for which the student qualifies;

(4) timely assistance and advice from counselors to improve the student's college or career readiness; and

(5) all special education services to which the student is entitled.

SECTION 42. Article 19, Chapter 18, Title 59 of the S.C. Code is amended by adding:

Section 59-18-1980. (A) As used in this section, "involved in the juvenile justice system" means a student who has been referred to the Department of Juvenile Justice or the family court due to allegations that the student has committed a delinquent or status offense and voluntary or involuntary conditions have been imposed on the student, including a student who is participating in a diversion program, is under a probation order, is currently supervised by the Department of Juvenile Justice, or has recently entered or left a juvenile or criminal justice placement or is on supervised release or parole.

(B) Each school district and charter school authorized by the Charter School Board or a local school board shall designate an individual to serve as a point of contact for students involved in the juvenile justice system. Charter schools authorized by school districts may use the district's point of contact. Multiple school districts may share a single designated point of contact with approval from the Department of Education and from the Department of Juvenile Justice.

(C) For students transferring into the school district or charter school, the point of contact person shall be responsible for:

(1) ensuring that a student is immediately enrolled regardless of whether the records normally required for enrollment are produced by the last school the student attended or by the student;

(2) ensuring that the enrolling school communicates with the last school attended by a transferring student to obtain relevant academic and other records within two business days of the student's enrollment;

(3) ensuring that the enrolling school performs a timely transfer of credits that the student earned in the last school attended; and

(4) collaborating with the education program staff in a juvenile or criminal justice placement, the child, and the child's parent, guardian, or other legal educational decision maker to develop and implement a plan for assisting the transition of a student to the school district or charter school authorized by the department to minimize disruption to the student's education.

(D) For students transferring out of the school district or charter school authorized by the department, the point of contact person shall be responsible for providing all records to the new school within two business days of receiving a request from the receiving school.

(E) For students involved in the juvenile justice system, the point of contact person shall be responsible for:

(1) ensuring that a student has equal opportunity to participate in sports and other extracurricular activities, career and technical programs or other special programs for which the student qualifies;

(2) ensuring that a student in high school receives timely and ongoing assistance and advice from counselors to improve the student's college and career readiness;

(3) ensuring that a student receives all special education services and accommodations to which the student is entitled under state and federal law;

(4) identifying school staff at each school site who can ensure that students are appropriately supported throughout their enrollment;

(5) supporting communication among the school; the Department of Social Services; the student; the student's parent or guardian; the student's educational decision maker appointed by the children's court; caregivers; and other supportive individuals that the student identifies to ensure that the responsibilities listed in this subsection are implemented; and

(6) ensuring that other school staff and teachers have access to training and resources about the educational challenges and needs of system-involved youth, including trauma-informed practices and the impact of trauma on learning.

(F) The Department of Social Services shall notify a school when a student in the school enters foster care or a student in foster care enrolls in another school.

(G) The student or the student's educational decision maker may notify a school that the student is involved in the juvenile justice system to obtain support and services from the point of contact.

SECTION 43. Section 59-24-60 of the S.C. Code is amended to read:

Section 59-24-60. In addition to other provisions required by law or by regulation of the State Board of Education, school administrators must contact law enforcement authorities immediately upon notice that a person is engaging or has engaged in activities on school property or at a school sanctioned or sponsored activity which ~~may result or~~ if committed by an adult would be a felony or a crime punishable by a maximum sentence of five years or more of incarceration or which results in ~~injury or~~ serious ~~threat of~~ injury to the person or to another person ~~or his property~~ as defined in local board policy.

SECTION 44. Section 59-6-210 of the S.C. Code is amended to read:

Section 59-63-210. (A) Any district board of trustees may authorize or order the expulsion, suspension, or transfer of any pupil for the commission of any ~~crime~~ act which if committed by an adult would be a felony or a crime punishable by a maximum term of imprisonment of five years or more, any violation related to a threat of violence to the school or any person at the school, any act for which there a victim who attends the school who has a reasonable fear for his safety, gross immorality, gross misbehavior, persistent disobedience, or for violation of written rules and promulgated regulations established by the district board, county board, or the State Board of Education, or when the presence of the pupil is detrimental to the best interest of the school. If the action by the district board of trustees is based on conduct by the student that occurred outside of school or school-sanctioned or sponsored activity, such action is permitted only when the conduct at issue amounts to a violent offense as defined in Section 16-1-60 or resulted in moderate or great bodily injury. Each expelled pupil has the right to petition for readmission for the succeeding school year. Expulsion or suspension must be construed to prohibit a pupil from entering the school or school grounds, except for a prearranged conference with an administrator, attending any day or night school functions, or riding a school bus. The provisions of this section do not preclude enrollment and attendance in any adult or night school.

(B) A district board of trustees shall not authorize or order the expulsion, suspension, or transfer of any pupil for a violation of Section 59-150-250(B).

SECTION 45. Section 59-63-1320 of the S.C. Code is amended to read:

Section 59-63-1320. Eligible alternative school programs shall be provided for, but not limited to, students in grades 6-12 as follows:

(1) Students referred for voluntary attendance at the alternative school program and meeting the district criteria to attend based upon a

documented need for the attention and assistance beyond that of a traditional program as established by the academic history of the student, ~~including the student's academic plan as required in Section 59-18-500,~~ and following other policies and procedures for documenting need established by the district board of trustees.

(2) Students referred for voluntary attendance at the alternative school program and meeting the district criteria to attend based upon a documented need for the program due to habitual exhibitions of disruptive behavior in violation of the student conduct policies and behavior codes approved by the school board of trustees.

Districts must establish clear guidelines and procedures for the referral of any student into an alternative school program and before a decision is made to assign a student to an alternative school program, a determination must be made that the written and distributed academic and disciplinary policies of the district have been followed.

(3) Students placed in an alternative school program by the district board of trustees as an option to suspension or expulsion or by the dispositive order of a family court judge, with the consent of the local board of trustees. However, before a student may be placed in an alternative school program, a determination must be made by the local board that the written and distributed disciplinary policy of the district has been followed. Districts must establish clear guidelines and procedures for the placement of any student into an alternative school program and at a minimum they shall prescribe due process procedures for placement actions.

(4) When a child who has been enrolled in a Department of Juvenile Justice school district leaves the department's school district and enrolls or re-enrolls in a school district, the district must not require that student to attend alternative school programs unless:

(a) a student is referred for voluntary attendance at the alternative school program and an intervention team, including parent or guardian and child, agrees such placement is appropriate;

(b) an intervention assessment reveals an imminent threat of injury or a likelihood of serious misconduct that exceeds routine discipline matters will occur if the child remains or reenrolls at his assigned school; or

(c) if the child or the child's parent or guardian objects to the placement in an alternative school, a due process hearing must be held by the district within ten business days and there must be a determination by the hearing officer that the student would be better served in the

alternative setting based on clear guidelines and procedures for placement established by the school district.

(5) When students are being considered for placement in an alternative school program, districts must consider the requirements of the Federal Individuals with Disabilities Education Act (IDEA). If a child with a disability for purposes of the IDEA who has been in the custody of the Department of Juvenile Justice leaves the Department's custody and enrolls or re-enrolls in a school district, the district must hold a team meeting to determine on an individualized basis the child's most appropriate educational placement.

(6) If a student placed by the board of trustees in an alternative school program enrolls in another school district before the expiration of the period of placement, the board of trustees of the district requiring the placement shall provide to the district in which the student enrolls, at the same time other records of the student are provided, information concerning the student's placement in an alternative school program. Upon review of the information, the district in which the student enrolls may continue an alternative education program placement or may allow the student to attend regular classes without completing the period of the placement.

SECTION 46. Sections 63-19-2420 and 63-19-2430 are repealed.

SECTION 47. The General Assembly finds that all the provisions contained in this act relate to one subject as required by Section 17, Article III of the South Carolina Constitution, 1895, in that each provision relates directly to or in conjunction with other sections to the subject of juvenile justice reform as recommended by the Senate Select Committee on Raise the Age. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in this act.

SECTION 48. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for

the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 49. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The question being the adoption of the amendment.

The amendment was not adopted.

The question being the second reading of the Bill.

Motion Adopted

Senator MALLOY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 844 -- Senator Rankin: A JOINT RESOLUTION TO CREATE A REVIEW AND STUDY COMMITTEE, TO PROVIDE THAT THE REVIEW AND STUDY COMMITTEE SHALL CONDUCT A THOROUGH STUDY AND REVIEW OF SOUTH CAROLINA'S CIVIL JUSTICE AND INSURANCE LAWS REGARDING COVERAGE AVAILABILITY, PREMIUM RATES, AND DEDUCTIBLES; AND TO PROVIDE THAT THE REVIEW AND STUDY COMMITTEE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND THE GOVERNOR.

The Senate proceeded to a consideration of the Resolution.

Senator RANKIN explained the Resolution.

The question being the second reading of the Resolution.

On motion of Senator RANKIN, the Resolution was carried over.

MOTION TO VARY THE ORDER OF THE DAY ADOPTED

On motion of Senator MASSEY, under Rule 32A, the Senate agreed to vary the order of the day and proceed to the morning hour.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Shealy	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--41

NAYS

Fanning	Matthews

Total--2

The motion to Vary the Order of the Day passed.

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary polled out S. 1158 favorable:

S. 1158 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-500, RELATING TO THE UNLAWFUL POSSESSION OF A FIREARM BY A PERSON CONVICTED OF A VIOLENT OFFENSE, SO AS TO

PROVIDE THAT THE VIOLATIONS SUBSEQUENT TO THE FIRST VIOLATION MUST OCCUR WITHIN TWENTY YEARS OF THE FIRST OFFENSE TO QUALIFY FOR GRADUATED PENALTIES; BY AMENDING SECTION 16-23-420, RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT EXPRESS AUTHORIZATION TO CARRY THE FIREARM ON SCHOOL PROPERTY MAY NOT BE PROVIDED TO A STUDENT ENROLLED IN A PUBLIC SCHOOL; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING A WEAPON ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT STUDENTS ENROLLED IN A PUBLIC SCHOOL MAY NOT POSSESS WEAPONS EVEN IF THEY ARE SECURED WITHIN A VEHICLE; BY AMENDING SECTION 23-31-245, RELATING TO REASONABLE SUSPICION OR PROBABLE CAUSE TO SEARCH, DETAIN, OR ARREST, SO AS TO CLARIFY THAT THE PROVISIONS IN THE SECTION APPLY TO A PERSON CARRYING A WEAPON IN ACCORDANCE WITH THE ARTICLE WHETHER OR NOT THE WEAPON IS CONCEALED; AND BY AMENDING SECTION 16-23-20, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO CLARIFY WHEN CARRYING A HANDGUN IS IMPERMISSIBLE IN A PUBLICLY OWNED BUILDING OTHER THAN A COURTHOUSE WHERE COURT IS HELD.

Poll of the Judiciary Committee
Polled 23; Ayes 16; Nays 5; Not Voting 2

AYES

Rankin	Hutto	Malloy
Campsen	Massey	Sabb
McLeod	Senn	Talley
Harpootlian	Adams	Garrett
Gustafson	Kimbrell	*M. Johnson*
Tedder		

Total--16

NAYS

Climer	Rice	Cash
Loftis	Reichenbach	

Total--5

NOT VOTING

Stephens Devine

Total--2

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education polled out S. 1188 favorable:

S. 1188 -- Senators Tedder and Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-240, RELATING TO EXPULSION FOR THE REMAINDER OF THE YEAR AND HEARINGS, SO AS TO AMEND REQUIREMENTS TO BE INCLUDED IN THE WRITTEN NOTIFICATION TO PARENTS OR LEGAL GUARDIANS OF THE PUPIL

Poll of the Education Committee
Polled 17; Ayes 15; Nays 0; Not Voting 2

AYES

Hembree	Rankin	Peeler
Jackson	Grooms	Malloy
Hutto	Young	Turner
Rice	Talley	Massey
Cash	Allen	*K. Johnson*

Total--15

NAYS

Total--0

ABSTAIN

Total--0

NOT VOTING

Setzler Loftis

Total--2

Ordered for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that when the Senate stands adjourned on Thursday, April 4, that it will adjourn to meet Friday, April 5, under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up; and, further, that when the Senate stands adjourned on Friday, April 5, the Senate would stand adjourned subject to the times and limitations set forth under the provisions of Rule 1B to meet on Tuesday, April 9, Wednesday, April 10 and Thursday, April 11 under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up. The Senate would meet again in regular statewide session Tuesday, April 16, at 12:00 P.M.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator CROMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of retired U. S. Army Major General Richard S. "Steve" Siegfried of Chapin, S.C. Steve retired after an honorable thirty-five-year career with the Army. He received many awards including the Combat Infantryman Badge, Airborne Wings, British Airborne Wings, two Distinguished Service Medals, the Silver Star, Soldier's Medal, Legion of Merit, two Bronze Stars with V Device, two Purple Hearts and was inducted into the OCS Hall of Fame and the Ft. Jackson Hall of Fame. He worked for SCANA after his retirement from the Army and enjoyed mentoring and volunteering in and around his community. He was a member of Chapin Christian Community Church. Steve was a loving husband who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Barney Traywick Keitt, Jr. of Columbia, S.C. Barney was a graduate of Dreher High School. He joined the Navy in 1961 where he served three years before joining the Naval Reserve. Barney worked in the welding industry for forty-seven years. He was a member of Trinity Baptist Church and a member of the American Legion, the Lions Club of West Columbia and several welding supply associations. Barney was a loving husband and devoted uncle who will be dearly missed.

ADJOURNMENT

At 6:20 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, April 4, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Nahum 1:7

The prophet Nahum tells us that: "The Lord is good, a refuge in time of trouble. He cares for those who trust in him."

Friends, please bow with me: O Loving Lord, again and again You grant to those who serve You such incredible blessings and mercies. And these gifts You bestow typically arrive at the exact moment we most need them, thanks to Your wonderful grace. Indeed, may each one of us in this Senate, O God, trust in You unfailingly, praising You for each blessing You have already granted, but remaining determined to bring about even greater good for all of our citizens. In that regard we also thank You, dear Lord, for each one of South Carolina's brave and bold peace officers, EMTs and firefighters, remembering today especially Clinton firefighter Michael Vinson, who died tragically this past Sunday while responding to an emergency call. God bless all who trust in You and who serve others without hesitation. We humbly pray this in Your loving and blessed name, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:06 A.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett

Goldfinch	Grooms	Gustafson
Harpootlian	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Martin
Massey	Matthews	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Tedder	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Motion Adopted

On motion of Senator GOLDFINCH, with unanimous consent, Senators RANKIN, DEVINE and ADAMS were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Leave of Absence

On motion of Senator SETZLER, at 12:12 P.M., Senators HUTTO and STEPHENS were granted a leave of absence for today.

Leave of Absence

On motion of Senator YOUNG, at 12:12 P.M., Senator TALLEY was granted a leave of absence for today.

Leave of Absence

On motion of Senator RICE, at 1:36 P.M., Senator SENN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator McLEOD, at 1:36 P.M., Senator MATTHEWS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SABB, at 1:54 P.M., Senator HARPOOTLIAN was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator VERDIN rose for an Expression of Personal Interest.

Remarks by Senator VERDIN

Mr. PRESIDENT, I want to bring to the Senate's attention a sobering occurrence that happened in the City of Clinton in Laurens County, South Carolina this past Sunday morning. Several of you are very aware, cognizant of the horrific, tragic accident in fire service in Clinton Sunday morning. I've waited to acknowledge it, as I wanted to make sure that Chaplain St. John had the pertinent information to be able to invoke the Lord's comfort and presence for the family of Michael “Mike” Vinson. I do not want to revisit the details of that accident, as firefighters were responding to a call for service Sunday morning. What I do want to do is echo the words of the Chaplain's prayer. Bless you, Chaplain St. John, for bringing the words of the prophet Nahum to us, “The Lord is good, a refuge in time of trouble. He cares for us who trust in him.” Ladies and gentlemen of the Senate, “Mike Mike”, who was just 27 years old, was the pivotal inspirational point for his family and he will remain that in spirit, as anyone that can give personal testimony, will tell you. I cannot give personal witness and testimony; however, our colleague MIKE GAMBRELL can.

Mike Vinson is out there in the Brewerton community, Ekom Beach, across the river -- a closer neighbor to Senator GAMBRELL than myself, but every fire service in Laurens County as well as the City of Clinton has been touched by this young man's life. It's remarkable to me as I’ve watched what's transpired in Laurens County this week. Firefighters from multiple states, and certainly neighboring communities in South Carolina have come with every means of support--physically, emotionally, spiritually, more than I have ever comprehended--hundreds! I can't give you the name of the ancillary support group within the fire service, I’m sure Senator GAMBRELL can, but from the structure to the delivery, it's been stupendous. I’m so thankful and grateful for the outside help, because, in many ways, our local community has been debilitated. This level of debilitation is such and so poignant in a small ancillary community, that for the fire service to continue, we had to have the support of their colleagues and brethren from around the State and the Southeast to come in and man the fire stations. I don't know that we'll ever be able to say thank you enough to them, but in the words of the prophet, we can thank God for the community support, for the fact that He himself lifts us up in this time of trouble. We can find that refuge.

For those of you familiar with western Laurens County, and Senator GAMBRELL, as your predecessor, Senator Billie O'Dell would remind us, "Mike Mike" Vinson came and sprung from God's country in western Laurens County and those communities. He will be laid to rest tomorrow afternoon, and he will be sorely missed -- about eighteen miles from downtown Laurens, and that's the closest little town out there. Otherwise, you're talking about Ware Shoals or Honea Path. There are over a hundred units that have expressed desire to come and pay tribute to his life. So tomorrow, at 2:00 p.m., if you will keep those of us that are in the congregation assembled out at Union Baptist Church, remember this family, remember our communities. Trust that if it ever befalls any of our communities, that we will be there, that we will lift each other up, that we will take consolation, again, in the fact that the Lord is good -- He's our refuge in time of trouble. It really causes us to cast our cares and our trust in Him. His immediate family and friends covet your continued prayers. Thank you, Mr. PRESIDENT.

On motion of Senator SETZLER, with unanimous consent, the remarks of Senator VERDIN were ordered printed in the Journal.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 481 Sen. M. Johnson
S. 723 Sen. Bennett
S. 858 Sens. Garrett, Kimbrell, Setzler and Malloy
S. 1166 Sen. Rice

RECALLED

S. 1166 -- Senators Tedder, Stephens and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE S.C. CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES.

Senator TEDDER asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

Senator TEDDER asked unanimous consent to make a motion to take the Bill up for immediate consideration.

Senator CORBIN objected.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1239 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-117-510 SO AS TO PROVIDE DEFINITIONS FOR PATIENT, THIRD PARTY, AND 340B DRUG PRICING; BY ADDING SECTION 44-117-520 SO AS TO PROVIDE THAT A THIRD PARTY SHALL INFORM A PATIENT THAT HE IS NOT REQUIRED TO USE A MAIL-ORDER PHARMACY, SHALL OBTAIN A SIGNED WAIVER FROM A PATIENT BEFORE ALLOWING THE USE OF A MAIL-ORDER PHARMACY, SHALL MAKE DRUG FORMULARY AND COVERAGE DECISIONS BASED ON THE THIRD PARTY'S NORMAL COURSE OF BUSINESS, SHALL ALLOW A PATIENT THE FREEDOM TO USE ANY PHARMACY OR ANY PROVIDER THE PATIENT CHOOSES, AND SHALL ELIMINATE DISCRIMINATORY CONTRACTING; BY ADDING SECTION 44-117-530 SO AS TO PROVIDE THAT ALL PHARMACY CLAIMS PROCESSED BY A PHARMACY THAT PARTICIPATES IN 340B DRUG PRICING ARE FINAL AT THE POINT OF ADJUDICATION; BY ADDING SECTION 44-117-540 SO AS TO PROVIDE THAT THE INSURANCE COMMISSIONER MAY PROMULGATE RULES TO IMPLEMENT THE PROVISIONS OF THIS CHAPTER.

sr-0670km24.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 1240 -- Senator Sabb: A CONCURRENT RESOLUTION TO CONGRATULATE EDITH MCCLARY REDDEN UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER FORTY-SEVEN YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0678km-vc24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

REPORTS OF STANDING COMMITTEES

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 858 -- Senators Davis, Garrett, Kimbrell, Setzler and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-130, RELATING TO HEALTH CARE FACILITY LICENSURE DEFINITIONS, SO AS TO ADD A DEFINITION FOR "ACUTE HOSPITAL CARE AT HOME"; BY AMENDING SECTION 44-7-170, RELATING TO CERTIFICATE OF NEED PROGRAM EXEMPTIONS, SO AS TO EXEMPT ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES; AND BY ADDING SECTION 44-7-267 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS FOR LICENSING ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES.

Ordered for consideration tomorrow.

Motion Adopted

On motion of Senator DAVIS, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed at the end of Second Reading Bills and would be taken up for consideration when that category was completed.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 1076 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-219 SO AS TO ESTABLISH A WORK ZONE SAFETY PROGRAM; BY AMENDING SECTION 56-1-15, RELATING TO THE ADMINISTRATION OF DRIVER'S LICENSE EXAMINATIONS, SO AS TO REQUIRE THAT DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM; AND BY AMENDING SECTION 56-1-130, RELATING TO LICENSE EXAMINATIONS AND BASIC AND CLASSIFIED LICENSES, SO AS TO REQUIRE THAT DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

S. 1220 -- Senator Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 57-3-640, RELATING TO DRIVEWAYS AND ROADS IN STATE PARKS, SO AS TO PROVIDE THE DEPARTMENT OF TRANSPORTATION MUST OBTAIN APPROVAL FROM COUNTY LEGISLATIVE DELEGATIONS BEFORE ADDING OR CHANGING ENCHROACHMENTS OR ACCESS POINTS IN STATE PARKS.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 4674 -- Rep. Erickson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1240, RELATING TO THE DISPLAY OF LICENSE PLATES, SO AS TO PROVIDE THE CIRCUMSTANCES IN WHICH THE PROVISIONS OF THIS SECTION APPLY, TO PROVIDE HOW LICENSE PLATES MUST BE FASTENED TO VEHICLES, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE FOR THE DISPLAY OF TEMPORARY LICENSE PLATES ON LARGE COMMERCIAL MOTOR VEHICLES.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 5023 -- Reps. Brewer, Gilliam, Lawson, Sessions, Schuessler, Hager, Hartnett, Gatch, Mitchell, Hewitt, Robbins, J. Moore, Wooten, Guffey, O'Neal, J.L. Johnson, Pedalino and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-219 SO AS TO ESTABLISH THE WORK ZONE PROGRAM WITHIN THE DEPARTMENT OF PUBLIC SAFETY; BY AMENDING SECTION 56-1-15, RELATING TO THE ADMINISTRATION OF DRIVER'S LICENSE EXAMINATIONS, SO AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE; AND BY AMENDING SECTION 56-1-130, RELATING TO LICENSE EXAMINATIONS AND BASIC AND CLASSIFIED LICENSES, SO AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE.

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2023, and to expire May 30, 2025

Dietician, Consulting:

Beth Griffith, 934 Sherwood Circle, Lancaster, SC 29720 *VICE* Edna Cox Rice

Received as information.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2023, and to expire May 30, 2025

Dietician, Nutritional Services Management:

Amanda Groesbeck, 123 Harmon Street, Lexington, SC 29072-3525 *VICE* Valerie L. Meador

Received as information.

Reappointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2023, and to expire May 30, 2025

Dietetics Educator:

Elizabeth Weikle MS, RD, LD, 2138 Cavendale Drive, Rock Hill, SC 29732-8303

Received as information.

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 30, 2024, and to expire June 30, 2028

Audiologist:

Gwendolyn D. Wilson, 2215 Hoffman Dr., Northwest, Orangeburg, SC 29118

Received as information.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2023, and to expire December 31, 2027

3rd Congressional District, Registered Nurse:

John J. Whitcomb, Chief Academic Nursing Officer and Director, Clemson University School of Nursing, 4 Willow Oak Court, Williamston, SC 29697-8700 *VICE* Wilma Kay Swisher

Received as information.

Privilege of the Chamber

On motion of Senator DEVINE, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to Shanita Grimes and the Senate wished her the best in all future endeavors.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

S. 843 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-56-120, RELATING TO MISREPRESENTATIONS PROHIBITED, SO AS TO PROHIBIT A SOLICITATION FROM A PERSON OR GROUP REPRESENTING ITSELF AS A SOUTH CAROLINA-BASED NATIVE AMERICAN INDIAN TRIBE OR SOUTH CAROLINA-BASED NATIVE AMERICAN ENTITY UNLESS THE GROUP HAS BEEN FEDERALLY ACKNOWLEDGED AS A TRIBE, OR DESIGNATED AS A TRIBE, GROUP, OR SPECIAL INTEREST ORGANIZATION BY THE BOARD OF THE STATE COMMISSION FOR MINORITY AFFAIRS.

S. 32 -- Senators Hutto, Senn and Sabb: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-77-170, RELATING TO THE REQUIRED CONDITIONS TO SUE OR RECOVER UNDER THE UNINSURED MOTORIST PROVISION WHEN THE OWNER OR OPERATOR OF THE MOTOR VEHICLE

CAUSING INJURY OR DAMAGE IS UNKNOWN, SO AS TO ALLOW AN INSURED TO SEEK A COURT ORDER FOR A PRESUIT DEPOSITION WHEN THE INSURED IS UNABLE TO OBTAIN AN AFFIDAVIT FROM A WITNESS TO THE ACCIDENT AND TO ALLOW AN INSURED TO SUBMIT ELECTRONIC OR OTHER RECORDING OF THE ACCIDENT TO MEET THE REQUIRED CONDITIONS OF THE UNINSURED MOTORIST PROVISION.

S. 846 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-31-401, RELATING TO CORPORATE NAME, SO AS TO PROHIBIT THE USE OF CERTAIN INDIAN DESCRIPTIONS AS PART OF A NONPROFIT CORPORATION'S CORPORATE NAME UNLESS THE ENTITY IS A FEDERALLY ACKNOWLEDGED TRIBE OR A STATE DESIGNATED TRIBE, GROUP, OR SPECIAL INTEREST ORGANIZATION.

The Senate proceeded to a consideration of the Bill.

The question being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn

Setzler	Shealy	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the third time and ordered sent to the House.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

S. 857 -- Senators Davis and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGY AND COSMETOLOGISTS SO AS TO PROVIDE A DEFINITION FOR "MOBILE SALON" AND "PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATION"; AND BY ADDING SECTION 40-13-365 SO AS TO PROVIDE FOR PERMITTING AND REGULATION OF MOBILE SALONS AND PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATIONS.

S. 1132 -- Senators Davis, Climer and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-7-20, RELATING TO DEFINITIONS CONCERNING BARBERS AND BARBERING, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-7-390, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGISTS AND COSMETOLOGY, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-13-360, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE

BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; AND BY REPEALING SECTION 40-7-255 RELATING TO THE REGULATION OF HAIR-BRAIDING PRACTITIONERS.

S. 955 -- Senators Campsen and Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-5-400 SO AS TO ESTABLISH THE LIMITED COMMERCIAL BLUE CRAB LICENSE AND THE REQUIREMENTS FOR OBTAINING THE LICENSE; BY AMENDING SECTION 50-5-325, RELATING TO COMMERCIAL EQUIPMENT LICENSES AND FEES, SO AS TO REVISE THE FEE STRUCTURE FOR THE COMMERCIAL TRAP LICENSE; BY AMENDING SECTION 50-5-350, RELATING TO THE TRANSFERABILITY OF LICENSES, SO AS TO EXEMPT THE LIMITED COMMERCIAL BLUE CRAB LICENSE FROM THE GENERAL TRANSFER PROHIBITION; BY AMENDING SECTION 50-5-360, RELATING TO LICENSES TO ENGAGE IN SHEDDING PEELER CRABS, SO AS TO REQUIRE THAT AN APPLICANT'S OR LICENSEE'S BUSINESS PREMISES BE CAPABLE OF PEELER SHEDDING OPERATIONS; BY AMENDING SECTION 50-5-545, RELATING TO TRAPS FOR TAKING BLUE CRAB, SO AS TO PROVIDE FOR THE MATERIAL, DIMENSIONS, AND ESCAPE VENT REQUIREMENTS OF THE TRAPS; BY ADDING SECTION 50-5-1302 SO AS TO ESTABLISH A RECREATIONAL LIMIT OF ONE-HALF BUSHEL OF BLUE CRABS PER PERSON PER DAY NOT TO EXCEED ONE BUSHEL PER BOAT; BY ADDING SECTION 50-5-1345 SO AS TO PROHIBIT THE USE OF CRAB TRAPS IN THE WATERS OF THIS STATE FROM JANUARY 16 THROUGH JANUARY 29 OF EACH YEAR; BY AMENDING SECTION 50-5-330, RELATING TO RECREATIONAL EQUIPMENT LIMITS, SO AS TO INCREASE THE NUMBER OF TRAPS THAT MAY BE USED FOR RECREATIONAL PURPOSES FROM TWO TO TEN WITH A RECREATIONAL CRAB TRAP ENDORSEMENT; AND BY AMENDING SECTION 50-9-540, RELATING TO RECREATIONAL SALTWATER FISHING LICENSES SO AS TO PROVIDE FOR THE COST OF THE RECREATIONAL CRAB TRAP ENDORSEMENT.

CARRIED OVER

S. 154 -- Senators Young, Senn and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STREET GANG AND CRIMINAL ENTERPRISE PREVENTION AND ANTI-RACKETEERING ACT"; BY AMENDING ARTICLE 3 OF CHAPTER 8, TITLE 16, RELATING TO THE CRIMINAL GANG PREVENTION ACT, SO AS TO RETITLE THE ARTICLE, REVISE THE DEFINITIONS FOR PURPOSES OF THE ARTICLE, AND RESTRUCTURE THE ARTICLE AND THE OFFENSES AND PENALTIES CONTAINED WITHIN IT; AND BY ADDING ARTICLE 5 TO CHAPTER 8, TITLE 16 SO AS TO CREATE ANTI-RACKETEERING PROVISIONS TO COMPLIMENT THE REVISED STREET GANG AND CRIMINAL ENTERPRISE PREVENTION ARTICLE, DEFINE NECESSARY TERMS, AND CREATE VARIOUS RACKETEERING OFFENSES AND ESTABLISH PENALTIES FOR VIOLATIONS.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG proposed the following amendment (LC-154.AHB0009S):

Amend the bill, as and if amended, by striking SECTIONS 2 and 3 and inserting:

SECTION X. Section 16-8-230(2) of the S.C. Code is amended to read:

(2) "Criminal gang" means ~~a formal or informal ongoing organization, association, or group that consists of five or more persons who form for the purpose of committing criminal activity and who knowingly and actively participate in a pattern of criminal gang activity~~ any organization, association, or group of three or more persons associated in fact, whether formal or informal, which engages in criminal gang activity as defined in this section. The existence of such organization, association, or group of individuals associated in fact may be established by evidence of a common name or common identifying signs, symbols, tattoos, graffiti, or attire or other distinguishing characteristics including, but not limited to, common activities, customs, or behaviors. The term does not include three or more persons, associated in fact, whether formal or informal, who are not engaged in criminal gang activity.

SECTION X. Section 16-8-230(4) of the S.C. Code is amended to read:

(4) "Pattern of criminal gang activity" means the commission or attempted commission of, commission as an accessory before or after the fact to, or solicitation or conspiracy to commit, by a criminal gang

member, while knowingly and actively participating in criminal gang activity, ~~four~~two or more of the following offenses occurring within a two-year period, provided that at least ~~three~~one of these offenses occurred after July 1, 2007:

(a) a violent offense as defined in Section 16-1-60 committed as a part of criminal gang activity;

(b) financial transaction card crimes as defined in Chapter 14 of Title 16 committed as a part of criminal gang activity;

(c) first degree lynching as defined in Section 16-3-210 committed as a part of criminal gang activity;

(d) second degree lynching as defined in Section 16-3-220 committed as a part of criminal gang activity;

(e) breaking into a motor vehicle as defined in Section 16-13-160 committed as a part of criminal gang activity;

(f) grand larceny as defined in Section 16-13-30 committed as a part of criminal gang activity;

(g) blackmail as defined in Section 16-17-640 committed as a part of criminal gang activity;

(h) malicious injury to property as defined in Sections 16-11-510, 16-11-520, 16-11-530, and 16-11-535 committed as a part of criminal gang activity;

(i) drug offense as defined in Sections 44-53-370 and 44-53-375 committed as a part of criminal gang activity;

(j) harassment, stalking, or aggravated stalking as defined in Article 17, Chapter 3 of Title 16 committed as a part of criminal gang activity;

(k) pointing a firearm at any person as defined in Section 16-23-410 committed as a part of criminal gang activity;

(l) discharging a firearm at or into dwellings, structures, enclosures, vehicles, or equipment as defined in Section 16-23-440 committed as a part of criminal gang activity;

(m) the common law offense of assault and battery of a high and aggravated nature committed as a part of criminal gang activity; or

(n) the common law offense of obstruction of justice committed as a part of criminal gang activity.

SECTION X. Section 16-8-240 of the S.C. Code is amended to read:

Section 16-8-240. ~~(A) It is unlawful for a criminal gang member to use or threaten to use physical violence against another person with the intent to coerce, induce, or solicit that person or another person to actively participate in criminal gang activity, or to prevent another criminal gang member from withdrawing from or leaving a criminal gang. A criminal gang member who violates the provisions of this~~

~~subsection is guilty of a misdemeanor and, upon conviction for a first offense, must be fined not more than one thousand dollars or imprisoned not more than two years, or both. A criminal gang member convicted for a second or subsequent offense pursuant to this subsection is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both.~~

~~(B) A criminal gang member who uses a firearm, any other deadly weapon, or physical violence to coerce, induce, or solicit another person to actively participate in a criminal gang, or to prevent another criminal gang member from withdrawing or leaving a criminal gang, in addition to the punishment prescribed in subsection (A), may be punished by an additional fine of not more than ten thousand dollars or by imprisonment for an additional period of not more than ten years, or both.~~

~~(C) If the person solicited, recruited, coerced, or threatened in violation of this section is under the age of eighteen, an additional term of three years may be imposed in addition and consecutive to the penalty prescribed for a violation of this section.~~

~~(D) A person who has been coerced, intimidated, threatened, or injured in violation of this section has a civil cause of action against a criminal gang or criminal gang member violating this section for treble the amount of the actual damages, for punitive damages, an injunction, and any other appropriate relief in law or equity. Upon prevailing in the civil action, the plaintiff may recover reasonable attorney's fees and costs from the criminal gang or criminal gang member.~~

~~(E) Nothing in this section limits prosecution under any other provision of law.~~

(A) It is unlawful for a person to commit a criminal gang activity offense, as defined in Section 16-8-230, with the intent to obtain or earn membership or maintain or increase his status or position in a criminal gang.

(B) It is unlawful for a person who occupies a position of organizer, a supervisory position, or any other position of management or leadership with regard to a criminal gang to engage in, directly or indirectly, or conspire to engage in criminal gang activity.

(C) It is unlawful for a person to cause, encourage, solicit, recruit, or coerce another to become a member or associate of a criminal gang, to participate in a criminal gang, or to conduct or participate in criminal gang activity.

(D) It is unlawful for any person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other

person with the intent to deter such person from assisting a member or associate of a criminal gang to withdraw from a criminal gang.

(E) It is unlawful for a person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to punish or retaliate against a person for having withdrawn from a criminal gang.

(F) It is unlawful for a person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to punish or retaliate against a person for refusing to or encouraging another to refuse to become or obtain the status of a member or associate of a criminal gang.

(G) It is unlawful for a person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to punish or retaliate against a person for providing statements or testimony against criminal gangs or any criminal gang member or associate.

(H) It is unlawful for a person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to intimidate, deter, or prevent a person from communicating to a law enforcement or corrections officer, prosecuting attorney, or judge information relating to criminal gangs, criminal gang members or associates, or criminal gang activity.

(I)(1) A person who violates the provisions of subsection (A) is guilty of a felony and, upon conviction, in addition to any other penalty provided by law, must be fined not less than ten thousand dollars nor more than fifteen thousand dollars or imprisoned not less than five years but not more than twenty years, or both. Restitution also must be ordered as a condition of any sentence imposed.

(2) A person who violates the provisions of subsection (B) is guilty of a felony and, upon conviction, in addition to any other penalty provided by law, must be imprisoned for not less than five years but not more than twenty years which must be served consecutively to any other sentence imposed. Restitution also must be ordered as a condition of any sentence imposed.

(3) Any person who violates the provisions of subsection (C), (D), (E), (F), (G), or (H) is guilty of a felony and, upon conviction, in addition to any other penalty as provided by law, must be imprisoned for not less

than five years but not more than twenty years. Restitution also must be ordered as a condition of any sentence imposed.

(4) A person who violates the provisions of this section through the solicitation, recruitment, coercion, or threat of a person under the age of eighteen may be imprisoned for an additional term of three years which must be served consecutively to any other sentence imposed.

(J) For the purpose of proving the existence of a criminal gang and criminal gang activity, the adjudication or conviction by any plea or trial of a criminal gang activity offense enumerated in Section 16-8-230 by any member or associate of a criminal street gang is admissible in any trial or proceeding. If the prosecution seeks to offer evidence of a third party adjudication or conviction, the person so adjudicated or convicted must be available for cross examination in order for the evidence to be admitted. The pendency of an appeal may be shown but does not affect admissibility.

(K) A defendant's conviction of a criminal gang activity offense is admissible in and estops the defendant in any subsequent action or proceeding as to matters proved in the criminal proceeding.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The question being third reading of the Bill.

On motion of Senator YOUNG, the Bill was carried over.

CARRIED OVER

S. 266 -- Senators Hutto, Jackson, Shealy, Devine, McLeod, Allen and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-820, RELATING TO OUT-OF-HOME PLACEMENT, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; BY AMENDING SECTION 63-19-1020, RELATING TO INSTITUTING PROCEEDINGS, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; BY AMENDING SECTION 63-19-1440,

RELATING TO COMMITMENT, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; BY AMENDING SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

On motion of Senator MALLOY, the Bill was carried over.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

S. 723 -- Senators Talley, Turner, Campsen and Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-40-20, RELATING TO THE PURPOSES AND RULES OF CONSTRUCTION FOR THE RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO EXEMPT CERTAIN TENANCIES FROM THE ACT; AND BY AMENDING SECTION 45-2-60, RELATING TO THE EJECTMENT OF A PERSON FROM A LODGING ESTABLISHMENT, SO AS TO AUTHORIZE AN INNKEEPER TO REQUEST ASSISTANCE FROM LAW ENFORCEMENT TO EJECT A PERSON AND TO PROVIDE THAT A PERSON EJECTED FROM A CAMPGROUND HAS TEN DAYS TO MAKE A CLAIM FOR PROPERTY LEFT AT THE TIME OF EJECTMENT.

S. 841 -- Senators Alexander and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PROSECUTORS PERSONAL PRIVACY PROTECTION ACT" BY ADDING ARTICLE 9 TO CHAPTER 2, TITLE 30 SO AS TO DEFINE NECESSARY TERMS, AND TO PROVIDE CURRENT AND FORMER PROSECUTORS HAVE THE OPTION OF MAKING PERSONAL CONTACT INFORMATION HELD BY STATE OR LOCAL GOVERNMENTS CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE, TO PROVIDE LIMITED EXCEPTIONS, AND TO

PROVIDE RELATED PROCEDURES FOR EXERCISING THIS OPTION, AMONG OTHER THINGS; AND TO PROVIDE THE SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION SHALL CREATE A FORM FOR USE BY PROSECUTORS WHEN REQUESTING NONDISCLOSURE OF PERSONAL CONTACT INFORMATION, AND TO SPECIFY REQUIREMENTS FOR THE FORM.

S. 849 -- Senators Verdin and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-230, RELATING TO SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A SCHEDULE III CONTROLLED SUBSTANCE, WITH EXCEPTIONS; AND BY ADDING SECTION 44-53-372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES.

S. 866 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-48-30, RELATING TO DEFINITIONS, SO AS TO PROVIDE A REASONABLE EXPECTATION STANDARD FOR THE DETERMINATION OF WHETHER SOMEONE IS LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE; AND BY AMENDING SECTION 44-48-20, RELATING TO LEGISLATIVE FINDINGS, SO AS TO CLARIFY THE METHOD OF DETERMINATION FOR THE LIKELIHOOD THAT A PERSON WILL ENGAGE IN FUTURE ACTS OF SEXUAL VIOLENCE.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House:

S. 1088 -- Senators Young, Hutto and Massey: A BILL TO AMEND SECTION 2 OF ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2026.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN proposed the following amendment (SR-1088.JG0002S), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Article 1, Chapter 2, Title 28 of the S.C. Code is amended by adding:

Section 28-2-35. (A) When a public utility regulated by the Public Service Commission purchases real property for a specific purpose which is likely to result in condemnation of surrounding real property, in whole or in part, to carry out the specific purpose for which the property was purchased must first hold a public meeting in the area to disclose the likelihood of condemnation, the expected extent of the condemnation, and to receive public input. The public utility may not finalize its purchase of the real property until thirty days after the public hearing.

(B) When a public utility regulated by the Public Service Commission owns real property plans to change or otherwise modify the use of the real property that the public utility owns and the change or modification of its use of the real property is likely to result in condemnation of surrounding real property, in whole or in part, to facilitate the change or modification of its use, then the public utility must first hold a public meeting the area to disclose the likelihood of condemnation, the expected extent of the condemnation, and to receive public input. The public utility may not initiate the condemnation process until thirty days after the public hearing.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The question being the adoption of the amendment.

Point of Order

Senator K. JOHNSON raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MARTIN spoke against the Point of Order.

The PRESIDENT sustained the Point of Order.

The question being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Resolution was read the third time and ordered sent to the House:

S. 1126 -- Senators Kimbrell, Peeler, Rice, M. Johnson, Adams, Climer, Garrett, Cash, Young, Alexander, Reichenbach, Shealy, Grooms, Cromer, Turner, Loftis, Fanning, Gustafson, Goldfinch, Massey, Campsen, Bennett, Martin, Corbin and Verdin: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 4, ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO VOTER QUALIFICATIONS, SO AS TO CLARIFY THAT ONLY A CITIZEN OF THE UNITED STATES AND OF THIS

STATE OF THE AGE OF EIGHTEEN AND UPWARDS WHO IS PROPERLY REGISTERED IS ENTITLED TO VOTE AS PROVIDED BY LAW.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. It is proposed that Section 4, Article II of the Constitution of this State be amended to read:

Section 4. ~~Every~~ Only a citizen of the United States and of this State of the age of eighteen and upwards who is properly registered is entitled to vote as provided by law.

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

"Must Section 4, Article II of the Constitution of this State, relating to voter qualifications, be amended so as to provide that only a citizen of the United States and of this State of the age of eighteen and upwards who is properly registered is entitled to vote as provided by law?

Yes ☐
No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'."

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments:

H. 4552 -- Reps. Pendarvis, Clyburn, Henegan, M.M. Smith, B.L. Cox, Robbins, Brewer, King, Wheeler, Henderson-Myers, Erickson, Stavrinakis, Weeks, Davis, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS.

H. 4928 -- Reps. Davis, B.J. Cox, Hart, Jefferson, J. Moore, Caskey and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-21-10, RELATING TO THE ESTABLISHMENT OF VETERANS' TRUST FUND, SO AS TO PROVIDE FOR FUNDRAISING; AND BY AMENDING SECTION 25-21-30, RELATING TO THE DUTIES AND FUNCTIONS OF THE VETERANS' TRUST FUND BOARD OF TRUSTEES, SO AS TO PROVIDE FOR THE ABILITY TO FUNDRAISE.

CARRIED OVER

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE

ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

H. 4029 -- Reps. Dillard, Hyde, Bailey, Brittain, Weeks and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

S. 1158 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-500, RELATING TO THE UNLAWFUL POSSESSION OF A FIREARM BY A PERSON CONVICTED OF A VIOLENT OFFENSE, SO AS TO PROVIDE THAT THE VIOLATIONS SUBSEQUENT TO THE FIRST VIOLATION MUST OCCUR WITHIN TWENTY YEARS OF THE FIRST OFFENSE TO QUALIFY FOR GRADUATED PENALTIES; BY AMENDING SECTION 16-23-420, RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT EXPRESS AUTHORIZATION TO CARRY THE FIREARM ON SCHOOL PROPERTY MAY NOT BE PROVIDED TO A STUDENT ENROLLED IN A PUBLIC SCHOOL; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING A WEAPON ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT STUDENTS ENROLLED IN A PUBLIC SCHOOL MAY NOT POSSESS WEAPONS EVEN IF THEY ARE SECURED WITHIN A VEHICLE; BY AMENDING SECTION 23-31-245, RELATING TO REASONABLE SUSPICION OR PROBABLE CAUSE TO SEARCH, DETAIN, OR ARREST, SO AS TO CLARIFY THAT THE PROVISIONS IN THE SECTION APPLY TO A PERSON CARRYING A WEAPON IN ACCORDANCE WITH THE ARTICLE WHETHER OR NOT THE WEAPON IS CONCEALED; AND BY AMENDING SECTION 16-23-20, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO CLARIFY WHEN CARRYING A HANDGUN IS IMPERMISSIBLE IN A PUBLICLY OWNED BUILDING OTHER THAN A COURTHOUSE WHERE COURT IS HELD.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY explained the Bill.

Senator TEDDER proposed the following amendment (SJ-1158.MB0004S), which was carried over:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 17-1-65 of the S.C. Code is amended to read:

Section 17-1-65. (A) A person may apply for an expungement of one conviction for unlawful possession of a handgun as provided in Section 16-23-20, if the conviction occurred prior to the enactment of the S.C. Constitutional Carry/Second Amendment Preservation Act of 2024. An application under this section must be made within five years of the enactment of this section.

(B) The State must dismiss all charges pending against a person for unlawful possession of a handgun pursuant to Section 16-23-20 that were nullified by the enactment of the S.C. Constitutional Carry/Second Amendment Preservation Act of 2024, notwithstanding the savings clause contained in SECTION 25 of that act.

Renumber sections to conform.

Amend title to conform.

Senator TEDDER explained the amendment.

The amendment was carried over.

On motion of Senator CAMPSEN, the Bill was carried over.

AMENDED, READ THE SECOND TIME

S. 1188 -- Senators Tedder and Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-240, RELATING TO EXPULSION FOR THE REMAINDER OF THE YEAR AND HEARINGS, SO AS TO AMEND REQUIREMENTS TO BE INCLUDED IN THE WRITTEN NOTIFICATION TO PARENTS OR LEGAL GUARDIANS OF THE PUPIL.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY proposed the following amendment (SEDU-1188.KG0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-63-240 and inserting:

Section 59-63-240. The board may expel for the remainder of the school year a pupil for any of the reasons listed in Section 59-63-210. If

procedures for expulsion are initiated, the parents or legal guardian of the pupil shall be notified in writing of the time and the place of a hearing either before the board or a person or committee designated by the board. The written notification to the parents or legal guardian of the pupil must include their right to have legal counsel present at the hearing, the right to question all witnesses, and contact information for a legal aid service provider which may determine eligibility for free legal representation. The notification must also include the right to access the investigative file in its entirety, to include all documents and videos, at least three days prior to the hearing, with appropriate exemptions and redactions as required by the Family Educational Rights and Privacy Act, 20 USC Section 1232g. ~~At the hearing the parents or legal guardian shall have the right to legal counsel and to all other regular legal rights including the right to question all witnesses.~~ If the hearing is held by any authority other than the board of trustees, the right to appeal the decision to the board is reserved to either party. The hearing shall take place within fifteen days of the written notification at a time and place designated by the board and a decision shall be rendered within ten days of the hearing. The pupil may be suspended from school and all school activities during the time of the expulsion procedures. The action of the board may be appealed to the proper court. The board may permanently expel any incorrigible pupil.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Jackson	*Johnson, Kevin*

Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Setzler	Shealy	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Climer	Corbin

Total--2

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

S. 1188--Ordered to a Third Reading

On motion of Senator MASSEY, S. 1188 was ordered to receive a third reading on Friday, April 5, 2024.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 858 -- Senators Davis, Garrett, Kimbrell, Setzler and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-130, RELATING TO HEALTH CARE FACILITY LICENSURE DEFINITIONS, SO AS TO ADD A DEFINITION FOR "ACUTE HOSPITAL CARE AT HOME"; BY AMENDING SECTION 44-7-170, RELATING TO CERTIFICATE OF NEED PROGRAM EXEMPTIONS, SO AS TO EXEMPT ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES; AND BY ADDING SECTION 44-7-267 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS FOR LICENSING ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-858.KM0001S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 44-7-130 of the S.C. Code is amended by adding:

(25) "Acute hospital care at home" means acute-level hospital care to treat a subset of diagnoses that respond safely and effectively to home-based acute care, utilizing technology to provide continuous remote patient monitoring and connectivity to the patient and developing in-home services to ensure the same level of care in the home as in a traditional hospital stay as well as patient safety. Acute hospital care at home must be provided by a hospital licensed in this State pursuant to this article to eligible patients who have provided consent to such care, utilizing a multidisciplinary team to deliver the care.

SECTION 2. Section 44-7-170(A) of the S.C. Code is amended to read:

(A) The following are exempt from Certificate of Need review:

(1) the relocation of a licensed hospital in the same county in which the hospital is currently located, as long as:

(a) any Certificate of Need issued to the hospital for a project to be located at the hospital's existing location has been fulfilled, withdrawn, or has expired in accordance with Section 44-7-230 and the department's implementing regulations; and

(b) the proposed site of relocation is utilized in a manner that furthers health care delivery and innovation for the citizens of the State of South Carolina;

(2) the purchase, merger, or otherwise the acquisition of an existing hospital by another person or health care facility;

(3) crisis stabilization unit facilities. Notwithstanding subsection (C), crisis stabilization unit facilities will not require a written exemption from the department~~.~~;

(4) acute hospital care at home programs and services delivered by a licensed acute care hospital. The delivery of acute hospital care at home programs and services by a licensed acute care hospital does not require a written exemption from the department. Additionally, patients enrolled in the hospital care at home program shall not be considered within the licensed bed capacity of the hospital participating in the program; and

(5) a home health agency, as defined in Section 44-69-20(4).

SECTION 3. Article 3, Chapter 7, Title 44 of the S.C. Code is amended by adding:

Section 44-7-267. The department shall promulgate regulations for licensing an acute care hospital's acute hospital care at home programs and services. At a minimum, the regulations must address:

(1) diagnoses that respond safely and effectively to home-based acute care;

(2) patient eligibility criteria and screening requirements, including patient consent;

(3) multidisciplinary team requirements, including roles and responsibilities of team members;

(4) standards for continuous remote patient monitoring and connectivity with the patient;

(5) standards for the development of in-home services to ensure same level of care in the home as in a traditional hospital stay; and

(6) standards for patient safety.

SECTION 4. Section 44-69-75 of the S.C. Code is amended to read:

Section 44-69-75. ~~(A) A home health agency shall obtain a certificate of need before licensure. Procedures for applying for a certificate must be in accordance with the "State Certification of Need and Health Facility Licensure Act". No certificate is required for home health agencies providing home health services before July 1, 1980.~~

~~(B)~~(A)(1) A continuing care retirement community licensed pursuant to Title 37, Chapter 11, may provide home health services and is exempt from subsection (A) if:

~~(1)~~(a) the continuing care retirement community furnishes or offers to furnish home health services only to residents who reside in living units provided by the continuing care retirement community pursuant to a continuing care contract;

~~(2)~~(b) the continuing care retirement community maintains a current license and meets applicable home health agency licensing standards;

~~(3)~~(c) residents of the continuing care retirement community may choose to obtain home health services from other licensed home health agencies.

(2) Staff from other areas of the continuing care retirement community may deliver the home health services, but at no time may staffing levels in any area of the continuing care retirement community fall below minimum licensing standards or impair the services provided.

(3) If the continuing care retirement community includes charges for home health services in its base contract, it is prohibited from billing additional fees for those services. Continuing care retirement communities certified for Medicare or Medicaid, or both, must comply

with governmental reimbursement requirements concerning charges for home health services.

(4) For purposes of this subsection "resident", "living unit", and "continuing care contract" have the same meanings as provided in Section 37-11-20.

~~(C)~~(B) Subsection ~~(B)~~(A) applies only to multi-level continuing care retirement communities which incorporate a skilled nursing facility.

~~(D)~~(C) The continuing care retirement community shall not bill in excess of its costs. These costs will be determined on nonfacility-based Medicare and/or Medicaid standards.

SECTION 5. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Setzler	Shealy	Tedder
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

S. 858--Ordered to a Third Reading

On motion of Senator DAVIS, S. 858 was ordered to receive a third reading on Friday, April 5, 2024.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator VERDIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Michael Vinson of Laurens, S.C. Michael was a full-time firefighter with Laurens County since 2020 and a part-time firefighter with the Clinton City Fire Department. He began his career at the age of sixteen as an explorer with the Ekom Beach Volunteer Fire Department. He was a kind soul with a servant's heart. Michael was a loving son and grandson who served his community well and will be dearly missed.

ADJOURNMENT

At 3:16 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator MASSEY.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

S. 858 -- Senators Davis, Garrett, Kimbrell, Setzler and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-130, RELATING TO HEALTH CARE FACILITY LICENSURE DEFINITIONS, SO AS TO ADD A DEFINITION FOR "ACUTE HOSPITAL CARE AT HOME"; BY AMENDING SECTION 44-7-170, RELATING TO CERTIFICATE OF NEED PROGRAM EXEMPTIONS, SO AS TO EXEMPT ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES; AND BY ADDING SECTION 44-7-267 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS FOR LICENSING ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES.

On motion of Senator DAVIS.

S. 1188 -- Senators Tedder and Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-240, RELATING TO EXPULSION FOR THE REMAINDER OF THE YEAR AND HEARINGS, SO AS TO AMEND REQUIREMENTS TO BE INCLUDED IN THE WRITTEN NOTIFICATION TO PARENTS OR LEGAL GUARDIANS OF THE PUPIL.

On motion of Senator MASSEY.

MOTION ADOPTED

On motion of Senator CROMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Robert Heron Haile, Sr. of Chapin, S.C. Robert was a graduate of Chapin High School and was a member of Chapin Baptist Church. He enjoyed boating, hunting and telling stories. Robert was a loving father and devoted grandfather who will be dearly missed.

ADJOURNMENT

At 11:05 A.M., on motion of Senator McELVEEN, the Senate adjourned to meet next Tuesday, April 9, 2024, at 11:00 A.M., under the provisions of Rule 1B.

* * *

Tuesday, April 9, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator McELVEEN. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5235
Agency: Department of Labor, Licensing and Regulation - State Board of Physical Therapy Examiners
Chapter: 101
Statutory Authority: 1976 Code Section 40-45-60
SUBJECT: Board of Physical Therapy Examiners
Received by President of the Senate January 9, 2024
Referred to Committee on Medical Affairs
Legislative Review Expiration May 8, 2024
Withdrawn and Resubmitted April 9, 2024

Document No. 5248
Agency: Department of Labor, Licensing and Regulation - Building Codes Council
Chapter: 8
Statutory Authority: 1976 Code Sections 6-8-20, 6-9-40, 6-9-55, 6-9-63, 10-5-250, 23-43-40, 40-1-50, and 40-1-70
SUBJECT: Building Codes Council
Received by President of the Senate January 9, 2024
Referred to Labor, Commerce and Industry Committee
Legislative Review Expiration May 8, 2024
Withdrawn and Resubmitted April 9, 2024

REGULATION WITHDRAWN

The following was received:

Document No. 5255
Agency: Department of Labor, Licensing and Regulation - Office of Elevators and Amusement Rides

Chapter: 71
Statutory Authority: 1976 Code Sections 41-16-140 and 41-18-120
SUBJECT: Office of Elevators and Amusement Rides
Received by President of the Senate January 9, 2024
Referred to Labor, Commerce and Industry Committee
Legislative Review Expiration: permanently withdrawn
Permanently Withdrawn April 4, 2024

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1241 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-280, RELATING TO WIRELESS ELECTRONIC COMMUNICATION DEVICES, SO AS TO REQUIRE EACH SCHOOL DISTRICT TO ADOPT A POLICY FOR THE USE OF A PERSONAL WIRELESS ELECTRONIC COMMUNICATION DEVICE IN THE CLASSROOM BY STUDENTS AND EMPLOYEES.
sedu-0066db24.docx

Read the first time and referred to the Committee on Education.

S. 1242 -- Senators McLeod, Shealy, Matthews, Senn, Gustafson and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-14210, RELATING TO UNIVERSITY OF SOUTH CAROLINA 2017 AND 2022 WOMEN'S BASKETBALL NATIONAL CHAMPIONS SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2024 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT.
sr-0682km24.docx

Read the first time and referred to the Committee on Transportation.

S. 1243 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-14950, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES REFLECTIVE OF CAMPAIGN MEDALS FOR SERVICE MEMBERS WHO PARTICIPATED IN CERTAIN MILITARY CAMPAIGNS, SO AS TO ADD AN AFGHANISTAN WAR VETERAN SPECIALTY PLATE.
sr-0139jg24.docx

Read the first time and referred to the Committee on Transportation.

S. 1244 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 31-21-160 SO AS TO PROVIDE THAT CERTAIN INDIVIDUALS MAY RECORD A NEW INSTRUMENT TO REMOVE CERTAIN RESTRICTIVE COVENANTS CONTAINING A CONVEYANCE ENCUMBERING THE TRANSFER OF REAL PROPERTY; BY ADDING SECTION 31-21-170 SO AS TO PROVIDE THE PROCESS BY WHICH AN INDIVIDUAL MAY REMOVE CERTAIN RESTRICTIVE COVENANTS; AND BY ADDING SECTION 31-21-180 SO AS TO PROVIDE FOR CERTAIN CIVIL ACTIONS.
lc-0589sa24.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 1245 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 101, TITLE 59 SO AS TO DEFINE NECESSARY TERMS; TO PROVIDE THAT PARTICIPATING INSTITUTIONS IN THIS STATE SHALL ANNUALLY AWARD A STIPEND TO A STUDENT ATHLETE WHO PARTICIPATES IN AN INTERCOLLEGIATE SPORT AND MAINTAINS GOOD ACADEMIC STANDING DURING THE PREVIOUS YEAR AND TO PROVIDE CONDITIONS FOR THE RECEIPT OF STIPENDS; TO PROVIDE THAT AN ATHLETE MAY ONLY RECEIVE ONE STIPEND; TO PROVIDE THAT ALL STIPENDS ARE FINANCIAL AID; TO PROVIDE THAT PARTICIPATING INSTITUTIONS PROVIDE COMPLETE ACCOUNTING OF THE STIPENDS; BY ADDING ARTICLE 10 TO CHAPTER 101, TITLE 59 SO AS TO DEFINE NECESSARY TERMS; TO PROVIDE THAT PARTICIPATING INSTITUTIONS SHALL CREATE A STUDENT ATHLETE TRUST FUND AND FUND THE TRUST WITH A PERCENTAGE OF THE INTERCOLLEGIATE SPORT GROSS REVENUE; TO PROVIDE THAT FIVE THOUSAND DOLLARS WILL BE DEPOSITED INTO THE FUND ON A STUDENT ATHLETE'S BEHALF FOR EACH YEAR THAT HE MAINTAINS GOOD ACADEMIC STANDING, AND TO PROVIDE THAT THE TOTAL TRUST FUND AMOUNT MAY NOT EXCEED TWENTY-FIVE THOUSAND DOLLARS PER STUDENT ATHLETE; TO PROVIDE THAT A PARTICIPATING INSTITUTION SHALL PROVIDE A ONE-TIME PAYMENT TO EACH STUDENT ATHLETE AFTER THE FULFILLMENT OF CERTAIN REQUIREMENTS; TO PROVIDE THAT AN ATHLETE MAY ONLY

RECEIVE ONE PAYMENT; TO PROVIDE THAT ALL PAYMENTS ARE FINANCIAL AID; AND TO PROVIDE THAT PARTICIPATING INSTITUTIONS PROVIDE COMPLETE ACCOUNTING OF THE PAYMENTS.
lc-0701wab24.docx

Read the first time and referred to the Committee on Education.

S. 1246 -- Senator McElveen: A CONCURRENT RESOLUTION TO HONOR THE LIFE OF CARL MARKS SIMPSON III OF SUMTER UPON HIS PASSING, TO CELEBRATE HIS MEMORY AND HIS CONTRIBUTIONS TO THE CITIZENS OF SUMTER, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND FRIENDS.
lc-0445vr-bl24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

ADJOURNMENT

At 1:45 P.M., on motion of Senator McLEOD, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

* * *

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator McLEOD. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

REGULATION WITHDRAWN

The following was received:
Document No. 5227
Agency: Department of Motor Vehicles
Chapter: 90
Statutory Authority: 1976 Code Sections 56-3-10 et seq.
SUBJECT: License Plates
Received by President of the Senate January 9, 2024
Referred to Transportation Committee
Legislative Review Expiration: Permanently Withdrawn
Permanently Withdrawn April 10, 2024

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1247 -- Senator Hembree: A SENATE RESOLUTION TO CONGRATULATE JUDGE GERALD T. WHITLEY, JR. UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0671km-hw24.docx
The Senate Resolution was adopted.

S. 1248 -- Senator Hembree: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CURRENT TRANSITIONS FOR THEIR RECYCLING EFFORTS AND THEIR EDUCATIONAL SERVICES TO THE STATE OF SOUTH CAROLINA.
sr-0661km-vc24.docx
The Senate Resolution was adopted.

S. 1249 -- Senator Hembree: A SENATE RESOLUTION TO CONGRATULATE NORTH MYRTLE BEACH WOMEN'S CLUB UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND NORTH MYRTLE BEACH WOMEN'S CLUB FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE NORTH STRAND COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
sr-0684km-hw24.docx

The Senate Resolution was adopted.

S. 1250 -- Senators McLeod, Shealy, Matthews, Senn, Gustafson and Devine: A SENATE RESOLUTION TO CONGRATULATE COACH DAWN STALEY FOR LEADING THE UNIVERSITY OF SOUTH CAROLINA WOMEN'S BASKETBALL TEAM TO WIN THE 2024 NCAA CHAMPIONSHIP AND TO HONOR HER FOR HER LEGACY OF LEADERSHIP AND EXCELLENCE.
sr-0683km-vc24.docx

The Senate Resolution was adopted.

S. 1251 -- Senators Malloy, McLeod, Shealy, Matthews, Senn, Gustafson and Devine: A SENATE RESOLUTION TO CONGRATULATE THE UNIVERSITY OF SOUTH CAROLINA WOMEN'S BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2024 NCAA CHAMPIONSHIP.
sr-0679km-vc24.docx

The Senate Resolution was adopted.

H. 3180 -- Reps. Rutherford and Kilmartin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15-41-30, RELATING TO PROPERTY EXEMPT FROM ATTACHMENT, LEVY, AND SALE, SO AS TO PROVIDE THAT A DEBTOR'S INTEREST IN REAL PROPERTY USED AS A PRIMARY RESIDENCE MAY NOT BE SOLD IF THE ACTION WAS INSTITUTED BY A HOMEOWNERS ASSOCIATION ATTEMPTING TO COLLECT UNPAID DUES, FEES, OR FINES; BY AMENDING SECTION 27-30-130, RELATING TO THE ENFORCEABILITY OF A HOMEOWNERS ASSOCIATION'S GOVERNING DOCUMENTS, SO AS TO PROHIBIT THE ENFORCEABILITY OF A PROVISION GRANTING A HOMEOWNERS ASSOCIATION THE AUTHORITY TO

FORECLOSE ON PROPERTY; AND BY ADDING SECTION 29-3-810 SO AS TO PROHIBIT A FORECLOSURE ACTION NOT AUTHORIZED BY STATUTE.
lc-0060hdb23.docx

Read the first time and referred to the Committee on Judiciary.

H. 4187 -- Reps. J. E. Johnson, W. Newton, Robbins, Haddon, Mitchell, Yow, Chapman, Gagnon, Ligon, O'Neal, B. Newton, Sessions, Felder, Blackwell, Oremus and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO DEFINE NECESSARY TERMS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF FELONY ORGANIZED RETAIL CRIME AND FELONY ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE GRADUATED PENALTIES FOR THE OFFENSES.
lc-0145ahb23.docx

Read the first time and referred to the Committee on Judiciary.

H. 4248 -- Reps. Rose and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-4-50, RELATING TO THE SALE OF BEER, ALE, PORTER, OR WINE TO UNDERAGED PERSONS, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE; AND BY AMENDING SECTION 61-6-4080, RELATING TO THE SALE OF ALCOHOLIC LIQUORS TO AN UNDERAGED PERSON, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE.
lc-0294sa23.docx

Read the first time and referred to the Committee on Judiciary.

H. 4561 -- Reps. Wetmore, Dillard, Collins, Erickson, B. Newton, Schuessler, J. L. Johnson, Pope, Clyburn, Henegan, Pendarvis, Caskey, Bauer, Rivers, Gilliard, Henderson-Myers, Williams, Jefferson and Spann-Wilder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-13-1348, RELATING TO USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES, SO AS TO ALLOW A CANDIDATE OR PUBLIC OFFICIAL TO USE CAMPAIGN FUNDS FOR DEPENDENT CARE OF AN

IMMEDIATE FAMILY MEMBER IN CERTAIN CIRCUMSTANCES AND TO DEFINE "DEPENDENT CARE".
lc-0179ha24.docx

Read the first time and referred to the Committee on Judiciary.

H. 4622 -- Reps. Sessions, J. L. Johnson, Pope, Guffey, Mitchell, King and Hart: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-7-327 SO AS TO ESTABLISH CERTAIN REQUIREMENTS PERTAINING TO ITEMIZED PATIENT BILLING FOR HEALTH CARE SERVICES AND SUPPLIES.
lc-0288vr24.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 4843 -- Reps. Bailey, Brittain, Guest, J. E. Johnson, Sandifer and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-39-148 SO AS TO AUTHORIZE BUSINESSES WITH A DECK, DOCK, OR OTHER STRUCTURE LOCATED IN A CRITICAL AREA TO USE THE STRUCTURE FOR PURPOSES DIRECTLY RELATED TO OPERATION OF THE BUSINESS WITH LOCAL ZONING APPROVAL.
lc-0351vr24.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 5144 -- Reps. B. J. Cox, Elliott, Wooten and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-5-105 SO AS TO CREATE THE SCHOOL MAPPING DATA PROGRAM WITHIN THE STATE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF FACILITATING EFFICIENT EMERGENCY RESPONSES IN PUBLIC SCHOOLS BY PUBLIC SAFETY AGENCIES, TO DEFINE NECESSARY TERMS, TO PROVIDE REQUIREMENTS FOR THE PROGRAM AND ITS IMPLEMENTATION BY THE DEPARTMENT, AND TO PROVIDE RELATED REQUIREMENTS OF SCHOOL DISTRICTS.
lc-0645wab24.docx

Read the first time and referred to the Committee on Education.

H. 5179 -- Reps. T. Moore and Hyde: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF EDUCATION TO NAME THE CONVERSE SCHOOL BUS MAINTENANCE SHOP IN SPARTANBURG COUNTY THE "DAVID T. BREWINGTON SCHOOL BUS MAINTENANCE CENTER", AND TO DIRECT THE DEPARTMENT TO INSTALL APPROPRIATE SIGNAGE CONTAINING THE WORDS "DAVID T. BREWINGTON SCHOOL BUS MAINTENANCE CENTER" AS THE DEPARTMENT CONSIDERS ADVISABLE.
lc-0648wab24.docx

Read the first time and referred to the Committee on Education.

H. 5230 -- Rep. Wooten: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-8-10, RELATING TO DEFINITIONS PERTAINING TO THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, SO AS TO INCLUDE THE ATTORNEY GENERAL OF THIS STATE IN THE DEFINITION OF "SOLICITOR" AND TO MAKE THE NECESSARY PROVISIONS FOR THE ATTORNEY GENERAL TO BECOME A MEMBER OF THE SYSTEM; AND BY AMENDING SECTION 9-8-40, RELATING TO MEMBERSHIP IN THE SYSTEM, SO AS TO ALLOW THE ATTORNEY GENERAL SERVING ON JULY 1, 2024, TO ELECT TO BECOME A MEMBER.
lc-0546sa24.docx

Read the first time and referred to the Committee on Finance.

H. 5235 -- Reps. Bannister and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 43-7-465, RELATING TO INSURERS PROVIDING COVERAGE TO PERSONS RECEIVING MEDICAID, SO AS TO COMPORT WITH THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2022.
lc-0418vr24.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 5236 -- Reps. Bannister and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-6-50, RELATING TO RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES OR A

SUCCESSOR AGENCY, SO AS TO MAKE CERTAIN CHANGES CONCERNING MEDICAID CLAIMS PROCESSING CONTRACTS.
lc-0419vr24.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 5314 -- Reps. Haddon and Burns: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 25 (WHITE HORSE ROAD) AND SOUTH CAROLINA HIGHWAY 183 (SALUDA DAM ROAD) IN THE GREENVILLE COUNTY TOWN OF BEREA "HAROLD M. BATSON, JR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.
lc-0559cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5323 -- Reps. Yow, Henegan, Mitchell and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9/UNITED STATES HIGHWAY 601 FROM ITS INTERSECTION WITH STATE ROAD S-13-40 (HIGH POINT CHURCH ROAD) TO ITS INTERSECTION WITH STATE ROAD S-13-555 (ARANT STREET) IN CHESTERFIELD COUNTY "SSGT. JASON C. HICKS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.
lc-0563cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5356 -- Rep. Gilliam: A BILL TO AMEND ACT 171 OF 1976, AS AMENDED, RELATING TO FISCAL MATTERS AND THE IMPOSITION OF SCHOOL TAXES FOR LAURENS COUNTY SCHOOL DISTRICTS FIFTY-FIVE AND FIFTY-SIX, SO AS TO ELIMINATE AN EQUALIZATION FORMULA AND PROVIDE EACH DISTRICT WITH FISCAL AUTONOMY; AND TO SPECIFY

THE MANNER IN WHICH THE EQUALIZATION FORMULA APPLIES TO PREVIOUS TAX YEARS.
lc-0316dg24.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 5364 -- Rep. Taylor: A CONCURRENT RESOLUTION TO DECLARE THE MONTH OF APRIL 2024 AS "DISTRACTED DRIVER AWARENESS MONTH" THROUGHOUT OUR STATE AND TO ENCOURAGE ALL SOUTH CAROLINA CITIZENS TO PRACTICE SAFE DRIVING BEHAVIORS AND PLEDGE TO DRIVE DISTRACTION FREE.
lc-0438hdb-rm24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3865 -- Reps. Hiott, Collins, Rutherford, Carter and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4042 -- Reps. Bernstein, Gilliard, Wheeler, Wetmore, King, Howard, Henegan, Stavrinakis, Bauer, Rutherford, W. Newton, Jordan, Pope, Bannister, J.E. Johnson, Brittain, Elliott and Jefferson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-1710 SO AS TO PROVIDE A FRAMEWORK IN WHICH ANTISEMITISM IS CONSIDERED REGARDING ALL LAWS PROHIBITING DISCRIMINATORY ACTS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 5118 -- Reps. G.M. Smith, West, Davis, Hager, Hewitt, Kirby, Long, M.M. Smith, B. Newton, Pendarvis, Sandifer, Hiott, Landing, Crawford, Brittain, Lawson, Williams, Whitmire, Jefferson, Bustos, Hartnett, Carter, Blackwell, Neese, W. Newton, Bradley, Erickson, Murphy, Brewer, Yow, Mitchell, Connell, Jordan, Thayer, Elliott, Wooten, Pedalino, Bailey, T. Moore, McGinnis, Gatch, Ligon, Gagnon, Hardee, B.L. Cox, Chapman, Leber, Anderson, Bannister, Calhoon, Felder, Hixon, Lowe, Taylor, Thigpen, Willis and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA TEN-YEAR ENERGY TRANSFORMATION ACT"; BY AMENDING SECTION 58-3-20, RELATING TO THE MEMBERSHIP, ELECTION, AND QUALIFICATIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO CHANGE THE NUMBER OF COMMISSIONERS FROM SEVEN TO THREE TO BE ELECTED BY THE GENERAL ASSEMBLY FROM THE STATE AT LARGE; BY AMENDING SECTION 58-3-140, RELATING TO THE PUBLIC SERVICE COMMISSION'S POWERS TO REGULATE PUBLIC UTILITIES, SO AS TO ESTABLISH CONSIDERATIONS AND STATE POLICY FOR THE COMMISSION'S DECISION-MAKING PROCESS, TO ESTABLISH A SCHEDULE FOR CERTAIN TESTIMONY AND DISCOVERY IN CONTESTED PROCEEDINGS, TO PERMIT ELECTRICAL UTILITY CUSTOMERS TO ADDRESS THE COMMISSION AS PUBLIC WITNESSES, AND TO ESTABLISH REQUIREMENTS FOR AN INDEPENDENT THIRD PARTY CONSULTANT HIRED BY THE COMMISSION; BY AMENDING SECTION 58-3-250, RELATING TO SERVICE OF ORDERS AND DECISIONS ON PARTIES, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS REPRESENTATION OF PUBLIC INTEREST BEFORE THE COMMISSION, SO AS TO ESTABLISH ITS CONSIDERATIONS FOR PUBLIC INTEREST; BY ADDING SECTION 58-4-150 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO PREPARE A COMPREHENSIVE STATE ENERGY ASSESSMENT AND ACTION PLAN AND TO ESTABLISH REQUIREMENTS FOR THIS PLAN; BY ADDING CHAPTER 38 TO TITLE 58 SO AS TO ESTABLISH THE SOUTH CAROLINA ENERGY POLICY INSTITUTE; BY ADDING SECTION 58-33-195 SO AS TO ENCOURAGE DOMINION

ENERGY, THE PUBLIC SERVICE AUTHORITY, DUKE ENERGY CAROLINAS, AND DUKE ENERGY PROGRESS TO EVALUATE CERTAIN ELECTRICAL GENERATION FACILITIES AND PROVIDE FOR CONSIDERATIONS RELATED TO THESE FACILITIES; BY ADDING SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN ELECTRICAL GENERATION AND TRANSMISSION FACILITIES WITH INVESTOR-OWNED ELECTRIC UTILITIES, AND TO PROVIDE REQUIREMENTS FOR JOINT OWNERSHIP; BY AMENDING SECTION 58-27-650, RELATING TO REASSIGNMENT OF ELECTRIC SUPPLIERS' SERVICE AREAS, SO AS TO PERMIT THE COMMISSION TO APPROVE A REQUEST FOR ANY ELECTRIC SUPPLIER TO SERVE ANY TRANSFORMATIONAL ECONOMIC DEVELOPMENT PROJECT CUSTOMER UNDER CERTAIN CONDITIONS; BY AMENDING ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO AS ESTABLISH THE COUNCIL IN THE OFFICE OF REGULATORY STAFF, TO PROVIDE FOR ITS DUTIES AND MEMBERSHIP, AND TO PROVIDE FOR THE COUNCIL'S DIRECTOR; BY AMENDING SECTION 37-6-604, RELATING TO THE CONSUMER ADVOCATE'S INTERVENTION ON MATTERS FILED AT THE COMMISSION, SO AS TO TRANSFER THESE DUTIES TO THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 58-33-196 SO AS TO ENCOURAGE CONSIDERATION OF DEPLOYMENT OF NUCLEAR FACILITIES AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 58-37-70 SO AS TO PERMIT A SMALL MODULAR NUCLEAR PILOT PROGRAM AND TO ESTABLISH REQUIREMENTS; BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 58 SO AS TO PROVIDE FOR STATE AGENCY REVIEW OF ENERGY INFRASTRUCTURE PROJECT APPLICATIONS AND TO PROVIDE A SUNSET; BY AMENDING SECTION 58-40-10, RELATING TO THE DEFINITION OF "CUSTOMER-GENERATOR", SO AS TO ESTABLISH CHARACTERISTICS FOR A "CUSTOMER-GENERATOR"; BY AMENDING SECTION 58-41-30, RELATING TO VOLUNTARY RENEWABLE ENERGY PROGRAMS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS AND CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-41-10, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF "ENERGY STORAGE FACILITIES"; BY AMENDING SECTION

58-41-20, RELATING TO PROCEEDINGS FOR ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES AND RELATED PROCESSES, SO AS TO AUTHORIZE COMPETITIVE PROCUREMENT PROGRAMS FOR RENEWABLE ENERGY, CAPACITY, AND STORAGE, TO PERMIT COMPETITIVE PROCUREMENT OF NEW RENEWABLE ENERGY CAPACITY AND ESTABLISH REQUIREMENTS FOR NON-COMPETITIVE PROCUREMENT PROGRAMS, AND TO DELETE LANGUAGE REGARDING THE COMMISSION HIRING THIRD-PARTY EXPERTS FOR THESE PROCEEDINGS; BY ADDING SECTION 58-41-25 SO AS TO PROVIDE FOR A PROCESS FOR COMPETITIVE PROCUREMENT OF RENEWABLE ENERGY FACILITIES; BY AMENDING SECTION 58-33-20, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION "LIKE FACILITY"; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE FOR A LIKE FACILITY, TO ESTABLISH REQUIREMENTS AND CONSIDERATIONS FOR PROPOSED FACILITIES, TO PROVIDE WHAT ACTIONS MAY BE TAKEN WITHOUT PERMISSION FROM THE COMMISSION, AND TECHNICAL CHANGES; BY AMENDING SECTION 58-37-40, RELATING TO INTEGRATED RESOURCES PLANS, SO AS TO ADD CONSIDERATION OF A UTILITY'S TRANSMISSION AND DISTRIBUTION RESOURCE PLAN, TO ESTABLISH PROCEDURAL REQUIREMENTS AND EVALUATION BY THE COMMISSION, AND REQUIRE PARTIES TO BEAR THEIR OWN COSTS; BY AMENDING SECTION 58-3-260, RELATING TO COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES, SO AS TO MODIFY REQUIREMENTS FOR ALLOWABLE EX PARTE COMMUNICATIONS AND BRIEFINGS, AND TO PERMIT COMMISSION TOURS OF UTILITY PLANTS OR OTHER FACILITIES UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-3-270, RELATING TO EX PARTE COMMUNICATION COMPLAINT PROCEEDINGS AT THE ADMINISTRATIVE LAW COURT, SO AS TO PERMIT AN ORDER TOLLING ANY DEADLINES ON A PROCEEDING SUBJECT TO A COMPLAINT TO THE EXTENT THE PROCEEDING WAS PREJUDICED SO THAT THE COMMISSION COULD NOT CONSIDER THE MATTER IMPARTIALLY; BY ADDING CHAPTER 43 TO TITLE 58 SO AS TO ESTABLISH ECONOMIC DEVELOPMENT RATES FOR ELECTRICAL UTILITIES; BY

AMENDING SECTION 58-33-310, RELATING TO AN APPEAL FROM A FINAL ORDER OR DECISION OF THE COMMISSION, SO AS TO REQUIRE A FINAL ORDER ISSUED PURSUANT TO CHAPTER 33, TITLE 58 BE IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT AND TO PROVIDE FOR AN EXPEDITED HEARING; BY AMENDING SECTION 58-33-320, RELATING TO JOINT HEARINGS AND JOINT INVESTIGATIONS, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-4-160 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE ESTABLISHING A THIRD-PARTY ADMINISTRATOR FOR ENERGY EFFICIENCY AND DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO ADD A REFERENCE TO "DEMAND-SIDE MANAGEMENT PROGRAM" AND PROVIDE DEFINITIONS FOR "COST-EFFECTIVE" AND "DEMAND-SIDE MANAGEMENT PILOT PROGRAM"; BY AMENDING SECTION 58-37-20, RELATING TO COMMISSION PROCEDURES ENCOURAGING ENERGY EFFICIENCY PROGRAMS, SO AS TO EXPAND COMMISSION CONSIDERATIONS FOR COST-EFFECTIVE DEMAND-SIDE MANAGEMENT PROGRAMS, AND REQUIRE EACH INVESTOR-OWNED ELECTRICAL UTILITY TO SUBMIT AN ANNUAL REPORT TO THE COMMISSION REGARDING ITS DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-37-35 SO AS TO PERMIT PROGRAMS AND CUSTOMER INCENTIVES TO ENCOURAGE OR PROMOTE DEMAND-SIDE MANAGEMENT PROGRAMS FOR CUSTOMER SITED DISTRIBUTION RESOURCES, AND TO PROVIDE CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-37-50, RELATING TO AGREEMENTS FOR ENERGY EFFICIENCY AND CONSERVATION MEASURES, SO AS TO ESTABLISH CERTAIN TERMS AND RATE RECOVERY FOR AGREEMENTS FOR FINANCING AND INSTALLING ENERGY EFFICIENCY AND CONSERVATION MEASURES, AND FOR APPLICATION TO A RESIDENCE OCCUPIED BEFORE THE MEASURES ARE TAKEN; BY ADDING SECTION 58-31-215 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY, IN CONSULTATION WITH THE DEPARTMENT OF COMMERCE, TO

SERVE AS AN ANCHOR SUBSCRIBER OF NATURAL GAS AND PIPELINE CAPACITY FOR THIS STATE, TO ESTABLISH THE "ENERGY INVESTMENT AND ECONOMIC DEVELOPMENT FUND", AND TO PROVIDE FOR RELATED REQUIREMENTS; BY AMENDING SECTION 58-3-70, RELATING TO COMPENSATION OF PUBLIC SERVICE COMMISSION MEMBERS, SO AS TO ESTABLISH SALARIES IN AMOUNTS EQUAL TO NINETY-SEVEN AND ONE-HALF PERCENT OF SUPREME COURT ASSOCIATE JUSTICES.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., April 10, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3992 -- Reps. Blackwell, McGinnis, Sandifer, Ligon, Cromer, Magnuson, White, Pace and Burns: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-31-60, RELATING TO DELINQUENT UNEMPLOYMENT COMPENSATION TAX RATES, SO AS TO PERMIT EMPLOYERS WITH INSTALLMENT PAYMENT AGREEMENTS APPROVED BY THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO PAY THE TAX AT A REDUCED RATE, AND TO PROVIDE FOR THE AUTOMATIC REVERSION OF THIS RATE UPON FAILURE TO TIMELY COMPLY WITH THE PAYMENT AGREEMENT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 10, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4928 -- Reps. Davis, B.J. Cox, Hart, Jefferson, J. Moore, Caskey and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-21-10, RELATING TO

THE ESTABLISHMENT OF VETERANS' TRUST FUND, SO AS TO PROVIDE FOR FUNDRAISING; AND BY AMENDING SECTION 25-21-30, RELATING TO THE DUTIES AND FUNCTIONS OF THE VETERANS' TRUST FUND BOARD OF TRUSTEES, SO AS TO PROVIDE FOR THE ABILITY TO FUNDRAISE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 479 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME CHALK STREET IN THE RICHLAND COUNTY TOWN OF EASTOVER FROM POULTRY LANE TO MAIN STREET "FREDDIE E. CAMPBELL, SR. MEMORIAL STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

S. 988 -- Senator Shealy: A CONCURRENT RESOLUTION TO AUTHORIZE AMERICAN LEGION AUXILIARY PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 14, 2024.

Returned with concurrence.

Received as information.

S. 1037 -- Senators Adams and Grooms: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF ROYLE ROAD IN BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 17A/NORTH MAIN STREET TO ITS INTERSECTION WITH TREELAND DRIVE "WADE ARNETTE ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF ROADWAY CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

S. 1041 -- Senator Grooms: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF US HIGHWAY 17A IN BERKELEY COUNTY FROM ITS INTERSECTION WITH HARRISTOWN ROAD TO ITS INTERSECTION WITH HOODTOWN ROAD "REV. LARRY A. BRADBERRY HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 1101 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 38 ALONG INTERSTATE HIGHWAY 95 IN HAMPTON COUNTY "MAJOR GENERAL ARNOLD FIELDS INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 1163 -- Senators Campsen, Grooms and Adams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF HIGHWAY 703 AND THE INTERSECTION OF CHUCK DAWLEY BOULEVARD (I-526B) IN CHARLESTON COUNTY "DETECTIVE PAT MESSER MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 1230 -- Senator Alexander: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, APRIL 17, 2024, IMMEDIATELY FOLLOWING JUDICIAL ELECTIONS, AS THE TIME TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF THE COLLEGE OF CHARLESTON TO FILL THE TERM OF THE MEMBER FOR THE SECOND CONGRESSIONAL DISTRICT SEAT 3, THIRD CONGRESSIONAL DISTRICT SEAT 5, FOURTH CONGRESSIONAL DISTRICT SEAT 7, FIFTH CONGRESSIONAL DISTRICT SEAT 9, SIXTH CONGRESSIONAL DISTRICT SEAT 11,

SEVENTH CONGRESSIONAL DISTRICT SEAT 13, AT-LARGE SEAT 15, AND AT-LARGE SEAT 17, OF WHICH ALL TERMS WILL EXPIRE JUNE 30, 2026; TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF FRANCIS MARION UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE FIRST CONGRESSIONAL DISTRICT SEAT 1, WHOSE TERM WILL EXPIRE ON JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE SECOND CONGRESSIONAL DISTRICT SEAT 2, WHOSE TERM WILL EXPIRE ON JUNE 30, 2024, THE TERM OF THE MEMBER FOR THE FIFTH CONGRESSIONAL DISTRICT SEAT 5 AND FOR THE SIXTH CONGRESSIONAL DISTRICT SEAT 6, OF WHICH BOTH TERMS WILL EXPIRE ON JUNE 30, 2026, AND THE TERM OF THE MEMBER FOR AT-LARGE SEATS 8, 10, 12, AND 13, OF WHICH ALL TERMS WILL EXPIRE JUNE 30, 2026; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF LANDER UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE FIRST CONGRESSIONAL DISTRICT SEAT 9, WHOSE TERM WILL EXPIRE ON JUNE 30, 2024; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO FILL THE TERM OF THE MEMBER FOR THE FIRST CONGRESSIONAL DISTRICT MEDICAL SEAT, SECOND CONGRESSIONAL DISTRICT MEDICAL SEAT, THIRD CONGRESSIONAL DISTRICT MEDICAL SEAT, FOURTH CONGRESSIONAL DISTRICT LAY SEAT, FIFTH CONGRESSIONAL DISTRICT LAY SEAT, SIXTH CONGRESSIONAL DISTRICT MEDICAL SEAT, AND SEVENTH CONGRESSIONAL DISTRICT LAY SEAT, OF WHICH ALL TERMS WILL EXPIRE JUNE 30, 2026; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY TO FILL THE TERM OF A MEMBER FOR THE FIFTH CONGRESSIONAL DISTRICT SEAT 5, SEVENTH CONGRESSIONAL DISTRICT SEAT 7, AND AT-LARGE SEATS 9 AND 11, OF WHICH ALL TERMS WILL EXPIRE ON JUNE 30, 2026; AND TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY FOR THE FOURTH CONGRESSIONAL DISTRICT SEAT 4, WHOSE TERM WILL EXPIRE ON JUNE 30, 2028; AND TO FIX WEDNESDAY, APRIL 17, 2024, IMMEDIATELY FOLLOWING COLLEGE AND UNIVERSITY BOARDS OF TRUSTEES ELECTIONS, AS THE

TIME TO ELECT MEMBERS TO THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S APPELLATE PANEL.

Returned with concurrence.

Received as information.

S. 1240 -- Senator Sabb: A CONCURRENT RESOLUTION TO CONGRATULATE EDITH MCCLARY REDDEN UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER FORTY-SEVEN YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

Returned with concurrence.

Received as information.

S. 1246 -- Senator McElveen: A CONCURRENT RESOLUTION TO HONOR THE LIFE OF CARL MARKS SIMPSON III OF SUMTER UPON HIS PASSING, TO CELEBRATE HIS MEMORY AND HIS CONTRIBUTIONS TO THE CITIZENS OF SUMTER, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND FRIENDS.

Returned with concurrence.

Received as information.

ADJOURNMENT

At 1:40 P.M., on motion of Senator SETZLER, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

***

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SETZLER. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1252 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-740, RELATING TO OBEDIENCE TO AUTHORIZED PERSONS DIRECTING TRAFFIC, SO AS TO PROVIDE A PENALTY FOR REFUSING TO COMPLY WITH A LAWFUL COMMAND TO EXIT A MOTOR VEHICLE.
lc-0544cm24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1253 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-750, RELATING TO FAILURE TO STOP MOTOR VEHICLES WHEN SIGNALED BY LAW ENFORCEMENT VEHICLES, SO AS TO PROVIDE A MANDATORY MINIMUM SENTENCE FOR FLEEING LAW ENFORCEMENT VEHICLES.
lc-0543cm24.docx

Read the first time and referred to the Committee on Judiciary.

H. 3679 -- Reps. Chumley, Burns, Haddon, Long, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Bustos, Calhoon, Carter, Caskey, Chapman, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones,

W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF RYLIE KAMRYN SLOAN OF SPARTANBURG COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LOVING FAMILY AND HER MANY FRIENDS.

lc-0007cm-gm23.docx

The Concurrent Resolution was adopted, ordered returned to the House.

H. 3680 -- Reps. Chumley, Burns, Haddon, Long, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Bustos, Calhoon, Carter, Caskey, Chapman, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF JAMIE HOWARD SLOAN OF SPARTANBURG COUNTY AND TO

EXTEND THEIR DEEPEST SYMPATHY TO HER LOVING FAMILY AND HER MANY FRIENDS.

lc-0014dg-gm23.docx

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEE

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 4871 -- Reps. Haddon, Ligon and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 47-9-420 SO AS TO PROHIBIT THE INTERFERENCE OR INTERACTION WITH FARM ANIMALS BEING TRANSPORTED BY A MOTOR VEHICLE WITHOUT PERMISSION.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

H. 5169 -- Reps. Haddon, G.M. Smith, Hiott, Taylor, Hixon, Forrest, Wooten, Crawford, Gibson, Hartnett, Robbins, Sessions, Mitchell, T. Moore, Gilliam, Brewer, Ligon, Bradley, Brittain, Guest, B.L. Cox, Long, Chapman, J.E. Johnson, Burns, O'Neal, Vaughan, McCravy, Davis, Nutt, Trantham, Hyde, McGinnis, Hardee, Bailey, S. Jones, Guffey, West, Schuessler, Gatch, Gagnon, Herbkersman, Lawson, Moss, Murphy, Chumley, Carter, Magnuson, M.M. Smith, Pope, Cromer, Oremus and Beach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 1, TITLE 46 BY ENACTING THE “FARMERS PROTECTION ACT” TO PREVENT DISCRIMINATION IN FINANCING AGAINST FARMERS.

Ordered for consideration tomorrow.

Appointments Reported

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2022, and to expire April 6, 2028

6th Congressional District:

James T. Coker, PO Box 152, Kingstree, SC 29556-0152 *VICE* Mitch Lowrey

Received as information.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2024, and to expire April 6, 2030

Veterinarian, 3rd Congressional District:

Mark Moore, 210 East Bennett Road, Westminster, SC 29693-3701 *VICE* Karl Wessinger

Received as information.

ADJOURNMENT

At 1:30 P.M., on motion of Senator SHEALY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1.

***

Friday, April 12, 2024
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SHEALY.

ADJOURNMENT

At 11:03 A.M., on motion of Senator CROMER, the Senate adjourned to meet next Tuesday, April 16, 2024, at 12:00 Noon.

* * *

Tuesday, April 16, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

I Corinthians 8:4b

As Paul stated to the Corinthians: "We know that an idol is nothing at all in the world and that there is no God but one."

Good friends, let us pray: O Holy God, in recent days we have indeed found ourselves bombarded by accounts of green jackets and of NCAA championship winners, and rightly so. For those who have reached such pinnacles of achievement are special, and they certainly deserve to be honored. Yet may we never forget, O Lord, that working hard to be one of Your faithful and dedicated servants is just as much worthy of accolades. To that end, dear God, we lift up and praise every Senator and aide who -- more than anything else -- is determined to honor You as he or she faithfully and honorably serves all the people of our State. These individuals are also heroes whom we celebrate. In Your loving name we pray, O blessed Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy

Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5221
Agency: Department of Motor Vehicles
Chapter: 90
Statutory Authority: 1976 Code Sections 56-1-5 et seq.
SUBJECT: Billing Accounts
Received by President of the Senate January 9, 2024
Referred to Transportation Committee
Legislative Review Expiration May 8, 2024
Withdrawn and Resubmitted April 16, 2024

Doctor of the Day

Senator DEVINE introduced Dr. Mark Humphrey of Columbia, S.C., Doctor of the Day.

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

Remarks by Senator MASSEY

Mr. PRESIDENT, I wanted to take just a couple of minutes and talk about something that has been getting a lot of attention recently. And that is the Energy Legislation. It came out of full committee last week. Unfortunately, I was not able to be at that committee meeting. I have had a number of people who came to speak to me about this, and I listened to part of the committee meeting, such as it was. As somebody who spent a lot of time on this issue, Senator SETZLER, in 2017, 2018, 2019, 2020 and 2021, my initial thoughts are that I do not question that South Carolina is going to need more energy. Now, I do think we need to change the trajectory on some of our economic development issues. I do not know why we are recruiting data centers that are just electricity hogs and are not providing a whole lot of jobs. That is one of the issues we have here. It's something we need to look at and have conversations with the Department of Commerce and the locals about. But while I do not question the need for more energy, I have a bit of a question about whether we need to generate it versus buy it. I can probably get there on

the generation issue. I am okay with gas, so that does not bother me much. I am probably okay with Dominion and Santee Cooper working together, although I've seen that movie, y'all, and we have to be careful. We need to have a lot more oversight than the little bit they have written in. I think there needs to be a lot more oversight -- not only of that partnership -- but also the MOU that they signed in the beginning. Because, Senator SETZLER, the MOU last time got them in trouble -- and that happens on the front end. So, I think we need to look at that, but I can probably get there eventually.

I have two real issues. First, I have no interest at all in rolling back the regulatory protections that we put into place in 2018. I have no interest in that at all. That is a "no deal" for me. I have no interest at all in weakening the Public Service Commission. That's a big problem for me. This Bill has efforts to do both of those things. I am not going to be a part of that, and I will fight that. But there is one other issue that I have a real problem with, that I do not think has been talked about a whole lot and that is Dominion and Santee Cooper, Santee Cooper especially, needing Canadys because they did not finish VC Summer. If they had finished VC Summer, they would have had enough generation capacity that they would not need Canadys. For those in the room who are Dominion customers, we have already been paying for VC Summer. For the last five years, and for the next fifteen years, we will be paying for the costs of VC Summer, plus an additional 9.9% guaranteed profit on top of it. That one still burns me. The fact that I am paying a profit for that fraudulently failed plant burns me, and the fact that I am going to be paying it for the next fifteen years burns me still. Now the Santee Cooper and electric co-op customers, you have not gotten hit with that yet, but it is coming in January. Your electricity rates are going to increase beginning in January because you are about to get hit with VC Summer. Now, the good thing for you is you do not have to pay the profit like I have to pay. But you are still going to have to pay the costs of a failed nuclear plant that you were defrauded on. If they build Canadys, they are going to want us to pay for the cost of that construction and a profit on top of it. Y'all, I have a real problem with the fact that I am expected to pay for the cost and a profit on VC Summer and the cost and a profit on Canadys. I don't need them both. I'm not going to get them both and that's a real problem for me. The people in South Carolina need to understand that what is being asked here is that if you are a Dominion customer, if you are a Santee Cooper direct customer, if you are an electric co-op customer, you are being asked to pay for not only the construction of, but a profit on, two power plants, and you will only get

the use of one of them. We need to have that conversation about what is going to happen there.

Mr. PRESIDENT, I do not like that something this important comes out in mid-April with the push, “We’ve got to get it done, we’ve got to get it done.” I think that is also a real problem. And I've heard, “Well, if we don't do this, the lights may go out.” They are not going to hold that over my head. Senator SETZLER, you and I have talked a lot over the last few years -- and some of the other people have heard too. There were a number of times in 2017 and 2018 that I remember you and I had conversations when I said, “Senator, I think they're bluffing; but, if I'm wrong, this could be bad.” Fortunately, every time we called the bluff, it worked. On this point though, I am not going to be held hostage by people saying if you do not give us exactly what we want when we want it, we are going to turn the lights out on you. We should not play that game. And then I hear well if you do not authorize us to do it by the end of the year, we are going to do it on our own anyway. There's a lot more that goes into building a power plant than just saying we are going to do it. There are a lot of hurdles they will have to jump through.

So, here's my request. I think energy is extremely important. It's important not only to those of us here now, but also for the long-term future of South Carolina. Dominion, Santee Cooper, Duke -- those are our power players. It is important that we deal with the issue. And it is crucial that we get it right. And because it is important that we get it right, my recommendation is that we spend a lot of time over the fall working on this issue. So, Mr. PRESIDENT, I am recommending that we take time in the fall to really delve into this issue. We should have public testimony and sworn testimony from the players. Also, nobody knows what it is going to cost yet. To my knowledge, they have not divulged any of the cost projections, and they certainly have not combined that with what customers are already paying for VC Summer. Senator SETZLER, we had a number of hearings over the fall of 2017 and into 2018, while the merger hearing was going on over at the Public Service Commission. Mr. PRESIDENT, I think we might all even have to consider a specially appointed committee like we had in 2017 and 2018 to fully vet and evaluate these proposals, to make sure that we are getting the right talent -- the right Senators on this committee -- members who will be the most inquisitive and will devote the proper attention to this important issue. Because it is that important of an issue. I’m requesting that we deal with this over the fall, and we come back next year and figure out the best way to move forward. Now, I would also even suggest because of some of the threats that I have been hearing, that we ought to

pull up this Bill and we ought to strip it; and then we ought to tell the Public Service Commission that they can neither accept nor entertain any type of applications to build a new generating facility over the interim. I will be very candid. I don't trust Richmond. I didn't trust them in 2017 or 2018. I don't trust Richmond now. It would not surprise me at all if they try to do something on their own and they try to skirt in below us. I don't doubt that they would try to do that. So, if we need to pass something to tell the commission that they cannot accept applications for a new generating facility for the next eight or nine months, that they cannot entertain any applications already filed -- if something gets filed before us -- then I think we ought to entertain that. But if we are going to take this seriously and if we are going to do it right, we need to spend time on it. I think that time needs to be in the fall, and we need to have the right people, Mr. PRESIDENT, devoted to that consideration so that we can get this right. If we get it wrong, it could prejudice us for a long time, and it also is going to have people paying a lot more money than they ought to have to pay. And just to be candid with South Carolina, I don't know that there is a way that you're not going to have to pay for two plants. But I think we need to do our homework. We need to make sure that we can drive it down as much as possible to make sure that South Carolina is protected from a cost standpoint. It is very important that we do a good job with energy policy going forward. Thank you, Mr. PRESIDENT.

On motion of Senator CLIMER, with unanimous consent, the remarks of Senator MASSEY were ordered printed in the Journal.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator RANKIN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator SENN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator SETZLER rose for an Expression of Personal Interest.

Report of the Subcommittee on Constitutional Budget

Senator GROOMS, Chairman of the Subcommittee on Constitutional Budget, was recognized to report to the Senate regarding the work of the subcommittee.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 1242 Sen. Setzler

RECALLED AND ADOPTED

S. 1028 -- Senator McLeod: A SENATE RESOLUTION TO ENCOURAGE PUBLIC AWARENESS ABOUT THE CONTINUING BENEFITS AND VALUE OF MEDITATION, INTEGRATIVE OCCUPATIONAL THERAPY, AND SELF-CARE AND TO DECLARE APRIL 16, 2024, AS "PEACE, HARMONY, WELLNESS, AND OCCUPATIONAL THERAPY DAY" IN SOUTH CAROLINA.

Senator McLEOD asked unanimous consent to make a motion to recall the Resolution from the Committee on Medical Affairs.

The Resolution was recalled from the Committee on Medical Affairs.

Senator McLEOD asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator McLEOD, the Resolution was adopted and ordered sent to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1254 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE D.W. DANIEL HIGH SCHOOL LIONS PRIDE MARCHING BAND AND BAND DIRECTOR ON AN OUTSTANDING SEASON AND TO APPLAUD THEM FOR

WINNING THE 2023 SOUTH CAROLINA BAND DIRECTORS ASSOCIATION CLASS AAA CHAMPIONSHIP.
sr-0689km-hw24.docx

The Senate Resolution was adopted.

S. 1255 -- Senator Shealy: A SENATE RESOLUTION TO CELEBRATE THE PELION ELEMENTARY SCHOOL ARCHERY TEAM, COACHES, AND SCHOOL OFFICIALS FOR A SUPERB SEASON AND FOR THEIR OUTSTANDING PERFORMANCE AT THE 2024 SOUTH CAROLINA NATIONAL ARCHERY IN THE SCHOOLS PROGRAM (NASP) STATE ARCHERY TOURNAMENT.
sr-0686km-hw24.docx

The Senate Resolution was adopted.

S. 1256 -- Senator Williams: A SENATE RESOLUTION TO HONOR GLORIA S. FRIESON FOR HER SIXTY-FIVE YEARS OF SERVICE TO THE ALPHA KAPPA ALPHA SORORITY AND TO RECOGNIZE APRIL 20, 2024, AS "MS. GLORIA S. FRISON 'PEARL' DAY" IN SOUTH CAROLINA.
sr-0690km-hw24.docx

The Senate Resolution was adopted.

S. 1257 -- Senator Jackson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ROBERT G. ANDERSON, JAMES L. SOLOMON, JR., AND HENRIE MONTEITH TREADWELL, WHOSE COURAGE AND RESOLVE ON SEPTEMBER 11, 1963, OPENED WIDE THE DOORS OF EDUCATIONAL OPPORTUNITY FOR ALL STUDENTS OF COLOR AT THE STATE'S FLAGSHIP UNIVERSITY, AN HISTORIC EVENT NOW MEMORIALIZED BY THE INSTALLATION ON THE UNIVERSITY'S HISTORIC HORSESHOE OF A MONUMENT DEPICTING THE THREE STUDENTS.
lc-0597cm-gm24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1258 -- Senator Cromer: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR HENRY S. REEDER FOR A LIFETIME OF SERVICE TO HIS COMMUNITY.
sr-0688km-hw24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1259 -- Senator Talley: A CONCURRENT RESOLUTION TO CONGRATULATE AFL ON THE OCCASION OF ITS FORTIETH ANNIVERSARY AND TO WISH THE COMPANY MUCH CONTINUED SUCCESS IN THE YEARS AHEAD.
lc-0413ph-rm24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1260 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE JUBILEE BAPTIST CHURCH OF TAYLORS ON THE OCCASION OF ITS HISTORIC ONE HUNDRED SIXTIETH ANNIVERSARY AND TO COMMEND THE CHURCH FOR MORE THAN A CENTURY AND A HALF OF SERVICE TO GOD AND THE COMMUNITY.
lc-0437hdb-rm24.docx

The Senate Resolution was adopted.

H. 5404 -- Reps. Forrest, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CELEBRATE THE THIRTY-EIGHTH ANNIVERSARY OF THE SOUTH CAROLINA POULTRY FESTIVAL, TO BE HELD MAY 9-11, 2024, IN BATESBURG-LEESVILLE AND TO HONOR THOSE PLANNING AND PARTICIPATING IN THE FESTIVAL.
lc-0593sa-rm24.docx

The Concurrent Resolution was adopted, ordered returned to the House.

H. 5405 -- Reps. Forrest, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR HOMER DEERIN "BILLY" SHAW FOR HIS CONTRIBUTIONS TO HIS COMMUNITY, STATE, AND NATION AND TO CONGRATULATE HIM UPON BEING NAMED THE 2024 POULTRY FESTIVAL DISTINGUISHED CITIZEN.
lc-0440hdb-bl24.docx

The Concurrent Resolution was adopted, ordered returned to the House.

H. 5406 -- Reps. Forrest, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder,

Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE BATESBURG-LEESVILLE COACHES PITCH ALL-STAR BASEBALL TEAM AND COACHES FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR CAPTURING THE 2023 SOUTH CAROLINA DIVISION II STATE CHAMPIONSHIP TITLE.

lc-0324ha-gm24.docx

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 161 -- Senators Young, Grooms and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-100, RELATING TO NONPUBLIC SCHOOL STUDENT PARTICIPATION IN THE INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOLS, SO AS TO PROVIDE LIMITED SITUATIONS IN WHICH HIGH SCHOOL STUDENTS WHO ATTEND PRIVATE SCHOOLS MAY PARTICIPATE IN HIGH SCHOOL LEAGUE SPORTS OFFERED AT PUBLIC HIGH SCHOOLS; AND BY FURTHER AMENDING SECTION 59-63-100, RELATING TO PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES OF A PUBLIC SCHOOL DISTRICT BY HOME SCHOOL, CHARTER SCHOOL, AND GOVERNOR'S SCHOOL STUDENTS, SO AS TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable report on:

H. 4349 -- Rep. Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-1500, RELATING TO THE GREENVILLE TECHNICAL COLLEGE AREA COMMISSION, SO AS TO REMOVE OBSOLETE REFERENCES, TO REVISE RESIDENCY REQUIREMENTS FOR CERTAIN COMMISSION SEATS, AND TO REVISE THE ABSENCE POLICY FOR COMMISSION MEMBERS, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 4386 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-13-647 SO AS TO PROHIBIT THE TAKING, HARMING, OR KILLING OF ROBUST REDHORSE.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4387 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO INCLUDE REFERENCES TO HYBRID BASS.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4612 -- Reps. Hixon, Pope, Chapman, Taylor, Hartnett, Hardee, Brewer, Robbins, Gatch, Murphy, Connell, Mitchell, Hager, Caskey, Forrest, Wooten, Elliott, B.J. Cox and Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 55-3-110, RELATING TO HUNTING FROM AN AIRCRAFT, SO AS TO PROVIDE PERSONS POSSESSING A PERMIT ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES MAY LAWFULLY HUNT FROM AN AIRCRAFT; AND BY ADDING SECTION 50-11-1190 SO AS TO PROVIDE THE DEPARTMENT OF NATURAL RESOURCES MAY ISSUE PERMITS FOR THE TAKING OF FERAL HOGS WHILE AIRBORNE IN A HELICOPTER UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 4875 -- Reps. Ott, Brewer, Atkinson and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-1910, RELATING TO THE SALE OF DEER OR DEER PARTS, SO AS TO ALLOW A PROCESSOR TO PROCESS A LEGALLY TAKEN DOE DONATED BY A HUNTER

AND RECOVER THE COSTS OF PROCESSING FROM SOMEONE OTHER THAN THE HUNTER WHO DONATED THE DOE, AND TO INCREASE PENALTIES.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable on:

H. 5007 -- Reps. Caskey and Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO RESTRICT PERMITTED HOOK SIZE IN THE LOWER SALUDA RIVER.

Ordered for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow at 11:45 A.M.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators PEELER, ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSEN, CASH, CLIMER, CORBIN, CROMER, DAVIS, DEVINE, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, LOFTIS, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, RANKIN, REICHENBACH, RICE, SABB, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TEDDER, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of the Honorable Van Stephen Moss of Blacksburg, S.C. Steve was the president of his senior class at Blacksburg High School where he graduated in 1968. He was a graduate of Clemson University where he served as a trainer for the football team in 1972. He later graduated from the South Carolina School of Banking and the School of Banking of the South at Louisiana State University. Steve was a lifelong banker and founder of First National Bank of the Carolinas. He was a volunteer firefighter for over 50 years and served on various committees and boards. He served District 30 in the South Carolina House of Representatives for over 13 years. Steve was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 3:36 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:45 A.M.

* * *

Wednesday, April 17, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:30 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Daniel 6:16

As Daniel the prophet tells us, "So the king gave the order, and they brought Daniel and threw him into the lions' den."

Let us pray: O God, as the time for ringing the closing bell for this Senate session draws nearer and nearer, how indeed does pressure build -- pressure to wrap things up, to accomplish worthy ends, to continue creating a better South Carolina. For many of these leaders of our State, it truly must feel at times that they themselves have been thrown "into the lions' den." That is why, Lord, we pray today that You will give each of these Senators the gifts of fortitude and of courage so they can continue doing what they know to be best for our citizens. And may the untiring efforts of these servants, dear God, bring about great good, thanks to Your continual blessing and guidance. And as always, Lord, to You be the glory. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that the Senate would reconvene thirty minutes after the conclusion of the Joint Assembly.

RECESS

At 11:55 P.M., on motion of Senator MASSEY, the Senate receded from business for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY

Elections

At 12:00 Noon, the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of Concurrent Resolutions adopted by both Houses:

H. 4895--Reps. Caskey, Jordan and Rutherford: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, APRIL 17, 2024, AT 12:00 NOON TO ELECT A SUCCESSOR TO THE HONORABLE JERRY DEESE VINSON, JR., JUDGE OF THE COURT OF APPEALS, SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO THE HONORABLE DAVID GARRISON "GARY" HILL, JUDGE OF THE COURT OF APPEALS, SEAT 9, AND THE SUCCESSOR WILL SERVE THE REMAINDER OF THE UNEXPIRED TERM, WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A JUDGE TO A NEWLY CREATED SEAT ON THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO THE HONORABLE RALPH FERRELL COTHRAN, JR., JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL SERVE THE REMAINDER OF THE UNEXPIRED TERM, WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO THE HONORABLE KRISTI FISHER CURTIS, JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO THE HONORABLE MICHAEL S. HOLT, JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO THE HONORABLE DEANDRE GIST BENJAMIN, JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, AND THE SUCCESSOR WILL SERVE THE REMAINDER OF THE UNEXPIRED TERM, WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO THE HONORABLE DANIEL MCLEOD COBLE, JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO THE HONORABLE J. DERHAM COLE, JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL SERVE THE

REMAINDER OF THE UNEXPIRED TERM, WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO THE HONORABLE GRACE GILCHRIST KNIE, JUDGE OF THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO THE HONORABLE EUGENE C. GRIFFITH, JR., JUDGE OF THE CIRCUIT COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A JUDGE TO A NEWLY CREATED SEAT ON THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO THE HONORABLE R. SCOTT SPROUSE, JUDGE OF THE CIRCUIT COURT, TENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO THE HONORABLE WILLIAM PAUL KEESLEY, JUDGE OF THE CIRCUIT COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO THE HONORABLE WALTON J. MCLEOD IV, JUDGE OF THE CIRCUIT COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO THE HONORABLE MICHAEL G. NETTLES, JUDGE OF THE CIRCUIT COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO THE HONORABLE LETITIA H. VERDIN, JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 2, AND THE SUCCESSOR WILL SERVE A NEW TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2030; TO ELECT A SUCCESSOR TO THE HONORABLE ALEX KINLAW, JR., JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL SERVE THE REMAINDER OF THE UNEXPIRED TERM, WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO THE HONORABLE ROBERT BONDS, JUDGE OF THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024; TO ELECT A JUDGE TO A NEWLY CREATED SEAT ON THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A JUDGE TO A NEWLY CREATED SEAT ON THE CIRCUIT COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 3,

WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO THE HONORABLE EDWARD W. "NED" MILLER, JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 4, AND THE SUCCESSOR WILL SERVE THE REMAINDER OF THE UNEXPIRED TERM, WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO THE HONORABLE DAVID CRAIG BROWN, JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 8, AND THE SUCCESSOR WILL SERVE THE REMAINDER OF THE UNEXPIRED TERM, WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO THE HONORABLE ALISON RENEE LEE, JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 11, AND THE SUCCESSOR WILL SERVE THE REMAINDER OF THE UNEXPIRED TERM, WHICH WILL EXPIRE JUNE 30, 2026; TO ELECT A SUCCESSOR TO THE HONORABLE DONALD BRUCE HOCKER, JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 16, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2024, AND THE SUCCESSOR WILL SERVE THE REMAINDER OF THE UNEXPIRED TERM, WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A JUDGE TO A NEWLY CREATED SEAT ON THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A JUDGE TO A NEWLY CREATED SEAT ON THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; TO ELECT A SUCCESSOR TO THE HONORABLE WAYNE M. CREECH, JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 4, AND THE SUCCESSOR WILL SERVE THE REMAINDER OF THE UNEXPIRED TERM, WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO THE HONORABLE JACK A. LANDIS, JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 6, AND THE SUCCESSOR WILL SERVE THE REMAINDER OF THE UNEXPIRED TERM, WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO THE HONORABLE EDGAR H. LONG, JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 1, AND THE SUCCESSOR WILL SERVE THE REMAINDER OF THE UNEXPIRED TERM, WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO THE HONORABLE THOMAS H. WHITE IV, JUDGE OF THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, AND THE SUCCESSOR WILL SERVE THE REMAINDER OF THE UNEXPIRED TERM, WHICH

WILL EXPIRE JUNE 30, 2028; TO ELECT A JUDGE TO A NEWLY CREATED SEAT ON THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL BE FROM JULY 1, 2024, UNTIL JUNE 30, 2030; AND TO ELECT A SUCCESSOR TO THE HONORABLE RALPH KING "TRIPP" ANDERSON III, JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2024.

S. 1230 -- Senator Alexander: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, APRIL 17, 2024, IMMEDIATELY FOLLOWING JUDICIAL ELECTIONS, AS THE TIME TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF THE COLLEGE OF CHARLESTON TO FILL THE TERM OF THE MEMBER FOR THE SECOND CONGRESSIONAL DISTRICT SEAT 3, THIRD CONGRESSIONAL DISTRICT SEAT 5, FOURTH CONGRESSIONAL DISTRICT SEAT 7, FIFTH CONGRESSIONAL DISTRICT SEAT 9, SIXTH CONGRESSIONAL DISTRICT SEAT 11, SEVENTH CONGRESSIONAL DISTRICT SEAT 13, AT-LARGE SEAT 15, AND AT-LARGE SEAT 17, OF WHICH ALL TERMS WILL EXPIRE JUNE 30, 2026; TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF FRANCIS MARION UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE FIRST CONGRESSIONAL DISTRICT SEAT 1, WHOSE TERM WILL EXPIRE ON JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE SECOND CONGRESSIONAL DISTRICT SEAT 2, WHOSE TERM WILL EXPIRE ON JUNE 30, 2024, THE TERM OF THE MEMBER FOR THE FIFTH CONGRESSIONAL DISTRICT SEAT 5 AND FOR THE SIXTH CONGRESSIONAL DISTRICT SEAT 6, OF WHICH BOTH TERMS WILL EXPIRE ON JUNE 30, 2026, AND THE TERM OF THE MEMBER FOR AT-LARGE SEATS 8, 10, 12, AND 13, OF WHICH ALL TERMS WILL EXPIRE JUNE 30, 2026; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF LANDER UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE FIRST CONGRESSIONAL DISTRICT SEAT 9, WHOSE TERM WILL EXPIRE ON JUNE 30, 2024; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO FILL THE TERM OF THE MEMBER FOR THE FIRST CONGRESSIONAL DISTRICT MEDICAL SEAT, SECOND CONGRESSIONAL DISTRICT MEDICAL SEAT, THIRD CONGRESSIONAL DISTRICT MEDICAL SEAT, FOURTH CONGRESSIONAL DISTRICT LAY SEAT, FIFTH

CONGRESSIONAL DISTRICT LAY SEAT, SIXTH CONGRESSIONAL DISTRICT MEDICAL SEAT, AND SEVENTH CONGRESSIONAL DISTRICT LAY SEAT, OF WHICH ALL TERMS WILL EXPIRE JUNE 30, 2026; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY TO FILL THE TERM OF A MEMBER FOR THE FIFTH CONGRESSIONAL DISTRICT SEAT 5, SEVENTH CONGRESSIONAL DISTRICT SEAT 7, AND AT-LARGE SEATS 9 AND 11, OF WHICH ALL TERMS WILL EXPIRE ON JUNE 30, 2026; AND TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY FOR THE FOURTH CONGRESSIONAL DISTRICT SEAT 4, WHOSE TERM WILL EXPIRE ON JUNE 30, 2028; AND TO FIX WEDNESDAY, APRIL 17, 2024, IMMEDIATELY FOLLOWING COLLEGE AND UNIVERSITY BOARDS OF TRUSTEES ELECTIONS, AS THE TIME TO ELECT MEMBERS TO THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S APPELLATE PANEL.

Election of a Court of Appeals Judge, Seat 8

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Court of Appeals, Seat 8.

Representative Micajah P. “Micah” Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Jerry D. Vinson, Jr. had been screened and found qualified to serve.

Representative Micajah P. “Micah” Caskey IV, placed the name of the Honorable Jerry D. Vinson, Jr. in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Jerry D. Vinson, Jr. was elected to the position of Judge, Court of Appeals, Seat 8 for the term to expire July 30, 2024.

Election of a Court of Appeals Judge, Seat 9

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Court of Appeals, Seat 9.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that Whitney B. Harrison, the Honorable Jan B. Bromell Holmes and the Honorable Matthew P. Turner had been screened and found qualified to serve.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Harrison:

Davis	Harpootlian	Hutto
Johnson, Michael	Rankin	Senn

Total--6

The following named Senators voted for Bromell Holmes:

Adams	Allen	Campsen
Devine	Fanning	Goldfinch
Jackson	*Johnson, Kevin*	Malloy
Matthews	McLeod	Sabb
Stephens	Tedder	Williams

Total--15

The following named Senators voted for Turner:

Alexander	Bennett	Cash
Climer	Corbin	Cromer
Gambrell	Garrett	Grooms
Gustafson	Hembree	Kimbrell
Loftis	Martin	McElveen
Peeler	Reichenbach	Rice
Setzler	Shealy	Talley
Turner	Verdin	Young

Total--24

On the motion of Representative Caskey, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Harrison:

Bauer	Beach	Bernstein
Blackwell	Brewer	Bustos
Chapman	Collins	Connell
B. L. Cox	Cromer	Erickson
Felder	Gatch	Guffey
Hager	Hixon	Kilmartin
Landing	Lawson	Ligon
May	Mitchell	Murphy
Neese	B. Newton	O'Neal
Pedalino	Pope	Robbins
Rose	Sandifer	Schuessler
Sessions	Stavrinakis	West
White	Wooten	Yow

Total--39

The following named Representatives voted for Holmes:

Anderson	Atkinson	Bamberg
Brittain	Clyburn	Cobb-Hunter
Crawford	Dillard	Garvin
Gilliard	Hardee	Hart
Hartnett	Hayes	Henegan
Hewitt	Hosey	Howard
Jefferson	J. L. Johnson	W. Jones
Jordan	King	Kirby
Lowe	McDaniel	J. Moore
Moss	Ott	Rivers
Rutherford	G. M. Smith	M. M. Smith
Spann-Wilder	Thigpen	Weeks
Wetmore	Wheeler	Whitmire
Williams		

Total--40

The following named Representatives voted for the Turner:

Bailey	Ballentine	Bannister
Burns	Calhoon	Carter
Caskey	Chumley	B. J. Cox
Davis	Elliott	Forrest
Gagnon	Gibson	Gilliam

Haddon	Harris	Herbkersman
Hiott	Hyde	S. Jones
Leber	Long	Magnuson
McCabe	McCravy	McGinnis
T. Moore	A. M. Morgan	T. A. Morgan
W. Newton	Nutt	Oremus
Pace	Taylor	Trantham
Vaughan	Willis	

Total--38

RECAPITULATION

Total number of Senators voting	45
Total number of Representatives voting	117
Grand Total	162
Necessary to a choice	82
Of which Whitney B. Harrison received	45
Of which the Honorable Jan B. Bromell Holmes received	55
Of which the Honorable Matthew P. Turner received	62

Whereupon, the PRESIDENT announced that none of the candidates having received the necessary vote, the Joint Assembly would proceed to the next ballot.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Harrison:

Davis	Goldfinch	Malloy
Rankin	Senn	

Total--5

The following named Senators voted for Holmes:

Adams	Allen	Devine
Fanning	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	Matthews
McLeod	Sabb	Stephens
Tedder	Williams	

Total--14

The following named Senators voted for Turner:

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Gambrell	Garrett
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	McElveen	Peeler
Reichenbach	Rice	Setzler
Shealy	Talley	Turner
Verdin	Young	

Total--26

On the motion of Representative Caskey, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Harrison:

Blackwell	Brewer	Bustos
Collins	Connell	B. L. Cox
Erickson	Felder	Guffey
Hager	Hixon	Landing
Lawson	Ligon	Mitchell
Murphy	Neese	B. Newton
O'Neal	Pope	Robbins
Sandifer	Schuessler	Sessions
Yow		

Total--25

The following named Representatives voted for Holmes:

Anderson	Atkinson	Bamberg
Bauer	Bernstein	Brittain
Clyburn	Cobb-Hunter	Crawford
Dillard	Garvin	Gilliard
Hart	Hartnett	Hayes
Henegan	Hewitt	Hosey
Howard	Jefferson	J. L. Johnson
W. Jones	Jordan	King
Kirby	Lowe	McDaniel

J. Moore	Moss	Ott
Rivers	Rose	Rutherford
G. M. Smith	M. M. Smith	Sapnn-Wilder
Stavrinakis	Thigpen	Weeks
Wetmore	Wheeler	Whitmire
Williams		

Total--43

The following named Representatives voted for Turner:

Bailey	Ballentine	Bannister
Beach	Burns	Calhoon
Carter	Caskey	Chapman
Chumley	B. J. Cox	Cromer
Davis	Elliott	Forrest
Gagnon	Gibson	Gilliam
Haddon	Harris	Herbkersman
Hiott	Hyde	S. Jones
Kilmartin	Leber	Long
Magnuson	May	McCabe
McCravy	McGinnis	T. Moore
A. M. Morgan	T. A. Morgan	W. Newton
Nutt	Oremus	Pace
Pedalino	Taylor	Trantham
Vaughan	West	White
Willis	Wooten	

Total--47

RECAPITULATION

Total number of Senators voting 45
Total number of Representatives voting..... 115
Grand Total..... 160
Necessary to a choice 81
Of which Whitney B. Harrison received 30
Of which the Honorable Jan B. Bromell Holmes received 57
Of which the Honorable Matthew P. Turner received 73

Whereupon, the PRESIDENT announced that none of the candidates having received the necessary vote, the Joint Assembly would proceed to the next ballot.

On motion of Representative Micajah P. “Micah” Caskey IV, the name of Whitney B. Harrison was withdrawn from consideration.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Holmes:

Adams	Allen	Devine
Fanning	Goldfinch	Gustafson
Harpootlian	Hutto	Jackson
Johnson, Kevin	Malloy	Matthews
McLeod	Rankin	Sabb
Senn	Stephens	Tedder
Williams		

Total--19

The following named Senators voted for Turner:

Alexander	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Grooms	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	McElveen	Peeler
Reichenbach	Rice	Setzler
Shealy	Talley	Turner
Verdin	Young	

Total--26

On the motion of Representative Caskey, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Holmes:

Anderson	Atkinson	Bamberg
Bauer	Bernstein	Blackwell
Brittain	Clyburn	Cobb-Hunter
Connell	Crawford	Dillard
Felder	Garvin	Gilliard
Hart	Hartnett	Hayes
Henderson-Myers	Henegan	Hewitt

Hosey	Howard	Jefferson
J. L. Johnson	W. Jones	Jordan
King	Kirby	Lawson
Lowe	McDaniel	J. Moore
Moss	B. Newton	Ott
Rivers	Rose	Rutherford
G. M. Smith	Spann-Wilder	Stavrinakis
Thigpen	Weeks	Wetmore
Wheeler	Williams	

Total--47

The following named Representatives voted for Turner:

Bailey	Ballentine	Bannister
Beach	Burns	Calhoon
Carter	Caskey	Chapman
Chumley	Collins	B. J. Cox
B. L. Cox	Cromer	Davis
Elliott	Erickson	Forrest
Gagnon	Gibson	Gilliam
Guffey	Haddon	Hager
Harris	Herbkersman	Hiott
Hixon	Hyde	S. Jones
Kilmartin	Landing	Leber
Ligon	Long	Magnuson
May	McCabe	McCravy
McGinnis	T. Moore	A. M. Morgan
T. A. Morgan	Murphy	Neese
W. Newton	Nutt	O'Neal
Oremus	Pace	Pedalino
Pope	Robbins	Sandifer
Schuessler	Sessions	M. M. Smith
Taylor	Trantham	Vaughan
West	White	Whitmire
Willis	Wooten	Yow

Total--66

RECAPITULATION

Total number of Senators voting 45

Total number of Representatives voting..... 113
Grand Total..... 158
Necessary to a choice 80
Of which the Honorable Jan B. Bromell Holmes received 66
Of which the Honorable Matthew P. Turner received 92

Whereupon, the PRESIDENT announced that the Honorable Matthew P. Turner was elected to the position of Judge, Court of Appeals, Seat 9 for the term to expire June 30, 2028.

Election of a Circuit Court Judge, 2nd Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 2nd Judicial Circuit, Seat 2.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Grant Gibbons, David W. Miller and Martha M. Rivers Davisson had been screened and found qualified to serve.

On motion of Representative Micajah P. "Micah" Caskey IV, the names of David W. Miller and the Honorable Grant Gibbons were withdrawn from consideration.

Representative Micajah P. "Micah" Caskey IV placed the name of Martha M. Rivers Davisson in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Martha M. Rivers Davisson was elected to the position of Judge, Circuit Court, 2nd Judicial Circuit, Seat 2 for the term to expire June 30, 2030.

Election of a Circuit Court Judge, 3rd Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 3rd Judicial Circuit, Seat 1.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable S. Bryan Doby, Christopher R. DuRant and Samuel Floyd had been screened and found qualified to serve.

On motion of Representative Micajah P. "Micah" Caskey IV, the names of Christopher R. DuRant and Samuel Floyd were withdrawn from consideration.

Representative Micajah P. "Micah" Caskey IV placed the name of the Honorable S. Bryan Doby in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable S. Bryan Doby was elected to the position of Judge, Circuit Court, 3rd Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election of a Circuit Court Judge, 3rd Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 3rd Judicial Circuit, Seat 2.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Kristi Fisher Curtis had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of the Honorable Kristi Fisher Curtis in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Kristi Fisher Curtis was elected to the position of Judge, Circuit Court, 3rd Judicial Circuit, Seat 2 for the term to expire June 30, 2024.

Election of a Circuit Court Judge, 4th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 4th Judicial Circuit, Seat 2.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Michael S. Holt had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of the Honorable Michael S. Holt in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Michael S. Holt was elected to the position of Judge, Circuit Court, 4th Judicial Circuit, Seat 2 for the term to expire June 30, 2024.

Election of a Circuit Court Judge, 5th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 5th Judicial Circuit, Seat 1.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that James Smith and Justin T. Williams had been screened and found qualified to serve.

On motion of Representative Micajah P. "Micah" Caskey IV, the name of Justin T. Williams was withdrawn from consideration.

Representative Micajah P. "Micah" Caskey IV placed the name of James Smith in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Representative Hiott made a motion to recommit the election to the Judicial Merit Selection Committee.

Representative Rose made a Point of Order that the motion was out of order.

The PRESIDENT overruled the Point of Order.

Representative Ott moved to table the motion to recommit the election.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Allen	Davis	Devine
Fanning	Goldfinch	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	Malloy	Matthews
McElveen	Rankin	Sabb
Senn	Setzler	Stephens
Talley	Tedder	Williams
Young		

Total--22

The following named Senators voted in the negative:

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell

Garrett	Grooms	Gustafson
Johnson, Michael	Kimbrell	Loftis
Martin	McLeod	Peeler
Reichenbach	Rice	Shealy
Turner	Verdin	

Total--23

On the motion of Representative Caskey, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Atkinson	Ballentine	Bamberg
Bannister	Bauer	Bernstein
Blackwell	Clyburn	Cobb-Hunter
Collins	Connell	Crawford
Dillard	Garvin	Gilliard
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hosey
Howard	Hyde	Jefferson
J. L. Johnson	W. Jones	King
Kirby	J. Moore	Moss
Ott	Rivers	Rose
Rutherford	Spann-Wilder	Stavrinakis
Thigpen	Weeks	Wetmore
Wheeler	Williams	

Total--41

The following named Representatives voted in the negative:

Bailey	Beach	Brewer
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	B. J. Cox	B. L. Cox
Cromer	Davis	Elliott
Forrest	Gagnon	Gatch
Gibson	Haddon	Hager
Hardee	Harris	Hartnett
Hewitt	Hiott	Hixon
J. E. Johnson	S. Jones	Jordan

Kilmartin	Landing	Lawson
Leber	Ligon	Long
Lowe	Magnuson	May
McCravy	McDaniel	McGinnis
Mitchell	A. M. Morgan	T. A. Morgan
Murphy	Neese	B. Newton
Nutt	O'Neal	Oremus
Pace	Pope	Robbins
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Taylor
Trantham	Vaughan	West
White	Whitmire	Willis
Wooten	Yow	

Total--68

RECAPITULATION

Total number of Senators voting 45
Total number of Representatives voting..... 109
Grand Total..... 153
Ayes 63
Nays 91

The motion to table the motion to recommit failed.

Representative White moved for a roll call on the motion to recommit the election to the Judicial Merit Selection Commission.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Garrett	Grooms	Gustafson
Hembree	*Johnson, Michael*	Kimbrell
Loftis	Martin	McLeod

Peeler	Reichenbach	Rice
Shealy	Turner	Verdin

Total--24

The following named Senators voted in the negative:

Allen	Davis	Devine
Fanning	Goldfinch	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Malloy	Matthews	McElveen
Rankin	Sabb	Senn
Setzler	Stephens	Talley
Tedder	Williams	Young

Total--21

On the motion of Representative Caskey with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Bailey	Bamberg	Beach
Brewer	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
B. J. Cox	B. L. Cox	Cromer
Davis	Elliott	Felder
Forrest	Gagnon	Gatch
Gibson	Haddon	Hager
Hardee	Harris	Hartnett
Hewitt	Hiott	Hixon
J. E. Johnson	S. Jones	Jordan
Kilmartin	Landing	Lawson
Leber	Ligon	Long
Lowe	Magnuson	May
McCravy	McGinnis	Mitchell
A. M. Morgan	T. A. Morgan	Murphy
Neese	B. Newton	Nutt
O'Neal	Oremus	Pace
Pope	Robbins	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Taylor	Trantham

Vaughan	West	White
Whitmire	Willis	Wooten
Yow		

Total--70

The following named Representatives voted in the negative:

Atkinson	Ballentine	Bannister
Bauer	Bernstein	Blackwell
Clyburn	Cobb-Hunter	Collins
Dillard	Garvin	Gilliard
Hart	Hayes	Henegan
Herbkersman	Hosey	Howard
Hyde	Jefferson	J. L. Johnson
W. Jones	Kirby	J. Moore
Moss	Ott	Rivers
Rose	Rutherford	Spann-Wilder
Stavrinakis	Thigpen	Weeks
Wetmore	Wheeler	Williams

Total--36

RECAPITULATION

Total number of Senators voting	45
Total number of Representatives voting	106
Grand Total	151
Ayes	94
Nays	57

The motion was adopted.

Having voted on the prevailing side, Representative Bamberg moved to reconsider the vote whereby the motion was adopted.

The motion to reconsider failed.

The election was recommitted to the Judicial Merit Selection Commission.

Election of a Circuit Court Judge, 5th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 5th Judicial Circuit, Seat 2.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Daniel McLeod Coble had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of the Honorable Daniel McLeod Coble in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Daniel McLeod Coble was elected to the position of Judge, Circuit Court, 5th Judicial Circuit, Seat 2 for the term to expire June 30, 2024.

Election of a Circuit Court Judge, 7th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 7th Judicial Circuit, Seat 1.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that J. Derham Cole, Jr. had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of J. Derham Cole, Jr. in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable J. Derham Cole, Jr. was elected to the position of Judge, Circuit Court, 7th Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

Election of a Circuit Court Judge, 7th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 7th Judicial Circuit, Seat 2.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Grace Gilchrist Knie had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of the Honorable Grace Gilchrist Knie in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Grace Gilchrist Knie was elected to the position of Judge, Circuit Court, 7th Judicial Circuit, Seat 2 for the term to expire June 30, 2024.

Election of a Circuit Court Judge, 8th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 8th Judicial Circuit, Seat 2.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Eugene Cannon Griffith, Jr. had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of the Honorable Eugene Cannon Griffith, Jr. in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Eugene Cannon Griffith, Jr. was elected to the position of Judge, Circuit Court, 8th Judicial Circuit, Seat 2 for the term to expire June 30, 2024.

Election of a Circuit Court Judge, 9th Judicial Circuit, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 9th Judicial Circuit, Seat 4.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Daniel E. Martin, Jr., Thomas J. Rode and the Honorable Dale E. Van Slambrook had been screened and found qualified to serve.

On motion of Representative Micajah P. "Micah" Caskey IV the names of the Honorable Daniel E. Martin, Jr. and Thomas J. Rode were withdrawn from consideration.

Representative Micajah P. "Micah" Caskey IV placed the name of the Honorable Dale E. Van Slambrook in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen

Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--41

On the motion of Representative Caskey, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chapman	Chumley	Cobb-Hunter
Collins	Connell	B. J. Cox
B. L. Cox	Crawford	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hart	Hartnett	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	Kirby	Landing
Lawson	Leber	Ligon

Long	Lowe	Magnuson
May	McCabe	McCravy
McGinnis	Mitchell	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Ott
Pace	Pedalino	Pope
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Thigpen
Trantham	Vaughan	Weeks
West	Wetmore	Wheeler
Whitmire	Williams	Willis
Wooten	Yow	

Total--110

RECAPITULATION

Total number of Senators voting 41
Total number of Representatives voting..... 110
Grand Total..... 151
Necessary to a choice 76
Ayes 151
Nays 0

Whereupon, the PRESIDENT announced that the Honorable Dale E. Van Slambrook was elected to the position of Judge, Circuit Court, 9th Judicial Circuit, Seat 4, for the term to expire June 30, 2030.

Election of a Circuit Court Judge, 10th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 10th Judicial Circuit, Seat 2.

Representative Micajah P. “Micah” Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable R. Scott Sprouse had been screened and found qualified to serve.

Representative Micajah P. “Micah” Caskey IV placed the name of the Honorable R. Scott Sprouse in nomination, moved that the nominations

be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable R. Scott Sprouse was elected to the position of Judge, Circuit Court, 10th Judicial Circuit, Seat 2 for the term to expire June 30, 2024.

Election of a Circuit Court Judge, 11th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 11th Judicial Circuit, Seat 1.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable William Paul Keesley had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of the Honorable William Paul Keesley in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable William Paul Keesley was elected to the position of Judge, Circuit Court, 11th Judicial Circuit, Seat 1 for the term to expire June 30, 2024.

Election of a Circuit Court Judge, 11th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 11th Judicial Circuit, Seat 2.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Walton J. McLeod IV had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of the Honorable Walton J. McLeod IV in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Walton J. McLeod IV was elected to the position of Judge, Circuit Court, 11th Judicial Circuit, Seat 2 for the term to expire June 30, 2024.

Election of a Circuit Court Judge, 12th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 12th Judicial Circuit, Seat 1.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Michael G. Nettles had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of the Honorable Michael G. Nettles in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Michael G. Nettles was elected to the position of Judge, Circuit Court, 12th Judicial Circuit, Seat 1 for the term to expire June 30, 2024.

Election of a Circuit Court Judge, 13th Judicial Circuit, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 13th Judicial Circuit, Seat 2.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Jessica Ann Salvini had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of the Honorable Jessica Ann Salvini in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Jessica Ann Salvini was elected to the position of Judge, Circuit Court, 13th Judicial Circuit, Seat 2 for the term to expire June 30, 2030.

Election of a Circuit Court Judge, 13th Judicial Circuit, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 13th Judicial Circuit, Seat 4.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that Vernon F. Dunbar, Ken Gibson and Will Grove had been screened and found qualified to serve.

On motion of Representative Micajah P. "Micah" Caskey IV, the names of Ken Gibson and Will Grove were withdrawn from consideration.

Representative Micajah P. "Micah" Caskey IV placed the name of Vernon F. Dunbar in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Vernon F. Dunbar was elected to the position of Judge, Circuit Court, 13th Judicial Circuit, Seat 4 for the term to expire June 30, 2028.

Election of a Circuit Court Judge, 14th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 14th Judicial Circuit, Seat 1.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Robert Bonds had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of the Honorable Robert Bonds in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Robert Bonds was elected to the position of Judge, Circuit Court, 14th Judicial Circuit, Seat 1 for the term to expire June 30, 2024.

Election of a Circuit Court Judge, 14th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 14th Judicial Circuit, Seat 3.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Marvin Dukes III had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of the Honorable Marvin Dukes III in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Marvin Dukes III was elected to the position of Judge, Circuit Court, 14th Judicial Circuit, Seat 3 for the term to expire June 30, 2030.

Election of a Circuit Court Judge, 15th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 15th Judicial Circuit, Seat 3.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that David Pierce

Caraker, Jr., Joshua D. Holford and Douglas M. Zayicek had been screened and found qualified to serve.

On motion of Representative Micajah P. "Micah" Caskey IV, the names of Joshua D. Holford and Douglas M. Zayicek were withdrawn from consideration.

Representative Micajah P. "Micah" Caskey IV placed the name of David Pierce Caraker, Jr. in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

The following named Senator voted present:
Martin

Total--1

On the motion of Representative Caskey, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bauer
Beach	Bernstein	Blackwell
Brewer	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Harris	Hart
Hartnett	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	S. Jones
W. Jones	Jordan	Kilmartin
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Lowe	Magnuson
May	McCabe	McCravy
McGinnis	Mitchell	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Ott
Pace	Pedalino	Pope
Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Thigpen	Trantham	Vaughan
Weeks	West	Wetmore
Wheeler	Whitmire	Williams

Total--117

RECAPITULATION

Total number of Senators voting	44
Total number of Representatives voting	117
Grand Total	161
Necessary to a choice	81
Of which Caraker received	161

Whereupon, the PRESIDENT announced that the Honorable David Pierce Caraker, Jr. was elected to the position of Judge, Circuit Court, 15th Judicial Circuit, Seat 3 for the term to expire June 30, 2030.

Election of a Circuit Court Judge, At-Large, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 4.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that Daniel J. Ballou and William C. McMaster III had been screened and found qualified to serve.

On motion of Representative Micajah P. "Micah" Caskey IV, the name of Daniel J. Ballou was withdrawn from consideration.

Representative Micajah P. "Micah" Caskey IV placed the name of William C. McMaster III in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable William C. McMaster III was elected to the position of Judge, Circuit Court, at-large, Seat 4 for the term to expire June 30, 2027.

Election of a Circuit Court Judge, At-Large, Seat 8

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 8.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that Kimberly V. Barr, T. William "Billy" McGee III and William Vickery Meetze had been screened and found qualified to serve.

On motion of Representative Micajah P. "Micah" Caskey IV, the names of William Vickery Meetze and Kimberly V. Barr were withdrawn from consideration.

Representative Micajah P. "Micah" Caskey IV placed the name of T. William "Billy" McGee III in nomination, moved that the nominations

be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable T. William "Billy" McGee III was elected to the position of Judge, Circuit Court, at-large, Seat 8 for the term to expire June 30, 2027.

Election of a Circuit Court Judge, At-Large, Seat 11

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 11.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that Joseph Bias, the Honorable Russell D. Hilton and the Honorable Milton G. Kimpson had been screened and found qualified to serve.

On motion of Representative Micajah P. "Micah" Caskey IV, the name of Joseph Bias was withdrawn from consideration.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Hilton:

Adams	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Garrett	Grooms
Gustafson	*Johnson, Michael*	Kimbrell
Loftis	Reichenbach	Rice
Verdin	Young	

Total--17

The following named Senators voted for Kimpson:

Alexander	Allen	Davis
Devine	Fanning	Gambrell
Goldfinch	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Sabb	Senn

Setzler	Shealy	Stephens
Talley	Tedder	Turner
Williams		

Total--28

On the motion of Representative Caskey, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Hilton:

Beach	Burns	Bustos
Calhoon	Carter	Chapman
Chumley	B. J. Cox	B. L. Cox
Cromer	Davis	Forrest
Gagnon	Gatch	Gibson
Gilliam	Guffey	Haddon
Hager	Hardee	Harris
Hartnett	Hiott	Jefferson
S. Jones	Kilmartin	Landing
Lawson	Leber	Ligon
Long	Magnuson	May
McCabe	McCravy	Mitchell
T. Moore	A. M. Morgan	T. A. Morgan
Murphy	Neese	Nutt
Oremus	Pace	Robbins
Sandifer	Schuessler	Sessions
M. M. Smith	Trantham	Vaughan
West	Whitmire	Wooten

Total--54

The following named Representatives voted for Kimpson:

Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bauer
Bernstein	Blackwell	Brittain
Caskey	Clyburn	Cobb-Hunter
Connell	Dillard	Erickson
Felder	Garvin	Gilliard
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hixon	Hosey	Howard

Hyde	J. E. Johnson	J. L. Johnson
W. Jones	Jordan	King
Kirby	Lowe	McDaniel
McGinnis	J. Moore	Moss
B. Newton	W. Newton	Ott
Pedalino	Pope	Rivers
Rose	Rutherford	G. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Thigpen	Weeks	Wetmore
Wheeler	Williams	Willis

Total--57

RECAPITULATION

Total number of Senators voting 45
Total number of Representatives voting..... 111
Grand Total..... 156
Necessary to a choice 79
Of which Hilton received 71
Of which Kimpson received 85

Whereupon, the PRESIDENT announced that the Honorable Milton G. Kimpson was elected to the position of Judge, Circuit Court, at-large, Seat 11 for the term to expire June 30, 2026.

Election of a Circuit Court Judge, At-Large, Seat 16

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 16.

Representative Micajah P. “Micah” Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that Riley Maxwell, Charles J. McCutchen and Jane H. Merrill had been screened and found qualified to serve.

On motion of Representative Micajah P. “Micah” Caskey IV, the names of Riley Maxwell and Jane H. Merrill were withdrawn from consideration.

Representative Micajah P. “Micah” Caskey IV placed the name of Charles J. McCutchen in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Charles J. McCutchen was elected to the position of Judge, Circuit Court, at-large, Seat 16 for the term to expire June 30, 2025.

Election of a Family Court Judge, 1st Judicial Circuit, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 1st Judicial Circuit, Seat 4.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that Jerrod A. Anderson and Deanne M. Gray had been screened and found qualified to serve.

On motion of Representative Micajah P. "Micah" Caskey IV, the name of Deanne M. Gray was withdrawn from consideration.

Representative Micajah P. "Micah" Caskey IV placed the name of Jerrod A. Anderson in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Jerrod A. Anderson was elected to the position of Judge, Family Court, 1st Judicial Circuit, Seat 4 for the term to expire June 30, 2030.

Election of a Family Court Judge, 7th Judicial Circuit, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 7th Judicial Circuit, Seat 4.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that Pete G. Diamaduros and Jonathan W. Lounsberry had been screened and found qualified to serve.

On motion of Representative Micajah P. "Micah" Caskey IV, the name of Jonathan W. Lounsberry was withdrawn from consideration.

Representative Micajah P. "Micah" Caskey IV placed the name of Pete G. Diamaduros in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Pete G. Diamaduros was elected to the position of Judge, Family Court, 7th Judicial Circuit, Seat 4 for the term to expire June 30, 2030.

Election of a Family Court Judge, 9th Judicial Circuit, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 9th Judicial Circuit, Seat 4.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that Blakely Copeland Cahoon had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of Blakely Copeland Cahoon in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Blakely Copeland Cahoon was elected to the position of Judge, Family Court, 9th Judicial Circuit, Seat 4 for the term to expire June 30, 2025.

Election of a Family Court Judge, 9th Judicial Circuit, Seat 6

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 9th Judicial Circuit, Seat 6.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that Gina J. McAlbany had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of Gina J. McAlbany in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Gina J. McAlbany was elected to the position of Judge, Family Court, 9th Judicial Circuit, Seat 6 for the term to expire June 30, 2028.

Election of a Family Court Judge, 10th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 10th Judicial Circuit, Seat 1.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that David J. Brousseau and Heather Vry Sealzo had been screened and found qualified to serve.

On motion of Representative Micajah P. "Micah" Caskey IV, the name of Heather Vry Sealzo was withdrawn from consideration.

Representative Micajah P. "Micah" Caskey IV placed the name of David J. Brousseau in nomination, moved that nominations be closed

and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable David J. Brousseau was elected to the position of Judge, Family Court, 10th Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

Election of a Family Court Judge, 16th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 16th Judicial Circuit, Seat 1.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that Sammy Diamaduros had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of Sammy Diamaduros in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Sammy Diamaduros was elected to the position of Judge, Family Court, 16th Judicial Circuit, Seat 1 for the term to expire June 30, 2028.

Election of a Family Court Judge, 16th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 16th Judicial Circuit, Seat 3.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that R. Chadwick "Chad" Smith and Erin K. Urquhart had been screened and found qualified to serve.

On motion of Representative Micajah P. "Micah" Caskey IV, the name of Erin K. Urquhart was withdrawn from consideration.

Representative Micajah P. "Micah" Caskey IV placed the name of R. Chadwick "Chad" Smith in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable R. Chadwick "Chad" Smith was elected to the position of Judge, Family Court, 16th Judicial Circuit, Seat 3 for the term to expire June 30, 2030.

Election of an Administrative Law Court Judge, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Administrative Law Court, Seat 1.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Ralph K. Anderson III had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of the Honorable Ralph K. Anderson III in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Ralph K. Anderson III was elected to the position of Judge, Administrative Law Court, Seat 1 for the term to expire June 30, 2024.

Immediately following the election of Judges, the PRESIDENT announced that the Joint Assembly would proceed to the election of the Boards of Colleges and University Trustees and the South Carolina Department of Employment and Workforce Appellate Panel.

Election to the Board of Trustees for the College of Charleston, 2nd Congressional District, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 2nd Congressional District, Seat 3.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Derrick L. Williams had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Derrick L. Williams was elected to a position on the Board of Trustees for the College of Charleston, 2nd Congressional District, Seat 3 for the term to expire June 30, 2026.

Election to the Board of Trustees for the College of Charleston, 3rd Congressional District, Seat 5

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 3rd Congressional District, Seat 5.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Shawn M. Holland had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Shawn M. Holland was elected to a position on the Board of Trustees for the College of Charleston, 3rd Congressional District, Seat 5 for the term to expire June 30, 2026.

Election to the Board of Trustees for the College of Charleston, 4th Congressional District, Seat 7

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 4th Congressional District, Seat 7.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Matthew C. Klein had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Matthew C. Klein was elected to a position on the Board of Trustees for the College of Charleston, 4th Congressional District, Seat 7 for the term to expire June 30, 2026.

Election to the Board of Trustees for the College of Charleston, 5th Congressional District, Seat 9

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 5th Congressional District, Seat 9.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Henry A. Futch, Jr. had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Henry A. Futch, Jr. was elected to a position on the Board of Trustees for the College of Charleston, 5th Congressional District, Seat 9 for the term to expire June 30, 2026.

Election to the Board of Trustees for the College of Charleston, 6th Congressional District, Seat 11

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 6th Congressional District, Seat 11.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Darryl J. Fyall a had been screened and found qualified to serve and placed his names in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Darryl J. Fyall was elected to a position on the Board of Trustees for the College of Charleston, 6th Congressional District, Seat 11 for the term to expire June 30, 2026.

Election to the Board of Trustees for the College of Charleston, 7th Congressional District, Seat 13

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, 7th Congressional District, Seat 13.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Henrietta U. Golding and Ashley B. Nance had been screened and found qualified to serve and placed their names in nomination.

On motion of Representative Whitmire, with unanimous consent, the name of Ashley B. Nance was withdrawn from consideration.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Henrietta U. Golding was elected to a position on the Board of Trustees for the College of Charleston, 7th Congressional District, Seat 13 for the term to expire June 30, 2026.

Election to the Board of Trustees for the College of Charleston, At-Large, Seat 15

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, at-large, Seat 15.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Renee B. Romberger had been screened and found qualified to serve and placed her name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Renee B. Romberger was elected to a position on the Board of Trustees for the College of Charleston, at-large, Seat 15 for the term to expire June 30, 2026.

Election to the Board of Trustees for the College of Charleston, At-Large, Seat 17

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the College of Charleston, at-large, Seat 17.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Steve D. Swanson had been screened and found qualified to serve and placed his names in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Steve D. Swanson was elected to a position on the Board of Trustees for the College of Charleston, at-large, Seat 17 for the term to expire June 30, 2026.

Election to the Board of Trustees for the Francis Marion University, 1st Congressional District, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Francis Marion University, 1st Congressional District, Seat 1.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mark S.

Moore had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Mark S. Moore was elected to a position on the Board of Trustees for the Francis Marion University, 1st Congressional District, Seat 1 for a term to expire June 30, 2026.

Election to the Board of Trustees for the Francis Marion University, 2nd Congressional District, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Francis Marion University, 2nd Congressional District, Seat 2.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Beth G. Bauknight had been screened and found qualified to serve and placed her name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Beth G. Bauknight was elected to a position on the Board of Trustees for the Francis Marion University, 2nd Congressional District, Seat 2 for the term to expire June 30, 2024.

Election to the Board of Trustees for the Francis Marion University, 5th Congressional District, Seat 5

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Francis Marion University, 5th Congressional District, Seat 5.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that H. Paul Dove, Jr. had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable H. Paul Dove, Jr. was elected to a position on the Board of Trustees for the

Francis Marion University, 5th Congressional District, Seat 5 for the term to expire June 30, 2026.

Election to the Board of Trustees for the Francis Marion University, At-Large Position, Seat 8

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Francis Marion University, at-large position, Seat 8.

Representative Whitmire, Chairman of the Committee Screen Candidates for State Colleges and Universities, indicated that Robert E. Lee had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Robert E. Lee was elected to a position on the Board of Trustees for Francis Marion University, at-large position, Seat 8 for a term to expire June 30, 2026.

Election to the Board of Trustees for the Francis Marion University, At-Large Position, Seat 10

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Francis Marion University, at-large position, Seat 10.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Kenneth W. Jackson had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Kenneth W. Jackson was elected to a position on the Board of Trustees for Francis Marion University, at-large position, Seat 10 for a term to expire June 30, 2026.

Election to the Board of Trustees for the Francis Marion University, At-Large Position, Seat 12

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Francis Marion University, at-large position, Seat 12.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that W. Edward Gunn had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable W. Edward Gunn was elected to a position on the Board of Trustees for Francis Marion University, at-large position, Seat 12 for a term to expire June 30, 2026.

Election to the Board of Trustees for the Francis Marion University, At-Large Position, Seat 13

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Francis Marion University, at-large position, Seat 13.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Patricia C. Hartung had been screened and found qualified to serve and placed her name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Patricia C. Hartung was elected to a position on the Board of Trustees for Francis Marion University, at-large position, Seat 13 for a term to expire June 30, 2026.

Election to the Board of Trustees for Lander University, 1st Congressional District, Seat 9

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, 1st Congressional District, Seat 9.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mark W.

Taylor had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Mark W. Taylor was elected to a position on the Board of Trustees for Lander University, 1st Congressional District, Seat 9 for a term to expire June 30, 2024.

Election to the Board of Trustees for the Medical University of South Carolina 1st Congressional District, Medical Seat

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Medical University of South Carolina, 1st Congressional District, Medical Seat.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Donald R. Johnson II had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Donald R. Johnson II was elected to a position on the Board of Trustees for the Medical University of South Carolina, 1st Congressional District, Medical Seat for a term to expire June 30, 2026.

Election to the Board of Trustees for the Medical University of South Carolina 2nd Congressional District, Medical Seat

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Medical University of South Carolina, 2nd Congressional District, Medical Seat.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that James Lemon had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable James Lemon was elected to a position on the Board of Trustees for the Medical University of South Carolina, 2nd Congressional District, Medical Seat for a term to expire June 30, 2026.

Election to the Board of Trustees for the Medical University of South Carolina 3rd Congressional District, Medical Seat

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Medical University of South Carolina, 3rd Congressional District, Medical Seat.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Richard M. Christian, Jr. had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Richard M. Christian, Jr. was elected to a position on the Board of Trustees for the Medical University of South Carolina, 3rd Congressional District, Medical Seat for a term to expire June 30, 2026.

Election to the Board of Trustees for the Medical University of South Carolina 4th Congressional District, Lay Seat

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Medical University of South Carolina, 4th Congressional District, Lay Seat.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Thomas L. Stephenson had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Thomas L. Stephenson was elected to a position on the Board of Trustees for the Medical University of South Carolina, 4th Congressional District, Lay Seat for a term to expire June 30, 2026.

Election to the Board of Trustees for the Medical University of South Carolina 5th Congressional District, Lay Seat

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Medical University of South Carolina, 5th Congressional District, Lay Seat.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Terri R. Barnes had been screened and found qualified to serve and placed her name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Terri R. Barnes was elected to a position on the Board of Trustees for the Medical University of South Carolina, 5th Congressional District, Lay Seat for a term to expire June 30, 2026.

Election to the Board of Trustees for the Medical University of South Carolina 6th Congressional District, Medical Seat

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Medical University of South Carolina, 6th Congressional District, Medical Seat.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that W. Melvin Brown III had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable W. Melvin Brown III was elected to a position on the Board of Trustees for the Medical University of South Carolina, 6th Congressional District, Medical Seat for a term to expire June 30, 2026.

Election to the Board of Trustees for the Medical University of South Carolina 7th Congressional District, Lay Seat

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the Medical University of South Carolina, 7th Congressional District, Lay Seat.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that James A. Battle, Jr. had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable James A. Battle, Jr. was elected to a position on the Board of Trustees for the Medical University of South Carolina, 7th Congressional District, Lay Seat for a term to expire June 30, 2026.

Election to the Board of Trustees for S.C. State University, 5th Congressional District, Seat 5

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for S.C. State University, 5th Congressional District, Seat 5.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Abigail Busby-Webb, Darrell Johnson and Thomas E. Thompson had been screened and found qualified to serve and placed their names in nomination.

On motion of Representative Whitmire, with unanimous consent, the name of Thomas E. Thompson was withdrawn from consideration.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Busby-Webb:

Alexander	Devine	Grooms
Johnson, Kevin	McElveen	McLeod
Rice	Sabb	Senn
Stephens	Verdin	

Total--11

The following named Senators voted for Johnson:

Allen	Bennett	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Matthews
Peeler	Reichenbach	Shealy
Tedder	Williams	Young

Total--21

The following named Senator voted present:

Martin

On the motion of Representative Whitmire with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Busby-Webb:

Felder	Gagnon	Lowe
W. Newton	Pedalino	G. M. Smith
Weeks	Wheeler	Willis

Total--9

The following named Representatives voted for Johnson:

Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Brewer
Burns	Bustos	Calhoon
Carter	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Forrest	Garvin	Gibson
Gilliard	Guest	Guffey
Hager	Hardee	Hartnett
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Hyde	Jefferson	J. E. Johnson

J. L. Johnson	W. Jones	Kilmartin
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Magnuson	McCravy
McDaniel	McGinnis	Mitchell
J. Moore	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
B. Newton	Nutt	Oremus
Ott	Pace	Pope
Rivers	Rose	Rutherford
Sandifer	Schuessler	Sessions
M. M. Smith	Spann-Wilder	Stavrinakis
Taylor	Thigpen	Vaughan
West	Whitmire	Williams
Wooten	Yow	

Total--92

RECAPITULATION

Total number of Senators voting 32
Total number of Representatives voting..... 101
Grand Total..... 133
Necessary to a choice 67
Of which Busby-Webb received 20
Of which Johnson received 113

Whereupon, the PRESIDENT announced that the Honorable Darrell Johnson was elected to a position on the Board of Trustees for S.C. State University, 5th Congressional District, Seat 5 for a term to expire June 30, 2026.

Election to the Board of Trustees for S.C. State University, 7th Congressional District, Seat 7

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for S.C. State University, 7th Congressional District, Seat 7.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Starlee Alexander had been screened and found qualified to serve and placed her name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Starlee Alexander was elected to a position on the Board of Trustees for S.C. State University, 7th Congressional District, Seat 7 for a term to expire June 30, 2026.

Election to the Board of Trustees for S.C. State University, At-Large, Seat 9

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for S.C. State University, at-large, Seat 9.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Rodney C. Jenkins had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Rodney C. Jenkins was elected to a position on the Board of Trustees for S.C. State University, at-large, Seat 9 for a term to expire June 30, 2026.

Election to the Board of Trustees for S.C. State University, At-Large, Seat 11

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for S.C. State University, at-large, Seat 11.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Robert S. Reese had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Robert S. Reese was elected to a position on the Board of Trustees for S.C. State University, at-large, Seat 11 for a term to expire June 30, 2026.

Election to the Board of Trustees for the Winthrop University, 4th Congressional District, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Winthrop University, 4th Congressional District, Seat 4.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Edward R. Driggers had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Edward R. Driggers was elected to a position on the Board of Trustees for Winthrop University, 4th Congressional District, Seat 4 for a term to expire June 30, 2028.

Election to the South Carolina Department of Employment and Workforce Appellate Panel, Seat 1

The PRESIDENT announced that elections were in order to elect three individuals to the South Carolina Department of Employment and Workforce Appellate Panel.

Representative Hardee, on behalf of the Committee to Screen Candidates for the South Carolina Department of Employment and Workforce Appellate Panel, indicated that Evelyn B. Ayers, had been screened and found qualified to serve.

On motion of Representative Hardee, the name of Evelyn B. Ayers, was placed in nomination.

Representative Hardee moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Evelyn B. Ayers was elected to a position on the South Carolina Department of Employment and Workforce Appellate Panel, Seat 1 for the term to expire July 1, 2028.

Election to the South Carolina Department of Employment and Workforce Appellate Panel, Seat 2

The PRESIDENT announced that elections were in order to elect three individuals to the South Carolina Department of Employment and Workforce Appellate Panel.

Representative Hardee, on behalf of the Committee to Screen Candidates for the South Carolina Department of Employment and Workforce Appellate Panel, indicated that Stephen S. Kelly III had been screened and found qualified to serve.

On motion of Representative Hardee, the name of Stephen S. Kelly III was placed in nomination.

Representative Hardee moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Stephen S. Kelly III was elected to a position on the South Carolina Department of Employment and Workforce Appellate Panel, Seat 2 for the term to expire July 1, 2028.

Election to the South Carolina Department of Employment and Workforce Appellate Panel, Seat 3

The PRESIDENT announced that elections were in order to elect three individuals to the South Carolina Department of Employment and Workforce Appellate Panel.

Representative Hardee, on behalf of the Committee to Screen Candidates for the South Carolina Department of Employment and Workforce Appellate Panel, indicated that Daniel C. Beach had been screened and found qualified to serve.

On motion of Representative Hardee, the name of Daniel C. Beach was placed in nomination.

Representative Hardee moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Daniel C. Beach was elected to a position on the South Carolina Department of Employment and Workforce Appellate Panel, Seat 3 for the term to expire July 1, 2028.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

At 2:34 P.M., by prior motion of Senator HEMBREE, the Senate receded until 3:05 P.M.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Devine	Fanning
Gambrell	Garrett	Goldfinch
Harpootlian	Hembree	Hutto
Jackson	Martin	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Local Appointment

Initial Appointment, York County Magistrate, with the term to commence April 30, 2024, and to expire April 30, 2028

Telisha Hoffman, 48 Catawba Ridge Road, Lake Wylie, SC 29710-8915

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5191
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 2022 Act No. 119, Section 5, effective January 27, 2022
SUBJECT: Solid Waste Management Regulation (Solar Projects)
Received by President of the Senate January 9, 2024
Referred to Medical Affairs Committee
Legislative Review Expiration May 8, 2024
Withdrawn and Resubmitted April 17, 2024

Document No. 5200
Agency: Department of Health and Environmental Control
Chapter: 30
Statutory Authority: 1976 Code Sections 48-39-10, et seq.
SUBJECT: Statement of Policy; Applying for a Permit; General Guidelines for All Critical Areas; and Specific Project Standards for Beaches and the Beach/Dune System
Received by President of the Senate January 9, 2024
Referred to Agriculture and Natural Resources Committee
Legislative Review Expiration May 8, 2024
Withdrawn and Resubmitted April 16, 2024

Doctor of the Day

Senator REICHENBACH introduced Dr. Joseph Hoyle of Florence, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator HEMBREE, at 11:55 A.M., Senator MASSEY was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator ADAMS, at 4:40 P.M., Senator KIMBRELL was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CROMER, at 5:54 P.M., Senator CAMPSEN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator STEPHENS, at 5:54 P.M., Senators K. JOHNSON and SABB were granted a leave of absence for the balance of the day.

Motion Adopted

On motion of Senator STEPHENS, with unanimous consent, Senator MATTHEWS was granted leave to attend a subcommittee meeting and was granted leave to vote from the balcony.

Leave of Absence

On motion of Senator RICE, at 5:54 P.M., Senator SENN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator VERDIN, at 5:54 P.M., Senator GROOMS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CLIMER, at 5:54 P.M., Senator GAMBRELL was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator HEMBREE, at 5:54 P.M., Senators TURNER and TALLEY were granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator GOLDFINCH, at 5:59 P.M., Senator RANKIN was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator PEELER rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator RANKIN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 975 Sen. Loftis

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1261 -- Senator Tedder: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CHARLESTON NATIVE DR. KAREN WRIGHT-CHISOLM FOR HER LEADERSHIP OF A GLOBAL ORGANIZATION, AND TO COMMEND HER ELECTION AS THE IMPERIAL COMMANDRESS OF THE IMPERIAL COURT, AUXILIARY OF THE ANCIENT EGYPTIAN ARABIC ORDER OF THE NOBLES MYSTIC SHRINE.

lc-0704wab-gm24.docx

The Senate Resolution was adopted.

S. 1262 -- Senator K. Johnson: A SENATE RESOLUTION TO CONGRATULATE WILLIE WHITE OF CLARENDON COUNTY ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.
lc-0705wab-gm24.docx

The Senate Resolution was adopted.

S. 1263 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF LULA GOODSON DANIELS OF RICHLAND COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.
lc-0327ha-gm24.docx

The Senate Resolution was adopted.

S. 1264 -- Senators Grooms, McElveen, Goldfinch, Fanning, Young and Matthews: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO ELECTIVE OFFICES, SO AS TO PROVIDE THAT THE STATE TREASURER BE APPOINTED BY THE GOVERNOR; AND PROPOSING AN AMENDMENT TO SECTION 12, ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO DISABILITY OF THE GOVERNOR, SO AS TO REMOVE THE STATE TREASURER AS AN OFFICER WHO, ALONG WITH OTHER OFFICERS, MAY CAUSE THE GOVERNOR TO BE REMOVED FROM OFFICE.
lc-0392dg24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1265 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-53-2000 SO AS TO PROVIDE DEFINITIONS FOR "HEALTH CARE PRACTITIONER" AND "NON-OPIOID TREATMENT"; BY ADDING SECTION 44-53-2010 SO AS TO PROVIDE THAT HEALTHY CONNECTIONS MEDICAID MAY ADOPT OR AMEND A STATE PREFERRED DRUG LIST AND SHALL ENSURE THAT NO NON-OPIOID DRUG APPROVED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION FOR THE TREATMENT

OR MANAGEMENT OF PAIN IS DISADVANTAGED OR DISCOURAGED; BY ADDING SECTION 44-53-2020 SO AS TO PROVIDE THAT A MANAGED CARE ORGANIZATION OR OTHER HEALTH INSURANCE ISSUER SHALL NOT DENY COVERAGE OF THE NON-OPIOID PRESCRIPTION DRUG IN FAVOR OF AN OPIOID PRESCRIPTION DRUG; BY ADDING SECTION 44-53-2030 SO AS TO PROVIDE THAT THE DEPARTMENT OF HEALTH SHALL DEVELOP AND PUBLISH AN EDUCATIONAL PAMPHLET REGARDING THE USE OF NON-OPIOID ALTERNATIVES FOR PAIN TREATMENT; BY ADDING SECTION 44-53-2040 SO AS TO PROVIDE THAT, EXCEPT IN THE PROVISION OF EMERGENCY SERVICES AND CARE BEFORE PROVIDING ANESTHESIA, PRIOR TO PRESCRIBING, ORDERING, DISPENSING, OR ADMINISTERING AN OPIOID DRUG LISTED AS A SCHEDULE II CONTROLLED SUBSTANCE FOR THE TREATMENT OF PAIN, A HEALTH CARE PRACTITIONER SHALL INFORM THE PATIENT OF AVAILABLE NON-OPIOID ALTERNATIVES, DISCUSS THE ADVANTAGES AND DISADVANTAGES OF THE USE OF NON-OPIOID ALTERNATIVES, AND PROVIDE THE PATIENT WITH THE EDUCATIONAL PAMPHLET AND DOCUMENT THE NON-OPIOID ALTERNATIVES CONSIDERED IN THE PATIENT'S RECORD.

sr-0677km24.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 1266 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE WORKERS' COMPENSATION COMMISSION, RELATING TO PAYMENT OF COMPENSATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5266, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0708wab-rt24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1267 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY 17 FROM 8TH AVENUE NORTH TO STARWATCH DRIVE IN HORRY COUNTY "GEORGE RAYFORD VEREEN HIGHWAY" AND ERECT APPROPRIATE

MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
sr-0691km-hw24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1268 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 315 IN JASPER COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 170 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 17 "BISHOP DELORIS M. YOUNG HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.
lc-0589cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1269 -- Senator Fanning: A SENATE RESOLUTION TO CONGRATULATE THE YORK COMPREHENSIVE HIGH SCHOOL BOYS STRENGTH TEAM ON CAPTURING THE 2023-2024 SCHSSCA CLASS AAAA STATE CHAMPIONSHIP TITLE AND TO CELEBRATE THE GIRLS STRENGTH TEAM ON WINNING FOUR INDIVIDUAL STATE TITLES AT THEIR 2023-2024 STATE CHAMPIONSHIP MEET.
lc-0442hdb-rm24.docx

The Senate Resolution was adopted.

S. 1270 -- Senators Rice and Alexander: A SENATE RESOLUTION TO CONGRATULATE THE 2024 SOUTH CAROLINA ENTERTAINMENT AND MUSIC HALL OF FAME INDUCTEES.
sr-0680km-vc24.docx

The Senate Resolution was adopted.

S. 1271 -- Senator Hembree: A SENATE RESOLUTION TO RECOGNIZE APRIL 18, 2024, AS "SHAG DAY" IN SOUTH CAROLINA.
sr-0687km-vc24.docx

The Senate Resolution was adopted.

S. 1272 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE UNIVERSITY OF SOUTH CAROLINA WOMEN'S BASKETBALL TEAM AND COACHES AND TO CONGRATULATE THEM FOR THEIR AMAZING WIN IN THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION'S 2024 NATIONAL CHAMPIONSHIP.
lc-0706wab-ar24.docx

The Senate Resolution was adopted.

S. 1273 -- Senator Jackson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ROBIN WAITES, EXECUTIVE DIRECTOR OF HISTORIC COLUMBIA, UPON THE OCCASION OF HER RETIREMENT AFTER A DISTINGUISHED CAREER OF MORE THAN TWENTY-FIVE YEARS IN THE FIELD OF MUSEUMS AND HISTORIC PRESERVATION AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.
lc-0600cm-gt24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

H. 5387 -- Rep. Rutherford: A BILL TO PROVIDE FOR THE OPERATION OF PERSONAL DELIVERY DEVICES IN RICHLAND COUNTY.
lc-0587cm24.docx

Read the first time and referred to the Committee on Transportation.

H. 5395 -- Reps. B. Newton, Mitchell, Yow and Neese: A BILL TO AMEND ACT 879 OF 1954, AS AMENDED, RELATING TO THE CREATION OF THE LANCASTER COUNTY NATURAL GAS AUTHORITY, SO AS TO CLARIFY PER DIEM PROVISIONS APPLICABLE TO MEMBERS OF THE BOARD OF DIRECTORS AND TO DELETE THE REQUIREMENT THAT ALL UNENCUMBERED REVENUES FROM THE SYSTEM BE PAID OVER TO THE MUNICIPALITIES SERVED BY THE AUTHORITY AND TO PROVIDE THAT THESE FUNDS MUST BE USED INSTEAD TO EXPAND THE SYSTEM OR TO REDUCE CUSTOMER RATES.
lc-0405ph24.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

REPORTS OF STANDING COMMITTEES

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 4601 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-4100, RELATING TO PREVENTING ESCAPE OF MATERIALS LOADED ON VEHICLES AND CLEANING THE HIGHWAYS OF ESCAPED SUBSTANCES OR CARGO, SO AS TO INCORPORATE THE PROVISIONS OF SECTION 56-5-4110 TO CLARIFY THE EXCEPTIONS FOR TRANSPORTATION OF CERTAIN FARM PRODUCTS AND MATERIALS; AND BY REPEALING SECTION 56-5-4110 RELATING TO THE REQUIREMENTS THAT LOADS AND COVERS MUST BE FIRMLY ATTACHED.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 4673 -- Reps. Erickson, Gilliam, Williams and Henegan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-50, RELATING TO BEGINNERS' PERMITS, HOURS AND CONDITIONS OF VEHICLE OPERATION, RENEWAL AND FEES, DRIVERS' TRAINING COURSES, AND ELIGIBILITY FOR FULL LICENSURE, SO AS TO EXEMPT ADDITIONAL PERSONS FROM OBTAINING BEGINNERS' PERMITS BEFORE OPERATING MOTOR VEHICLES, AND TO PROVIDE PERSONS AT LEAST EIGHTEEN YEARS OLD MAY TAKE THE DRIVING TEST AFTER MAINTAINING A BEGINNERS' PERMIT FOR AT LEAST THIRTY DAYS.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 4819 -- Reps. Felder, Bernstein and Calhoon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1960, RELATING IN PART TO PARKING PLACARDS FOR HANDICAPPED PERSONS, SO AS TO ALLOW APPLICANTS FOR HANDICAPPED PARKING PLACARDS TO PROVIDE A PHOTOGRAPH FOR THE PLACARD SUBJECT TO THE DEPARTMENT OF MOTOR VEHICLE'S APPROVAL.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

H. 5100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

H. 5101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2023-2024, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Ordered for consideration tomorrow.

Appointments Reported

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

Statewide Appointments

Reappointment, Chief of the South Carolina Law Enforcement Division, with the term to commence January 31, 2018, and to expire January 31, 2024

Mark A. Keel, 440 Broad River Road, Columbia, SC 29210-4012

Received as information.

Reappointment, Director of Department of Public Safety, with the term to commence February 1, 2024, and to expire February 1, 2028

Robert G. Woods IV, Director, South Carolina Department of Public Safety, PO Box 1993, Blythewood, SC 29016-1993

Received as information.

HOUSE CONCURRENCES

S. 1257 -- Senator Jackson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ROBERT G. ANDERSON, JAMES L. SOLOMON, JR., AND HENRIE MONTEITH TREADWELL, WHOSE COURAGE AND RESOLVE ON SEPTEMBER 11, 1963, OPENED WIDE THE DOORS OF EDUCATIONAL OPPORTUNITY FOR ALL STUDENTS OF COLOR AT THE STATE'S FLAGSHIP UNIVERSITY, AN HISTORIC EVENT NOW MEMORIALIZED BY THE INSTALLATION ON THE UNIVERSITY'S HISTORIC HORSESHOE OF A MONUMENT DEPICTING THE THREE STUDENTS.

Returned with concurrence.

Received as information.

S. 1258 -- Senator Cromer: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR HENRY S. REEDER FOR A LIFETIME OF SERVICE TO HIS COMMUNITY.

Returned with concurrence.

Received as information.

S. 1259 -- Senator Talley: A CONCURRENT RESOLUTION TO CONGRATULATE AFL ON THE OCCASION OF ITS FORTIETH ANNIVERSARY AND TO WISH THE COMPANY MUCH CONTINUED SUCCESS IN THE YEARS AHEAD.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 5231 -- Rep. Bamberg: A BILL TO AMEND ACT 104 OF 2021, RELATING TO THE ESTABLISHMENT OF THE CONSOLIDATED BAMBERG COUNTY SCHOOL DISTRICT AND ITS NINE MEMBER BOARD OF TRUSTEES, SO AS TO PROVIDE THAT SEVEN MEMBERS OF THE BOARD ARE TO BE ELECTED FROM SINGLE-MEMBER DISTRICTS WHICH CORRESPOND WITH THE BAMBERG COUNTY COUNCIL DISTRICTS, AND TWO

ADDITIONAL MEMBERS ARE TO BE ELECTED FROM THE COUNTY AT-LARGE.

On motion of Senator HUTTO.

CARRIED OVER

S. 154 -- Senators Young, Senn and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STREET GANG AND CRIMINAL ENTERPRISE PREVENTION AND ANTI-RACKETEERING ACT"; BY AMENDING ARTICLE 3 OF CHAPTER 8, TITLE 16, RELATING TO THE CRIMINAL GANG PREVENTION ACT, SO AS TO RETITLE THE ARTICLE, REVISE THE DEFINITIONS FOR PURPOSES OF THE ARTICLE, AND RESTRUCTURE THE ARTICLE AND THE OFFENSES AND PENALTIES CONTAINED WITHIN IT; AND BY ADDING ARTICLE 5 TO CHAPTER 8, TITLE 16 SO AS TO CREATE ANTI-RACKETEERING PROVISIONS TO COMPLIMENT THE REVISED STREET GANG AND CRIMINAL ENTERPRISE PREVENTION ARTICLE, DEFINE NECESSARY TERMS, AND CREATE VARIOUS RACKETEERING OFFENSES AND ESTABLISH PENALTIES FOR VIOLATIONS.

On motion of Senator YOUNG, the Bill was carried over.

CARRIED OVER

S. 266 -- Senators Hutto, Jackson, Shealy, Devine, McLeod, Allen and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-820, RELATING TO OUT-OF-HOME PLACEMENT, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; BY AMENDING SECTION 63-19-1020, RELATING TO INSTITUTING PROCEEDINGS, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; BY AMENDING SECTION 63-19-1440, RELATING TO COMMITMENT, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; BY AMENDING SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE, SO AS TO MAKE

CONFORMING CHANGES; BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

On motion of Senator CORBIN, the Bill was carried over.

RECOMMITTED

S. 165 -- Senators Climer and Allen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING TITLE 1, CHAPTER 40, RELATING TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75, SO AS TO PROVIDE THAT PROFESSIONAL BOARDS AND COMMISSIONS MAY NOT SOLELY DENY A LICENSE APPLICATION BASED UPON AN APPLICANT'S PRIOR CRIMINAL CONVICTION UNLESS THE CONVICTION IS FOR A CRIME THAT DIRECTLY RELATES TO THE DUTIES AND RESPONSIBILITIES FOR THE SPECIFIC OCCUPATION OR PROFESSIONAL LICENSE BEING SOUGHT; BY ADDING SECTION 40-1-77 SO AS TO PROVIDE FOR LICENSURE BY BOARDS AND COMMISSIONS FOR APPLICANTS WHO COMPLETE CERTAIN APPRENTICESHIP PROGRAMS; AND TO REPEAL SECTION 40-1-140, RELATING TO THE EFFECT OF PRIOR CONVICTIONS ON LICENSE APPLICATIONS FOR PROFESSIONS AND OCCUPATIONS.

On motion of Senator CLIMER, the Bill was recommitted to Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1117 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO WILDERNESS THERAPEUTIC CAMPS FOR CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 5232, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator YOUNG, the Resolution was recommitted to Committee on Family and Veterans' Services.

CARRIED OVER

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE EFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC

INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

On motion of Senator MALLOY, the Bill was carried over.

RECOMMITTED

S. 1215 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO INDIVIDUAL ANTLERLESS DEER TAGS, ANTLERLESS DEER LIMITS FOR PRIVATE LANDS IN GAME ZONES 1-4, AND YOUTH DEER HUNTING DAY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5260, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator CAMPSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

RECOMMITTED

S. 1216 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5259, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator CAMPSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

RECOMMITTED

S. 1217 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO RULES AND REGULATIONS GOVERNING THE ISSUANCE OF DEER DEPREDATION PERMITS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5250, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator CAMPSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

CARRIED OVER

H. 4029 -- Reps. Dillard, Hyde, Bailey, Brittain, Weeks and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.

On motion of Senator CORBIN, the Bill was carried over.

CARRIED OVER

S. 1158 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-500, RELATING TO THE UNLAWFUL POSSESSION OF A FIREARM BY A PERSON CONVICTED OF A VIOLENT OFFENSE, SO AS TO PROVIDE THAT THE VIOLATIONS SUBSEQUENT TO THE FIRST VIOLATION MUST OCCUR WITHIN TWENTY YEARS OF THE FIRST OFFENSE TO QUALIFY FOR GRADUATED PENALTIES; BY AMENDING SECTION 16-23-420, RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO

AS TO PROVIDE THAT EXPRESS AUTHORIZATION TO CARRY THE FIREARM ON SCHOOL PROPERTY MAY NOT BE PROVIDED TO A STUDENT ENROLLED IN A PUBLIC SCHOOL; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING A WEAPON ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT STUDENTS ENROLLED IN A PUBLIC SCHOOL MAY NOT POSSESS WEAPONS EVEN IF THEY ARE SECURED WITHIN A VEHICLE; BY AMENDING SECTION 23-31-245, RELATING TO REASONABLE SUSPICION OR PROBABLE CAUSE TO SEARCH, DETAIN, OR ARREST, SO AS TO CLARIFY THAT THE PROVISIONS IN THE SECTION APPLY TO A PERSON CARRYING A WEAPON IN ACCORDANCE WITH THE ARTICLE WHETHER OR NOT THE WEAPON IS CONCEALED; AND BY AMENDING SECTION 16-23-20, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO CLARIFY WHEN CARRYING A HANDGUN IS IMPERMISSIBLE IN A PUBLICLY OWNED BUILDING OTHER THAN A COURTHOUSE WHERE COURT IS HELD.

On motion of Senator HEMBREE, the Bill was carried over.

CARRIED OVER

S. 1076 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-219 SO AS TO ESTABLISH A WORK ZONE SAFETY PROGRAM; BY AMENDING SECTION 56-1-15, RELATING TO THE ADMINISTRATION OF DRIVER'S LICENSE EXAMINATIONS, SO AS TO REQUIRE THAT DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM; AND BY AMENDING SECTION 56-1-130, RELATING TO LICENSE EXAMINATIONS AND BASIC AND CLASSIFIED LICENSES, SO AS TO REQUIRE THAT DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM.

On motion of Senator TURNER, the Bill was carried over.

AMENDED, READ THE SECOND TIME

S. 1166 -- Senators Tedder, Stephens and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE S.C. CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024,

SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES.

The Senate proceeded to a consideration of the Bill.

Senator TEDDER proposed the following amendment (LC-1166.VR0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 17-1-65(B) and inserting:

(B) The State must dismiss all charges pending against a person for unlawful possession of a handgun pursuant to Section 16-23-20 that were nullified by the enactment of the S.C. Constitutional Carry/Second Amendment Preservation Act of 2024, notwithstanding the savings clause contained in SECTION 25 of that act. However, if such unlawful possession of a handgun charge was used as probable cause for another offense arising from the same incident, this section does not mandate that those associated charges be dismissed.

Renumber sections to conform.

Amend title to conform.

Senator TEDDER explained the Bill.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler

Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 1220 -- Senator Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 57-3-640, RELATING TO DRIVEWAYS AND ROADS IN STATE PARKS, SO AS TO PROVIDE THE DEPARTMENT OF TRANSPORTATION MUST OBTAIN APPROVAL FROM COUNTY LEGISLATIVE DELEGATIONS BEFORE ADDING OR CHANGING ENCHROACHMENTS OR ACCESS POINTS IN STATE PARKS.

Senator GROOMS objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4674 -- Rep. Erickson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1240, RELATING TO THE DISPLAY OF LICENSE PLATES, SO AS TO PROVIDE THE CIRCUMSTANCES IN WHICH THE PROVISIONS OF THIS SECTION APPLY, TO PROVIDE HOW LICENSE PLATES MUST BE FASTENED TO VEHICLES, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE FOR THE DISPLAY OF TEMPORARY LICENSE PLATES ON LARGE COMMERCIAL MOTOR VEHICLES.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (SR-4674.KM0002S), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X. Chapter 3, Title 56 of the S.C. Code is amended by adding:

Section 56-3-15020. The Department of Motor Vehicles may issue "Hearing Impaired" special motor vehicle license plates to owners of private passenger-carrying motor vehicles or motorcycles registered in their names who are hearing impaired. The application for this special motor vehicle license plate must include an original certificate from a licensed physician, as defined in Section 40-75-5, that certifies that the applicant has a permanent, uncorrectable hearing loss of forty decibels or more in one or both ears. The fee for each special license plate is the regular motor vehicle license fee set forth in Article 5. Each special license plate must be of the same size and general design of regular motor vehicle license plates. Each special license plate must be issued or revalidated for a biennial period which expires twenty-four months from the month the special license plate is issued.

SECTION X. Chapter 3, Title 56 of the S.C. Code is amended by adding:

Article 150

South Carolina Equine Industry Special License Plates

Section 56-3-16000. (A) The Department of Motor Vehicles may issue "South Carolina Equine Industry" special license plates to owners of private passenger-carrying motor vehicles or motorcycles registered in their names. Each special license plate must be issued or revalidated for a biennial period that expires twenty-four months from the month the special license plate is issued.

(B) This special license plate must be the same size and general design as regular motor vehicle license plates.

(C) The requirements for production, collection, and distribution of fees for the plate are those set forth in Section 56-3-8100. The biennial fee for each special license plate is thirty dollars plus the regular motor vehicle license fee set forth in Article 5, Chapter 3, Title 56. Any portion of the thirty-dollar fee in excess of the costs of production and distribution of the license plates must be distributed to the Department of Agriculture for the purpose of promoting of the equine industry in the State.

SECTION X. Section 56-3-7340 of the S.C. Code is amended to read:

Section 56-3-7340. (A) The Department of Motor Vehicles may issue "Native American" special license plates to owners of private passenger motor vehicles or motorcycles registered in their names. The requirements for production and distribution of the plate are those set forth in Section 56-3-8100. The biennial fee for this plate is the regular

registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of thirty dollars. Any portion of the additional thirty-dollar fee not set aside by the Comptroller General to defray costs of production and distribution must be distributed to the Native American Prison Program of South Carolina.

SECTION X. Chapter 3, Title 56 of the S.C. Code is amended by adding:

Article 151

Catawba Indian Nation Special License Plates

Section 56-3-16010. The Department of Motor Vehicles may issue "Catawba Indian Nation" special license plates to owners of private passenger motor vehicles or motorcycles registered in their names. Only members of the Catawba Indian Nation are eligible to receive a license plate produced pursuant to this section. A member of the Catawba Indian Nation applying for the license plate must produce with the license plate application an official document from the Catawba Indian Nation verifying membership. The requirements for production and distribution of the plate are those set forth in Section 56-3-8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of thirty dollars. Any portion of the additional thirty-dollar fee not set aside by the Comptroller General to defray costs of production and distribution must be distributed to the Native American Prison Program of South Carolina.

SECTION X. Chapter 3, Title 56 of the S.C. Code is amended by adding:

Article 152

Cherokee Indian Nation Special License Plates

Section 56-3-16110. The Department of Motor Vehicles may issue "Cherokee Indian Nation" special license plates to owners of private passenger motor vehicles or motorcycles registered in their names. Only members of the Cherokee Indian Nation are eligible to receive a license plate produced pursuant to this section. A member of the Cherokee Indian Nation applying for the license plate must produce with the license plate application an official document from the Cherokee Indian Nation verifying membership. The requirements for production and distribution of the plate are those set forth in Section 56-3-8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of thirty dollars. Any portion of the additional thirty-dollar fee not set aside by the Comptroller General to defray costs of production and distribution must be distributed to the to the Museum of the Cherokee in Oconee County.

SECTION X. Chapter 3, Title 56 of the S.C. Code is amended by adding:

Article 153

South Carolina Beekeepers Association Special License Plates

Section 56-3-16210. (A) The Department of Motor Vehicles may issue "South Carolina Beekeepers Association" special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56-3-630, or motorcycles registered in their names. Each special license plate must be issued or revalidated for a biennial period that expires twenty-four months from the month the special license plate is issued.

(B) This special license plate must be the same size and general design as regular motor vehicle license plates.

(C) The requirements for production, collection, and distribution of fees for the plate are those set forth in Section 56-3-8100. The biennial fee for each special license plate is forty dollars plus the regular motor vehicle license fee set forth in Article 5, Chapter 3, Title 56. Any portion of the forty-dollar fee not set aside by the Comptroller General to defray costs of production and distribution of the license plates must be distributed to the South Carolina Beekeepers Association to be used for research and education.

Amend the bill further, by striking SECTION 2 and inserting:

SECTION 2. This act takes effect six months after approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Motion Adopted

Senator GROOMS asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDMENT PROPOSED, OBJECTION

H. 5023 -- Reps. Brewer, Gilliam, Lawson, Sessions, Schuessler, Hager, Hartnett, Gatch, Mitchell, Hewitt, Robbins, J. Moore, Wooten, Guffey, O'Neal, J.L. Johnson, Pedalino and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-219 SO AS TO ESTABLISH THE WORK ZONE PROGRAM WITHIN THE DEPARTMENT OF PUBLIC SAFETY; BY AMENDING SECTION 56-1-15, RELATING TO THE ADMINISTRATION OF DRIVER'S LICENSE EXAMINATIONS, SO AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE; AND BY AMENDING SECTION 56-1-130, RELATING TO LICENSE EXAMINATIONS AND BASIC AND CLASSIFIED LICENSES, SO AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT proposed the following amendment (SR-5023.JG0002S):

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 56-1-440 of the S.C. Code is amended to read:

Section 56-1-440. (A) A person who drives a motor vehicle on a public highway of this State without a driver's license in violation of Section 56-1-20 is guilty of a misdemeanor and, upon conviction ~~of a first offense~~, must be punished as follows:

(1) for a first offense, fined ~~not less than fifty dollars nor more than one hundred dollars~~three hundred dollars or imprisoned for thirty days, or both;

(2) for ~~and, upon conviction of~~ a second offense, be fined ~~five~~ six hundred dollars or imprisoned for not less than forty-five days nor more than sixty consecutive days, or both~~,~~; and

(3) for a third ~~and~~ or subsequent offense, fined one thousand dollars, and ~~must be~~ imprisoned for not less than forty-five days nor more than six months or confined to a person's place of residence pursuant to the Home Detention Act for not less than forty-five days nor more than six months. No portion of a term of imprisonment or confinement under home detention may be suspended by the trial judge except when the

court is suspending a term of imprisonment upon successful completion of the terms and conditions of confinement under home detention. For purposes of this item, a person sentenced to confinement pursuant to the Home Detention Act is required to pay for the cost of such confinement. ~~However, a charge of driving a motor vehicle without a driver's license must be dismissed if the person provides proof of being a licensed driver at the time of the violation to the court on or before the date this matter is set to be disposed of by the court.~~

(B) ~~The summary courts are vested with jurisdiction to hear and dispose of cases involving a violation of this section.~~A charge of driving a motor vehicle without a driver's license must be dismissed if the person provides proof of being a licensed driver at the time of the violation to the court on or before the date this matter is set to be disposed of by the court.

(C) The summary courts are vested with jurisdiction to hear and dispose of cases involving a violation of this section.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

Senator MATTHEWS objected to further consideration of the Bill.

CARRIED OVER

H. 3865 -- Reps. Hiott, Collins, Rutherford, Carter and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

On motion of Senator MARTIN, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4042 -- Reps. Bernstein, Gilliard, Wheeler, Wetmore, King, Howard, Henegan, Stavrinakis, Bauer, Rutherford, W. Newton, Jordan, Pope, Bannister, J.E. Johnson, Brittain, Elliott and Jefferson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-1710 SO AS TO PROVIDE A FRAMEWORK

IN WHICH ANTISEMITISM IS CONSIDERED REGARDING ALL LAWS PROHIBITING DISCRIMINATORY ACTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-4042.MF0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 1-1-1710(C) and inserting:

(C) In reviewing, investigating, or deciding whether there has been a violation of any relevant policy, law, or regulation prohibiting discriminatory acts, the State shall take into consideration the definition of antisemitism set forth in law for purposes of determining whether the alleged act was discriminatory. A court or other relevant authority shall apply the same legal standard as applicable to like claims of discrimination arising under the laws of this State protecting civil rights, including Chapter 13 of this title.

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley

Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 4871 -- Reps. Haddon, Ligon and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 47-9-420 SO AS TO PROHIBIT THE INTERFERENCE OR INTERACTION WITH FARM ANIMALS BEING TRANSPORTED BY A MOTOR VEHICLE WITHOUT PERMISSION.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (SJ-4871.MF0009S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 47-9-420(F) and inserting:

(F) Any person convicted under the provisions of this section is subject to a penalty of one hundred dollars or to imprisonment for a term not exceeding thirty days, or both, in the discretion of the court. In case such offender repeats the same or commits a like offense, upon conviction, is subject to a penalty of two hundred dollars or to imprisonment for a term not exceeding one year, or both, in the discretion of the court.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator GARRETT explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 5169 -- Reps. Haddon, G.M. Smith, Hiott, Taylor, Hixon, Forrest, Wooten, Crawford, Gibson, Hartnett, Robbins, Sessions, Mitchell, T. Moore, Gilliam, Brewer, Ligon, Bradley, Brittain, Guest, B.L. Cox, Long, Chapman, J.E. Johnson, Burns, O'Neal, Vaughan, McCravy, Davis, Nutt, Trantham, Hyde, McGinnis, Hardee, Bailey, S. Jones, Guffey, West, Schuessler, Gatch, Gagnon, Herbkersman, Lawson, Moss, Murphy, Chumley, Carter, Magnuson, M.M. Smith, Pope, Cromer, Oremus and Beach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 1, TITLE 46 BY ENACTING THE “FARMERS PROTECTION ACT” TO

PREVENT DISCRIMINATION IN FINANCING AGAINST FARMERS.

On motion of Senator HEMBREE, the Bill was carried over.

POINT OF ORDER

S. 161 -- Senators Young, Grooms and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-100, RELATING TO NONPUBLIC SCHOOL STUDENT PARTICIPATION IN THE INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOLS, SO AS TO PROVIDE LIMITED SITUATIONS IN WHICH HIGH SCHOOL STUDENTS WHO ATTEND PRIVATE SCHOOLS MAY PARTICIPATE IN HIGH SCHOOL LEAGUE SPORTS OFFERED AT PUBLIC HIGH SCHOOLS; AND BY FURTHER AMENDING SECTION 59-63-100, RELATING TO PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES OF A PUBLIC SCHOOL DISTRICT BY HOME SCHOOL, CHARTER SCHOOL, AND GOVERNOR'S SCHOOL STUDENTS, SO AS TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4349 -- Rep. Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-1500, RELATING TO THE GREENVILLE TECHNICAL COLLEGE AREA COMMISSION, SO AS TO REMOVE OBSOLETE REFERENCES, TO REVISE RESIDENCY REQUIREMENTS FOR CERTAIN COMMISSION SEATS, AND TO REVISE THE ABSENCE POLICY FOR COMMISSION MEMBERS, AMONG OTHER THINGS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4386 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-13-647 SO AS TO PROHIBIT THE TAKING, HARMING, OR KILLING OF ROBUST REDHORSE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4387 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO INCLUDE REFERENCES TO HYBRID BASS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4612 -- Reps. Hixon, Pope, Chapman, Taylor, Hartnett, Hardee, Brewer, Robbins, Gatch, Murphy, Connell, Mitchell, Hager, Caskey, Forrest, Wooten, Elliott, B.J. Cox and Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 55-3-110, RELATING TO HUNTING FROM AN AIRCRAFT, SO AS TO PROVIDE PERSONS POSSESSING A PERMIT ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES MAY LAWFULLY HUNT FROM AN AIRCRAFT; AND BY ADDING SECTION 50-11-1190 SO AS TO PROVIDE THE DEPARTMENT OF NATURAL RESOURCES MAY ISSUE PERMITS FOR THE TAKING OF FERAL HOGS WHILE AIRBORNE IN A HELICOPTER UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4875 -- Reps. Ott, Brewer, Atkinson and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-1910, RELATING TO THE SALE OF DEER OR DEER PARTS, SO AS TO ALLOW A PROCESSOR TO PROCESS A LEGALLY TAKEN DOE DONATED BY A HUNTER AND RECOVER THE COSTS OF PROCESSING FROM SOMEONE OTHER THAN THE HUNTER WHO DONATED THE DOE, AND TO INCREASE PENALTIES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 5007 -- Reps. Caskey and Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO RESTRICT PERMITTED HOOK SIZE IN THE LOWER SALUDA RIVER.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 5:04 P.M., on motion of Senator HEMBREE, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

On motion of Senator HEMBREE, with unanimous consent, Senator HEMBREE was granted authority to make a motion under Rule 32B in the absence of the Chairman of the Committee on Rules.

MOTION UNDER RULE 32B ADOPTED

Senator HEMBREE, under the provisions of Rule 32B, called S. 975 from the Contested Calendar.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE AND LOCAL CALENDAR.

COMMITTEE AMENDMENT ADOPTED
AMENDED, RETURNED TO THE CALENDAR

S. 975 -- Senators Martin, Corbin, Rice, Kimbrell, Grooms and Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-17-780 SO AS TO PROHIBIT BUSINESSES, NON-PROFIT ORGANIZATIONS, COLLEGES, SCHOOLS, AND EMPLOYERS FROM MANDATING THAT EMPLOYEES, CONTRACTORS, STUDENTS, PATRONS, CUSTOMERS, CLIENTS, OR GUESTS MUST RECEIVE A NOVEL VACCINE OR GENE THERAPY; BY ADDING SECTION 41-1-55 SO AS TO PROHIBIT EMPLOYERS FROM TAKING ANY ADVERSE PRE-EMPLOYMENT OR EMPLOYMENT ACTION AGAINST AN INDIVIDUAL WHO DECLINES TO RECEIVE A VACCINE OR GENE THERAPY; BY AMENDING SECTION 40-43-86, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, SO AS TO PROVIDE THAT A PHARMACIST MAY REFUSE TO FILL A PRESCRIPTION DUE TO RELIGIOUS, MORAL, OR ETHICAL REASONS; BY AMENDING SECTION 44-1-100, RELATING TO ASSISTANCE FROM PEACE AND HEALTH OFFICERS, SO AS TO PROVIDE THAT THE DIRECTOR MAY NOT REQUEST ASSISTANCE IN ENFORCING ORDERS PURSUANT TO THIS CHAPTER; BY AMENDING SECTION 44-4-130, RELATING TO DEFINITIONS FOR EMERGENCY HEALTH POWERS, SO AS TO PROVIDE DEFINITIONS; BY AMENDING SECTION 44-4-330, RELATING TO THE PURCHASE AND DISTRIBUTION OF

PHARMACEUTICAL AGENTS OR MEDICAL SUPPLIES, SO AS TO PROVIDE THAT DHEC MAY PURCHASE AND DISTRIBUTE APPROVED PHARMACEUTICAL AGENTS OR MEDICAL SUPPLIES; BY AMENDING SECTION 44-4-500, RELATING TO CONTROL AND TREATMENT OF INFECTIOUS DISEASE, SO AS TO PROVIDE THAT DHEC MUST USE EVERY AVAILABLE MEANS TO PREVENT THE TRANSMISSION OF INFECTIOUS DISEASE FOR WHICH THE PUBLIC HEALTH EMERGENCY HAS BEEN CALLED; BY AMENDING SECTION 44-4-510, RELATING TO PHYSICAL EXAMINATIONS OR TESTS AND ISOLATION OR QUARANTINE OF PERSONS REFUSING EXAMINATION, SO AS TO PROVIDE THAT TESTS MUST BE FDA APPROVED FOR ACCURATE DETECTION OF THE BIOLOGICAL AGENT; BY AMENDING SECTION 44-4-520, RELATING TO VACCINATIONS AND TREATMENT, SO AS TO PROVIDE THAT DHEC MAY NOT ISOLATE AN INDIVIDUAL TO PREVENT THE SPREAD OF A POSSIBLY CONTAGIOUS DISEASE, BUT ONLY A DISEASE KNOWN TO BE CONTAGIOUS, AND TO PROVIDE THAT A VACCINE MUST NOT BE A GENE THERAPY; BY AMENDING SECTION 44-4-530, RELATING TO ISOLATION AND QUARANTINE OF INDIVIDUALS OR GROUPS AND PENALTY FOR NONCOMPLIANCE, SO AS TO PROVIDE THAT DHEC MAY ISOLATE OR QUARANTINE AN INDIVIDUAL OR GROUPS OF INDIVIDUALS WHO HAVE BEEN DIAGNOSED WITH OR EXPOSED TO THE CONTAGIOUS DISEASE FOR WHICH THE PUBLIC HEALTH EMERGENCY WAS DECLARED; BY AMENDING SECTION 44-4-540, RELATING TO ISOLATION AND QUARANTINE PROCEDURES, SO AS TO REMOVE ISOLATION PARAMETERS; AND BY AMENDING SECTION 44-4-570, RELATING TO EMERGENCY POWERS REGARDING LICENSING OF HEALTH PERSONNEL, SO AS TO REMOVE THE REQUIREMENT THAT IN-STATE HEALTH PROVIDERS MUST ASSIST IN VACCINATIONS, TREATMENTS, AND EXAMINATIONS, AND TO REMOVE THE PROVISION THAT ANY EMERGENCY ASSISTANT MEDICAL EXAMINER OR CORONER APPOINTED PURSUANT TO THIS SECTION IS IMMUNE FROM CIVIL LIABILITY FOR DAMAGES RESULTING FROM THEIR SERVICES.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN explained the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-975.KM0021S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. This act may be cited as the "Medical Freedom Act."

SECTION 2. Chapter 17, Title 16 of the S.C. Code is amended by adding:

Section 16-17-780. (A) For purposes of this section:

(1) "Novel vaccine" means a vaccine, as defined in Section 44-4-130, which has obtained Emergency Use Authorization, or which has otherwise not been approved by the U.S. Food and Drug Administration, or which has been licensed for use for less than ten years; and

(2) "Gene therapy" means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

(3) "Indemnified product" means any product including, but not limited to, a covered countermeasure, for which the manufacturers and distributors are shielded from direct civil or criminal liability to consumers for personal injuries and damages resulting from the use of the product as determined by state or federal law.

(B) It is unlawful for any person, partnership, for-profit or non-profit corporation, limited liability corporation, colleges, schools, or the State and its political subdivisions and their agents that employ one or more employees to mandate employees, contractors, students, patrons, customers, clients, or guests to receive a novel vaccine, indemnified product, or gene therapy described in this section as a precondition for employment, entry into buildings and grounds, attendance, participation, or purchase or receipt of any products and services offered.

(C) A person who violates the provisions of this section:

(1) for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than one year, or both;

(2) for a second offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand five hundred dollars or imprisoned for not more than three years or both; and

(3) for a third or subsequent offense, is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both.

SECTION 3. Chapter 1, Title 41 of the S.C. Code is amended by adding:

Section 41-1-55. (A) As used in this section:

(1) “Agent” means any former supervisor or the employer's designee.

(2) “Employer” means any person, partnership, for-profit or non-profit corporation, limited liability corporation, or the State and its political subdivisions and their agents that employ one or more employees.

(3) “Employee” means any person employed by an employer.

(4) “Gene therapy” means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

(5) “Novel vaccine” means a vaccine which has obtained emergency use authorization, which has otherwise not been approved by the U.S. Food and Drug Administration, or which has been licensed for use for less than ten years; and

(6) “Vaccine” means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases.

(7) “Indemnified product” means any product including, but not limited to, a covered countermeasure, for which the manufacturers and distributors are shielded from direct civil or criminal liability to consumers for personal injuries and damages resulting from the use of the product as determined by state or federal law.

(B) Employers are prohibited from taking any adverse pre-employment or employment action including, but not limited to, discrimination, termination, suspension, involuntary reassignment, unpaid leave, demotion, harassment, coercion, or retaliation against an individual who declines to receive a novel vaccine, indemnified product, or gene therapy as defined in this section.

(C) No employer may require their employees to receive any vaccine which is not mandated for employment by the Department of Public Health.

(D) If an employer violates the provisions of this section, an aggrieved employee shall have the right to apply for and receive unemployment benefits subject to the benefit amounts, duration, and requirements provided in Article 1, Chapter 35, Title 41, as well as back pay, front

pay, lost wages, consequential damages, emotional damages, court and litigation costs, and attorney's fees.

(E) If an employer willfully or maliciously discriminates or commits a violation of this section, they shall also be liable to the employee or prospective employee for punitive damages in the treble amount of the actual damages awarded.

SECTION 4. Section 40-43-86(E) of the S.C. Code is amended to read:

(E)(1) A prescription drug order shall contain at a minimum, the:

(1)(a) full name and address of the patient;

(2)(b) name, address, telephone number, and degree classification of the prescriber; license number, and Drug Enforcement Agency registration number of the prescribing practitioner where required by law;

(3)(c) date of issuance;

(4)(d) name, strength, dosage form, and quantity of drug prescribed;

(5)(e) directions for use;

(6)(f) number of refills authorized. No prescription marked "PRN" or any other unspecified number of refills may be refilled more than two years beyond the date it was originally written~~. Nothing in this subsection abridges the right of a pharmacist to refuse to fill or refill a prescription~~; ~~and~~

(7)(g) a written order signed by the prescriber, which shall bear the name of the patient; name, strength, and quantity of the drug or device prescribed; directions for use; date of issue; and, either rubber stamped, typed, printed by hand, or typeset, the name, address, telephone number, and degree classification of the prescriber; and, if a controlled substance is prescribed, the prescriber's federal registration number;

(8)(h) only one drug and set of instructions for each blank, if preprinted; and

(9)(i) a chart order is exempt from the requirements of this subsection.

(2) A pharmacist may refuse to fill or refill a prescription when:

(a) a contradiction is detected in the patient's records;

(b) patterns of narcotic abuse are observed in the patient's records;

(c) the order is not complete or unclear; or

(d) the pharmacist objects to filling the prescription for religious, moral, or ethical reasons pursuant to the Medical Ethics and Diversity

Act, Title 44, Chapter 139. Nothing in this subsection allows pharmacists to deny "right to try" prescriptions as defined in Section 44-137-10.

SECTION 5. Section 44-1-100 of the S.C. Code is amended to read:

Section 44-1-100. All sheriffs and constables in the several counties of this State and police officers and health officers of cities and towns ~~must~~ may aid and assist the Director of the Department of Public Health ~~and Environmental Control~~ and ~~must~~ may carry out and obey his orders, or those of the Department of Public Health ~~and Environmental Control~~, to enforce and carry out any and all restrictive measures and quarantine regulations that may be prescribed~~. During~~ during a state of public health emergency, as defined in Section 44-4-130~~, the director may request assistance in enforcing orders issued pursuant to this chapter and pursuant to Chapter 4, Title 44, from the public safety authority, as defined in Section 44-4-130, other state law enforcement authorities, and local law enforcement. The public safety authority may request assistance from the South Carolina National Guard in enforcing orders made pursuant to this chapter or pursuant to Chapter 4, Title 44~~.

SECTION 6. Section 44-4-130 of the S.C. Code is amended to read:

Section 44-4-130. As used in the chapter:

(A) "Biological agent" means a microorganism, virus, infectious substance, naturally occurring or bioengineered product, or other biological material that could cause death, disease, or other harm to a human, an animal, a plant, or another living organism.

(B) "Bioterrorism" means the intentional use or threatened use of a biological agent to harm or endanger members of the public.

(C) "Chemical agent" means a poisonous chemical agent that has the capacity to cause death, disease, or other harm to a human, an animal, a plant, or another living organism.

(D) "Chemical terrorism" means the intentional use or threatened use of a chemical agent to harm or endanger members of the public.

(E) "Chain of custody" means the methodology of tracking specimens for the purpose of maintaining control and accountability from initial collection to final disposition of the specimens and providing for accountability at each stage of collecting, handling, testing, storing, and transporting the specimens and reporting test results.

(F) ~~"Commissioner"~~ "Director" means the ~~Commissioner~~ Director of the Department of Public Health ~~and Environmental Control~~.

(G) "Contagious disease" is an infectious disease that can be transmitted from person to person, animal to person, or insect to person.

(H) "Coroners, medical examiners, and funeral directors" have the same meanings as provided in Sections 17-5-5 and 40-19-10, respectively.

(I) ~~"DHEC"~~ "Department" means the Department of Public Health ~~and Environmental Control~~, or any person authorized to act on behalf of the Department of Public Health ~~and Environmental Control~~.

(J) "Facility" means any real property, building, structure, or other improvement to real property or any motor vehicle, rolling stock, aircraft, watercraft, or other means of transportation.

(K) "Gene therapy" means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

~~(K)~~(L) "Health care facility" means any nonfederal institution, building, or agency or portion thereof, whether public or private (for-profit or nonprofit) that is used, operated, or designed to provide health services, medical treatment, or nursing, rehabilitative, or preventive care to any person or persons. This includes, but is not limited to, ambulatory surgical facilities, health maintenance organizations, home health agencies, hospices, hospitals, infirmaries, intermediate care facilities, kidney treatment centers, long-term care facilities, medical assistance facilities, mental health centers, outpatient facilities, public health centers, rehabilitation facilities, residential treatment facilities, skilled nursing facilities, and adult daycare centers. The term also includes, but is not limited to, the following related property when used for or in connection with the foregoing: laboratories, research facilities, pharmacies, laundry facilities, health personnel training and lodging facilities, and patient, guest, and health personnel food service facilities, and offices and office buildings for persons engaged in health care professions or services.

~~(L)~~(M) "Health care provider" means any person or entity who provides health care services including, but not limited to, hospitals, medical clinics and offices, special care facilities, medical laboratories, physicians, pharmacists, dentists, physician assistants, nurse practitioners, registered and other nurses, paramedics, firefighters who provide emergency medical care, emergency medical or laboratory technicians, and ambulance and emergency medical workers. This includes out-of-state medical laboratories, provided that such laboratories have agreed to the reporting requirements of South Carolina. Results must be reported by the laboratory that performs the test, but an

in-state laboratory that sends specimens to an out-of-state laboratory is also responsible for reporting results.

~~(M)~~(N) "Infectious disease" is a disease caused by a living organism or virus. An infectious disease may, or may not, be transmissible from person to person, animal to person, or insect to person.

~~(N)~~(O) "Isolation" and "quarantine" mean the compulsory physical separation (including the restriction of movement or confinement) of individuals and/or groups believed to have been exposed to or known to have been infected with a contagious disease from individuals who are believed not to have been exposed or infected, in order to prevent or limit the transmission of the disease to others; if the context so requires, "quarantine" means compulsory physical separation, including restriction of movement, of populations or groups of healthy people who have been potentially exposed to a contagious disease, or to efforts to segregate these persons within specified geographic areas. "Isolation" means the separation and confinement of individuals known or suspected (via signs, symptoms, or laboratory criteria) to be infected with a contagious disease to prevent them from transmitting disease to others.

~~(O)~~(P) "Protected health information" means any information, whether oral, written, electronic, visual, pictorial, physical, or any other form, that relates to an individual's past, present, or future physical or mental health status, condition, treatment, service, products purchased, or provision of care, and that reveals the identity of the individual whose health care is the subject of the information, or where there is a reasonable basis to believe such information could be utilized (either alone or with other information that is, or reasonably should be known to be, available to predictable recipients of such information) to reveal the identity of that individual.

~~(P)~~(Q) "Public health emergency" means the occurrence or imminent risk of a qualifying health condition.

~~(Q)~~(R) "Public safety authority" means the Department of Public Safety, the State Law Enforcement Division, or designated persons authorized to act on behalf of the Department of Public Safety, the State Law Enforcement Division including, but not limited to, local governmental agencies that act principally to protect or preserve the public safety, or full-time commissioned law enforcement persons.

~~(R)~~(S) "Qualifying health condition" means~~:~~

~~(1) a natural disaster; or~~

an illness or health condition that may be caused by terrorism, epidemic or pandemic disease, or a novel infectious agent or biological or chemical agent and that poses a substantial risk of a significant number

of human fatalities, ~~widespread illness, or serious economic impact to the agricultural sector, including food supply.~~ or incidents of permanent or long-term disability.

~~(S)~~(T) "Radioactive material" means a radioactive substance that has the capacity to cause bodily injury or death to a human, an animal, a plant, or another living organism.

~~(T)~~(U) "Radiological terrorism" means the intentional use or threatened use of a radioactive material to harm or endanger members of the public.

~~(U)~~(V) "Specimens" include, but are not limited to, blood, sputum, urine, stool, other bodily fluids, wastes, tissues, and cultures necessary to perform required tests, and environmental samples or other samples needed to diagnose potential chemical, biological, or radiological contamination.

~~(V)~~(W) "Tests" include, but are not limited to, any diagnostic or investigative analyses necessary to prevent the spread of disease or protect the public's health, safety, and welfare.

~~(W)~~(X) "Trial court" is the circuit court for the county in which the isolation or quarantine is to occur or to the circuit court for the county in which a public health emergency has been declared. If that court is unable to function because of the isolation, quarantine, or public health emergency, the trial court is a circuit court designated by the Chief Justice upon petition and proper showing by the Department of Public Health ~~and Environmental Control~~.

(Y) "Vaccine" means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases.

SECTION 7. Section 44-4-510 of the S.C. Code is amended to read:

Section 44-4-510. (A)(1) During a state of public health emergency, ~~DHEC~~ the department may perform voluntary physical examinations or tests as necessary for the diagnosis or treatment of individuals.

(2) ~~DHEC~~ The department may isolate or quarantine, pursuant to the sections of this act and its existing powers under Section 44-1-140, any symptomatic person whose refusal of physical examination or testing results in uncertainty regarding whether he ~~or she has been exposed to or~~ is infected with ~~a~~ the contagious disease for which the public health emergency has been declared~~or possibly contagious disease or otherwise poses a danger to public health~~.

(B)(1) Physical examinations or tests may be performed by any qualified person authorized to do so by ~~DHEC~~the department.

(2) Physical examinations or tests must not be reasonably likely to result in serious harm to the affected individual.

SECTION 8. Section 44-4-520 of the S.C. Code is amended to read:

Section 44-4-520. (A) During a state of public health emergency, ~~DHEC~~ the department may exercise the following emergency powers, in addition to its existing powers, over persons as necessary to address the public health emergency:

(1) to vaccinate persons as protection against infectious disease and to prevent the spread of contagious ~~or possibly contagious~~ disease;

(2) to treat persons exposed to or infected with disease; and

(3) to ~~prevent the spread of contagious or possibly contagious disease, DHEC may~~ isolate or quarantine, pursuant to the applicable sections of this act, symptomatic persons or persons exposed to the disease who are unable or unwilling for any reason ~~(~~including, but not limited to, health, religion, or conscience~~)~~ to undergo vaccination or treatment pursuant to this section.

(B) Vaccinations or treatment, or both, must be provided only to those individuals who ~~agree~~ provide informed consent to the vaccinations or treatment, or both.

(C)(1) ~~Vaccination~~ Vaccinations may be performed by any qualified person authorized by ~~DHEC~~ the department.

(2) To be administered pursuant to this section, a vaccine must not be such as is reasonably likely to lead to serious harm to the affected individual.

(D)(1) Treatment must be administered by any qualified person authorized to do so by ~~DHEC~~ the department

(2) Treatment must not be such as is reasonably likely to lead to serious harm to the affected individual.

(E) For purposes of this section, "informed consent" means a written document that is signed and dated by an individual; or if the individual is a minor, by a parent or legal guardian; or if the individual is incapacitated or without sufficient mental capacity, by a designated health care agent pursuant to a health care power of attorney, that at a minimum includes:

(1) an explanation of the vaccine or treatment that is written in language that is understandable to the average lay person;

(2) a description of the potentially best and worst outcomes resulting from vaccine or treatment, along with a realistic description of the most likely outcome; and

(3) contain language that clearly indicates that the individual agrees to the administration of the vaccine or treatment, that the individual has

had time to thoughtfully consider whether to provide consent, and that the individual is providing consent free from coercion.

SECTION 9. Section 44-4-530 of the S.C. Code is amended to read:

Section 44-4-530. (A) During a public health emergency, ~~DHEC~~ the department may isolate or quarantine an individual or groups of individuals who have been diagnosed with or exposed to the contagious disease for which the public health emergency was declared. This includes individuals or groups who have not been ~~vaccinated,~~ treated, tested, or examined pursuant to Sections 44-4-510 and 44-4-520. ~~DHEC~~ The department may also establish and maintain places of isolation and quarantine, ~~and~~ set rules, and make orders.

(B) ~~DHEC~~ The department must adhere to the following conditions and principles when isolating or quarantining individuals or groups of individuals:

(1) isolation and quarantine must be by the least restrictive means necessary to prevent the ~~spread~~ transmission of ~~a~~ the contagious or ~~possibly contagious~~ disease ~~to others~~ and may include, but are not limited to, confinement to private homes or other private and public premises;

(2) individuals isolated because of objective evidence of infection or contagious disease must be confined separately from quarantined asymptomatic individuals;

(3) the health status of isolated and quarantined individuals must be monitored regularly to determine if they require isolation or quarantine;

(4) an asymptomatic quarantined individual must be confined for no more than five days;

~~(4)~~(5) if a quarantined individual becomes infected ~~or is reasonably believed to be infected~~ with ~~a~~ the contagious ~~or possibly contagious~~ disease, he or she must be promptly removed to isolation;

~~(5)~~(6) isolated ~~and quarantined~~ individuals must be immediately released when they ~~pose no substantial risk of transmitting a~~ have no more symptoms of the contagious ~~or possibly contagious~~ disease ~~to others~~ or within ten days of symptom onset, whichever is sooner;

~~(6)~~(7) the needs of persons isolated and quarantined must be addressed in a systematic and competent fashion including, but not limited to, providing adequate food, clothing, shelter, means of communication with those in isolation or quarantine and outside these settings, medication, and competent medical care;

~~(7)~~(8) premises used for isolation and quarantine must be maintained in a safe and hygienic manner and be designed to minimize

the likelihood of further transmission of infection or other harms to persons isolated or quarantined~~; and~~

~~(8)~~(9) to the extent possible, cultural and religious beliefs must be considered in addressing the needs of the individuals and establishing and maintaining isolation and quarantine premises~~.~~ ; and

(10) individuals who have recovered from the contagious disease must not be separated from quarantined or isolated family members.

(C) A person subject to isolation or quarantine must comply with ~~DHEC's~~ the department's rules and orders, and must not go beyond the isolation or quarantine premises. Failure to comply with these rules and orders constitutes a ~~felony~~misdemeanor and, upon conviction, a person must be fined not more than ~~one thousand~~ two hundred dollars or imprisoned not more than thirty days~~, or both~~.

(D)(1) ~~DHEC~~ The department may authorize physicians, health care workers, or others access to individuals in isolation or quarantine as necessary to meet the needs of isolated or quarantined individuals.

~~(2) No person, other than a person authorized by DHEC, shall enter isolation or quarantine premises. Failure to comply with this provision constitutes a felony and, upon conviction, a person must be fined not more than one thousand dollars or imprisoned not more than thirty days, or both.~~

~~(3)~~(2) A person entering an isolation or quarantine premises with or without authorization ~~of DHEC~~from the department may be isolated or quarantined as provided for in this chapter.

~~(4)~~(3) The public safety authority and other law enforcement officers may arrest, isolate, or quarantine an individual who is acting in violation of an isolation or quarantine order after the order is given to the individual pursuant to Section 44-4-540(B)(3)~~ or after the individual is provided notice of the order. In a case where an individual is not the subject of an isolation or quarantine order under Section 44-4-540, law enforcement officers may provide written or verbal notice of the order~~. Law enforcement officers may arrest, isolate, or quarantine an individual who is acting in violation of isolation or quarantine ~~rules~~ orders after the ~~rules~~ orders are established and the individual is given written ~~or verbal~~ notice of the ~~rules~~ orders. An arrest warrant or ~~an additional~~ isolation or quarantine order is not required for arrest, isolation, or quarantine under Section 44-4-530(D)~~(4)~~(3).

(E) An employer may not fire, demote, or otherwise discriminate against an employee complying with an isolation or quarantine order issued pursuant to Section 44-1-80, 44-1-110, 44-1-140, 44-4-520, 44-4-530, or 44-4-540; however, nothing in this section prohibits an

employer from requiring an employee to use annual or sick leave to comply with such an order.

SECTION 10. Section 44-4-540 of the S.C. Code is amended to read:

Section 44-4-540. ~~(A) During a public health emergency, the isolation and quarantine of an individual or groups of individuals must be undertaken in accordance with the procedures provided in this section.~~

~~(B)(1) DHEC may temporarily isolate or quarantine an individual or groups of individuals through an emergency order signed by the commissioner or his designee, if delay in imposing the isolation or quarantine would significantly jeopardize DHEC's ability to prevent or limit the transmission of a contagious or possibly contagious disease to others.~~

~~(2) The emergency order must specify the following: (i) the identity of the individual or groups of individuals subject to isolation or quarantine; (ii) the premises subject to isolation or quarantine; (iii) the date and time at which isolation or quarantine commences; (iv) the suspected contagious disease, if known; and (v) a copy of Article V of this act and relevant definitions of this act.~~

~~(3) A copy of the emergency order must be given to the individual(s) or groups of individuals to be isolated or quarantined, or if impractical to be given to a group of individuals, it may be posted in a conspicuous place in the isolation or quarantine premises.~~

~~(4) Within ten days after issuing the emergency order, DHEC must file a petition pursuant to subsection (C) of this section for a court order authorizing the continued isolation or quarantine of the isolated or quarantined individual or groups of individuals.~~

~~(C)(1) DHEC may make a written petition to the trial court for an order authorizing the isolation or quarantine of an individual or groups of individuals.~~

~~(2) A petition under subsection (C)(1) must specify the following: (i) the identity of the individual or groups of individuals subject to isolation or quarantine; (ii) the premises subject to isolation or quarantine; (iii) the date and time at which isolation or quarantine commences; (iv) the suspected contagious disease, if known; and (v) a statement of compliance with the conditions and principles for isolation or quarantine of Section 44-4-530(B); and (vi) a statement of the basis upon which isolation or quarantine is justified in compliance with this article. The petition must be accompanied by a sworn affidavit of DHEC attesting to the facts asserted in the petition, together with any further information that may be relevant and material to the court's consideration.~~

~~(3) Notice to individuals or groups of individuals identified in the petition must be accomplished within twenty-four hours in accordance with the South Carolina Rules of Civil Procedure. If notice by mail or fax is not possible, notice must be made by personal service.~~

~~(4) A hearing must be held on any petition filed pursuant to this subsection within five days of filing of the petition. In extraordinary circumstances and for good cause shown, DHEC may apply to continue the hearing date on a petition filed pursuant to this section for up to ten days, which continuance the court may grant in its discretion giving due regard to the rights of the affected individuals, the protection of the public's health, the severity of the emergency, and the availability of necessary witnesses and evidence.~~

~~(5)(a) The court must grant the petition if, by a preponderance of the evidence, isolation or quarantine is shown to be reasonably necessary to prevent or limit the transmission of a contagious or possibly contagious disease.~~

~~(b) An order authorizing isolation or quarantine may do so for a period not to exceed thirty days.~~

~~(c) The order must: (i) identify the isolated or quarantined individuals or groups of individuals by name or shared or similar characteristics or circumstances; (ii) specify factual findings warranting isolation or quarantine pursuant to this act; (iii) include any conditions necessary to ensure that isolation or quarantine is carried out within the stated purposes and restrictions of this act; and (iv) served on affected individuals or groups of individuals in accordance with the South Carolina Rules of Civil Procedure. If notice by mail or fax is not possible, notice must be made by personal service.~~

~~(d) Prior to the expiration of an order issued pursuant to this item, DHEC may move to continue the isolation or quarantine for additional periods not to exceed thirty days each. The court must consider the motion in accordance with standards set forth in this item.~~

~~(D)~~(A)(1) An individual or group of individuals isolated or quarantined pursuant to this act may apply to the trial court for an order to show cause why the individual or group of individuals should not be released. The court must rule on the application to show cause within forty-eight hours of its filing. If the court grants the application, the court must schedule a hearing on the order to show cause within twenty-four hours from issuance of the order to show cause. The issuance of the order to show cause does not stay or enjoin the isolation or quarantine order.

(2)(a) An individual or group of individuals isolated or quarantined pursuant to this act may request a hearing in the trial court for remedies

regarding breaches to the conditions of isolation or quarantine. A request for a hearing does not stay or enjoin the isolation or quarantine order.

(b) Upon receipt of a request under this subsection ~~alleging extraordinary circumstances justifying the immediate granting of relief~~, the court must fix a date for hearing on the matters alleged not more than twenty-four hours from receipt of the request.

~~(c) Otherwise, upon receipt of a request under this subsection, the court must fix a date for hearing on the matters alleged within five days from receipt of the request.~~

(3) In any proceedings brought for relief under this subsection, in extraordinary circumstances and for good cause shown, ~~DHEC~~ the department may move the court to extend the time for a hearing up to forty-eight hours, which extension the court in its discretion may grant giving due regard to the rights of the affected individuals, the protection of the public's health, the severity of the emergency, and the availability of the necessary witnesses and evidence.

~~(E)~~(B) A record of the proceedings pursuant to this section must be made and retained. In the event that, given a state of public health emergency, parties cannot personally appear before the court, proceedings may be conducted by their authorized representatives and be held via any means that allow all parties to fully participate.

~~(F)~~(C) The court must appoint counsel to represent individuals or groups of individuals who are or who are about to be isolated or quarantined pursuant to the provisions of this act and who are not otherwise represented by counsel. Payment for these appointments must be made in accordance with other appointments for legal representation in actions arising outside of matters in this act, and is not the responsibility of any one state agency. Appointments last throughout the duration of the isolation or quarantine of the individual or groups of individuals. ~~DHEC~~ The department must provide adequate means of communication between such individuals or groups of individuals and their counsel. Where necessary, additional counsel for ~~DHEC~~ the department from other state agencies or from private attorneys appointed to represent state agencies, must be appointed to provide adequate representation for the agency and to allow timely hearings of the petitions and motions specified in this section.

~~(G) In any proceedings brought pursuant to this section, to promote the fair and efficient operation of justice and having given due regard to the rights of the affected individuals, the protection of the public's health, the severity of the emergency, and the availability of necessary witnesses~~

~~and evidence, the court may order the consolidation of individual claims into groups of claims where:~~

~~(1) the number of individuals involved or to be affected is so large as to render individual participation impractical;~~

~~(2) there are questions of law or fact common to the individual claims or rights to be determined;~~

~~(3) the group claims or rights to be determined are typical of the affected individuals' claims or rights; and~~

~~(4) the entire group will be adequately represented in the consolidation.~~

~~(H) Notwithstanding the provisions of subsection (A), prior to the Governor declaring a public health emergency, as defined in Section 44-4-130, the isolation and quarantine of an individual or groups of individuals pursuant to Section 44-1-80, 44-1-110, 44-1-140, 44-4-520, 44-4-530, or 44-4-540 must be undertaken in accordance with the procedures provided in this section.~~

SECTION 11. Section 44-4-570 of the S.C. Code is amended to read:

Section 44-4-570. (A) ~~DHEC~~The department, in coordination with the appropriate licensing authority and the Department of Labor, Licensing and Regulation, may exercise, for such period as the state of public health emergency exists, in addition to existing emergency powers, the following emergency powers regarding licensing of health personnel:

~~(1) to require in-state health care providers to assist in the performance of vaccination, treatment, examination, or testing of any individual as a condition of licensure, authorization, or the ability to continue to function as a health care provider in this State;~~

~~(2)~~(1) to accept the volunteer services of in-state and out-of-state health care providers consistent with Title 8, Chapter 25, to appoint such in-state and out-of-state health care providers as emergency support function volunteers, and to prescribe the duties as may be reasonable and necessary for emergency response; and

~~(3)~~(2) to authorize the medical examiner or coroner to appoint and prescribe the duties of such emergency assistant medical examiners or coroners as may be required for the proper performance of the duties of the office.

(B)(1) The appointment of in-state and out-of-state health care providers pursuant to this section may be for a limited or unlimited time but must not exceed the termination of the state of public health emergency. ~~DHEC~~ The department may terminate the in-state and out-of-state appointments at any time or for any reason provided that any

termination will not jeopardize the health, safety, and welfare of the people of this State.

(2) The appropriate licensing authority may waive any or all licensing requirements, permits, or fees required by law and applicable orders, rules, or regulations for health care providers from other jurisdictions to practice in this State.

(C)(1) Any health care provider appointed by the department pursuant to this section must not be held liable for any civil damages as a result of medical care or treatment including, but not limited to, trauma care and triage assessment, related to the appointment of the health care provider and the prescribed duties unless the damages result from providing, or failing to provide, medical care or treatment under circumstances demonstrating a reckless disregard for the consequences so as to affect the life or health of the patient.

(2) This subsection applies if the health care provider does not receive payment from the State other than as allowed in Section 8-25-40 for the appointed services and prescribed duties. However, if the health care provider is an employee of the State, the health care provider may continue to receive compensation from the health care provider's employer. This subsection applies whether the health care provider was paid, should have been paid, or expected to be paid for the services at the time of rendering the services from sources including, but not limited to, Medicaid, Medicare, reimbursement under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 512, et seq., or private health insurance.

(D)(1) The appointment of emergency assistant medical examiners or coroners pursuant to this section may be for a limited or unlimited time, but must not exceed the termination of the state of public health emergency. The medical examiner or coroner may terminate the emergency appointments at any time or for any reason, if the termination will not impede the performance of the duties of the office.

(2) The medical examiner or coroner may waive any or all licensing requirements, permits, or fees required by law ~~and applicable orders, rules, or regulations~~ for the performance of these duties.

~~(3) Any emergency assistant medical examiner or coroner appointed pursuant to this section is immune from civil liability for damages resulting from services relating to and performed during the period of appointment unless the damages result from providing, or failing to provide, services under circumstances demonstrating a reckless disregard for the consequences.~~

SECTION 12. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 13. This act takes effect July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

Motion Failed

Senator MALLOY moved that the Senate stand adjourned.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 13; Nays 22

AYES

Allen	Devine	Fanning
Hutto	Jackson	Malloy
Matthews	McElveen	McLeod
Setzler	Stephens	Tedder
Williams		

Total--13

NAYS

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	*Johnson, Michael*	Loftis
Martin	Peeler	Reichenbach

Rice Shealy Verdin
Young

Total--22

The Senate refused to stand adjourned.

Senator SENN proposed the following amendment (SR-975.JG0024S), which was carried over:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 1, Title 44 of the S.C. Code is amended by adding:

Section 44-1-115. For the protection of the public health, women must be afforded the same substantial medical health care choices and equal rights as men in medical decisions concerning their own health and the health of their children.

Renumber sections to conform.

Amend title to conform.

On motion of Senator RICE, the amendment was carried over.

Senator CROMER proposed the following amendment (LC-975.HA0025S), which was carried over:

Amend the bill, as and if amended, by deleting SECTION 4.

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

On motion of Senator CROMER, the amendment was carried over.

Senator CASH proposed the following amendment (SR-975.JG0030S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. This act may be cited as the “Medical Freedom Act.”

SECTION 2. Chapter 17, Title 16 of the S.C. Code is amended by adding:

Section 16-17-780. (A) For purposes of this section:

(1) "Novel vaccine" means a vaccine, as defined in Section 44-4-130, which has obtained Emergency Use Authorization, or which has otherwise not been approved by the U.S. Food and Drug Administration, or which has been licensed for use for less than ten years; and

(2) "Gene therapy" means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

(3) "Indemnified product" means any product including, but not limited to, a covered countermeasure, for which the manufacturers and distributors are shielded from direct civil or criminal liability to consumers for personal injuries and damages resulting from the use of the product as determined by state or federal law.

(B) It is unlawful for any person, partnership, for-profit or non-profit corporation, limited liability corporation, colleges, schools, or the State and its political subdivisions and their agents that employ one or more employees to mandate employees, contractors, students, patrons, customers, clients, or guests to receive a novel vaccine, indemnified product, or gene therapy described in this section as a precondition for employment, entry into buildings and grounds, attendance, participation, or purchase or receipt of any products and services offered.

(C) A person who violates the provisions of this section:

(1) for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than one year, or both;

(2) for a second offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand five hundred dollars or imprisoned for not more than three years or both; and

(3) for a third or subsequent offense, is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both.

SECTION 3. Chapter 1, Title 41 of the S.C. Code is amended by adding:

Section 41-1-55. (A) As used in this section:

(1) "Agent" means any former supervisor or the employer's designee.

(2) "Employer" means any person, partnership, for-profit or non-profit corporation, limited liability corporation, or the State and its political subdivisions and their agents that employ one or more employees.

(3) "Employee" means any person employed by an employer.

(4) "Gene therapy" means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

(5) "Novel vaccine" means a vaccine which has obtained emergency use authorization, which has otherwise not been approved by the U.S. Food and Drug Administration, or which has been licensed for use for less than ten years; and

(6) "Vaccine" means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases.

(7) "Indemnified product" means any product including, but not limited to, a covered countermeasure, for which the manufacturers and distributors are shielded from direct civil or criminal liability to consumers for personal injuries and damages resulting from the use of the product as determined by state or federal law.

(B) Employers are prohibited from taking any adverse pre-employment or employment action including, but not limited to, discrimination, termination, suspension, involuntary reassignment, unpaid leave, demotion, harassment, coercion, or retaliation against an individual who declines to receive a novel vaccine, indemnified product, or gene therapy as defined in this section.

(C) If an employer violates the provisions of this section, an aggrieved employee shall have the right to apply for and receive unemployment benefits subject to the benefit amounts, duration, and requirements provided in Article 1, Chapter 35, Title 41, as well as back pay, front pay, lost wages, consequential damages, emotional damages, court and litigation costs, and attorney's fees.

(D) If an employer willfully or maliciously discriminates or commits a violation of this section, they shall also be liable to the employee or prospective employee for punitive damages in the treble amount of the actual damages awarded.

SECTION 4. Section 40-43-86(E) of the S.C. Code is amended to read:

(E)(1) A prescription drug order shall contain at a minimum, the:

(1)(a) full name and address of the patient;

(2)(b) name, address, telephone number, and degree classification of the prescriber; license number, and Drug Enforcement

Agency registration number of the prescribing practitioner where required by law;

~~(3)~~(c) date of issuance;

~~(4)~~(d) name, strength, dosage form, and quantity of drug prescribed;

~~(5)~~(e) directions for use;

~~(6)~~(f) number of refills authorized. No prescription marked "PRN" or any other unspecified number of refills may be refilled more than two years beyond the date it was originally written~~. Nothing in this subsection abridges the right of a pharmacist to refuse to fill or refill a prescription~~; ~~and~~

~~(7)~~(g) a written order signed by the prescriber, which shall bear the name of the patient; name, strength, and quantity of the drug or device prescribed; directions for use; date of issue; and, either rubber stamped, typed, printed by hand, or typeset, the name, address, telephone number, and degree classification of the prescriber; and, if a controlled substance is prescribed, the prescriber's federal registration number;

~~(8)~~(h) only one drug and set of instructions for each blank, if preprinted; and

~~(9)~~(i) a chart order is exempt from the requirements of this subsection.

(2) A pharmacist may refuse to fill or refill a prescription when:

(a) a contradiction is detected in the patient's records;

(b) patterns of narcotic abuse are observed in the patient's records;

(c) the order is not complete or unclear;

(d) the pharmacist objects to filling the prescription for religious, moral, or ethical reasons pursuant to the Medical Ethics and Diversity Act, Title 44, Chapter 139. Nothing in this subsection allows pharmacists to deny "right to try" prescriptions as defined in Section 44-137-10; or

(e) the prescription is for off label use of the prescribed drug, during a state of emergency declared by the Governor, and the patient is unable to pay for the prescription in cash. For the purposes of this subitem, "off label use" means the practice of prescribing a prescription drug for a different purpose than the federal Food and Drug Administration's approved purpose.

SECTION 5. Section 44-1-100 of the S.C. Code is amended to read:

Section 44-1-100. All sheriffs and constables in the several counties of this State and police officers and health officers of cities and towns ~~must~~ may aid and assist the Director of the Department of Public Health ~~and Environmental Control~~ and ~~must~~ may carry out and obey his orders,

or those of the Department of Public Health ~~and Environmental Control~~, to enforce and carry out any and all restrictive measures and quarantine regulations that may be prescribed~~. During~~ during a state of public health emergency, as defined in Section 44-4-130~~, the director may request assistance in enforcing orders issued pursuant to this chapter and pursuant to Chapter 4, Title 44, from the public safety authority, as defined in Section 44-4-130, other state law enforcement authorities, and local law enforcement. The public safety authority may request assistance from the South Carolina National Guard in enforcing orders made pursuant to this chapter or pursuant to Chapter 4, Title 44~~.

SECTION 6. Section 44-4-130 of the S.C. Code is amended to read:

Section 44-4-130. As used in the chapter:

(A) "Biological agent" means a microorganism, virus, infectious substance, naturally occurring or bioengineered product, or other biological material that could cause death, disease, or other harm to a human, an animal, a plant, or another living organism.

(B) "Bioterrorism" means the intentional use or threatened use of a biological agent to harm or endanger members of the public.

(C) "Chemical agent" means a poisonous chemical agent that has the capacity to cause death, disease, or other harm to a human, an animal, a plant, or another living organism.

(D) "Chemical terrorism" means the intentional use or threatened use of a chemical agent to harm or endanger members of the public.

(E) "Chain of custody" means the methodology of tracking specimens for the purpose of maintaining control and accountability from initial collection to final disposition of the specimens and providing for accountability at each stage of collecting, handling, testing, storing, and transporting the specimens and reporting test results.

(F) ~~"Commissioner"~~ "Director" means the ~~Commissioner~~ Director of the Department of Public Health ~~and Environmental Control~~.

(G) "Contagious disease" is an infectious disease that can be transmitted from person to person, animal to person, or insect to person.

(H) "Coroners, medical examiners, and funeral directors" have the same meanings as provided in Sections 17-5-5 and 40-19-10, respectively.

(I) ~~"DHEC"~~ "Department" means the Department of Public Health ~~and Environmental Control~~, or any person authorized to act on behalf of the Department of Public Health ~~and Environmental Control~~.

(J) "Facility" means any real property, building, structure, or other improvement to real property or any motor vehicle, rolling stock, aircraft, watercraft, or other means of transportation.

(L) "Gene therapy" means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

~~(K)~~(M) "Health care facility" means any nonfederal institution, building, or agency or portion thereof, whether public or private (for-profit or nonprofit) that is used, operated, or designed to provide health services, medical treatment, or nursing, rehabilitative, or preventive care to any person or persons. This includes, but is not limited to, ambulatory surgical facilities, health maintenance organizations, home health agencies, hospices, hospitals, infirmaries, intermediate care facilities, kidney treatment centers, long-term care facilities, medical assistance facilities, mental health centers, outpatient facilities, public health centers, rehabilitation facilities, residential treatment facilities, skilled nursing facilities, and adult daycare centers. The term also includes, but is not limited to, the following related property when used for or in connection with the foregoing: laboratories, research facilities, pharmacies, laundry facilities, health personnel training and lodging facilities, and patient, guest, and health personnel food service facilities, and offices and office buildings for persons engaged in health care professions or services.

~~(L)~~(N) "Health care provider" means any person or entity who provides health care services including, but not limited to, hospitals, medical clinics and offices, special care facilities, medical laboratories, physicians, pharmacists, dentists, physician assistants, nurse practitioners, registered and other nurses, paramedics, firefighters who provide emergency medical care, emergency medical or laboratory technicians, and ambulance and emergency medical workers. This includes out-of-state medical laboratories, provided that such laboratories have agreed to the reporting requirements of South Carolina. Results must be reported by the laboratory that performs the test, but an in-state laboratory that sends specimens to an out-of-state laboratory is also responsible for reporting results.

~~(M)~~(O) "Infectious disease" is a disease caused by a living organism or virus. An infectious disease may, or may not, be transmissible from person to person, animal to person, or insect to person.

~~(N)~~(P) "Isolation" and "quarantine" mean the compulsory physical separation (including the restriction of movement or confinement) of individuals and/or groups believed to have been exposed to or known to have been infected with a contagious disease from individuals who are believed not to have been exposed or infected, in order to prevent or limit

the transmission of the disease to others; if the context so requires, "quarantine" means compulsory physical separation, including restriction of movement, of populations or groups of healthy people who have been potentially exposed to a contagious disease, or to efforts to segregate these persons within specified geographic areas. "Isolation" means the separation and confinement of individuals known or suspected (via signs, symptoms, or laboratory criteria) to be infected with a contagious disease to prevent them from transmitting disease to others.

~~(O)~~(Q) "Protected health information" means any information, whether oral, written, electronic, visual, pictorial, physical, or any other form, that relates to an individual's past, present, or future physical or mental health status, condition, treatment, service, products purchased, or provision of care, and that reveals the identity of the individual whose health care is the subject of the information, or where there is a reasonable basis to believe such information could be utilized (either alone or with other information that is, or reasonably should be known to be, available to predictable recipients of such information) to reveal the identity of that individual.

~~(P)~~(R) "Public health emergency" means the occurrence or imminent risk of a qualifying health condition.

~~(Q)~~(S) "Public safety authority" means the Department of Public Safety, the State Law Enforcement Division, or designated persons authorized to act on behalf of the Department of Public Safety, the State Law Enforcement Division including, but not limited to, local governmental agencies that act principally to protect or preserve the public safety, or full-time commissioned law enforcement persons.

~~(R)~~(T) "Qualifying health condition" means:

(1) a natural disaster; or

~~(2)~~ an illness or health condition that may be caused by terrorism, epidemic or pandemic disease, widespread illness, or a novel infectious agent or biological or chemical agent and that poses a substantial risk of a significant number of human fatalities, ~~or serious economic impact to the agricultural sector, including food supply.~~ or incidents of permanent or long-term disability.

~~(S)~~(U) "Radioactive material" means a radioactive substance that has the capacity to cause bodily injury or death to a human, an animal, a plant, or another living organism.

~~(T)~~(V) "Radiological terrorism" means the intentional use or threatened use of a radioactive material to harm or endanger members of the public.

~~(U)~~(W) "Specimens" include, but are not limited to, blood, sputum, urine, stool, other bodily fluids, wastes, tissues, and cultures necessary to perform required tests, and environmental samples or other samples needed to diagnose potential chemical, biological, or radiological contamination.

~~(V)~~(X) "Tests" include, but are not limited to, any diagnostic or investigative analyses necessary to prevent the spread of disease or protect the public's health, safety, and welfare.

~~(W)~~(Y) "Trial court" is the circuit court for the county in which the isolation or quarantine is to occur or to the circuit court for the county in which a public health emergency has been declared. If that court is unable to function because of the isolation, quarantine, or public health emergency, the trial court is a circuit court designated by the Chief Justice upon petition and proper showing by the Department of Public Health ~~and Environmental Control~~.

(Z) "Vaccine" means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases.

SECTION 7. Section 44-4-510 of the S.C. Code is amended to read:

Section 44-4-510. (A)(1) During a state of public health emergency, ~~DHEC~~ the department may perform voluntary physical examinations or tests as necessary for the diagnosis or treatment of individuals.

(2) ~~DHEC~~ The department may isolate or quarantine, pursuant to the sections of this act and its existing powers under Section 44-1-140, any symptomatic person or person who has been exposed to the contagious disease for which the public health emergency has been declared whose refusal of physical examination or testing results in uncertainty regarding whether he or she ~~has been exposed to or~~ is infected with ~~a~~ the contagious disease ~~or possibly contagious disease or otherwise poses a danger to public health~~.

(B)(1) Physical examinations or tests may be performed by any qualified person authorized to do so by ~~DHEC~~the department.

(2) Physical examinations or tests must not be reasonably likely to result in serious harm to the affected individual.

SECTION 8. Section 44-4-520 of the S.C. Code is amended to read:

Section 44-4-520. (A) During a state of public health emergency, ~~DHEC~~ the department may exercise the following emergency powers, in addition to its existing powers, over persons as necessary to address the public health emergency:

(1) to vaccinate persons as protection against infectious disease and to prevent the spread of contagious ~~or possibly contagious~~ disease;

(2) to treat persons exposed to or infected with disease; and

(3) to ~~prevent the spread of contagious or possibly contagious disease, DHEC may~~ isolate or quarantine, pursuant to the applicable sections of this act, symptomatic persons or persons exposed to the disease who are unable or unwilling for any reason ~~(~~including, but not limited to, health, religion, or conscience~~)~~ to undergo vaccination or treatment pursuant to this section.

(B) Vaccinations or treatment, or both, must be provided only to those individuals who ~~agree~~ provide informed consent to the vaccinations or treatment, or both.

(C)(1) ~~Vaccination~~ Vaccinations ~~-~~may be performed by any qualified person authorized by ~~DHEC~~ the department.

(2) To be administered pursuant to this section, a vaccine must not be such as is reasonably likely to lead to serious harm to the affected individual.

(D)(1) Treatment must be administered by any qualified person authorized to do so by ~~DHEC.~~ the department.

(2) Treatment must not be such as is reasonably likely to lead to serious harm to the affected individual.

(E) For purposes of this section, "informed consent" means a written document that is signed and dated by an individual; or if the individual is a minor, by a parent or legal guardian; or if the individual is incapacitated or without sufficient mental capacity, by a designated health care agent pursuant to a health care power of attorney, that at a minimum includes:

(1) an explanation of the vaccine or treatment that is written in language that understandable to the average lay person;

(2) a description of the potential risks and benefits resulting from vaccine or treatment, along with a realistic description of the most likely outcome;

(3) a statement acknowledging risks associated with the vaccine or treatment if the vaccine or treatment is an indemnified product as defined in Section 44-1-55(A)(7); and

(4) language that clearly indicates that the individual agrees to the administration of the vaccine or treatment, that the individual has had time to thoughtfully and voluntarily accept or decline the vaccine or treatment free from coercion.

(F) The safety and efficacy of vaccines, tests, and treatments performed and administered as provided in this section must be reviewed

and adverse events monitored by the department. References to evidence-based data determined to validate vaccines, tests, and treatments including, but not limited to VAERS data, must be prominently posted on the department's public website.

SECTION 9. Section 44-4-530 of the S.C. Code is amended to read:

Section 44-4-530. (A) During a public health emergency, ~~DHEC~~ the department may isolate or quarantine an individual or groups of individuals who have been diagnosed with or exposed to the contagious disease for which the public health emergency was declared. ~~This includes individuals or groups who have not been vaccinated, treated, tested, or examined pursuant to Sections 44-4-510 and 44-4-520. DHEC~~ The department may also establish and maintain places of isolation and quarantine, ~~and~~ set rules, and make orders.

(B) ~~DHEC~~ The department must adhere to the following conditions and principles when isolating or quarantining individuals or groups of individuals:

(1) isolation and quarantine must be by the least restrictive means necessary to prevent the ~~spread~~ transmission of ~~a~~ the contagious or ~~possibly contagious~~ disease ~~to others~~ and may include, but are not limited to, confinement to private homes or other private and public premises;

(2) individuals isolated because of objective evidence of infection or contagious disease must be confined separately from quarantined asymptomatic individuals;

(3) the health status of isolated and quarantined individuals must be monitored regularly to determine if they require isolation or quarantine;

(4) an asymptomatic quarantined individual must be confined for no more than twenty-one days;

~~(4)~~(5) if a quarantined individual becomes infected or is reasonably believed to be infected with ~~a~~ the contagious ~~or possibly contagious~~ disease, he or she must be promptly removed to isolation;

~~(5)~~(6) isolated and quarantined individuals must be immediately released when they no longer pose a substantial risk of transmitting a contagious ~~or possibly contagious~~ disease to others;

~~(6)~~(7) the needs of persons isolated and quarantined must be addressed in a systematic and competent fashion including, but not limited to, providing adequate food, clothing, shelter, means of communication with those in isolation or quarantine and outside these settings, medication, and competent medical care;

~~(7)~~(8) premises used for isolation and quarantine must be maintained in a safe and hygienic manner and be designed to minimize

the likelihood of further transmission of infection or other harms to persons isolated or quarantined~~; and~~

~~(8)~~(9) to the extent possible, cultural and religious beliefs must be considered in addressing the needs of the individuals and establishing and maintaining isolation and quarantine premises~~.~~ ; and

(10) individuals who have recovered from the contagious disease must not be separated from quarantined or isolated family members.

(C) A person subject to isolation or quarantine must comply with ~~DHEC's~~ the department's rules and orders, and must not go beyond the isolation or quarantine premises. Failure to comply with these rules and orders constitutes a ~~felony~~misdemeanor and, upon conviction, a person must be fined not more than ~~one thousand~~ two hundred dollars or imprisoned not more than thirty days~~, or both~~.

(D)(1) ~~DHEC~~ The department may authorize physicians, health care workers, or others access to individuals in isolation or quarantine as necessary to meet the needs of isolated or quarantined individuals.

~~(2) No person, other than a person authorized by DHEC, shall enter isolation or quarantine premises. Failure to comply with this provision constitutes a felony and, upon conviction, a person must be fined not more than one thousand dollars or imprisoned not more than thirty days, or both.~~

~~(3)~~(2) A person entering an isolation or quarantine premises with or without authorization ~~of DHEC~~from the department may be isolated or quarantined as provided for in this chapter.

~~(4)~~(3) The public safety authority and other law enforcement officers may arrest, isolate, or quarantine an individual who is acting in violation of an isolation or quarantine order after the order is given to the individual pursuant to Section 44-4-540(B)(3)~~ or after the individual is provided notice of the order. In a case where an individual is not the subject of an isolation or quarantine order under Section 44-4-540, law enforcement officers may provide written or verbal notice of the order~~. Law enforcement officers may arrest, isolate, or quarantine an individual who is acting in violation of isolation or quarantine ~~rules~~ orders after the ~~rules~~ orders are established and the individual is given written ~~or verbal~~ notice of the ~~rules~~ orders. An arrest warrant or ~~an additional~~ isolation or quarantine order is not required for arrest, isolation, or quarantine under Section 44-4-530(D)~~(4)~~(3).

(E) An employer may not fire, demote, or otherwise discriminate against an employee complying with an isolation or quarantine order issued pursuant to Section 44-1-80, 44-1-110, 44-1-140, 44-4-520, 44-4-530, or 44-4-540; however, nothing in this section prohibits an

employer from requiring an employee to use annual or sick leave to comply with such an order.

SECTION 10. Section 44-4-540 of the S.C. Code is amended to read:

Section 44-4-540. (A) During a public health emergency, the isolation and quarantine of an individual or groups of individuals must be undertaken in accordance with the procedures provided in this section.

(B)(1) The ~~DHEC~~ Department of Public Health may temporarily isolate or quarantine an individual or groups of individuals through an emergency order signed by the commissioner or his designee, if delay in imposing the isolation or quarantine would significantly jeopardize ~~DHEC's~~ the department's ability to prevent or limit the transmission of a contagious or possibly contagious disease to others.

(2) The emergency order must specify the following: (i) the identity of the individual or groups of individuals subject to isolation or quarantine; (ii) the premises subject to isolation or quarantine; (iii) the date and time at which isolation or quarantine commences; (iv) the suspected contagious disease, if known; and (v) a copy of Article V of this act and relevant definitions of this act.

(3) A copy of the emergency order must be given to the individual(s) or groups of individuals to be isolated or quarantined, or if impractical to be given to a group of individuals, it may be posted in a conspicuous place in the isolation or quarantine premises.

(4) Within five days after issuing the emergency order, ~~DHEC~~ the department must file a petition pursuant to subsection (C) of this section for a court order authorizing the continued isolation or quarantine of the isolated or quarantined individual or groups of individuals.

(C)(1) ~~DHEC~~ The department may make a written petition to the trial court for an order authorizing the isolation or quarantine of an individual or groups of individuals.

(2) A petition under subsection (C)(1) must specify the following: (i) the identity of the individual or groups of individuals subject to isolation or quarantine; (ii) the premises subject to isolation or quarantine; (iii) the date and time at which isolation or quarantine commences; (iv) the suspected contagious disease~~, if known~~; and (v) a statement of compliance with the conditions and principles for isolation or quarantine of Section 44-4-530(B); and (vi) a statement of the basis upon which isolation or quarantine is justified in compliance with this article. The petition must be accompanied by a sworn affidavit from ~~DHEC~~ the department attesting to the facts asserted in the petition, together with any further information that may be relevant and material to the court's consideration.

(3) Notice to individuals or groups of individuals identified in the petition must be accomplished within twenty-four hours in accordance with the South Carolina Rules of Civil Procedure. If notice by mail or fax is not possible, notice must be made by personal service.

(4) A hearing must be held on any petition filed pursuant to this subsection within five days of filing of the petition. ~~In extraordinary circumstances and for good cause shown, DHEC may apply to continue the hearing date on a petition filed pursuant to this section for up to ten days, which continuance the court may grant in its discretion giving due regard to the rights of the affected individuals, the protection of the public's health, the severity of the emergency, and the availability of necessary witnesses and evidence.~~

(5)(a) The court must grant the petition if, by a preponderance of the evidence, isolation or quarantine is shown to be reasonably necessary to prevent or limit the transmission of a contagious ~~or possibly contagious~~ disease.

(b) An order authorizing isolation or quarantine may do so for a period not to exceed ~~30~~ the maximum number of days allowed pursuant to Section 44-4-530.

(c) The order must: (i) identify the isolated or quarantined individuals or groups of individuals by name or shared or similar characteristics or circumstances; (ii) specify factual findings warranting isolation or quarantine pursuant to this act; (iii) include any conditions necessary to ensure that isolation or quarantine is carried out within the stated purposes and restrictions of this act; and (iv) served on affected individuals or groups of individuals in accordance with the South Carolina Rules of Civil Procedure. If notice by mail or fax is not possible, notice must be made by personal service.

(d) Prior to the expiration of an order issued pursuant to this item, ~~DHEC~~ the department may move to continue the isolation or quarantine for additional periods not to exceed thirty days each. The court must consider the motion in accordance with standards set forth in this item.

(D)(1) An individual or group of individuals isolated or quarantined pursuant to this act may apply to the trial court for an order to show cause why the individual or group of individuals should not be released. The court must rule on the application to show cause within forty-eight hours of its filing. If the court grants the application, the court must schedule a hearing on the order to show cause within twenty-four hours from issuance of the order to show cause. The issuance of the order to show cause does not stay or enjoin the isolation or quarantine order.

(2)(a) An individual or group of individuals isolated or quarantined pursuant to this act may request a hearing in the trial court for remedies regarding breaches to the conditions of isolation or quarantine. A request for a hearing does not stay or enjoin the isolation or quarantine order.

(b) Upon receipt of a request under this subsection alleging extraordinary circumstances justifying the immediate granting of relief, the court must fix a date for hearing on the matters alleged not more than twenty-four hours from receipt of the request.

(c) Otherwise, upon receipt of a request under this subsection, the court must fix a date for hearing on the matters alleged within five days from receipt of the request.

(3) In any proceedings brought for relief under this subsection, in extraordinary circumstances and for good cause shown, ~~DHEC~~ the department may move the court to extend the time for a hearing up to forty-eight hours, which extension the court in its discretion may grant giving due regard to the rights of the affected individuals, the protection of the public's health, the severity of the emergency, and the availability of the necessary witnesses and evidence.

(E) A record of the proceedings pursuant to this section must be made and retained. In the event that, given a state of public health emergency, parties cannot personally appear before the court, proceedings may be conducted by their authorized representatives and be held via any means that allow all parties to fully participate.

(F) The court must appoint counsel to represent individuals or groups of individuals who are or who are about to be isolated or quarantined pursuant to the provisions of this act and who are not otherwise represented by counsel. Payment for these appointments must be made in accordance with other appointments for legal representation in actions arising outside of matters in this act, and is not the responsibility of any one state agency. Appointments last throughout the duration of the isolation or quarantine of the individual or groups of individuals. ~~DHEC~~ The department must provide adequate means of communication between such individuals or groups of individuals and their counsel. Where necessary, additional counsel for ~~DHEC~~ the department from other state agencies or from private attorneys appointed to represent state agencies, must be appointed to provide adequate representation for the agency and to allow timely hearings of the petitions and motions specified in this section.

~~(G) In any proceedings brought pursuant to this section, to promote the fair and efficient operation of justice and having given due regard to the rights of the affected individuals, the protection of the public's health,~~

~~the severity of the emergency, and the availability of necessary witnesses and evidence, the court may order the consolidation of individual claims into groups of claims where:~~

~~(1) the number of individuals involved or to be affected is so large as to render individual participation impractical;~~

~~(2) there are questions of law or fact common to the individual claims or rights to be determined;~~

~~(3) the group claims or rights to be determined are typical of the affected individuals' claims or rights; and~~

~~(4) the entire group will be adequately represented in the consolidation.~~

(G) Notwithstanding the provisions of subsection (A), prior to the Governor declaring a public health emergency, as defined in Section 44-4-130, the isolation and quarantine of an individual or groups of individuals pursuant to Section 44-1-80, 44-1-110, 44-1-140, 44-4-520, 44-4-530, or 44-4-540 must be undertaken in accordance with the procedures provided in this section.

SECTION 11. Section 44-4-570 of the S.C. Code is amended to read:

Section 44-4-570. (A) ~~DHEC~~The department, in coordination with the appropriate licensing authority and the Department of Labor, Licensing and Regulation, may exercise, for such period as the state of public health emergency exists, in addition to existing emergency powers, the following emergency powers regarding licensing of health personnel:

~~(1) to require in-state health care providers to assist in the performance of vaccination, treatment, examination, or testing of any individual as a condition of licensure, authorization, or the ability to continue to function as a health care provider in this State;~~

~~(2)~~(1) to accept the volunteer services of in-state and out-of-state health care providers consistent with Title 8, Chapter 25, to appoint such in-state and out-of-state health care providers as emergency support function volunteers, and to prescribe the duties as may be reasonable and necessary for emergency response; and

~~(3)~~(2) to authorize the medical examiner or coroner to appoint and prescribe the duties of such emergency assistant medical examiners or coroners as may be required for the proper performance of the duties of the office.

(B)(1) The appointment of in-state and out-of-state health care providers pursuant to this section may be for a limited or unlimited time but must not exceed the termination of the state of public health emergency. ~~DHEC~~ The department may terminate the in-state and

out-of-state appointments at any time or for any reason provided that any termination will not jeopardize the health, safety, and welfare of the people of this State.

(2) The appropriate licensing authority may waive any or all licensing requirements, permits, or fees required by law and applicable orders, rules, or regulations for health care providers from other jurisdictions to practice in this State.

(C)(1) Any health care provider appointed by the department pursuant to this section must not be held liable for any civil damages as a result of medical care or treatment including, but not limited to, trauma care and triage assessment, related to the appointment of the health care provider and the prescribed duties unless the damages result from providing, or failing to provide, medical care or treatment under circumstances demonstrating a reckless disregard for the consequences so as to affect the life or health of the patient.

(2) This subsection applies if the health care provider does not receive payment from the State other than as allowed in Section 8-25-40 for the appointed services and prescribed duties. However, if the health care provider is an employee of the State, the health care provider may continue to receive compensation from the health care provider's employer. This subsection applies whether the health care provider was paid, should have been paid, or expected to be paid for the services at the time of rendering the services from sources including, but not limited to, Medicaid, Medicare, reimbursement under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 512, et seq., or private health insurance.

(D)(1) The appointment of emergency assistant medical examiners or coroners pursuant to this section may be for a limited or unlimited time, but must not exceed the termination of the state of public health emergency. The medical examiner or coroner may terminate the emergency appointments at any time or for any reason, if the termination will not impede the performance of the duties of the office.

(2) The medical examiner or coroner may waive any or all licensing requirements, permits, or fees required by law and applicable orders, rules, or regulations for the performance of these duties.

(3) Any emergency assistant medical examiner or coroner appointed pursuant to this section is immune from civil liability for damages resulting from services relating to and performed during the period of appointment unless the damages result from providing, or failing to provide, services under circumstances demonstrating a reckless disregard for the consequences.

SECTION 12. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 13. This act takes effect July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

Debate was interrupted by adjournment and pursuant to Rule 32B the Bill was returned to the Contested Statewide Calendar.

LOCAL APPOINTMENT
Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, York County Magistrate, with the term to commence April 30, 2024, and to expire April 30, 2028

Telisha Hoffman, 48 Catawba Ridge Road, Lake Wylie, SC 29710-8915

Motion Adopted

On motion of Senator HEMBREE, the Senate agreed to stand adjourned.

ADJOURNMENT

At 6:27 P.M., on motion of Senator HEMBREE, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, April 18, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Matthew 9:16-17a

Jesus declared: " 'No one sews a patch of unshrunk cloth on an old garment, for the patch will pull away from the garment, making the tear worse. Neither do men pour new wine into old wineskins.' "

Bow with me as we pray: O glorious Lord, it is commonplace knowledge that old truths rarely lose their power to teach us. Wisdom from past ages is often ignored at our own peril. Yet even with those reminders, we all realize, God, that many solutions and even some goals for the world of 2024 need to be custom-made for this time and place we are living in. To that end, Lord, we ask that You grant to each Senator and aide the knowledge that is needed for today. May their vision for South Carolina's future be rich in promise and meaning, resulting in a truly better life for all of our people. And in this unsettled world, may leaders even beyond our own borders also use their knowledge to bring about peace and stability. Moreover, Lord, we will hold in our hearts and our prayers Senator Shane Massey and his family during this challenging time for his father and family. In Your loving name we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree

Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Loftis	Martin
Matthews	McLeod	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

Doctor of the Day

Senator ALEXANDER introduced Dr. Ed Evans of Oconee, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator HUTTO, at 12:51 P.M., Senators JACKSON and HARPOOTLIAN were granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator HEMBREE, at 12:51 P.M., Senators MASSEY and GUSTAFSON were granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CORBIN, at 12:51 P.M., Senator TALLEY was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator K. JOHNSON, at 12:51 P.M., Senator SABB was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator FANNING, at 12:51 P.M., Senator KIMBRELL was granted a leave of absence for the balance of the day.

RECALLED

S. 1232 -- Senator Fanning: A CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF FAIRFIELD STREET IN THE TOWN OF

WINNSBORO IN FAIRFIELD COUNTY FROM ITS INTERSECTION WITH TRUMAN STREET TO THE ADULT CENTER FOR EDUCATION "T.E. GREENE STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1233 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 215 IN FAIRFIELD COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 34 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 213 "ELDER RICHARD BROWN MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1234 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF UNITED STATES HIGHWAY 21 SOUTH IN FAIRFIELD COUNTY FROM THE INTERSECTION OF WEST CHURCH STREET AND LONGTOWN ROAD TO THE RICHLAND COUNTY LINE "DONALD PRIOLEAU SR. ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS STRETCH OF ROAD CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1267 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY 17 FROM 8TH AVENUE NORTH TO STARWATCH DRIVE IN HORRY COUNTY "GEORGE RAYFORD VEREEN HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5088 -- Reps. Alexander, Jordan, Kirby, Lowe and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF STATE ROAD 868 (MARION STREET) FROM THE INTERSECTION OF UNITED STATES HIGHWAY 52 (COIT STREET) TO THE INTERSECTION OF STATE HIGHWAY 174 (HARRELL STREET) IN FLORENCE COUNTY "DR. VASHTI SMITH AND MARY T. WILSON WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5089 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SUMTER STREET IN THE CITY OF FLORENCE IN FLORENCE COUNTY FROM ITS INTERSECTION WITH

ALEXANDER STREET TO ITS INTERSECTION WITH MCQUEEN STREET "SENATOR MAGGIE GLOVER WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1274 -- Senator Devine: A SENATE RESOLUTION TO CONGRATULATE COLUMBIA HOUSING AUTHORITY UPON THE OCCASION OF ITS NINETIETH ANNIVERSARY AND TO COMMEND COLUMBIA HOUSING AUTHORITY FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE COLUMBIA COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0693km-hw24.docx

The Senate Resolution was adopted.

S. 1275 -- Senators Rankin, Sabb, Talley and Alexander: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, JUNE 5, 2024, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 3, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JULY 31, 2028.

sj-0006ec-ec24.docx

The Concurrent Resolution was introduced and referred to the Committee on Operations and Management.

S. 1276 -- Senators McElveen, Shealy and Young: A JOINT RESOLUTION TO SUSPEND THE PROVISIONS OF ACT 58 OF 2023, RELATING TO THE BOARD OF TRUSTEES FOR THE

VETERANS' TRUST FUND OF SOUTH CAROLINA, UNTIL JUNE 1, 2026.

sr-0141jg24.docx

Read the first time and referred to the Committee on Family and Veterans' Services.

REPORTS OF STANDING COMMITTEES

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

S. 1114 -- Senators Bennett, Hutto, Shealy, Cromer, Kimbrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 1 OF CHAPTER 23, TITLE 50, SECTION 50-23-345, AND SECTION 50-23-375, ALL RELATING TO THE TITLING OF WATERCRAFT AND OUTBOARD MOTORS, SO AS TO DELETE THE REQUIREMENT THAT OUTBOARD MOTORS BE TITLED; BY AMENDING SECTION 12-37-3210, RELATING TO TAX NOTICES FOR BOATS, BOAT MOTORS, AND WATERCRAFT, SO AS TO ALLOW THE AUDITOR TO CONSOLIDATE THE TAX NOTICE; BY AMENDING SECTION 12-37-890, RELATING TO A PLACE WHERE PROPERTY SHALL BE RETURNED FOR TAXATION, SO AS TO PROVIDE THAT BOATS, BOAT MOTORS, AND WATERCRAFT MUST BE RETURNED TO THE COUNTY IN WHICH THE BOAT, BOAT MOTOR, OR WATERCRAFT IS PRINCIPALLY LOCATED FOR TAXATION; BY AMENDING SECTION 12-37-3220, RELATING TO PROPERTY TAX RETURNS FOR BOATS, BOAT MOTORS, AND WATERCRAFT, SO AS TO PROVIDE THAT SUCH PROPERTY TAX RETURNS MUST BE SUBMITTED TO THE COUNTY IN WHICH THE BOAT, BOAT MOTOR, OR WATERCRAFT IS PRINCIPALLY LOCATED IF THAT IS DIFFERENT THAN THE OWNER’S COUNTY OF RESIDENCE; BY AMENDING SECTION 50-23-340, RELATING TO APPLICATION FOR AND ISSUANCE OF NUMBER AND CERTIFICATE FEES, SO AS TO PROVIDE THAT APPLICATIONS FOR MOTORBOAT NUMBERS MUST INCLUDE A DECLARATION OF THE COUNTY IN WHICH THE MOTORBOAT IS PRINCIPALLY LOCATED; AND BY AMENDING SECTION 50-23-370, RELATING TO EXPIRATION AND RENEWAL, SO AS TO PROVIDE THAT CERTIFICATE RENEWAL NOTICES MUST BE SENT TO

OWNERS OF WATERCRAFT PRINCIPALLY LOCATED IN THE COUNTY.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

H. 3877 -- Reps. West, J. Moore, M.M. Smith, Atkinson, B.J. Cox, Gagnon, Hayes, Caskey and Chapman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-1250, RELATING TO SUPERVISION OF ANESTHESIOLOGISTS' ASSISTANTS, SO AS TO INCREASE THE NUMBER OF ANESTHESIOLOGISTS' ASSISTANTS THAT AN ANESTHESIOLOGIST MAY SUPERVISE; AND BY AMENDING SECTION 40-47-1240, RELATING TO LICENSURE OF ANESTHESIOLOGIST'S ASSISTANTS, SO AS TO REMOVE THE REQUIREMENT THAT LICENSURE APPLICANTS MUST APPEAR BEFORE A MEMBER OF THE BOARD OF MEDICAL EXAMINERS AND PRESENT EVIDENCE OF CERTAIN RELEVANT ACADEMIC CREDENTIALS AND KNOWLEDGE.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

H. 4087 -- Reps. G.M. Smith, West, Kirby, Ballentine, Robbins, Hewitt, M.M. Smith, Davis, Hiott, Long, Hager, Ott, Weeks, Dillard, W. Jones, Brewer, Hartnett and Murphy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3410, RELATING TO CORPORATE INCOME TAX CREDIT FOR CORPORATE HEADQUARTERS, SO AS TO PROVIDE CHANGES TO STAFFING REQUIREMENTS AND CERTAIN TIMING; BY AMENDING SECTION 12-6-3460, RELATING TO THE RECYCLING FACILITY TAX CREDIT DEFINITIONS, SO AS TO LOWER THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED RECYCLING FACILITY AND TO INCLUDE CERTAIN PRODUCTS TO THE DEFINITION OF "POSTCONSUMER WASTE MATERIAL"; BY AMENDING SECTIONS 12-10-20; 12-10-30, 12-10-40, 12-10-45, 12-10-50, 12-10-60, AND 12-10-80, ALL RELATING TO THE ENTERPRISE ZONE ACT OF 1995, SO AS TO ALLOW REMOTE EMPLOYEES WORKING IN SOUTH CAROLINA TO BE INCLUDED IN CERTAIN JOB CREATION REQUIREMENTS AND TO CREATE A

NEW PROVISION TO INCENTIVIZE CERTAIN COMPANIES; AND BY AMENDING SECTION 12-10-95, RELATING TO THE ENTERPRISE ZONE ACT CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO PROVIDE WHO IS ELIGIBLE FOR THE CREDIT AND THE AMOUNT OF THE CREDIT ALLOWED.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 4113 -- Reps. Herbkersman, Sandifer, Jefferson, M.M. Smith, Kirby and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 6 OF TITLE 44 SO AS TO CREATE AN AMBULANCE ASSESSMENT FEE FOR PRIVATE AMBULANCE SERVICES; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH AND CHARGE AMBULANCE SERVICES A UNIFORM FEE; TO ESTABLISH AN AMBULANCE FEE TRUST FUND AND TO PROVIDE FOR THE AUTHORIZED USES OF THE FUND; TO ALLOW THE DEPARTMENT TO IMPOSE PENALTIES AGAINST AMBULANCE SERVICES THAT FAIL TO PAY ASSESSED FEES; AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 4333 -- Reps. M.M. Smith, King, Davis, Pace, B.L. Cox, McDaniel, Henderson-Myers and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-37-320, RELATING TO SITE AND SERVICE LIMITATIONS ON MOBILE OPTOMETRY UNITS AND CERTAIN ASSOCIATED DISCIPLINARY ACTION LIMITATIONS, SO AS TO INCLUDE CERTAIN SITES OF ORGANIZATIONS THAT SERVE CHILDREN FROM LOW-INCOME COMMUNITIES DURING THE SUMMER.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

H. 4594 -- Reps. Ballentine, Pope, Clyburn, West, Elliott and T. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO

STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2023 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina State Board of Nursing, with the term to commence June 30, 2020, and to expire June 30, 2024

7th Congressional District, Registered Nurse:

Leslie M. Lyerly, 636 Marsh Pond Road, Johnsonville, SC 29555-6617 *VICE* Jonela D. Davis

Received as information.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence March 30, 2023, and to expire March 30, 2025

Hospital Employee:

Maureen Finger, 1325 Sewanee Avenue, Florence, SC 29501 *VICE* Lynette Y. Leland-Reed

Received as information.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2023, and to expire December 31, 2027

At-Large, Licensed Practical Nurse:

Frances C. Pagett, 6143 Marthas Glen Road, Columbia, SC 29209-1312 *VICE* Jan R. Burdette

Received as information.

HOUSE CONCURRENCE

S. 1273 -- Senator Jackson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ROBIN WAITES, EXECUTIVE DIRECTOR OF HISTORIC COLUMBIA, UPON THE OCCASION OF HER RETIREMENT AFTER A DISTINGUISHED CAREER OF

MORE THAN TWENTY-FIVE YEARS IN THE FIELD OF MUSEUMS AND HISTORIC PRESERVATION AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

ACTING PRESIDENT PRESIDES

Senator RANKIN assumed the Chair.

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 5100 THE GENERAL APPROPRIATIONS BILL.

CARRIED OVER

H. 5100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator PEELER spoke on the report.

Report of the Subcommittee on K-12 Education

Senator BENNETT, Chairman of the Subcommittee on K-12 Education, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on Criminal Justice

Senator MARTIN, Chairman of the Subcommittee on Criminal Justice, was recognized to report to the Senate regarding the work of the subcommittee.

ACTING PRESIDENT PRESIDES

Senator RANKIN assumed the Chair.

Report of the Subcommittee on Higher Education

Senator CROMER, Chairman of the Subcommittee on Higher Education, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on Health and Human Services

Senator ALEXANDER, Chairman of the Subcommittee on Health and Human Services, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on Natural Resources and Economic Development

Senator SETZLER, Chairman of the Subcommittee on Natural Resources and Economic Development, was recognized to report to the Senate regarding the work of the subcommittee.

PRESIDENT PRESIDES

At 12:32 P.M., the PRESIDENT assumed the Chair.

Report of the Subcommittee on Constitutional Budget

Senator GROOMS, Chairman of the Subcommittee on Constitutional Budget, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on Transportation and Regulatory Laws

Senator JACKSON, Chairman of the Subcommittee on Transportation and Regulatory Laws, was recognized to report to the Senate regarding the work of the subcommittee.

Senator PEELER spoke on the Bill.

On motion of Senator PEELER, the Bill was carried over.

CARRIED OVER

H. 5101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2023-2024, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED

FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

On motion of Senator PEELER, the Resolution was carried over.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

OBJECTION

S. 154 -- Senators Young, Senn and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STREET GANG AND CRIMINAL ENTERPRISE PREVENTION AND ANTI-RACKETEERING ACT"; BY AMENDING ARTICLE 3 OF CHAPTER 8, TITLE 16, RELATING TO THE CRIMINAL GANG PREVENTION ACT, SO AS TO RETITLE THE ARTICLE, REVISE THE DEFINITIONS FOR PURPOSES OF THE ARTICLE, AND RESTRUCTURE THE ARTICLE AND THE OFFENSES AND PENALTIES CONTAINED WITHIN IT; AND BY ADDING ARTICLE 5 TO CHAPTER 8, TITLE 16 SO AS TO CREATE ANTI-RACKETEERING PROVISIONS TO COMPLIMENT THE REVISED STREET GANG AND CRIMINAL ENTERPRISE PREVENTION ARTICLE, DEFINE NECESSARY TERMS, AND CREATE VARIOUS RACKETEERING OFFENSES AND ESTABLISH PENALTIES FOR VIOLATIONS.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

S. 266 -- Senators Hutto, Jackson, Shealy, Devine, McLeod, Allen and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-820, RELATING TO OUT-OF-HOME PLACEMENT, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; BY AMENDING SECTION 63-19-1020, RELATING TO INSTITUTING PROCEEDINGS, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; BY AMENDING SECTION 63-19-1440, RELATING TO COMMITMENT, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO

CHANGE THE REQUIREMENTS FOR COURT ORDERS; BY AMENDING SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

Senator MALLOY objected to consideration of the Bill.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 1166 -- Senators Tedder, Stephens and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE S.C. CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments:

H. 4042 -- Reps. Bernstein, Gilliard, Wheeler, Wetmore, King, Howard, Henegan, Stavrinakis, Bauer, Rutherford, W. Newton, Jordan, Pope, Bannister, J.E. Johnson, Brittain, Elliott and Jefferson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-1710 SO AS TO PROVIDE A FRAMEWORK IN WHICH ANTISEMITISM IS CONSIDERED REGARDING ALL LAWS PROHIBITING DISCRIMINATORY ACTS.

H. 4871 -- Reps. Haddon, Ligon and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 47-9-420 SO AS TO PROHIBIT THE INTERFERENCE OR INTERACTION WITH FARM ANIMALS BEING TRANSPORTED BY A MOTOR VEHICLE WITHOUT PERMISSION.

OBJECTION

H. 3880 -- Reps. M.M. Smith, Herbkersman, Davis, Elliott, B.J. Cox, B.L. Cox and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-2420, RELATING TO THE ADMISSIONS TAX, SO AS TO PROVIDE THAT NO TAX MAY BE CHARGED OR COLLECTED ON ANNUAL OR MONTHLY DUES PAID TO A GOLF CLUB.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

Senator MATTHEWS objected to further consideration of the Bill.

OBJECTION

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE’S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE EFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS

CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80

RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

Senator MALLOY objected to consideration of the Bill.

CARRIED OVER

H. 4029 -- Reps. Dillard, Hyde, Bailey, Brittain, Weeks and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.

On motion of Senator CORBIN, the Bill was carried over.

CARRIED OVER

S. 1221 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO RECORDKEEPING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5258, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator DAVIS, the Resolution was carried over.

CARRIED OVER

S. 1222 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE LICENSING BOARD FOR CONTRACTORS, RELATING TO STATE LICENSING BOARD FOR CONTRACTORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5244, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator DAVIS, the Resolution was carried over.

CARRIED OVER

S. 1223 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA ENVIRONMENTAL CERTIFICATION BOARD, RELATING TO ENVIRONMENTAL CERTIFICATION BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER

5245, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator DAVIS, the Resolution was carried over.

CARRIED OVER

S. 1224 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, RELATING TO PROFESSIONAL LAND SURVEYOR LICENSURE REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5246, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator DAVIS, the Resolution was carried over.

CARRIED OVER

S. 1225 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULE FOR THE BUILDING CODES COUNCIL, DESIGNATED AS REGULATION DOCUMENT NUMBER 5243, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator DAVIS, the Resolution was carried over.

CARRIED OVER

S. 1226 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA REAL ESTATE COMMISSION, RELATING TO SOUTH CAROLINA REAL ESTATE COMMISSION (RESIDENTIAL PROPERTY CONDITION DISCLOSURE STATEMENT FORM), DESIGNATED AS REGULATION DOCUMENT NUMBER 5238, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator DAVIS, the Resolution was carried over.

CARRIED OVER

S. 1227 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO COMPENSATION FOR THE OCCUPATIONAL HEALTH AND SAFETY REVIEW BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5236, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator DAVIS, the Resolution was carried over.

CARRIED OVER

S. 1228 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO TRANSPORTATION OF RADIOACTIVE WASTE INTO OR WITHIN SOUTH CAROLINA, DESIGNATED AS REGULATION DOCUMENT NUMBER 5226, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator DAVIS, the Resolution was carried over.

CARRIED OVER

S. 1158 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-500, RELATING TO THE UNLAWFUL POSSESSION OF A FIREARM BY A PERSON CONVICTED OF A VIOLENT OFFENSE, SO AS TO PROVIDE THAT THE VIOLATIONS SUBSEQUENT TO THE FIRST VIOLATION MUST OCCUR WITHIN TWENTY YEARS OF THE FIRST OFFENSE TO QUALIFY FOR GRADUATED PENALTIES; BY AMENDING SECTION 16-23-420, RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT EXPRESS AUTHORIZATION TO CARRY THE FIREARM ON SCHOOL PROPERTY MAY NOT BE PROVIDED TO A STUDENT ENROLLED IN A PUBLIC SCHOOL; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING A WEAPON ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT STUDENTS ENROLLED IN A PUBLIC SCHOOL MAY NOT POSSESS WEAPONS EVEN IF THEY ARE SECURED WITHIN A VEHICLE; BY AMENDING SECTION 23-31-245, RELATING TO

REASONABLE SUSPICION OR PROBABLE CAUSE TO SEARCH, DETAIN, OR ARREST, SO AS TO CLARIFY THAT THE PROVISIONS IN THE SECTION APPLY TO A PERSON CARRYING A WEAPON IN ACCORDANCE WITH THE ARTICLE WHETHER OR NOT THE WEAPON IS CONCEALED; AND BY AMENDING SECTION 16-23-20, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO CLARIFY WHEN CARRYING A HANDGUN IS IMPERMISSIBLE IN A PUBLICLY OWNED BUILDING OTHER THAN A COURTHOUSE WHERE COURT IS HELD.

On motion of Senator HUTTO, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED AMENDED, READ THE SECOND TIME

S. 1076 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-219 SO AS TO ESTABLISH A WORK ZONE SAFETY PROGRAM; BY AMENDING SECTION 56-1-15, RELATING TO THE ADMINISTRATION OF DRIVER'S LICENSE EXAMINATIONS, SO AS TO REQUIRE THAT DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM; AND BY AMENDING SECTION 56-1-130, RELATING TO LICENSE EXAMINATIONS AND BASIC AND CLASSIFIED LICENSES, SO AS TO REQUIRE THAT DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (SR-1076.JG0002S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Chapter 1, Title 56 of the S.C. Code is amended by adding:

Section 56-1-219. The Department of Motor Vehicles shall establish a work zone safety program. The work zone safety program shall be designed to educate the motoring public on the dangers of committing moving violations while traveling in highway construction work zones. The department shall develop and house on its website an online work zone awareness presentation for all persons obtaining an initial license that includes, but is not limited to, facts and figures representing the dangers of motorists committing work zone moving violations,

testimonials from highway construction workers and their families, information on the importance of awareness and slowing down in work zones, and a question-and-answer section to ensure participants understand and retain the information presented. The Department of Motor Vehicles is authorized to contract for the production, development, and maintenance of the webpage through a vendor. The department shall maintain in its database a record of those completing the program.

SECTION 2. Section 56-1-15 of the S.C. Code is amended to read:

Section 56-1-15. (A) The Department of Motor Vehicles must enter into contracts with persons, corporations, or governmental subdivisions, including public schools, in localities throughout the State to administer the portion of the driver's license examination that tests the driver's license applicant's ability to read and understand highway signs that regulate, warn, and direct traffic, and his knowledge of the traffic laws of the State, and the actual demonstration of his ability to exercise ordinary and reasonable control in the operation of the type of motor vehicle for which the license is sought as contained in Section 56-1-130(A). The department must supervise the provision of services contained in this subsection. The department must supply driver education instructors appropriate testing materials to administer the examinations contained in this section. A person or corporation administering an examination pursuant to this section may charge a fee in excess of the fee charged by the department for the examination.

(B) ~~The department must randomly test driver's license applicants who successfully complete the driver's license examinations pursuant to subsection (A) to ensure that the driver's license instructors are properly certifying that their students have successfully completed a driver's license examination.~~The department must require all persons obtaining an initial driver's license, and who are required to complete a driver's education course as defined in Section 56-1-175 or 56-1-180, to take the work zone safety program course as established in Section 56-1-219.

(C) ~~If through testing or other review procedures, the department determines that a contractor is not conforming to the law and regulations applicable to licensing, it may:~~

~~(1) suspend the authority of a particular individual or entity operating under the contract to administer the tests;~~

~~(2) suspend the contract;~~

~~(3) cancel the contract.~~The department must randomly test driver's license applicants who successfully complete the driver's license examination pursuant to subsection (A) to ensure that the driver's license

instructors are properly certifying that their students have successfully completed a driver's license examination.

(D) ~~The department must test randomly a driver's license applicant only at the time the applicant is seeking his initial driver's license at the Department of Motor Vehicles.~~If through testing or other review procedures, the department determines that a contractor is not conforming to the law and regulations applicable to licensing, it may:

(1) suspend the authority of a particular individual or entity operating under the contract to administer the tests;

(2) suspend the contract;

(3) cancel the contract.

(E) The department must test randomly a driver's license applicant only at the time the applicant is seeking his initial driver's license at the Department of Motor Vehicles.

SECTION 3. Section 56-1-130 of the S.C. Code is amended to read:

Section 56-1-130. (A) The Department of Motor Vehicles shall examine every applicant for a driver's license, except as otherwise provided in this article. The examination shall include a test of the applicant's eyesight, his ability to read and understand highway signs regulating, warning, and directing traffic, and his knowledge of the traffic laws of this State and shall include an actual demonstration of ability to exercise ordinary and reasonable control in the operation of the type motor vehicle, including motorcycles, for which a license is sought. The department may require a further physical and mental examination as it considers necessary to determine the applicant's fitness to operate a motor vehicle upon the highways, the further examination to be at the applicant's expense. The department shall make provisions for giving an examination in the county where the applicant resides. The department shall charge an appropriate fee for each complete examination or reexamination required in this article.

(B)~~ No persons, except those exempted under Section 56-1-30 and Section 56-1-60, or those holding beginner's permits under Section 56-1-50, shall operate any classification of motor vehicle without first being examined and duly licensed by the driver examiner as a qualified driver of that classification of motor vehicle.~~ The department must require all persons obtaining an initial driver's license, and who are required to complete a driver's education course as defined in Section 56-1-175 or 56-1-180, to take the work zone safety program course as established in Section 56-1-219.

(C)~~(1) A basic driver's license authorizes the licensee to operate motor vehicles, autocycles, motorcycle three-wheel vehicles, excluding a motorcycle with a detachable side car, or combinations of vehicles which do not exceed twenty-six thousand pounds gross vehicle weight rating; provided, that the driver has successfully demonstrated the ability to exercise ordinary and reasonable control in the operation of a motor vehicle in this category. A basic driver's license also authorizes the licensee to operate farm trucks provided for in Sections 56-3-670, 56-3-680, and 56-3-690, which are used exclusively by the owner for agricultural, horticultural, and dairying operations or livestock and poultry raising. Notwithstanding another provision of law, the holder of a conditional license, or special restricted license operating a farm truck for the purposes provided in this subsection, may operate the farm truck without an accompanying adult after six o'clock a.m. and no later than nine o'clock p.m., but may not operate a farm truck on a freeway. A person operating a farm truck while holding a conditional driver's license or a special restricted license may not use the farm truck for ordinary domestic purposes or general transportation.~~

~~(2) A classified driver's license shall authorize the licensee to operate a motorcycle, motorcycle three-wheel vehicle, including a motorcycle with a detachable side car, or those vehicles in excess of twenty-six thousand pounds gross vehicle weight rating which are indicated by endorsement on the license. The endorsement may include classifications such as: motorcycle, two-axle truck, three- or more axle truck, combination of vehicles, motor busses, or oversize or overweight vehicles. The department shall determine from the driving demonstration the endorsements to be indicated on the license.~~ No persons, except those exempted under Section 56-1-30 and Section 56-1-60, or those holding beginners' permits under Section 56-1-50, shall operate any classification of motor vehicle without first being examined and duly licensed by the driver examiner as a qualified driver of that classification of motor vehicle.

(D)(1) A basic driver's license authorizes the licensee to operate motor vehicles, autocycles, motorcycle three-wheel vehicles, excluding a motorcycle with a detachable side car, or combinations of vehicles which do not exceed twenty-six thousand pounds gross vehicle weight rating; provided, that the driver has successfully demonstrated the ability to exercise ordinary and reasonable control in the operation of a motor vehicle in this category. A basic driver's license also authorizes the licensee to operate farm trucks provided for in Sections 56-3-670, 56-3-680, and 56-3-690, which are used exclusively by the owner for

agricultural, horticultural, and dairying operations or livestock and poultry raising. Notwithstanding another provision of law, the holder of a conditional license, or special restricted license operating a farm truck for the purposes provided in this subsection, may operate the farm truck without an accompanying adult after six o'clock a.m. and no later than nine o'clock p.m., but may not operate a farm truck on a freeway. A person operating a farm truck while holding a conditional driver's license or a special restricted license may not use the farm truck for ordinary domestic purposes or general transportation.

(2) A classified driver's license shall authorize the licensee to operate a motorcycle, motorcycle three-wheel vehicle, including a motorcycle with a detachable side car, or those vehicles in excess of twenty-six thousand pounds gross vehicle weight rating which are indicated by endorsement on the license. The endorsement may include classifications such as: motorcycles, two-axle trucks, three- or more axle trucks, combination of vehicles, motor buses, or oversize or overweight vehicles. The department shall determine from the driving demonstration the endorsements to be indicated on the license.

SECTION 4. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Senator BENNETT proposed the following amendment (SR-1076.JG0003S), which was withdrawn:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 56-1-440 of the S.C. Code is amended to read:

Section 56-1-440. (A) A person who drives a motor vehicle on a public highway of this State without a driver's license in violation of Section 56-1-20 is guilty of a misdemeanor and, upon conviction ~~of a first offense~~, must be punished as follows:

(1) for a first offense, fined ~~not less than fifty dollars nor more than one hundred dollars~~three hundred dollars or imprisoned for thirty days, or both;

(2) for ~~and, upon conviction of~~ a second offense, be fined ~~five~~ six hundred dollars or imprisoned for not less than forty-five days nor more than sixty consecutive days, or both~~,~~; and

(3) for a third ~~and~~ or subsequent offense, fined one thousand dollars, and ~~must be~~ imprisoned for not less than forty-five days nor more than six months or confined to a person's place of residence pursuant to the Home Detention Act for not less than forty-five days nor more than six months. No portion of a term of imprisonment or confinement under home detention may be suspended by the trial judge except when the court is suspending a term of imprisonment upon successful completion of the terms and conditions of confinement under home detention. For purposes of this item, a person sentenced to confinement pursuant to the Home Detention Act is required to pay for the cost of such confinement. ~~However, a charge of driving a motor vehicle without a driver's license must be dismissed if the person provides proof of being a licensed driver at the time of the violation to the court on or before the date this matter is set to be disposed of by the court.~~

(B) ~~The summary courts are vested with jurisdiction to hear and dispose of cases involving a violation of this section.~~A charge of driving a motor vehicle without a driver's license must be dismissed if the person provides proof of being a licensed driver at the time of the violation to the court on or before the date this matter is set to be disposed of by the court.

(C) The summary courts are vested with jurisdiction to hear and dispose of cases involving a violation of this section.

Renumber sections to conform.

Amend title to conform.

On motion of Senator BENNETT, with unanimous consent, the amendment was withdrawn.

Senator GROOMS proposed the following amendment (SR-1076.KM0004S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Chapter 1, Title 56 of the S.C. Code is amended by adding:

Section 56-1-219. The Department of Motor Vehicles shall establish a work zone safety program. The work zone safety program shall be designed to educate the motoring public on the dangers of committing moving violations while traveling in highway construction work zones. The department shall develop and house on its website an online work zone awareness presentation for all persons obtaining an initial license that includes, but is not limited to, facts and figures representing the

dangers of motorists committing work zone moving violations, testimonials from highway construction workers and their families, information on the importance of awareness and slowing down in work zones, and a question-and-answer section to ensure participants understand and retain the information presented. The Department of Motor Vehicles is authorized to contract for the production, development, and maintenance of the webpage through a vendor. The department shall maintain in its database a record of those completing the program.

SECTION 2. Section 56-1-15 of the S.C. Code is amended to read:

Section 56-1-15. (A) The Department of Motor Vehicles must enter into contracts with persons, corporations, or governmental subdivisions, including public schools, in localities throughout the State to administer the portion of the driver's license examination that tests the driver's license applicant's ability to read and understand highway signs that regulate, warn, and direct traffic, and his knowledge of the traffic laws of the State, and the actual demonstration of his ability to exercise ordinary and reasonable control in the operation of the type of motor vehicle for which the license is sought as contained in Section 56-1-130(A). The department must supervise the provision of services contained in this subsection. The department must supply driver education instructors appropriate testing materials to administer the examinations contained in this section. A person or corporation administering an examination pursuant to this section may charge a fee in excess of the fee charged by the department for the examination.

(B) ~~The department must randomly test driver's license applicants who successfully complete the driver's license examinations pursuant to subsection (A) to ensure that the driver's license instructors are properly certifying that their students have successfully completed a driver's license examination.~~The department must require all persons obtaining an initial driver's license, and who are required to complete a driver's education course as defined in Section 56-1-175 or 56-1-180, to take the work zone safety program course as established in Section 56-1-219.

(C) ~~If through testing or other review procedures, the department determines that a contractor is not conforming to the law and regulations applicable to licensing, it may:~~

~~(1) suspend the authority of a particular individual or entity operating under the contract to administer the tests;~~

~~(2) suspend the contract;~~

~~(3) cancel the contract.~~The department must randomly test driver's license applicants who successfully complete the driver's license

examination pursuant to subsection (A) to ensure that the driver's license instructors are properly certifying that their students have successfully completed a driver's license examination.

(D) ~~The department must test randomly a driver's license applicant only at the time the applicant is seeking his initial driver's license at the Department of Motor Vehicles.~~If through testing or other review procedures, the department determines that a contractor is not conforming to the law and regulations applicable to licensing, it may:

(1) suspend the authority of a particular individual or entity operating under the contract to administer the tests;

(2) suspend the contract;

(3) cancel the contract.

(E) The department must test randomly a driver's license applicant only at the time the applicant is seeking his initial driver's license at the Department of Motor Vehicles.

SECTION 3. Section 56-1-130 of the S.C. Code is amended to read:

Section 56-1-130. (A) The Department of Motor Vehicles shall examine every applicant for a driver's license, except as otherwise provided in this article. The examination shall include a test of the applicant's eyesight, his ability to read and understand highway signs regulating, warning, and directing traffic, and his knowledge of the traffic laws of this State and shall include an actual demonstration of ability to exercise ordinary and reasonable control in the operation of the type motor vehicle, including motorcycles, for which a license is sought. The department may require a further physical and mental examination as it considers necessary to determine the applicant's fitness to operate a motor vehicle upon the highways, the further examination to be at the applicant's expense. The department shall make provisions for giving an examination in the county where the applicant resides. The department shall charge an appropriate fee for each complete examination or reexamination required in this article.

(B)~~ No persons, except those exempted under Section 56-1-30 and Section 56-1-60, or those holding beginner's permits under Section 56-1-50, shall operate any classification of motor vehicle without first being examined and duly licensed by the driver examiner as a qualified driver of that classification of motor vehicle.~~ The department must require all persons obtaining an initial driver's license, and who are required to complete a driver's education course as defined in Section 56-1-175 or 56-1-180, to take the work zone safety program course as established in Section 56-1-219.

(C)~~(1) A basic driver's license authorizes the licensee to operate motor vehicles, autocycles, motorcycle three-wheel vehicles, excluding a motorcycle with a detachable side car, or combinations of vehicles which do not exceed twenty-six thousand pounds gross vehicle weight rating; provided, that the driver has successfully demonstrated the ability to exercise ordinary and reasonable control in the operation of a motor vehicle in this category. A basic driver's license also authorizes the licensee to operate farm trucks provided for in Sections 56-3-670, 56-3-680, and 56-3-690, which are used exclusively by the owner for agricultural, horticultural, and dairying operations or livestock and poultry raising. Notwithstanding another provision of law, the holder of a conditional license, or special restricted license operating a farm truck for the purposes provided in this subsection, may operate the farm truck without an accompanying adult after six o'clock a.m. and no later than nine o'clock p.m., but may not operate a farm truck on a freeway. A person operating a farm truck while holding a conditional driver's license or a special restricted license may not use the farm truck for ordinary domestic purposes or general transportation.~~

~~(2) A classified driver's license shall authorize the licensee to operate a motorcycle, motorcycle three-wheel vehicle, including a motorcycle with a detachable side car, or those vehicles in excess of twenty-six thousand pounds gross vehicle weight rating which are indicated by endorsement on the license. The endorsement may include classifications such as: motorcycle, two-axle truck, three- or more axle truck, combination of vehicles, motor busses, or oversize or overweight vehicles. The department shall determine from the driving demonstration the endorsements to be indicated on the license.~~ No persons, except those exempted under Section 56-1-30 and Section 56-1-50(E), or those holding beginners' permits under Section 56-1-50, shall operate any classification of motor vehicle without first being examined and duly licensed by the driver examiner as a qualified driver of that classification of motor vehicle.

(D)(1) A basic driver's license authorizes the licensee to operate motor vehicles, autocycles, motorcycle three-wheel vehicles, excluding a motorcycle with a detachable side car, or combinations of vehicles which do not exceed twenty-six thousand pounds gross vehicle weight rating; provided, that the driver has successfully demonstrated the ability to exercise ordinary and reasonable control in the operation of a motor vehicle in this category. A basic driver's license also authorizes the licensee to operate farm trucks provided for in Sections 56-3-670, 56-3-211, and 56-3-215, which are used exclusively by the owner for

agricultural, horticultural, and dairying operations or livestock and poultry raising. Notwithstanding another provision of law, the holder of a conditional license, or special restricted license operating a farm truck for the purposes provided in this subsection, may operate the farm truck without an accompanying adult after six o'clock a.m. and no later than nine o'clock p.m., but may not operate a farm truck on a freeway. A person operating a farm truck while holding a conditional driver's license or a special restricted license may not use the farm truck for ordinary domestic purposes or general transportation.

(2) A classified driver's license shall authorize the licensee to operate a motorcycle, motorcycle three-wheel vehicle, including a motorcycle with a detachable side car, or those vehicles in excess of twenty-six thousand pounds gross vehicle weight rating which are indicated by endorsement on the license. The endorsement may include classifications such as: motorcycles, two-axle trucks, three- or more axle trucks, combination of vehicles, motor buses, or oversize or overweight vehicles. The department shall determine from the driving demonstration the endorsements to be indicated on the license.

SECTION 4. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler

Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 5023 -- Reps. Brewer, Gilliam, Lawson, Sessions, Schuessler, Hager, Hartnett, Gatch, Mitchell, Hewitt, Robbins, J. Moore, Wooten, Guffey, O'Neal, J.L. Johnson, Pedalino and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-219 SO AS TO ESTABLISH THE WORK ZONE PROGRAM WITHIN THE DEPARTMENT OF PUBLIC SAFETY; BY AMENDING SECTION 56-1-15, RELATING TO THE ADMINISTRATION OF DRIVER'S LICENSE EXAMINATIONS, SO AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE; AND BY AMENDING SECTION 56-1-130, RELATING TO LICENSE EXAMINATIONS AND BASIC AND CLASSIFIED LICENSES, SO AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE.

The Senate proceeded to a consideration of the Bill.

Senator GROOMS proposed the following amendment (SR-5023.KM0003S), which was adopted:

Amend the bill, as and if amended, SECTION 3, Section 56-1-130(C)(2) and inserting:

~~(2) A classified driver's license shall authorize the licensee to operate a motorcycle, motorcycle three-wheel vehicle, including a motorcycle with a detachable side car, or those vehicles in excess of twenty-six thousand pounds gross vehicle weight rating which are indicated by endorsement on the license. The endorsement may include classifications such as: motorcycle, two-axle truck, three- or more axle~~

~~truck, combination of vehicles, motor busses, or oversize or overweight vehicles. The department shall determine from the driving demonstration the endorsements to be indicated on the license.~~ No persons, except those exempted under Section 56-1-30 and Section 56-1-50(E), or those holding beginners' permits under Section 56-1-50, shall operate any classification of motor vehicle without first being examined and duly licensed by the driver examiner as a qualified driver of that classification of motor vehicle.

Amend the bill further, SECTION 3, by striking Section 56-1-130(D)(1) and inserting:

(D)(1) A basic driver's license authorizes the licensee to operate motor vehicles, autocycles, motorcycle three-wheel vehicles, excluding a motorcycle with a detachable side car, or combinations of vehicles which do not exceed twenty-six thousand pounds gross vehicle weight rating; provided, that the driver has successfully demonstrated the ability to exercise ordinary and reasonable control in the operation of a motor vehicle in this category. A basic driver's license also authorizes the licensee to operate farm trucks provided for in Sections 56-3-670, 56-3-211, and 56-3-215, which are used exclusively by the owner for agricultural, horticultural, and dairying operations or livestock and poultry raising. Notwithstanding another provision of law, the holder of a conditional license, or special restricted license operating a farm truck for the purposes provided in this subsection, may operate the farm truck without an accompanying adult after six o'clock a.m. and no later than nine o'clock p.m., but may not operate a farm truck on a freeway. A person operating a farm truck while holding a conditional driver's license or a special restricted license may not use the farm truck for ordinary domestic purposes or general transportation.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3865 -- Reps. Hiott, Collins, Rutherford, Carter and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

On motion of Senator CORBIN, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER

H. 5169 -- Reps. Haddon, G.M. Smith, Hiott, Taylor, Hixon, Forrest, Wooten, Crawford, Gibson, Hartnett, Robbins, Sessions, Mitchell, T.

Moore, Gilliam, Brewer, Ligon, Bradley, Brittain, Guest, B.L. Cox, Long, Chapman, J.E. Johnson, Burns, O'Neal, Vaughan, McCravy, Davis, Nutt, Trantham, Hyde, McGinnis, Hardee, Bailey, S. Jones, Guffey, West, Schuessler, Gatch, Gagnon, Herbkersman, Lawson, Moss, Murphy, Chumley, Carter, Magnuson, M.M. Smith, Pope, Cromer, Oremus and Beach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 1, TITLE 46 BY ENACTING THE "FARMERS PROTECTION ACT" TO PREVENT DISCRIMINATION IN FINANCING AGAINST FARMERS.

The Senate proceeded to a consideration of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (SR-5169.KM0008S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 46-1-310(1) and inserting:

(1) "Agriculture producer" means a person or company authorized to do business in South Carolina and engaged in the production of goods derived from plants or animals including the growing of crops, animal husbandry, or production of livestock or dairy products.

Amend the bill further, SECTION 1, by striking Section 46-1-310(6) and inserting:

(6) "ESG commitment" means any purpose for a financial institution's decision to join any initiative or organization that has a purpose for its signatories' or members' customers to be aligned with any environmental, social, or political goals to deny agriculture producers financial services based on these institutions' policies on greenhouse gas emissions, use of fossil fuel-derived fertilizers, or fossil fuel-powered machinery by these agriculture producers. Evidence of an ESG commitment includes, but is not limited to, any of the following:

(a) advertising, statements, explanations, reports, or statements of principles; and

(b) participation in, affiliation with, or status as a signatory to, any coalition, initiative, joint statement of principles, or agreement the purpose of which is to use business activity to further environmental, social, or political goals.

Amend the bill further, SECTION 1, by striking Section 46-1-320(C) and inserting:

(C) A financial institution may overcome the inference in subsection (B) by demonstrating that its denial or restriction of a financial service

was based solely on documented risk analysis and not on any ESG commitment.

Renumber sections to conform.

Amend title to conform.

Senator GARRETT explained the amendment.

The amendment was adopted.

Senator HUTTO proposed the following amendment (SJ-5169.MB0010S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 46-1-330 and inserting:

Section 46-1-330. Section 46-1-320 may be enforced by the South Carolina Attorney General. Any violation of Section 46-1-320 constitutes an unfair trade practice in violation of Chapter 5, Title 39, and the Attorney General may investigate and seek remedies as provided in that law. Actions for damages may be sought by an aggrieved party pursuant to Section 39-5-140.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator HEMBREE proposed the following amendment (SEDU-5169.DB0011S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 46-1-310(1) and inserting:

(1) “Agriculture producer” means a person or company authorized to do business in South Carolina and engaged in the production of goods derived from plants or animals including, , the growing of crops, animal husbandry, or the production of livestock or dairy products.

Amend the bill further, SECTION 1, by striking Section 46-1-310(6) and inserting:

(6) “ESG factor” means any factor or consideration that is collateral to or not reasonably likely to effect or impact the financial risk and include the promotion, furtherance, or achievement of environmental, social, or political goals, objectives, or outcomes which may include the

agriculture producer's greenhouse gas emissions, use of fossil-fuel derived fertilizer, or use of fossil-fuel powered machinery.

Amend the bill further, SECTION 1, by striking Section 46-1-320(A) and inserting:

(A) A financial institution may not discriminate in the provision of financial services to an agriculture producer based, in whole or in part, upon an ESG factor.

Amend the bill further, SECTION 1, by striking Section 46-1-320(C) and inserting:

(C) A financial institution may overcome the inference in subsection (B) by demonstrating that its denial or restriction of a financial service was based solely on documented risk analysis, and not on any ESG factor.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator CAMPSEN proposed the following amendment (SR-5169.JG0012S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 46-1-310(1) and inserting:

(1) "Agriculture producer" means a person or company authorized to do business in South Carolina and engaged in the production of goods derived from plants or animals including, but not limited to, the growing of crops, silviculture, animal husbandry, or the production of livestock or dairy products.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Senator BENNETT spoke on the Bill.

On motion of Senator MALLOY, the Bill was carried over.

OBJECTION

S. 161 -- Senators Young, Grooms and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-100, RELATING TO NONPUBLIC SCHOOL STUDENT PARTICIPATION IN THE INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOLS, SO AS TO PROVIDE LIMITED SITUATIONS IN WHICH HIGH SCHOOL STUDENTS WHO ATTEND PRIVATE SCHOOLS MAY PARTICIPATE IN HIGH SCHOOL LEAGUE SPORTS OFFERED AT PUBLIC HIGH SCHOOLS; AND BY FURTHER AMENDING SECTION 59-63-100, RELATING TO PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES OF A PUBLIC SCHOOL DISTRICT BY HOME SCHOOL, CHARTER SCHOOL, AND GOVERNOR'S SCHOOL STUDENTS, SO AS TO DEFINE NECESSARY TERMS.

Senator McLEOD objected to consideration of the Bill.

READ THE SECOND TIME

H. 4349 -- Rep. Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-1500, RELATING TO THE GREENVILLE TECHNICAL COLLEGE AREA COMMISSION, SO AS TO REMOVE OBSOLETE REFERENCES, TO REVISE RESIDENCY REQUIREMENTS FOR CERTAIN COMMISSION SEATS, AND TO REVISE THE ABSENCE POLICY FOR COMMISSION MEMBERS, AMONG OTHER THINGS.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Loftis
Malloy	Martin	Matthews

McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

H. 4386 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-13-647 SO AS TO PROHIBIT THE TAKING, HARMING, OR KILLING OF ROBUST REDHORSE.

Senator CAMPSEN objected to consideration of the Bill.

CARRIED OVER

H. 4387 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO INCLUDE REFERENCES TO HYBRID BASS.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

On motion of Senator MATTHEWS, the Bill was carried over.

READ THE SECOND TIME

H. 4612 -- Reps. Hixon, Pope, Chapman, Taylor, Hartnett, Hardee, Brewer, Robbins, Gatch, Murphy, Connell, Mitchell, Hager, Caskey, Forrest, Wooten, Elliott, B.J. Cox and Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 55-3-110, RELATING TO HUNTING FROM AN

AIRCRAFT, SO AS TO PROVIDE PERSONS POSSESSING A PERMIT ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES MAY LAWFULLY HUNT FROM AN AIRCRAFT; AND BY ADDING SECTION 50-11-1190 SO AS TO PROVIDE THE DEPARTMENT OF NATURAL RESOURCES MAY ISSUE PERMITS FOR THE TAKING OF FERAL HOGS WHILE AIRBORNE IN A HELICOPTER UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4875 -- Reps. Ott, Brewer, Atkinson and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-1910, RELATING TO THE SALE OF DEER OR DEER PARTS, SO AS TO ALLOW A PROCESSOR TO PROCESS A LEGALLY TAKEN DOE DONATED BY A HUNTER AND RECOVER THE COSTS OF PROCESSING FROM SOMEONE OTHER THAN THE HUNTER WHO DONATED THE DOE, AND TO INCREASE PENALTIES.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 5007 -- Reps. Caskey and Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO RESTRICT PERMITTED HOOK SIZE IN THE LOWER SALUDA RIVER.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 1266 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE WORKERS' COMPENSATION COMMISSION, RELATING TO PAYMENT OF COMPENSATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5266, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to a consideration of the Resolution.

Senator M. JOHNSON explained the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

S. 1266--Ordered to a Third Reading

On motion of Senator M. JOHNSON, S. 1266 was ordered to receive a third reading on Friday, April 19, 2024.

POINT OF ORDER

H. 4601 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-4100, RELATING TO PREVENTING ESCAPE OF MATERIALS LOADED ON VEHICLES AND CLEANING THE HIGHWAYS OF ESCAPED SUBSTANCES OR CARGO, SO AS TO INCORPORATE THE PROVISIONS OF SECTION 56-5-4110 TO CLARIFY THE EXCEPTIONS FOR TRANSPORTATION OF CERTAIN FARM PRODUCTS AND MATERIALS; AND BY REPEALING SECTION 56-5-4110 RELATING TO THE REQUIREMENTS THAT LOADS AND COVERS MUST BE FIRMLY ATTACHED.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4673 -- Reps. Erickson, Gilliam, Williams and Henegan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-50, RELATING TO BEGINNERS' PERMITS, HOURS AND CONDITIONS OF VEHICLE OPERATION, RENEWAL AND FEES, DRIVERS' TRAINING COURSES, AND ELIGIBILITY FOR FULL LICENSURE, SO AS TO EXEMPT ADDITIONAL PERSONS FROM OBTAINING BEGINNERS' PERMITS BEFORE OPERATING MOTOR VEHICLES, AND TO PROVIDE PERSONS AT LEAST EIGHTEEN YEARS OLD MAY TAKE THE DRIVING TEST AFTER MAINTAINING A BEGINNERS' PERMIT FOR AT LEAST THIRTY DAYS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4819 -- Reps. Felder, Bernstein and Calhoon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1960, RELATING IN PART TO PARKING PLACARDS FOR HANDICAPPED PERSONS, SO AS TO ALLOW APPLICANTS FOR HANDICAPPED PARKING PLACARDS TO PROVIDE A PHOTOGRAPH FOR THE PLACARD SUBJECT TO THE DEPARTMENT OF MOTOR VEHICLE'S APPROVAL.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:37 P.M., on motion of Senator HEMBREE, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

On motion of Senator HEMBREE, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Austin Hayes Wood of Lexington, S.C. Austin was a graduate of White Knoll High School and Lander University. He worked in construction and was employed at Fowler Hauling and Grading. Austin enjoyed making things with his daughter, playing on the lake and spending time outdoors. Austin was a loving husband, son and devoted father to his daughter Calla. He will be dearly missed.

and

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jerry William Blakely of Seneca, S.C. Jerry was a retired electronic technician for AT&T with thirty-seven years of service. He was an active member of Reedy Fork Baptist Church where he served as a deacon and Sunday school teacher for over forty years. Jerry enjoyed spending time with his family and serving the Lord. Jerry was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 1:41 P.M., on motion of Senator HEMBREE, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator CROMER.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Resolution was read the third time and ordered sent to the House of Representatives:

S. 1266 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE WORKERS' COMPENSATION COMMISSION, RELATING TO PAYMENT OF COMPENSATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5266, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator M. JOHNSON

ADJOURNMENT

At 11:04 A.M., on motion of Senator DEVINE, the Senate adjourned to meet next Tuesday, April 23, 2024, at 12:00 P.M.

* * *

Tuesday, April 23, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Job 9:25

As he debates with his three friends, Job makes this observation: " 'My days are swifter than a runner; they fly away without a glimpse of joy.' "

Join me, good friends, as we pray: O most Holy God, the burden upon these Senators and their staff aides is so very great at this time. Indeed, as Job reminds us, time itself is slipping away. The end of this Body's regular session is drawing close. So it is, Lord, that we pray today that You will grant these leaders the stamina -- and the wisdom -- they need to win their own race against time, to wrap things up in ways that will genuinely benefit South Carolina's future, and, as always, that they will each be faithful to his or her role as a caring servant of the people of our State. In addition, dear God, be with all others who also labor to bring about peace and hopefulness here at home and around the world. So we humbly pray in Your loving name, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Harpootlian
Hembree	Hutto	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Reichenbach	Rice

Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2023, and to expire May 30, 2025

Dietician, Community or Public Health:

Katherine L. Bernard, 307 Magnolia Tree Road, Lexington, SC 29073-6731 *VICE* Rebecca Wrenn

Referred to the Committee on Medical Affairs.

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5249
Agency: Department of Natural Resources
Chapter: 123
Statutory Authority: 1976 Code Sections 50-11-2200 and 50-11-2210
SUBJECT: Additional Regulations Applicable to Specific Properties
Received by President of the Senate January 9, 2024
Referred to Fish, Game and Forestry Committee
Legislative Review Expiration May 8, 2024
Withdrawn and Resubmitted April 18, 2024

Document No. 5265
Agency: Department of Health and Environmental Control
Chapter: 61
Statutory Authority: 1976 Code Sections 44-7-110 through 44-7-394
SUBJECT: Minimum Standards for Licensing Hospitals and Institutional General Infirmaries
Received by President of the Senate March 14, 2024

Referred to Medical Affairs Committee
Legislative Review Expiration March 18, 2025
Withdrawn and Resubmitted April 19, 2024

Doctor of the Day

Senator MARTIN introduced Dr. Tonya Tang of Spartanburg, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator FANNING, at 12:08 P.M., Senator ALLEN was granted a leave of absence until 2:00 P.M.

Leave of Absence

On motion of Senator HEMBREE, at 4:58 P.M., Senator BENNETT was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SABB, at 4:58 P.M., Senator K. JOHNSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator MATTHEWS, at 4:58 P.M., Senator GUSTAFSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CAMPSEN, at 5:04 P.M., Senator GROOMS was granted a leave of absence for the balance of the day.

RECALLED

S. 1128 -- Senator Turner: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON THURSDAY, NOVEMBER 7 AND FRIDAY, NOVEMBER 8 AND MONDAY, NOVEMBER 18, 2024. HOWEVER, THE CHAMBER MAY NOT BE

USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

Senator TURNER asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Operations and Management.

The Senate Resolution was recalled from the Committee on Operations and Management and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1276 -- Senators McElveen, Shealy and Young: A JOINT RESOLUTION TO SUSPEND THE PROVISIONS OF ACT 58 OF 2023, RELATING TO THE BOARD OF TRUSTEES FOR THE VETERANS' TRUST FUND OF SOUTH CAROLINA, UNTIL JUNE 1, 2026.

Senator McELVEEN asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Family and Veterans' Services.

The Joint Resolution was recalled from the Committee on Family and Veterans' Services and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1277 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE STEPHEN H. SMITH UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0685km-vc24.docx

The Senate Resolution was adopted.

S. 1278 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE DAVID ELLIOTT SIMS UPON THE OCCASION OF HIS RETIREMENT AS THE PRINCIPAL OF RIVERBANK ELEMENTARY SCHOOL, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE AS AN EDUCATOR, AND TO

WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0692km-hw24.docx

The Senate Resolution was adopted.

S. 1279 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE CHILDREN'S TRUST OF SOUTH CAROLINA UPON THE OCCASION OF ITS FORTIETH ANNIVERSARY AND COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
sr-0656km-vc24.docx

The Senate Resolution was adopted.

S. 1280 -- Senators Jackson and Devine: A CONCURRENT RESOLUTION TO HONOR DR. GARY B. BELL OF RICHLAND COUNTY ON THE OCCASION OF HIS RETIREMENT, TO EXTEND DEEP APPRECIATION FOR HIS MORE THAN FORTY YEARS OF DISTINGUISHED SERVICE AS A PHYSICIAN TO THE PEOPLE OF SOUTH CAROLINA AND BEYOND, AND TO OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.
lc-0445hdb-rm24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1281 -- Senator Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-440, RELATING TO PENALTIES FOR DRIVING WITHOUT A LICENSE, SO AS TO INCREASE THE PENALTIES FOR DRIVING WITHOUT A LICENSE AND MAKE CONFORMING CHANGES.
sr-0140jg24.docx

Read the first time and referred to the Committee on Transportation.

S. 1282 -- Senator Verdin: A SENATE RESOLUTION TO RESOLVE FOR THE CONTINUED EXAMINATION AND IMPLEMENTATION OF BEST PRACTICES TOWARD RECOVERY FROM THE OPIOID CRISIS THROUGH STRENGTHENING THE PATIENT AND HEALTH CARE PROVIDER RELATIONSHIP AND

MAKING NEW POTENTIAL TREATMENTS AVAILABLE UPON FDA APPROVAL TO SOUTH CAROLINIANS.
sr-0694km-hw24.docx

The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 1283 -- Senators Jackson and Williams: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF BISHOP FREDERICK CALHOUN JAMES, THE NINETY-THIRD ELECTED AND CONSECRATED BISHOP OF THE AFRICAN METHODIST EPISCOPAL CHURCH, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.
lc-0464vr-gm24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

H. 3248 -- Reps. Collins and Carter: A BILL TO AMEND ACT 609 OF 1984, AS AMENDED, RELATING TO REIMBURSEMENT FOR EXPENSES INCURRED IN PERFORMANCE OF OFFICIAL DUTIES OF SCHOOL BOARD TRUSTEES, SO AS TO ALLOW THE BOARD TO DETERMINE THE MONTHLY REIMBURSEMENT AMOUNT.
lc-0076ph23.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 5439 -- Reps. McCravy, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford,

Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE THURSDAY, MAY 2, 2024, AS A DAY OF PRAYER IN SOUTH CAROLINA, IN ACCORDANCE WITH THE OBSERVANCE OF THE NATIONAL DAY OF PRAYER, AND TO URGE OUR STATE'S CITIZENS TO JOIN TOGETHER IN THEIR HOMES, PLACES OF WORK, AND HOUSES OF WORSHIP TO PRAY FOR THE UNITY OF THE HEARTS OF ALL MANKIND AND TO CONTINUE IN PRAYER FOR OUR STATE AND OUR NATION.
lc-0419dg-rm24.docx

The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Wednesday, May 1, 2024 - 8:00 a.m. - 10:00 a.m.
Members, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA EMERGENCY MANAGEMENT ASSOCIATION**

Wednesday, May 1, 2024 - 5:00 p.m. - 8:30 p.m.
Members, Staff, and Families, Reception, Riverbanks Zoo and Gardens, 500 Wildlife Parkway, hosted by **RIVERBANKS ZOO AND GARDENS**

Thursday, May 2, 2024 - 8:00 a.m. - 10:00 a.m.
Members, Breakfast, 112 Blatt Building, hosted by the **TAIPEI ECONOMIC AND CULTURE OFFICE IN ATLANTA**

Wednesday, May 8, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by **SC INSURANCE ASSOCIATION**

Wednesday, May 8, 2024 - 11:30 a.m. - 2:00 p.m.
Members and Staff, Luncheon, State House Grounds, hosted by the **SOUTH CAROLINA FUTURE MAKERS AND THE SOUTH CAROLINA MANUFACTURERS ALLIANCE**

Thursday, May 9, 2024 - 8:00 a.m. - 10:00 a.m.
Members and Staff, Breakfast, 112 Blatt Building, hosted by the **ASSOCIATION OF COSMETOLOGY SALON PROFESSIONALS**

REPORTS OF STANDING COMMITTEES

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

H. 3424 -- Reps. T. Moore, Carter, McCravy, Lawson, Beach, Pope, Nutt, Oremus, Vaughan, Long, Haddon, Burns, Chumley, Kilmartin, Cromer, O'Neal, Yow, Gilliam, W. Newton, Guest, Schuessler, Moss, Magnuson, Harris, Pace, Brittain, Bailey, Robbins, Sessions, Ligon, Felder, B.L. Cox, Guffey, Bradley, Murphy, Brewer, Connell, Hiott, Mitchell, Hager, Erickson, B.J. Cox, Blackwell, Wooten, Ballentine, Hyde, Wheeler, Calhoon, M.M. Smith, Davis, B. Newton, Elliott, Forrest, Willis, Hixon, Taylor, J.E. Johnson, Chapman and Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-5-190 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT IT IS UNLAWFUL FOR AN OPERATOR TO MAKE A PORNOGRAPHIC WEBSITE AVAILABLE TO PERSONS UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL CREATE CERTAIN PROCEDURES, AND TO PROVIDE FOR A PRIVATE RIGHT OF ACTION.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 3988 -- Reps. Davis, M.M. Smith, B.J. Cox, Pedalino, Forrest, Wheeler, Kirby and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTS THAT CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT

PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO LOWER THE VACCINATION RECIPIENT AGE TO TWELVE YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST-ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE "JOINT PHARMACIST ACCESS COMMITTEE" AND MAKE OTHER CONFORMING CHANGES; AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

H. 4486 -- Reps. Burns, Long, Ott, Pope and Hiott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-55-655 SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CREATE A PILOT PROGRAM THAT ALLOWS CERTAIN SEPTIC TANK INSTALLERS TO CONDUCT SEPTIC TANK FIELD EVALUATION TESTS FOR THE DEPARTMENT.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., April 23, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4552 -- Reps. Pendarvis, Clyburn, Henegan, M.M. Smith, B.L. Cox, Robbins, Brewer, King, Wheeler, Henderson-Myers, Erickson, Stavrinakis, Weeks, Davis, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO

PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 5100, THE GENERAL APPROPRIATIONS BILL.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 5100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator PEELER spoke on the Bill.

Motion Adopted
Report of the Committee on Finance Adopted

Senator PEELER asked unanimous consent to make a motion that the Report of the Committee on Finance be adopted, with all members reserving the right to raise any Points of Order and to offer amendments without regard to questions of degree.

There was no objection.

Motion Adopted

On motion of Senator PEELER, with unanimous consent, staff members from the Revenue and Fiscal Affairs office were authorized as necessary to be in that area behind the rail and, further, that Finance Committee staff and other staff designated by the PRESIDENT were

admitted to the floor of the Senate Chamber while debate was in progress on H. 5100, the General Appropriations Bill.

There was no objection.

Amendment No. 1

Senators PEELER, ALEXANDER, SETZLER and MALLOY proposed the following amendment (AM LINE ADJUSTMENTS), which was adopted (#1):

Amend the bill, as and if amended, Part IA, Section 38, DEPARTMENT OF SOCIAL SERVICES, page 100, line 10, by striking opposite:

	COLUMN 7	COLUMN 8
AGENCY LEASE PAYMENTS/	3,961,126	3,961,126/

Amend the bill further, as and if amended, Part IA, Section 102, ELECTION COMMISSION, page 246, by inserting after line 21,

	COLUMN 7	COLUMN 8
/CERTIFIED POLL CLERK PROGRAM	750,000	750,000/

Amend the bill further, as and if amended, Part IA, Section 39, COMMISSION FOR THE BLIND, page 109, line 25, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	335,782	108,224
and		
INSERTING:	459,371	231,813/

Amend the bill further, as and if amended, Part IA, Section 39, COMMISSION FOR THE BLIND, page 109, line 29, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	411,236	264,048
and		
INSERTING:	587,647	440,459/

Amend the bill further, as and if amended, Part IA, Section 38, DEPARTMENT OF SOCIAL SERVICES, page 103, line 18, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	30,096,118	27,391,859
and		
INSERTING:	31,440,607	28,736,348/

Amend the bill further, as and if amended, Part IA, Section 38, DEPARTMENT OF SOCIAL SERVICES, page 103, line 27, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	5,383,931	2,992,291
and		
INSERTING:	5,539,442	3,147,802/

Amend the bill further, as and if amended, Part IA, Section 93, DEPT OF ADMINISTRATION, page 231, line 4, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	607,250	607,250
and		
INSERTING:	2,357,250	2,357,250/

Amend the bill further, as and if amended, Part IA, Section 59, ATTORNEY GENERAL'S OFFICE, page 163, line 4, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	16,231,610	14,011,252
and		
INSERTING:	16,481,610	14,261,252/

Amend the bill further, as and if amended, Part IA, Section 62, STATE LAW ENFORCEMENT DIVISION, page 170, by inserting after line 31,

	COLUMN 7	COLUMN 8
/CWP PROGRAM	2,000,000	2,000,000/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 607, proviso 118.20, line 32, by striking */$2,652,818/* and inserting */$5,241,692/*

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 612, proviso 118.20, line 4, by striking:/ *(b)Bull Street Relocation $5,407,276;* /

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 614, proviso 118.20, line 3, by striking */$5,000,000/* and inserting */$6,568,402/*

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 614, proviso 118.20, line 7, by striking */$4,050,000/* and inserting */$2,300,000/*

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 609, proviso 118.20, after line 18, by inserting:

/ ( ) CWP Program $3,000,000 /

Amend the bill further, as and if amended, Part IB, Section 62, STATE LAW ENFORCEMENT DIVISION, page 444, after line 13, by adding an appropriately numbered new proviso to read:

/ *(SLED: CWP Program Carry Forward) The department shall carry forward any unexpended funds that were appropriated or authorized for the purpose of the statewide concealed weapon permit program into the current fiscal year to be expended for the same purposes.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

PRESIDENT PRESIDES

At 1:11 P.M. the PRESIDENT assumed the Chair.

Amendment No. 6

Senators HEMBREE and SETZLER proposed the following amendment (SA\5100C011.JN.SA24.DOCX), which was carried over and subsequently adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 309, after line 31, by adding an appropriately numbered new proviso to read:

/ *(SDE: School Mapping Data Program) (A) From the funds appropriated to the Department of Education, to facilitate efficient emergency responses in public schools by public safety agencies in this State, the School Mapping Data Program is established as a statewide initiative within the State Department of Education. Subject to funding, the department shall contract with a vendor to provide school mapping data for each public school in the State. The data must be provided to each school district, local law enforcement agency, and public safety agency for use in response to emergencies. For purposes of this proviso, emergencies include, but are not limited to, any event in which a law enforcement officer, firefighter, rescue squad, emergency medical service provider, public safety telecommunicator, or any other emergency management provider may respond.*

(B) School mapping data must:

(1) be compatible with software platforms used by local, county, state, and federal public safety agencies that provide emergency services to the specific school for which the data is provided without requiring such agencies to purchase additional software or requiring a fee to view or access the data;

(2) be compatible with security software platforms in use by the specific school for which the data is provided without requiring the local law enforcement agencies or school districts to purchase additional software or requiring a fee to view or access the data;

(3) be in a printable format and, if requested, be in a digital file format that may be integrated into interactive mobile platforms in use;

(4) be verified by the entity producing the data for accuracy by a walk-through of school buildings and grounds;

(5) be oriented true north;

(6) include accurate floor plans overlaid on current, verified aerial imagery of the campus, which must be updated by the department as it considers necessary;

(7) contain site-specific labeling that matches the structure of school buildings, including room labels, hallway names, and external door or stairwell numbers and locations of hazards, critical utility locations, key boxes, automated external defibrillators, and trauma kits;

(8) contain site-specific labeling that matches the school grounds, including parking areas, athletic fields, surrounding roads, and neighboring properties;

(9) be overlaid with gridded x and y coordinates; and

(10) be updated and accessible within software platforms used by local, county, state, and federal public safety agencies that provide emergency services to the specific school.

(C) Each school district must be required to pay an annual maintenance fee to update their school map to ensure the school floor plans and aerial imagery are accurate and up-to-date. This fee may not exceed six hundred fifty dollars for each school.

(D) School mapping data is not subject to disclosure under the Freedom of Information Act. For purposes of this proviso, "school mapping data" means information collected pursuant to this proviso in an electronic or a digital format and provided to assist first responders in responding to emergencies at school. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator MALLOY, the amendment was carried over.

Amendment No. 17

Senator CROMER proposed the following amendment (SM NURSING INITIATIVE), which was adopted (#2):

Amend the bill, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, pages 343-344, proviso 3.6, lines 34-36 and 1-2, by striking / *The funds shall be allocated to each public college or university, including technical colleges, based on the number of students enrolled in nursing programs. The second $5 million shall be used to provide tuition reimbursement or scholarships for students enrolled in graduate-level nurse educator programs, Doctor of Nursing*

Practice, or Ph.D. programs. The scholarship recipients must agree to assume a faculty role in a state nursing program after graduation for a minimum of two years for each year they receive the scholarship. Annually by September 15, /
and inserting / *The funds shall be allocated to each public college or university, including technical colleges, based on the number of students enrolled in nursing programs as defined by the Commission on Higher Education. The second $5 million shall be used to provide tuition reimbursement or scholarships for students enrolled in regionally accredited, not-for-profit, South Carolina based, public and private institution's graduate-level Master of Science (MSN) programs, Doctor of Nursing Practice, Ph.D. or other like programs appropriate to prepare individuals for faculty roles. The recipient must agree to assume a faculty role in a public South Carolina nursing program after graduation for a minimum of two years for each year they receive the scholarship. Annually by February 1,* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

Amendment No. 18

Senator HUTTO proposed the following amendment (SA\ 5100C015.JN.SA24.DOCX), which was adopted (#3):

Amend the bill, as and if amended, Part IB, Section 11, COMMISSION ON HIGHER EDUCATION, page 354, after line 26, by adding an appropriately numbered new proviso to read:

/ (CHE: Athletic Conference Affiliations) No funds appropriated herein to colleges and universities, or tuition or fees shall be spent for legal expenses, exit fees, entry fees, or other expenses associated either directly or indirectly with athletic conference affiliations. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. P2-8

Senator DEVINE proposed the following amendment (5100 PERFECTING 8.DOCX), with was ruled out of order:

Amend the amendment containing file path S-FINANC\ AMEND\AM COUNTY LIBRARIES.DOCX, as and if amended, Part IB, Section 27, STATE LIBRARY, page 361, proviso 27.1, line 6, by inserting:

/ *Prior to receiving any of these funds, county libraries must certify to the State Library that their county libraries do not offer any books or materials that appeal to the prurient interest of children under the age of sixteen in children's, youth, or teen book sections of libraries and are only made available with explicit parental consent.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DEVINE explained the amendment.

Point of Order

Senator KIMBRELL raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator HUTTO spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 8

Senators KIMBRELL, GARRETT and RICE proposed the following amendment (AM COUNTY LIBRARIES), which was carried over and subsequently adopted:

Amend the bill, as and if amended, Part IB, Section 27, STATE LIBRARY, page 361, proviso 27.1, line 6, by inserting a sentence at the end to read:

/ *Prior to receiving any of these funds, county libraries must certify to the State Library that their county libraries do not offer any books or materials that appeal to the prurient interest of children under the age of seventeen in children's, youth, or teen book sections of libraries and are only made available with explicit parental consent.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator KIMBRELL explained the amendment.

Point of Order

Senator DEVINE raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT overruled the Point of Order.

On motion of Senator DEVINE, the amendment was carried over.

Amendment No. 5

Senator SETZLER proposed the following amendment (AM PRT DELETIONS), which was adopted (#4):

Amend the bill, as and if amended, Part IB, Section 49, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 419, proviso 49.19, lines 28-30, by striking the proviso in its entirety.

Amend the bill further, as and if amended, Part IB, Section 49, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 419, proviso 49.20, lines 31-33, by striking the proviso in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Amendment No. 23

Senator CAMPSEN proposed the following amendment (SA\ 5100C017.JN.SA24.DOCX), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 423, after line 25, by adding an appropriately numbered new proviso to read:

/ (CMRC: Sustainable Aviation Fuel Production) From the funds appropriated to the Department of Commerce, the department shall partner with a public research institution located in this State to conduct a study to determine the viability of sustainable aviation fuel production (SAF) in South Carolina. The study must include, but is not limited to:

(1) identification of the leading pathways for supplying SAF at scale and what infrastructure does South Carolina need to put in place to ensure a supply of SAF to both commercial and military facilities;

(2) identification of the sources of raw materials for biofuel within South Carolina;

(3) the economic potential for South Carolina to capture some of the production market for SAF, including the potential to create new jobs;

(4) the range for production costs;

(5) identification of the current processes currently available to produce biofuel;

(6) identification of any state led or federal initiatives and how they may apply to the implementation of a similar, scalable program in South Carolina;

(7) identification of the lifecycle cost of inputs (feedstock, fossil fuel, energy costs of production) for the production of biofuel;

(8) identification of price points for both the producer and end user defined by current and future markets;

(9) identification of the current production capacity and any useable facilities that may be re-purposed or scaled to meet potential demand for biofuel;

(10) identification of air transport industry initiatives for use and demand for biofuel;

(11) identification of what risk reduction measures or financial support mechanisms that are available from the federal government;

(12) identification of any barriers to entry, such as policy or regulatory constraints;

(13) identification of the capability of the fuel handling companies for storage of biofuel and the capacity in the existing transport systems; and

(14) identification of downside risks. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSEN explained the amendment.

On motion of Senator CASH, the amendment was carried over.

Amendment No. 13

Senator VERDIN proposed the following amendment (AM LAKE CONESTEE DAM), which was adopted (#5):

Amend the bill, as and if amended, Part IB, Section 55, DEPARTMENT OF ENVIRONMENTAL SERVICES, page 427, proviso 55.13, lines 17-20, by striking the proviso in its entirety.

Renumber sections to conform.
Amend sections, totals and title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

Amendment No. 11

Senator HARPOOTLIAN proposed the following amendment (5100R008.JG.RAH.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 55, DEPARTMENT OF ENVIRONMENTAL SERVICES, page 429, after line 7, by adding an appropriately numbered new proviso to read:

/ 55. (DES: Environmental Pollution Complaint) The Department shall use funds appropriated in this act to provide reports to County legislative delegations regarding all environmental complaints received from individuals or organizations relating to environmental pollution within the County or pertaining to activities within the County. The Department must provide a report to a County Legislative Delegation within twenty-four hours of receiving a complaint. The report must identify the location and legislative district that is the subject of the complaint, must include a summary of the complaint, and must include the Department's response or planned response to the complaint. For purpose of this provision, "complaint" means: (1) a complaint, inquiry, or notice regarding actual or potential environmental pollution; (2) a complaint, inquiry, or notice regarding an actual or potential violation of an environmental permit; (3) a complaint, inquiry, or notice regarding offensive or obnoxious odors; (4) any investigation related to illegal pollution or permit violations, regardless of how the investigation was initiated; or (5) any other action or activity that may lead to enforcement actions. /

Renumber sections to conform.
Amend sections, totals and title to conform.

Senator HARPOOTLIAN explained the amendment.

On motion of Senator HARPOOTLIAN, the amendment was carried over.

Amendment No. 14

Senator GOLDFINCH proposed the following amendment (SM BEACHES), which was adopted (#6):

Amend the bill, as and if amended, Part IB, Section 55, DEPARTMENT OF ENVIRONMENTAL SERVICES, page 429, after line 7, by adding an appropriately numbered new proviso to read:

/ *(DES: Beaches) Of the funds appropriated to the Department of Environmental Services, "Beaches" means those lands subject to periodic inundation by tidal and wave action so that no non littoral vegetation is established; or such other definition that is established by statute. A determination by the agency that an area is considered "Beach" pursuant to this provision is subject to immediate appellate review by the Administrative Law Court. Appellant shall issue notice of appeal within 30 days, which shall stay any enforcement action during the pendency of the action. If the administrative law judge issues an order reversing the decision of the agency, as it relates to the agency's determination of "Beaches," then the Administrative Law Judge shall issue attorney's fees and costs to the appellant. The agency may be solely responsible for the attorney's fees and costs; and any third party litigants relying on such claims may be responsible for a portion of those fees at the discretion of the Administrative Law Judge.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GOLDFINCH explained the amendment.

The amendment was adopted.

Amendment No. 21

Senator MICHAEL JOHNSON proposed the following amendment (SM WORKERS' COMPENSATION COMMISSION), which was adopted (#7):

Amend the bill, as and if amended, Part IB, Section 74, WORKERS' COMPENSATION COMMISSION, page 461, after line 9, by adding an appropriately numbered new proviso to read:

/ *(WCC: Workers' Compensation Hearings) Every county shall provide a space to conduct hearings for the Workers' Compensation Commission upon request of the Chairman of the Workers' Compensation Commission. This space shall be in a secure existing facility and include all utilities.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

Amendment No. 10

Senators SETZLER, CAMPSEN, HEMBREE, RANKIN, MALLOY and MATTHEWS proposed the following amendment (AM INSURANCE MARKETS), which was adopted (#8):

Amend the bill, as and if amended, Part IB, Section 78, DEPARTMENT OF INSURANCE, page 461, after line 33, by adding an appropriately numbered new proviso to read:

/ *(INS: Coastal Insurance Markets) From the funds appropriated in this act, the Department of Insurance shall conduct a study on the status and market conditions of the South Carolina coastal property insurance market. The study shall include the number of property insurance companies participating in the coastal insurance market, coastal insurance premium pricing, coastal insurance market outlook for the future, possible strategies to stabilize our State's coastal insurance market, efforts the department may utilize to recruit additional insurance providers, and any other information deemed pertinent to the issue including suggested statutory changes. The study shall be submitted to the Senate Finance Committee, the Senate Banking and Insurance Committee, the House Ways and Means Committee, the House Labor, Commerce and Industry Committee, and the Governor by October 1, 2024. The department is further directed to immediately initiate statutorily allowed efforts to recruit additional insurance providers in the coastal property insurance market*. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Amendment No. 3

Senator GROOMS proposed the following amendment (AM FORENSIC ACCOUNTING), which was adopted (#9):

Amend the bill, as and if amended, Part IB, Section 93, DEPARTMENT OF ADMINISTRATION, page 484, proviso 93.19, lines 4 - 30, by striking the proviso in its entirety, and inserting:

/ *(DOA: State Treasury Forensic Accounting Review Audit) Of the funds appropriated pursuant to the Nonrecurring Revenue proviso for Audit Contracting, the Department of Administration must engage an independent forensic accounting firm, experienced in forensic accounting, to conduct a forensic accounting review of all cash and investments held in the State Treasury. The scope of the review, as determined by the Department of Administration, must include, but not be limited to, all cash and investments held in the State Treasury and the reconciliation and balancing of all such cash and investments with any unreconciled fund managed by the relevant state agencies within the South Carolina Enterprise Information System (SCEIS) to the Statewide Accounting and Reporting System (STARS) and, to the extent possible as determined by the engaged accounting firm, to such external statements and records of financial institutions, investment firms, trustees, or any other third-party holding cash and investments on behalf of the State. In addition to the foregoing, the review must include findings and recommendations for any corrective entries and actions necessary, along with recommendations for procedures and controls to be implemented in the future. A final report from the accounting firm must be submitted by the Department of Administration to the Governor, President of the Senate, Chairman of the Senate Finance Committee, Speaker of the House of Representatives, and Chairman of the House Ways and Means Committee by December 31, 2024, and an interim report submitted by September 30, 2024. Provided, however, upon written notice on or before December 31, 2024, the Department of Administration may in its sole discretion elect to extend the completion date of the review if necessary. The Office of State Treasurer, the Office of Comptroller General, the Office of State Auditor, and all other agencies of the State, as may be designated by the Department of Administration, must provide their full cooperation, and make available any staff, books, records, statements, and other information, including information from all financial institutions, investment firms, trustees, or any other third-parties holding cash and investments on behalf of the State, at a time that may be required and in a form that may be prescribed by the Department of Administration in effecting the purposes of this*

provision. The Department of Administration shall report the failure of any agency to cooperate as required to the Governor, President of the Senate, Chairman of the Senate Finance Committee, Speaker of the House of Representatives, and Chairman of the House Ways and Means Committee. The accounting firm engaged pursuant to this provision is authorized to request relevant information directly from any institution, firm, trustee, or third-party holding cash and investments on behalf of the State. Additionally, the State Auditor must provide technical assistance and advice to the Department of Administration in the development of the scope of the review, managing the accounting firm, and assisting in the preparation, review, and presentation of the interim and final reports required and shall be prohibited from disclosing, unless authorized by the Department of Administration, any information related to work conducted until such time as the final report is submitted. All working material of the accounting firm and materials created or collected by the Department of Administration and/or the State Auditor and provided to the accounting firm for purposes of this engagement will be exempt from public record request and only the interim and final reports will be available as public record. Procurements by the Department of Administration are exempt from the purchasing procedures of the South Carolina Consolidated Procurement Code in Chapter 35, Title 11. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Amendment No. 19

Senator HUTTO proposed the following amendment (SA\ 5100C014.JN.SA24.DOCX), which was adopted (#10):

Amend the bill, as and if amended, Part IB, Section 93, DEPARTMENT OF ADMINISTRATION, page 484, after line 33, by adding an appropriately numbered new proviso to read:

/ (DOA: Allendale County) The funds remaining of the $2,500,000 appropriated in Act 239 of 2022, Section 118.19(B)(72)(dd) to the Department of Administration for the Allendale County Law Enforcement Agency Consolidation and Upgrades must be redirected to the Allendale County Sheriff's Office and E-911 for Upgrades. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.
The amendment was adopted.

Amendment No. 22

Senators MARTIN, JACKSON and WILLIAMS proposed the following amendment (SM SCHOOL BOARDS), which was carried over:

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 503, proviso 108.1, line 8, by inserting:
/ (PEBA: Lottery, Infrastructure Bank, *School Board*, and Magistrates Health Insurance)

Amend the bill further, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 503, proviso 108.1, line 8, by striking / and / and inserting /, /

Amend the bill further, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 503, proviso 108.1, line 9, by inserting:
/ South Carolina Transportation Infrastructure Bank Board members, *and local district boards of trustees* /

Renumber sections to conform.
Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

On motion of Senator MARTIN, the amendment was carried over.

Amendment No. 12

Senators MARTIN and CLIMER proposed the following amendment (5100R003.KMM.SRM.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 508, after line 16, by adding an appropriately numbered new proviso to read:
/109.___ (DOR: Liquor Liability Insurance) Section 61-2-145 of the S.C. Code, relating to the requirement that a person licensed or permitted to sell alcoholic beverages for on-premises consumption whose premises remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption maintain a liquor liability insurance policy or a

general liability insurance policy with a liquor liability endorsement for a total coverage of at least one million dollars, is suspended./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

Point of Order

Senator HARPOOTLIAN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MARTIN spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator CASH spoke on the amendment.

On motion of Senator CASH, the amendment was carried over.

Amendment No. 2

Senator PEELER proposed the following amendment (AM TUITION MITIGATION), which was adopted (#11):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 567, proviso 117.154, line 15, by striking:/ *greater than a 2 percent* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator PEELER explained the amendment.

The amendment was adopted.

Amendment No. 15

Senators CAMPSEN, CROMER, CORBIN and HARPOOTLIAN proposed the following amendment (SA\5100C002.JN.SA24.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 577, after line 24, by adding an appropriately numbered new proviso to read:

/ (GP: Data centers) No state entity may use funds to offer incentives to a data center, and no state entity may approve a tariff, rider, or rate

proposal for a reduced electric rate, nor any other form of incentive that would result in a reduced electric rate to a data center. For purposes of this proviso, "data center" means any facility that primarily contains electronic equipment used to process, store, and transmit digital information which may be (a) a free-standing structure; or (b) a facility within a larger structure, that uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSEN explained the amendment.

Point of Order

Senator CLIMER raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 29

Senator TEDDER proposed the following amendment (5100 DT HEMP INFUSED SOFT DRINKS.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 577, after line 25, by adding an appropriately numbered new proviso to read:

/ *117. (GP: Hemp-Infused Soft Drinks) No agency receiving state appropriations may promulgate or enforce state regulations or offer guidance for hemp-infused soft drinks that are more stringent than those promulgated or enforced by the federal Secretary of Health and Human Services without express permission from the General Assembly. "Hemp-infused soft drinks" are any nonalcoholic, flavored carbonated beverages, including, but not limited to, soda or soda water, fruit-flavored drinks, nonalcoholic still beverages, seltzer or club soda, containing hemp-derived ingredients.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TEDDER explained the amendment.

On motion of Senator BENNETT, the amendment was carried over.

Amendment No. 7

Senators HEMBREE and MALLOY proposed the following amendment (SA\5100C005.JN.SA24.DOCX), which was adopted (#12):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 274, by striking proviso 1.3 (G), beginning on line 33, and inserting:

/ *(G)*To provide transparency, Revenue and Fiscal Affairs will document annually, through an online financial dashboard, the expenditure of all state, local, and federal funds by each district and by each charter school authorizer and other relevant data *to include its fund balance and average fund balance for the reporting year*. *The districts shall report monthly, to the Department of Education, their monthly fund balance that will be used to calculate an average.* To ensure that the public reporting meets the needs of educators, parents, citizens, and policymakers, the department, in conjunction with Revenue and Fiscal Affairs, will consult routinely with a group of educators, parents, citizens, and policymakers. District expenditures for the prior fiscal year must be published on the department's website for public disclosure by January 1./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 9

Senators TALLEY, SENN and TURNER proposed the following amendment (SA\5100C010.JN.SA24.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, beginning on page 292, by striking proviso 1.49, beginning on line 16, and inserting:

/ 1.49. (SDE: Interscholastic Athletic Association Dues) (A) A public school district supported by state funds shall not use any funds or permit any school within the district to use any funds to join, affiliate with, pay dues or fees to, or in any way financially support any interscholastic athletic association, body, or entity unless the constitution, rules, or policies of the association, body, or entity contain the following:

(1) a range of sanctions that may be applied to a student, coach, team, or program and that takes into account factors such as the seriousness, frequency, and other relevant factors when there is a violation of the constitution, bylaws, rules, or other governing provisions of the association, body, or entity;

(2)(a) guarantees that private or charter schools are afforded the same rights and privileges that are enjoyed by all other members of the association, body, or entity. A private or charter school may not be expelled from or have its membership unreasonably withheld by the association, body, or entity or restricted in its ability to participate in interscholastic athletics including, but not limited to, state playoffs or championships based solely on its status as a private school or charter school. The association, body, or entity shall set reasonable standards for private or charter school admission. A private or charter school denied membership must be provided, in writing within five business days, the reason or reasons for rejection of its application for membership;

(b) guarantees that a South Carolina home school athletic team that is a member of a home school athletic association may not be denied access to preseason and regular season interscholastic athletics including, but not limited to, jamborees and invitational tournaments, based solely on its status as a home school athletic team; other rules or policies of the association, body, or entity would apply;

(3)(a) an appeals process in which appeals of the association, body, or entity are made to a disinterested third-body appellate panel which consists of seven members who serve four year terms, with one person appointed by the delegation of each congressional district;

(b) a member of the panel serves until his successor is appointed and qualifies. A vacancy on the panel is filled in the manner of the original appointment;

(c) members of the appellate panel do not concurrently serve as officers of the association, body, or entity and may not have served as a member of the executive committee within the last three years. Principals and superintendents are able to appeal a ruling of the association, body, or entity to the panel. The appellate panel also must provide the final ruling in any appeal brought against a decision of the association, body, or entity;

(d) an appeal stays the determination of a sanction made by the association, body, or entity, or staff member of such, pending the outcome of the appeal;

(4) a procedure in place for emergency appeals to be held and decided upon in an expedited manner if the normal appellate process would prohibit the participation of a student, team, program, or school in an athletic event, to include practices;

(5) a uniform system applicable to all member schools establishing fines for the cancellation of a scheduled game regardless of if the game is in or out of region. At a minimum, the school canceling the scheduled game must be fined an amount equal to the cost incurred for officials, tickets, and concessions. If the game is rescheduled or cancelled for a documented health or safety reason the school shall not be fined; and

~~(5)~~*(6)* provisions, implemented within one year after the effective date of this section, that require the composition of the executive committee of the association, body, or entity be geographically representative of this State.

(B) In the event an association, body, or entity fails to include one of the items listed in this proviso, public school districts and schools must end their affiliation with the association, body, or entity prior to the beginning of the upcoming school year and are prohibited from paying dues or fees to the association, body, or entity.

(C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TALLEY explained the amendment.

On motion of Senator TALLEY, the amendment was carried over.

Amendment No. 6

Senators HEMBREE and SETZLER proposed the following amendment (SA\5100C011.JN.SA24.DOCX), which was adopted (#13):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 309, after line 31, by adding an appropriately numbered new proviso to read:

/ (SDE: School Mapping Data Program) (A) From the funds appropriated to the Department of Education, to facilitate efficient emergency responses in public schools by public safety agencies in this

State, the School Mapping Data Program is established as a statewide initiative within the State Department of Education. Subject to funding, the department shall contract with a vendor to provide school mapping data for each public school in the State. The data must be provided to each school district, local law enforcement agency, and public safety agency for use in response to emergencies. For purposes of this proviso, emergencies include, but are not limited to, any event in which a law enforcement officer, firefighter, rescue squad, emergency medical service provider, public safety telecommunicator, or any other emergency management provider may respond.

(B) School mapping data must:

(1) be compatible with software platforms used by local, county, state, and federal public safety agencies that provide emergency services to the specific school for which the data is provided without requiring such agencies to purchase additional software or requiring a fee to view or access the data;

(2) be compatible with security software platforms in use by the specific school for which the data is provided without requiring the local law enforcement agencies or school districts to purchase additional software or requiring a fee to view or access the data;

(3) be in a printable format and, if requested, be in a digital file format that may be integrated into interactive mobile platforms in use;

(4) be verified by the entity producing the data for accuracy by a walk-through of school buildings and grounds;

(5) be oriented true north;

(6) include accurate floor plans overlaid on current, verified aerial imagery of the campus, which must be updated by the department as it considers necessary;

(7) contain site-specific labeling that matches the structure of school buildings, including room labels, hallway names, and external door or stairwell numbers and locations of hazards, critical utility locations, key boxes, automated external defibrillators, and trauma kits;

(8) contain site-specific labeling that matches the school grounds, including parking areas, athletic fields, surrounding roads, and neighboring properties;

(9) be overlaid with gridded x and y coordinates; and

(10) be updated and accessible within software platforms used by local, county, state, and federal public safety agencies that provide emergency services to the specific school.

(C) Each school district must be required to pay an annual maintenance fee to update their school map to ensure the school floor

plans and aerial imagery are accurate and up-to-date. This fee may not exceed six hundred fifty dollars for each school.

(D) School mapping data is not subject to disclosure under the Freedom of Information Act. For purposes of this proviso, "school mapping data" means information collected pursuant to this proviso in an electronic or a digital format and provided to assist first responders in responding to emergencies at school. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 24

Senators CLIMER, YOUNG and KIMBRELL proposed the following amendment (DG\5100C004.CC.DG24.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 309, after line 31, by adding an appropriately numbered new proviso to read:

/ (SDE: Interscholastic athletics) (A) No funds appropriated or authorized in this act that are distributed to a school district may be used to deny individual students who attend independent schools in this State the opportunity to try out for and, if selected, participate in an interscholastic athletic program offered at a public school in the district if the:

(1) student resides within the attendance zone boundaries of the public school;

(2) independent school that the student attends is not a member of the South Carolina High School League and the private school's enrollment for grades nine through twelve does not exceed two hundred students;

(3) independent school attended by the student does not offer the particular sport for the student's gender;

(4) particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;

(5) student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;

(6) student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport; and

(7) student meets all public school district eligibility requirements with the exception of the:

(a) school district's school or class attendance requirements; and

(b) class and enrollment requirements of the association administering the interscholastic sports.

(B) Additionally, a public school district may not expend funds to contract with a private entity that supervises interscholastic athletic programs if the private entity prohibits the participation of independent school students in interscholastic athletic programs supervised by the entity.

(C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.

(D) A public school may expend funds on students specified in subsection (A) to participate in an interscholastic athletic program.

(E) The provisions of this proviso shall not be construed as imputing any public school academic, athletic, or extracurricular policies or procedures to any private school that a student attends if that student also participates in a public high school league sport pursuant to the terms of this act outside of the requirements related to maintaining a certain grade-point average and grade level for participating in and attending regularly scheduled practices of the sports team.

(F) For purposes of this proviso, 'independent school' means a school:

(1) established by an entity other than the State or a subdivision of the State;

(2) supported primarily by private or nonpublic funds; and

(3) operated by private individuals operating in their private capacity and not by people who are publicly elected or appointed to operate the school. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER explained the amendment.

On motion of Senator CLIMER, the amendment was carried over.

Amendment No. 25

Senators SETZLER and SHEALY proposed the following amendment (AM PALMETTO BOYS GIRLS STATE), which was adopted (#14):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 309, after line 31, by adding an appropriately numbered new proviso to read:

/*(SDE: Palmetto Boys/Girls State) Of the funds appropriated to the State Department of Education, or carried forward from the prior fiscal year, the department shall provide $25,000 to Palmetto Boys State and $25,000 to Palmetto Girls State.*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Amendment No. 8

Senators KIMBRELL, GARRETT and RICE proposed the following amendment (AM COUNTY LIBRARIES), which was adopted (#15):

Amend the bill, as and if amended, Part IB, Section 27, STATE LIBRARY, page 361, proviso 27.1, line 6, by inserting a sentence at the end to read:

/ *Prior to receiving any of these funds, county libraries must certify to the State Library that their county libraries do not offer any books or materials that appeal to the prurient interest of children under the age of seventeen in children's, youth, or teen book sections of libraries and are only made available with explicit parental consent.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator KIMBRELL explained the amendment.

Point of Order

Senator MATTHEWS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator KIMBRELL spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

The question then was the adoption of the amendment.

Senator DEVINE moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 9; Nays 32

AYES

Allen	Devine	Fanning
Harpootlian	Matthews	McLeod
Sabb	Stephens	Tedder

Total--9

NAYS

Adams	Alexander	Campsen
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Hembree
Hutto	Jackson	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	McElveen	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--32

The Senate refused to table the amendment.

Senator DEVINE spoke on the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Remarks by Senator DEVINE

Thank you, Mr. PRESIDENT. Ladies and gentlemen of the Senate, I understand what this amendment says. I have small children myself. My youngest is seven years old and I do understand a parent having the

ability to look at what their children have access to. But my problem is with a couple of things on this Bill or this amendment. Number one, this amendment is very vague. It talks about how a library must certify to the State Library. But as the Senator who is the proponent of this amendment says, there is no process for that. I'm not sure how many of you talk to your library director, but I have and while we've been here, I have been texting my library director asking how do children have access to certain books? We have a nationally recognized library system here in Richland County. People come from all over the country to look at the Richland County Library. They are doing everything right. But sometimes children have access, as the Senator mentioned -- parents drop their children off. You can't always decide what the children get into. If you have a system that you can "certify that you are not providing these materials" -- materials in the library. Who is to say someone puts a book down and a child picks another book up that is not in the children's section? Are we going to hold these libraries accountable and hold up their state money because of this process? If they certify that there is a process and then someone complains, are they going to be penalized saying well you certified to the process but a child still had access.

In addition to that, here in Richland County, and I know that other counties may be different, but children have access -- their library card is their school I.D., so they can go online and have access to books, or they can order them and the books come in. Who is to say -- a Senator asked me earlier when we were talking about this -- what if a seventeen year old comes in and brings a thirteen year old? How are we going to hold a library accountable for those things? I have lots of folks who are babysitters and they go in and they take children to the library. They are not the parent. If the parent is not there, can a babysitter certify to check out a book? If that's not the case, then what if the parent has to send their child in with another parent that might be the noncustodial parent -- there is just too much ambiguity in this.

The other problem I have is when we talk about children under the age of seventeen -- well as many probably have very talented children, my children are all very talented. My daughter, when she was in high school, was taking college credit courses. She graduated high school as did I at the age of seventeen. So are you saying I have an advanced child doing an essay -- asked to do an essay on a book you believe has prurient interest but educational qualities -- that I can't have access to do my report for a college course. So there is just so much in this amendment. If this is something this Body wants to do, you need to do it through a Bill. Putting it in a proviso and holding up money to a government

agency -- another government agency, nonprofit like a library, public library, especially world-renowned public libraries like Richland County, I have a problem with it. And so I'm just asking you all, if this is something you want to do, can you do it through the regular process? I'm asking that we not pass this Bill to hold up any of these funds to our libraries -- that are well-deserved, that need these funds to continue to do excellent programming within our communities as they do -- just because there is a process of certifying that someone may not like or may not believe is amenable. So, I'm asking we not pass this Bill and let's do this through another way if you so desire.

On motion of Senator WILLIAMS, with unanimous consent, the remarks of Senator DEVINE were ordered printed in the Journal.

Amendment No. 28

Senators SHEALY, GOLDFINCH, GAMBRELL, CAMPSEN, McELVEEN, GARRETT, HUTTO and MATTHEWS proposed the following amendment (SM ADVERTISING FUNDS), which was adopted (#16):

Amend the bill, as and if amended, Part IB, Section 49, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 420, after line 5, by adding an appropriately numbered new proviso to read:

/ *(PRT: Advertising Funds) In the current fiscal year, the Department of Parks, Recreation, and Tourism is directed to utilize a portion of advertising funds appropriated in this Act in Section II. A. Advertising to promote inland lakes for tourism and fishing, hunting opportunities throughout the state, and public and non-profit owned and administered trail systems in all areas of the state.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEALY explained the amendment.

The amendment was adopted.

On motion of Senator CAMPSEN, with unanimous consent, Amendment No. 23 was withdrawn.

Amendment No. 23A

Senator CAMPSEN proposed the following amendment (SA\ 5100C018.JN.SA24.DOCX), which was adopted (#17):

Amend the bill, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 423, after line 25, by adding an appropriately numbered new proviso to read:

/ (CMRC: Sustainable Aviation Fuel Production) In Fiscal Year 2024-2025, from the funds appropriated to the Department of Commerce, up to $250,000 shall be expended to partner with a public research institution located in this State to conduct a study to determine the viability of sustainable aviation fuel production (SAF) in South Carolina. The study must include, but is not limited to:

(1) identification of the leading pathways for supplying SAF at scale and what infrastructure does South Carolina need to put in place to ensure a supply of SAF to both commercial and military facilities;

(2) identification of the sources of raw materials for biofuel within South Carolina;

(3) the economic potential for South Carolina to capture some of the production market for SAF, including the potential to create new jobs;

(4) the range for production costs;

(5) identification of the current processes currently available to produce biofuel;

(6) identification of any state led or federal initiatives and how they may apply to the implementation of a similar, scalable program in South Carolina;

(7) identification of the lifecycle cost of inputs (feedstock, fossil fuel, energy costs of production) for the production of biofuel;

(8) identification of price points for both the producer and end user defined by current and future markets;

(9) identification of the current production capacity and any useable facilities that may be re-purposed or scaled to meet potential demand for biofuel;

(10) identification of air transport industry initiatives for use and demand for biofuel;

(11) identification of what risk reduction measures or financial support mechanisms that are available from the federal government;

(12) identification of any barriers to entry, such as policy or regulatory constraints;

(13) identification of the capability of the fuel handling companies for storage of biofuel and the capacity in the existing transport systems; and

(14) identification of downside risks. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Amendment No. 36

Senator CAMPSEN proposed the following amendment (SA\ 5100C019.JN.SA24.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 423, after line 25, by adding an appropriately numbered new proviso to read:

/ (CMRC: Data centers) No funds appropriated to the Department of Commerce shall be used to offer incentives to locate a data center in this State. For purposes of this proviso, "data center" means any facility that primarily contains electronic equipment used to process, store, and transmit digital information which may be (a) a free-standing structure; or (b) a facility within a larger structure, that uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSEN explained the amendment.

On motion of Senator M. JOHNSON, the amendment was carried over.

Motion Adopted

On motion of Senator PEELER, with unanimous consent, H. 5100, the General Appropriations Bill, was read a second time, carrying over all amendments to third reading with all members reserving their rights as to Points of Order.

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 10:00 A.M.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

H. 5395 -- Reps. B. Newton, Mitchell, Yow and Neese: A BILL TO AMEND ACT 879 OF 1954, AS AMENDED, RELATING TO THE CREATION OF THE LANCASTER COUNTY NATURAL GAS AUTHORITY, SO AS TO CLARIFY PER DIEM PROVISIONS APPLICABLE TO MEMBERS OF THE BOARD OF DIRECTORS AND TO DELETE THE REQUIREMENT THAT ALL UNENCUMBERED REVENUES FROM THE SYSTEM BE PAID OVER TO THE MUNICIPALITIES SERVED BY THE AUTHORITY AND TO PROVIDE THAT THESE FUNDS MUST BE USED INSTEAD TO EXPAND THE SYSTEM OR TO REDUCE CUSTOMER RATES.

On motion of Senator M. JOHNSON.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator HUTTO, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Miles Loadholt of Barnwell, S.C. Miles earned his juris doctor degree from the University of South Carolina School of Law and practiced law in Barnwell. He worked in numerous capacities for the University of South Carolina over the years and was a member of the Board of Trustees beginning in 1996. Miles was a member of First Baptist Church in Barnwell, the Rotary Club, Sigma Nu Alumni Association, and the Ellenton Agricultural Club. He enjoyed boating and spending time with his family. Miles was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 5:38 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:00 A.M.

* * *

Wednesday, April 24, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 10:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Habakkuk 3:19a

The prophet Habakkuk proclaims: "The Sovereign Lord is my strength."

Bow with me as we pray, friends: O glorious God, here we are, well into the fourth month of this Senate's regular session. And in many ways all of the members' deliberations and debate have inevitably, even understandably, taken something of a toll. All of which is why, Lord, we pray today that You will energize afresh each member of this Body. Grant these Senators the strength they need to overcome even the slightest measure of fatigue and weariness. Energize and motivate them and their aides to strive ever moreso for worthy results, all of which hopefully will benefit each citizen of this State we love. And as ever, O Lord, to You be the glory. We pray this in Your wondrous name, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rankin	Reichenbach	Rice

Sabb	Senn	Setzler
Shealy	Talley	Tedder
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

Leave of Absence

On motion of Senator VERDIN, at 10:24 A.M., Senator LOFTIS was granted a leave of absence until 12:00 P.M.

Leave of Absence

On motion of Senator FANNING, at 11:38 A.M., Senators MATTHEWS and STEPHENS were granted a leave of absence until 12:08 P.M.

Leave of Absence

On motion of Senator FANNING, at 1:12 P.M., Senator STEPHENS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator TURNER, at 5:33 P.M., Senator BENNETT was granted a leave of absence until 6:30 P.M.

Leave of Absence

On motion of Senator YOUNG, at 6:55 P.M., Senator TALLEY was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator PEELER rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 1134 Sen. Grooms

RECALLED

H. 5235 -- Reps. Bannister and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 43-7-465, RELATING TO INSURERS PROVIDING COVERAGE TO PERSONS RECEIVING MEDICAID, SO AS TO COMPORT WITH THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2022.

Senator VERDIN asked unanimous consent to make a motion to recall the Bill from the Committee on Medical Affairs.

The Bill was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5236 -- Reps. Bannister and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-6-50, RELATING TO RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES OR A SUCCESSOR AGENCY, SO AS TO MAKE CERTAIN CHANGES CONCERNING MEDICAID CLAIMS PROCESSING CONTRACTS.

Senator VERDIN asked unanimous consent to make a motion to recall the Bill from the Committee on Medical Affairs.

The Bill was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1284 -- Senators Setzler and Shealy: A SENATE RESOLUTION TO COMMEND RIVERBANKS ZOO AND GARDEN FOR THEIR OUTSTANDING WORK OVER THE PAST FIFTY YEARS AND TO RECOGNIZE MAY 1, 2024, AS "RIVERBANKS ZOO AND GARDEN DAY" IN SOUTH CAROLINA.

sr-0695km-hw24.docx

The Senate Resolution was adopted.

S. 1285 -- Senator Malloy: A BILL TO AMEND ACT 259 OF 1961, RELATING TO THE HARTSVILLE COMMUNITY CENTER BUILDING COMMISSION, SO AS TO INCREASE THE COMMISSION'S MEMBERSHIP FROM THREE TO FIVE

MEMBERS, AND TO DELETE REFERENCES TO INITIAL BOARD MEMBERS.
sr-0699km24.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 1286 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO BUILDING CODES COUNCIL, DESIGNATED AS REGULATION DOCUMENT NUMBER 5248, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0715wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1287 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA REAL ESTATE COMMISSION, RELATING TO REAL ESTATE COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5253, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0716wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1288 -- Senator Bennett: A SENATE RESOLUTION TO RECOGNIZE MAY AS "NATIONAL WATER SAFETY MONTH" AND TO HONOR THE SUMMERVILLE FAMILY YMCA, THE SUMMERVILLE MEDICAL CENTER, COLLETON AND DORCHESTER PARKS AND RECREATION DEPARTMENTS, DORCHESTER COUNTY SCHOOL DISTRICT 4, AND COLLETON COUNTY SCHOOL DISTRICT FOR THEIR PARTNERSHIP TO INCREASE SAFETY ON THE WATER IN SOUTH CAROLINA.
lc-0719wab-ar24.docx

The Senate Resolution was adopted.

S. 1289 -- Senator Rice: A CONCURRENT RESOLUTION TO RECOGNIZE MAY 11, 2024, AS "LETTER CARRIERS' STAMP OUT HUNGER FOOD DRIVE DAY" IN SOUTH CAROLINA.
sr-0698km-vc24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1290 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF BOUNDARY STREET AND THE SOUTH CAROLINA HIGHWAY 34 BYPASS (BOB LAKE BOULEVARD) IN NEWBERRY COUNTY "HENRY S. REEDER INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
sr-0700km-hw24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5452 -- Reps. Erickson, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE SOUTH CAROLINA'S 2024 DISTRICT TEACHERS OF THE YEAR UPON BEING SELECTED TO REPRESENT THEIR RESPECTIVE SCHOOL DISTRICTS, TO EXPRESS APPRECIATION FOR THEIR

DEDICATED SERVICE TO CHILDREN, AND TO WISH THEM CONTINUED SUCCESS IN THE FUTURE.
lc-0463vr-rm24.docx

The Concurrent Resolution was adopted, ordered returned to the House.

H. 5453 -- Reps. Rose, Rutherford, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO HONOR STAFF AT THE UNIVERSITY OF SOUTH CAROLINA FOR THEIR HARD WORK AND MANY CONTRIBUTIONS MADE TO THE FLAGSHIP UNIVERSITY, TO CONGRATULATE THEM, AND TO DECLARE MAY 14, 2024, AS "USC STAFF DAY" IN THE PALMETTO STATE.
lc-0448hdb-bl24.docx

The Concurrent Resolution was introduced and referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 1160 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-5-105 SO AS TO CREATE THE SCHOOL MAPPING DATA PROGRAM WITHIN THE STATE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF FACILITATING EFFICIENT EMERGENCY

RESPONSES IN PUBLIC SCHOOLS BY PUBLIC SAFETY AGENCIES, TO DEFINE NECESSARY TERMS, TO PROVIDE REQUIREMENTS FOR THE PROGRAM AND ITS IMPLEMENTATION BY THE DEPARTMENT, AND TO PROVIDE RELATED REQUIREMENTS OF SCHOOL DISTRICTS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Operations and Management polled out S. 1275 favorable:

S. 1275 -- Senators Rankin, Sabb, Talley and Alexander: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, JUNE 5, 2024, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 3, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JULY 31, 2028.

Poll of the Operations and Management Committee
Polled 9; Ayes 9; Nays 0; Not Voting 0

AYES

Alexander	Peeler	Rankin
Massey	Hutto	Setzler
Malloy	Shealy	Turner

Total--9

NAYS

Total--0

NOT VOTING

Total--0

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable report on:

H. 3501 -- Rep. W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-102-140, RELATING TO PROHIBITED ACTS OF ATHLETE

AGENTS, SO AS TO PROVIDE CERTIFIED ATHLETE AGENTS MAY PAY CERTAIN EXPENSES INCURRED BEFORE THE SIGNING OF AGENCY CONTRACTS BY STUDENT ATHLETES, FAMILY MEMBERS OF STUDENT ATHLETES, AND INDIVIDUALS OR CLASSES OF INDIVIDUALS AUTHORIZED TO RECEIVE SUCH PAYMENTS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance polled out H. 3563 favorable:

H. 3563 -- Reps. Cobb-Hunter, Pace, Collins, Bauer, Dillard, W. Jones, Wheeler, Hart, J.L. Johnson, Henegan, Williams, Trantham, Oremus, Cromer, Beach and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS, SO AS TO PROVIDE FOR AN EXEMPTION FOR FEMININE HYGIENE PRODUCTS.

Poll of the Finance Committee
Polled 23; Ayes 23; Nays 0; Not Voting 0

AYES

Peeler	Setzler	Alexander
Grooms	Verdin	Cromer
Jackson	Williams	Davis
Martin	Allen	Bennett
Corbin	Hembree	K. Johnson
McElveen	Shealy	Turner
Gambrell	Fanning	Goldfinch
Young	Matthews	

Total--23

NAYS

Total--0

NOT VOTING

Total--0

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources polled out H. 4843 favorable:

H. 4843 -- Reps. Bailey, Brittain, Guest, J.E. Johnson, Sandifer and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-39-148 SO AS TO AUTHORIZE BUSINESSES WITH A DECK, DOCK, OR OTHER STRUCTURE LOCATED IN A CRITICAL AREA TO USE THE STRUCTURE FOR PURPOSES DIRECTLY RELATED TO THE OPERATION OF THE BUSINESS WITH LOCAL ZONING APPROVAL.

Poll of the Agriculture and Natural Resources Committee
Polled 16; Ayes 16; Nays 0; Not Voting 1

AYES

Climer	Verdin	Williams
McElveen	Sabb	Fanning
Goldfinch	Talley	Harpootlian
Loftis	Garrett	Gustafson
M. Johnson	Kimbrell	Massey
Reichenbach		

Total--16

NAYS

Total--0

NOT VOTING

Stephens

Total--1

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

H. 4642 -- Reps. Mitchell, Gilliam, Pope, Sessions, Caskey and Hart: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-1-20, RELATING TO THE

ACCEPTANCE OF ACT OF CONGRESS, SO AS TO DISALLOW CONFLICTS; BY AMENDING SECTION 25-1-40, RELATING TO THE APPLICABILITY OF THE UNIFORM CODE OF MILITARY JUSTICE, SO AS TO REMOVE PROVISIONS; BY AMENDING SECTION 25-1-2420, RELATING TO THE MILITARY CODE DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "MILITARY FORCES"; BY AMENDING SECTION 25-1-2430, RELATING TO PERSONS SUBJECT TO CODE OF MILITARY JUSTICE, SO AS TO PROVIDE FOR WHAT JURISDICTION DUTY STATUS INCLUDES; BY AMENDING SECTION 25-1-2520, RELATING TO NONJUDICIAL DISCIPLINARY PUNISHMENT, SO AS TO PROVIDE THAT CERTAIN PERSONS MAY NOT DECLINE NONJUDICIAL PUNISHMENT; BY AMENDING SECTION 25-1-2530, RELATING TO TYPES OF COURTS-MARTIAL, SO AS TO PROVIDE FOR WHOM A SPECIAL COURT-MARTIAL CONSISTS OF; BY AMENDING SECTION 25-1-2550, RELATING TO THE JURISDICTION OF GENERAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2560, RELATING TO THE JURISDICTION OF SPECIAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2570, RELATING TO THE JURISDICTION OF SUMMARY COURTS-MARTIAL, SO AS TO PROVIDE FOR PUNISHMENTS; BY AMENDING SECTION 25-1-2620, RELATING TO DETAIL AND DESIGNATION OF MILITARY JUDGES, SO AS TO PROVIDE THE AUTHORITY CONVENING A SUMMARY COURT-MARTIAL; BY AMENDING SECTION 25-1-2765, RELATING TO VOTING AND RULINGS, SO AS TO REMOVE CERTAIN REFERENCES TO THE PRESIDENT OF A COURT MARTIAL; BY AMENDING SECTION 25-1-2780, RELATING TO RECORD OF TRIAL, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2795, RELATING TO FORFEITURE OF PAY, SO AS TO REMOVE THE SENTENCE OF FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2805, RELATING TO THE REDUCTION IN PAY GRADE AND THE RESTORATION OF BENEFITS, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2865, RELATING TO THE REMISSION OR SUSPENSION OF A SENTENCE, SO AS TO REPLACE FORFEITURES WITH FINES; BY AMENDING SECTION 25-1-2985, RELATING TO THE IMPROPER USE OR DISCLOSURE OF PAROLE OR

COUNTERSIGN, SO AS TO INCLUDE WHEN THE USE OF MILITARY FORCE HAS BEEN AUTHORIZED BY CERTAIN INDIVIDUALS; BY AMENDING SECTION 25-1-3140, RELATING TO WRIT WHEN FINE HAS NOT BEEN PAID, SO AS TO UPDATE DATES; BY AMENDING SECTION 25-1-3145, RELATING TO WRIT OF SENTENCE OF CONFINEMENT, SO AS TO UPDATE DATES; AND BY AMENDING SECTION 25-1-3160, RELATING TO CONSTRUCTION OF CODE OF MILITARY JUSTICE, SO AS TO PROVIDE THAT THE UNIFORM CODE OF MILITARY JUSTICE IS NOT BINDING ON THE SOUTH CAROLINA CODE OF MILITARY JUSTICE.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

H. 4953 -- Reps. B.J. Cox, Davis, M.M. Smith, Bustos, Hart, Williams, Henegan, Caskey, Jefferson, J. Moore and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-80, RELATING TO STATE VETERANS' CEMETERIES, SO AS TO REMOVE A RESIDENCY REQUIREMENT.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

H. 5245 -- Reps. G.M. Smith, Erickson, Bradley and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-50, RELATING TO CHARTER SCHOOL ADMISSIONS, SO AS TO PROVIDE CHARTER SCHOOLS MAY GIVE ENROLLMENT PREFERENCE TO CHILDREN OF ACTIVE DUTY MILITARY SERVICEMEMBERS IN THIS STATE IF THEIR ENROLLMENT DOES NOT CONSTITUTE MORE THAN TWENTY PERCENT OF THE OVERALL ENROLLMENT, AND TO REVISE EXISTING ENROLLMENT PREFERENCE PROVISIONS.

Ordered for consideration tomorrow.

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 5100, THE GENERAL APPROPRIATIONS BILL.

AMENDED, READ THE THIRD TIME
HOUSE BILL RETURNED

H. 5100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Motion Adopted

On motion of Senator HARPOOTLIAN, with unanimous consent, Amendment No. 11 was withdrawn.

Amendment No. 27

Senator HARPOOTLIAN proposed the following amendment (5100R015.JG.RAH.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 55, DEPARTMENT OF ENVIRONMENTAL SERVICES, page 429, after line 7, by adding an appropriately numbered new proviso to read:

/ 55. (DES: Environmental Pollution Complaint) The Department shall use funds appropriated in this act to provide reports to County legislative delegations regarding all environmental complaints received from individuals or organizations relating to environmental pollution within the County or pertaining to activities within the County. The Department must provide a report to a County Legislative Delegation within one week of receiving a complaint. The report must identify the location and legislative district that is the subject of the complaint, must include a summary of the complaint, and must include the Department's response or planned response to the complaint. For purpose of this provision, "complaint" means: (1) a complaint, inquiry, or notice regarding actual or potential environmental pollution; (2) a complaint, inquiry, or notice regarding an actual or potential violation of an environmental permit; (3) a complaint, inquiry, or notice regarding offensive or obnoxious odors; (4) any investigation related to illegal pollution or permit violations,

regardless of how the investigation was initiated; or (5) any other action or activity that may lead to enforcement actions. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HARPOOTLIAN explained the amendment.

Motion Adopted

On motion of Senator HARPOOTLIAN, with unanimous consent, the amendment was withdrawn.

Amendment No. 33

Senators RANKIN, SETZLER, HUTTO, SHEALY, MALLOY, DAVIS, GARRETT, GROOMS, WILLIAMS, GOLDFINCH, SENN, GAMBRELL, ADAMS, YOUNG, SABB, MICHAEL JOHNSON, TALLEY, McELVEEN, REICHENBACH, DEVINE and KEVIN JOHNSON proposed the following amendment (5100R013.JG.LAR.DOCX), which was adopted (#18):

Amend the bill, as and if amended, Part IB, Section 78, DEPARTMENT OF INSURANCE, page 461, after line 33, by adding an appropriately numbered new proviso to read:

/78. (INS: Review and Study Committee) (A) There is created a review and study committee to be comprised of nine members:(a) one Senator appointed by the President of the Senate, one Senator appointed by the Chairman of the Senate Banking and Insurance Committee, and one Senator appointed by the Chairman of the Senate Judiciary Committee; (b) three members of the House of Representatives appointed by the Speaker of the House of Representatives; and (c) three members of the public at large appointed by the Governor.

(B) Of the members appointed by the Governor, one member must have substantial academic or professional experience in the insurance industry, one member must be a practicing attorney with extensive experience representing plaintiffs in insurance-related litigation, and one member must be a practicing attorney with extensive insurance defense experience.

The members of the committee: (1) must meet as soon as practicable after appointment and organize by electing one of the committee's members as chairman and other officers as the committee may consider necessary. Thereafter, the committee must meet as necessary to fulfill the duties required by this proviso at the call of the chairman or by a majority of the members. A quorum consists of five members; (2) shall

serve without compensation, and are ineligible for the usual mileage, subsistence, and per diem allowed by law for members of state boards, committees, and commissions. Staffs of the Senate Judiciary Committee, Senate Banking and Insurance Committee, the House of Representatives Judiciary Committee, and the House of Representatives Labor, Commerce and Industry Committee shall be available to assist the committee in its work. Any other expenses incurred by the committee shall be paid equally from each respective house's approved account subject to the approval of the Senate Operations and Management Committee and the Speaker of the House; and (3) unless authorized by a further or subsequent enactment, shall conclude the committee's business by January 31, 2025, at which time the committee is dissolved. The General Assembly may extend the dates by which the committee shall submit reports required by this proviso.

(C) The committee shall conduct a thorough review of this state's civil justice and insurance laws from the standpoint of adequacy, equity, and efficiency with the goal of continuing to maintain and enhance South Carolina as an optimum competitor in its effort to both retain and attract new individuals and business to re-locate, live, work, and invest in South Carolina. The committee shall address coverage availability, premium rates, and deductibles in the following five categories: (1) property and casualty for single-family dwellings, multi-family units, and condominium complexes and commercial buildings; (2) automobiles and trucks; (3) commercial general liability; (4) business; and (5) restaurant /tavern/bar liability liquor liability. The committee shall review how other states' civil justice and insurance laws compare with South Carolina's laws regarding coverage availability, premium rates, and deductibles. No later than January 31, 2025, the committee shall submit a report on its findings and recommendations to the full General Assembly and the Governor and make the report available to the public on the General Assembly's website. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

Amendment No. 41

Senator HUTTO proposed the following amendment (AM PENALTIES FOR NON-REPORTING), which was adopted (#19):

Amend the bill, as and if amended, Part IB, Section 98, STATE TREASURER'S OFFICE, page 488, proviso 98.9, line 5, by striking /2023-24/ and inserting /*2024-25*/.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. 22

Senators MARTIN, JACKSON and WILLIAMS proposed the following amendment (SM SCHOOL BOARDS), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 503, proviso 108.1, line 8, by inserting:

/ (PEBA: Lottery, Infrastructure Bank, *School Board*, and Magistrates Health Insurance)/

Amend the bill further, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 503, proviso 108.1, line 8, by striking / and / and inserting /, /

Amend the bill further, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 503, proviso 108.1, line 9, by inserting:

/ South Carolina Transportation Infrastructure Bank Board members, *and local district boards of trustees* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

Motion Adopted

On motion of Senator MARTIN, with unanimous consent, the amendment was withdrawn.

Amendment No. 30

Senators MARTIN and JACKSON proposed the following amendment (SM LOCAL SCHOOL BOARDS), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 503, proviso 108.1, line 8, by inserting:

/ (PEBA: Lottery, Infrastructure Bank, *School Board*, and Magistrates Health Insurance)/

Amend the bill further, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 503, proviso 108.1, line 8, by striking / and / and inserting /, /

Amend the bill further, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 503, proviso 108.1, line 9, by inserting:

/ South Carolina Transportation Infrastructure Bank Board members, *and local school district boards of trustees* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

On motion of Senator MARTIN, the amendment was carried over.

Amendment No. 12

Senators MARTIN and CLIMER proposed the following amendment (5100R003.KMM.SRM.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 508, after line 16, by adding an appropriately numbered new proviso to read:

/109. (DOR: Liquor Liability Insurance) Section 61-2-145 of the S.C. Code, relating to the requirement that a person licensed or permitted to sell alcoholic beverages for on-premises consumption whose premises remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least one million dollars, is suspended./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

Senator HUTTO spoke on the amendment.
Senator CASH spoke on the amendment.

Senator HUTTO moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 11; Abstain 1

AYES

Adams	Campsen	Cash
Cromer	Davis	Devine
Gambrell	Garrett	Goldfinch
Grooms	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Malloy	Massey	McElveen
McLeod	Rankin	Rice
Sabb	Senn	Setzler
Talley	Tedder	Turner
Verdin	Williams	Young

Total--30

NAYS

Alexander	Bennett	Climer
Corbin	Gustafson	Hembree
Kimbrell	Martin	Peeler
Reichenbach	Shealy	

Total--11

ABSTAIN

Allen

Total--1

The amendment was laid on the table.

Amendment No. 37

Senator HARPOOTLIAN proposed the following amendment (SA\5100C020.JN.SA24.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 508, after line 16, by adding an appropriately numbered new proviso to read:

/ *(DOR: Liquor Liability Insurance) An establishment that is licensed or permitted to sell alcoholic beverages for on-premises consumption whose premises remain open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption is not required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least one million dollars if the establishment is in compliance with the requirements of Article VIII-A of the South Carolina Constitution, which requires that an establishment engages primarily and substantially in the preparation and serving of meals, and seventy-five percent of the establishment's revenue is generated from the preparation and serving of meals. The Department of Revenue shall validate the source of revenue for purposes of this proviso. For the purposes of this proviso, "meals" means an occasion when a reasonably large amount of food is eaten during the day.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HARPOOTLIAN explained the amendment.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 34

Senator YOUNG proposed the following amendment (SM PIPELINE COMPANIES), which was adopted (#20):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 577, after line 24, by adding an appropriately numbered new proviso to read:

/ *(GP: Pipeline Companies) The provisions of Section 58-7-10, Section 58-9-2030, and Chapter 2, Title 28 do not apply to private, for-profit*

pipeline companies, including publicly traded for-profit companies, that are not identified within this title as a public utility. These provisions are extended until June 30, 2025. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

Amendment No. 42

Senators ALEXANDER, TALLEY and HUTTO proposed the following amendment (SM EXIT FEES V.3), which was adopted (#21):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 577, after line 24, by adding an appropriately numbered new proviso to read:

/ *(GP: Exit/Entry Fees) No funds appropriated herein to colleges and universities shall be spent for outside attorney expenses, exit fees or entry fees associated directly with athletic conference affiliations.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator TALLEY, with unanimous consent, Amendment No. 31 was withdrawn.

RECESS

At 11:50 A.M., on motion of Senator PEELER, the Senate receded from business until 1:00 P.M.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis

Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Michael*	Kimbrell
Martin	Massey	Peeler
Reichenbach	Rice	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

At 1:13 P.M., the Senate resumed.

Motion Adopted

Having voted on the prevailing side, Senator HUTTO moved to reconsider the vote whereby Amendment No. 18 was adopted on Tuesday, April 23, 2024.

Amendment No. 18

Senator HUTTO proposed the following amendment (SA\ 5100C015.JN.SA24.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 11, COMMISSION ON HIGHER EDUCATION, page 354, after line 26, by adding an appropriately numbered new proviso to read:

/ *(CHE: Athletic Conference Affiliations) No funds appropriated herein to colleges and universities, or tuition or fees shall be spent for legal expenses, exit fees, entry fees, or other expenses associated either directly or indirectly with athletic conference affiliations.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 47

Senator DEVINE proposed the following amendment (5100 TD DEPT OF ED .DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 577, after line 25, by adding an appropriately numbered new proviso to read:

/ (GP: Title IX Enforcement) No agency receiving state appropriations may promulgate or enforce state regulations or offer guidance for Title IX enforcement that conflicts with, or is more stringent, than those promulgated or enforced by the federal Secretary of Education without express permission from the General Assembly. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DEVINE explained the amendment.

Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 16

Senator CAMPSEN proposed the following amendment (SA\ 5100C004.JN.SA24.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 622, after line 27, by adding an appropriately numbered new proviso to read:

/ (SR: Sales Tax Exemption) For the current fiscal year, the provisions of Section 12-36-2120(79) of the S.C. Code are suspended. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSEN explained the amendment.

Motion Adopted

On motion of Senator PEELER, with unanimous consent and with Senator CAMPSEN retaining the floor, no further amendments would be accepted after 3:30 P.M., with the exception of substitute amendments for only minor, technical and conforming changes, and any necessary technical and balancing amendments to be delivered and certified by the Clerk and to be adopted upon his certification for inclusion in the Bill.

RECESS

At 2:27 P.M., on motion of Senator MALLOY, with Senator CAMPSEN retaining the floor, the Senate receded from business not to exceed 5 minutes.

At 2:44 P.M., the Senate resumed.

Motion Adopted

On motion of Senator CAMPSEN, with unanimous consent, Amendment No. 16 was withdrawn.

Motion Adopted

On motion of Senator CLIMER, with unanimous consent, Amendment No. 24 was withdrawn.

Amendment No. 46

Senators CLIMER, YOUNG, KIMBRELL and FANNING proposed the following amendment (DG\5100C005.CC.DG24.DOCX), which was adopted (#22):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 309, after line 31, by adding an appropriately numbered new proviso to read:

/ (SDE: Interscholastic athletics) (A) No funds appropriated or authorized in this act that are distributed to a school district may be used to deny individual students who attend independent schools in this State the opportunity to try out for and, if selected, participate in an interscholastic athletic program offered at a public school in the district if the:

(1) student resides within the attendance zone boundaries of the public school;

(2) independent school that the student attends is not a member of the South Carolina High School League and the private school's enrollment for grades nine through twelve does not exceed two hundred students;

(3) independent school attended by the student does not offer the particular sport for the student's gender;

(4) particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;

(5) student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;

(6) student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport;

(7) student meets all public school district eligibility requirements with the exception of the:

(a) school district's school or class attendance requirements; and

(b) class and enrollment requirements of the association administering the interscholastic sports;

(8) student and the student's parent or guardian agree for the student to be subject to the code of conduct of the public school; and

(9) student was not expelled from a public school during the same academic year.

(B) Additionally, a public school district may not expend funds to contract with a private entity that supervises interscholastic athletic programs if the private entity prohibits the participation of independent school students in interscholastic athletic programs supervised by the entity.

(C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.

(D) A public school may expend funds on students specified in subsection (A) to participate in an interscholastic athletic program.

(E) The provisions of this proviso shall not be construed as imputing any public school academic, athletic, or extracurricular policies or procedures to any private school that a student attends if that student also participates in a public high school league sport pursuant to the terms of this act outside of the requirements related to maintaining a certain grade-point average and grade level for participating in and attending regularly scheduled practices of the sports team.

(F) For purposes of this proviso, 'independent school' means a school:

(1) established by an entity other than the State or a subdivision of the State;

(2) supported primarily by private or nonpublic funds; and

(3) operated by private individuals operating in their private capacity and not by people who are publicly elected or appointed to operate the school. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

Amendment No. 20

Senator HUTTO proposed the following amendment (AM DENMARK TECH), which was adopted (#23):

Amend the bill, as and if amended, Part IB, Section 25, STATE BOARD FOR TECHNICAL & COMPREHENSIVE EDUCATION, page 360, after line 28, by adding an appropriately numbered new proviso to read:

/ *(TEC: Denmark Technical Funds) Denmark Technical College is approved to transfer $2,200,000 of the $8,751,259 balance from maintenance, renovation, and replacement appropriations to cover academic and workforce programmatic needs. From the approved funds, the Denmark Technical College President shall, under the direction and advice of the State Technical College Board, the State Division of Human Resources, and the State Executive Budget Office, develop and implement a budget stabilization plan to ensure that Denmark Technical College's recurring expenses align with recurring state appropriations. The plan must include, but is not limited to, identification of administrative services and auxiliary operations to be shared with other technical colleges and may include a reduction in force which, upon approval of the State Division of Human Resources, is authorized by this provision. The plan must be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and to all members of the legislative delegation serving in the Denmark Technical College service area no later than September 1, 2024.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. 40

Senators BENNETT, MATTHEWS, SHEALY, GUSTAFSON and DEVINE proposed the following amendment (SM REGIONAL CENTERS), which was adopted (#24):

Amend the bill, as and if amended, Part IB, Section 36, DEPARTMENT OF DISABILITIES & SPECIAL NEEDS, page 401, after line 7, by adding an appropriately numbered new proviso to read:

/ *(DDSN: Regional Centers Condition Assessments and Renovation Plan) The department is directed to engage the services of one or more*

professional firms qualified to conduct facility condition assessments at each of the department's regional centers and provide a comprehensive plan with recommendations for their renovation, construction, reconstruction, or demolition. The assessment and recommendations must be made on a building-by-building or facility-by-facility basis and focused particularly on buildings and facilities used in the housing, care, and support of residents of the centers. The assessments and recommendations must include for each building or facility a scope of work, approximate time for completion, an informed estimate of its cost, and the sources of funding proposed to defray costs of the comprehensive plan. The department may utilize any available sources of funding not otherwise committed or obligated, including particularly without limitation funding available pursuant to the Families First Coronavirus Response Act of 2020. Each building or facility included within the comprehensive plan must be prioritized, with a general explanation of the rationale for its priority. The comprehensive plan is to be first implemented at the Coastal Regional Facility as a pilot undertaking; thereafter, implementation must be undertaken at each regional center as resources are available. The department may consult with other state agencies whose responsibilities include housing, care, and support of individuals in a medical or residential setting and may leverage any resources of those agencies to facilitate the intent of this proviso. The Facilities Management Division of the South Carolina Department of Administration, and the Office of State Engineer and the Office of Materials Management of the State Fiscal Accountability Authority, must assist the department in procuring the necessary contracts and services to expedite the implementation of this plan. For purposes of Section 11-35-1570, the legislature finds that there is an immediate threat to public health, welfare, and safety. The comprehensive plan must be submitted to the Joint Bond Review Committee for review and comment prior to implementation. Following favorable review of the plan by the committee, all permanent improvements undertaken pursuant to the comprehensive plan are deemed legislatively authorized for purposes of Chapter 47 of Title 2 of the South Carolina Code. The department must provide periodic reports to the Joint Bond Review Committee at such times and in such form and substance as may be prescribed by the committee./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that Proviso 1.107 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1.107. *(SDE: Military Dependent Enrollment) Of the funds appropriated or authorized herein, a charter school may offer enrollment preference to dependents of active-duty military personnel.*

Senator MARTIN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

Proviso 1.107 was ruled out of order.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that Proviso 1.112 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1.112. *(SDE: Literacy Funding) With funds appropriated for this fiscal year for implementation of Act 114 of 2024, which includes funding for summer reading camps, professional development, and reading/literacy coaches, all schools and districts, including charter schools and authorizers, must adhere to the provisions of Act 114 of 2024. Schools and districts, including charter schools and authorizers, failing to adhere to the provisions of Act 114 of 2024, are ineligible to receive state funding for implementation but must continue to adhere to the provisions in Act 114 of 2024.*

Senator MARTIN spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Amendment No. 54

Senator SENN proposed the following amendment (5100R029.JG.SS.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 55, DEPARTMENT OF ENVIRONMENTAL SERVICES, page 428, proviso 55.25, line 35, by striking:

/ 55.25. (DES: Erosion Control) The department shall review all enforcement actions related to violations of Section 48-39-290(B)(2) for Previous erosion control devices erected in whole or in part after May 3, 2018. The review shall compare the outcome of the enforcement action to the likely outcome of the enforcement action based upon the new baseline and setback line established by Section 48-39-285. The department shall notify affected property owners of the results of the review. Upon request by an affected property owner, the department shall initiate a new enforcement action applying the new baseline and setback line established by Section 48-39-285. The results of the new enforcement action may be challenged and appealed by the property owner in the manner provided by law. If the affected property owner prevails in the new enforcement action then the department shall compensate the property owner for all costs incurred to defend the original and new enforcement actions, penalties levied, and costs incurred by the property owner to remedy the original violation. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SENN explained the amendment.

Senator GOLDFINCH spoke on the amendment.

Senator GOLDFINCH moved to lay the amendment on the table.

The amendment was laid on the table.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that Proviso 1A.73 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1A.73. (SDE-EIA: Foundational Literacy Skill Training) (*A)* Beginning with the current fiscal year, the Department of Education shall provide training in foundational literacy skills to public school educators working with students in kindergarten through grade three, pending the availability of funding and space. The Department of Education shall deliver professional development that has demonstrated success in establishing deep knowledge of evidence-based foundational literacy skills grounded in the science of reading and promoting student reading achievement. *Beginning in the 2024-25 Fiscal Year with funds available, the Department of Education will extend the training to public school educators and class aides working with children in South Carolina Early*

Reading Development and Education program (CERDEP) and to staff of the Office of First Steps to School Readiness.

(B) Each school district shall participate in the implementation of this foundational literacy skills training. The department and school districts shall create an implementation plan to include educator cohorts to begin in the fall and spring of the ~~2023-24~~ *2024-25* school year, with a goal of state-wide implementation for every educator working with students in kindergarten through grade three certified in early childhood, elementary, and special education. Elementary administrators should also be included in the foundational literacy skills training.

(C) School districts shall not purchase, utilize, or recommend reading or literacy materials that employ the three-cueing system model of reading, visual memory as the primary basis for teaching word recognition, or the three-cueing system model of reading based on meaning, structure and syntax, and visual cues.

(D) Selected educators shall participate in foundational literacy skills training provided and paid for by the Department of Education. Successful completion of this training shall satisfy the requirements of the literacy teacher endorsement. Educators who successfully complete the training, as determined by the department, shall receive a monetary stipend.

(E) The Department of Education is authorized to carry forward and expend any balance of funds authorized in the prior fiscal year for training for the same purposes in the current fiscal year.

Senator MARTIN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

Proviso 1A.73 was ruled out of order.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that Proviso 31.13 of Part 1B was out of order inasmuch as it was not germane to the Bill.

31.13. *(DPH: Health Licensing Fee) Funds resulting from an increase in the Health Licensing Fee Schedule shall be retained by the department to fund increased responsibilities of the health licensing programs. Failure to submit a license renewal application or fee to the department by the license expiration date shall result in a late fee of $75 or twenty-five percent of the licensing fee amount, whichever is greater, in addition to the licensing fee. Continual failure to submit completed*

and accurate renewal applications and/or fees by the time period specified by the department shall result in enforcement actions. The department may waive any or all of the assessed late fees in extenuating circumstances, as long as it is with public knowledge.

Senator MARTIN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

Proviso 31.13 was ruled out of order.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that Proviso 31.24 of Part 1B was out of order inasmuch as it was not germane to the Bill.

31.24. *(DPH: Pharmacist Services) For the current fiscal year, provisions requiring that all department facilities distributing or dispensing prescription drugs be permitted by the Board of Pharmacy and that each pharmacy have a pharmacist-in-charge are suspended. Each Department of Public Health Region shall be required to have a permit to distribute or dispense prescription drugs. A department pharmacist may serve as the pharmacist-in-charge without being physically present in the pharmacy. The department is authorized to designate one pharmacist-in-charge to serve more than one department facility. Only pharmacists, nurses, or physicians are allowed to dispense and provide prescription drugs/products/vaccines for conditions or diseases that the department treats, monitors, or investigates. In the event of a public health emergency or upon activation of the strategic national stockpile, other medications may be dispensed as necessary.*

Senator MARTIN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

Proviso 31.24 was ruled out of order.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that Proviso 102.13 of Part 1B was out of order inasmuch as it was not germane to the Bill.

102.13. *(ELECT: County Director Vacancy) With the funds appropriated to the State Election Commission, the Executive Director may assume administration of a county board of voter registration and elections if, within sixty calendar days of an election through certification of the election, the position of director of a county board of voter registration and elections is vacated. During this administrative period, the Executive Director has the authority to appoint an interim director of the county board of voter registration and elections that shall fulfill the roles, responsibilities, and duties of the position from the date of their appointment through the final certification of the election, or until a new county director is hired and trained. The Executive Director shall notify the Governor, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, and the members of the respective legislative delegations of an interim appointment at the time of appointment.*

Senator MARTIN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

Proviso 102.13 was ruled out of order.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that Proviso 117.181 of Part 1B was out of order inasmuch as it was not germane to the Bill.

117.181. *(GP: School Bus Driver Return to Work) Any School Bus Driver who retired under the South Carolina Retirement System on or before December 31, 2023, may return to employment with a public school district as a School Bus Driver without affecting the monthly retirement allowance that they are receiving from the South Carolina Retirement System.*

Senator MARTIN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

Proviso 117.181 was ruled out of order.

Amendment No. 55

Senator SENN proposed the following amendment (5100R030.JG.SS.DOCX), with was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 55, DEPARTMENT OF ENVIRONMENTAL SERVICES, page 428, proviso 55.25, line 35, by inserting:

/ *No member of the General Assembly may legally represent any party in an action initiated pursuant to this proviso.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SENN explained the amendment.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator SENN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 56

Senator SENN proposed the following amendment (5100R031.JG.SS.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 55, DEPARTMENT OF ENVIRONMENTAL SERVICES, page 428, proviso 55.25, line 35, by inserting:

/ *If the department prevails in the new enforcement action then the affected property owner shall compensate the department for all legal fees and costs of the agency in the original and new enforcement actions.*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SENN explained the amendment.

Senator GOLDFINCH spoke on the amendment.

Senator GOLDFINCH moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 26

Senators McELVEEN and SHEALY proposed the following amendment (SM OUTFALL SIGNAGE), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IB, Section 55, DEPARTMENT OF ENVIRONMENTAL SERVICES, page 429, after line 7, by adding an appropriately numbered new proviso to read:

/ *(DES: Effluent Outfall Signage Program) Of the funds appropriated, the Department of Environmental Services (DES) shall, in a timely fashion, develop guidelines for an effluent outfall signage program designed for use by National Pollution Discharge Elimination System (NPDES) permit holders to mark point source sites where effluents are released into waters of the State of South Carolina. The department shall develop a standardized sign format or template for NPDES permit holders which must include the name of the permit holder and facility from which the discharge emanates; the NPDES permit number; and an emergency reporting telephone number for the Department of Environmental Services. Once guidelines are developed, the department shall notify all affected permit holders that the placement of DES compliant signs at their outfall discharge sites must be completed by June 30, 2025.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator McELVEEN explained the amendment.

On motion of Senator McELVEEN, the amendment was carried over.

Amendment No. 65

Senator MALLOY proposed the following amendment (SA\ 5100C012.JN.SA24.DOCX), which was adopted (#25):

Amend the bill, as and if amended, Part IB, Section 67, DEPARTMENT OF JUVENILE JUSTICE, beginning on page 453, by striking proviso 67.13 and inserting:

/ 67.13. (DJJ: Early Release Authorization) In order to avoid unconstitutional levels of overcrowding and other unconstitutional conditions from occurring in facilities operated by the department and in residential programs operated for the department, the number of children

housed in residential placements (either committed to the custody of the Department of Juvenile Justice or who are under the department's supervision) shall not exceed the number of beds available to the department to house them. Should appropriation reductions necessitate that the department close any additional facility, program, or housing unit it operates, or to be unable to fund any additional residential program operated for its benefit, the department is authorized and empowered to release from its residential placements sufficient numbers of children committed to its custody or supervision for a status offense, a misdemeanor offense, other than Assault and Battery of a High and Aggravated Nature and Assault with Intent to Kill, or for violation of probation/contempt of a status offense or a misdemeanor offense, other than Assault and Battery of a High and Aggravated Nature and Assault with Intent to Kill, so that the number of children in its custody or under its supervision and placed in these residential placements does not exceed the number of housing units/beds available to properly house those children. No child adjudicated delinquent for a violent crime as defined in Section 16-1-60 of the 1976 Code, a felony offense as defined in Section 16-1-90 of the 1976 Code, or a sexual offense shall be released pursuant to this proviso. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Amendment No. 44A

Senator MASSEY proposed the following amendment (5100R032.JG.ASM.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 72, PUBLIC SERVICE COMMISSION, page 456, after line 14, by adding an appropriately numbered new proviso to read:

/ 72. (PSC: Major Utility Facility Construction) The Public Service Commission shall not accept or take action on any application for a certificate to construct an electric generating plant and associated facilities designed for, or capable of, operation at a capacity of more than seventy-five megawatts, prior to February 15, 2025. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MASSEY spoke on the Point of Order.

Senator DAVIS spoke on the amendment.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 52

Senator MATTHEWS proposed the following amendment (SM OSA CARRY FORWARD), which was adopted (#26):

Amend the bill, as and if amended, Part IB, Section 105, SFAA-STATE AUDITOR'S OFFICE, page 502, after line 29, by adding an appropriately numbered new proviso to read:

/ *(SFAA - AUD: Carry Forward) For fiscal year 2024-25, the Office of the State Auditor is authorized to carry forward all funds from the prior fiscal year to ensure that the office can perform operations and conduct audits as needed.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MATTHEWS explained the amendment.

The amendment was adopted.

Amendment No. 30

Senators MARTIN and JACKSON proposed the following amendment (SM LOCAL SCHOOL BOARDS), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 503, proviso 108.1, line 8, by inserting:

/ (PEBA: Lottery, Infrastructure Bank, *School Board*, and Magistrates Health Insurance)/

Amend the bill further, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 503, proviso 108.1, line 8, by striking / and / and inserting /, /

Amend the bill further, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 503, proviso 108.1, line 9, by inserting:

/ South Carolina Transportation Infrastructure Bank Board members, *and local school district boards of trustees* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

On motion of Senator MARTIN, with unanimous consent, the amendment was withdrawn.

ACTING PRESIDENT PRESIDES

At 4:36 P.M., Senator TALLEY assumed the Chair.

Amendment No. 58

Senator JACKSON proposed the following amendment (SM SHORT TERM RENTALS), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 113, AID TO SUBDIVISIONS - STATE TREASURER, page 511, after line 34, by adding an appropriately numbered new proviso to read:

/ *(AS-TREAS: Short Term Rental) (A) For the purposes of this provision, "short term rental" means any single-family house, dwelling unit, room, or any unit or group of units in a condominium, cooperative or timeshare, or home that is offered for a fee and for less than thirty consecutive days. Short-term rentals do not include a unit that is used for any nonresidential use, including retail, restaurant, banquet space, event center, or another similar use.*

(B) A local governing body that prohibits short term rentals or restricts the use of short-term rentals based on their classification, use, frequency, or duration must remit to the General Fund ten percent of the local government funds appropriated by this act. This does not apply to short term rental prohibitions enacted prior to 2003. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator JACKSON explained the amendment.

Motion Adopted

On motion of Senator JACKSON, with unanimous consent, the amendment was withdrawn.

Amendment No. 61

Senator ALEXANDER proposed the following amendment (AM CC DEFENSE COSTS), which was adopted (#27):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 536, proviso 117.82, lines 7 - 18, by striking the proviso in its entirety and inserting:

/ *(GP: Civil Conspiracy Defense Costs) For the current fiscal year, for any claim that has not reached a judgment, if a state or local government employee or former state or local government employee ("government employee") is personally sued for civil conspiracy, the employee must be provided legal counsel by the governmental entity and/or their insurer upon the submission of an affidavit executed by the agency head or his designee that the employee was acting within the scope of employment or in good faith. No insurer that provides insurance for any governmental entity may exclude coverage for civil conspiracy as provided for in this provision. Prior to trial, the court must make a final determination whether the action or decision giving rise to the suit was made by the government employee within the scope of their official duty or in good faith. If the court finds that the government employee was acting outside the scope of the employee's official duties or not in good faith, the government or their insurer shall not thereafter expend any funds to pay or defend the claim including funds for the employee's legal counsel. If the court finds the government employee was acting within the scope of their official duties, the employee is immune from suit, liability, and damages with respect to the civil conspiracy claim. The government may only expend funds to defend the claim if the determination is that the employee was acting within the scope of their official duties or in good faith. Nothing in this proviso prevents an insurance provider from defending and paying, respectively, any claims that the provider has contractually agreed to defend and pay*. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

Amendment No. 59

Senators MARTIN and HUTTO proposed the following amendment (5100 FESTIVAL CRAFTS.DOCX), which was adopted (#28):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 572, proviso 117.175, line 16, by striking /Craftsmen/ and inserting /*Craft Person*/

Renumber sections to conform.

Amend sections, totals and title to conform.

The amendment was adopted.

PRESIDENT PRESIDES

At 5:02 P.M., the PRESIDENT assumed the Chair.

Amendment No. 64

Senators CLIMER and KIMBRELL proposed the following amendment (5100R028.JG.WC.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 574, proviso 117.83, lines 32-33, by striking:/ (14) assessing the impacts on the healthcare market that would occur if the State expanded eligibility for Medicaid as provided for in the Patient Protection and Affordable Care Act;/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER explained the amendment.

Senator DAVIS spoke on the amendment.

Senator DAVIS moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 10

AYES

Adams	Alexander	Allen
Campsen	Cash	Cromer
Davis	Devine	Fanning
Gambrell	Grooms	Harpootlian

Hembree	Hutto	Jackson
Johnson, Kevin	Loftis	Malloy
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Sabb	Senn	Setzler
Shealy	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--34

NAYS

Climer	Corbin	Garrett
Goldfinch	Gustafson	*Johnson, Michael*
Kimbrell	Martin	Massey
Rice		

Total--10

The amendment was laid on the table.

Amendment No. 50

Senator CLIMER proposed the following amendment (AM SURFACE WATER STUDY), which was adopted (#29):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 576, proviso 117.184, line 2, by inserting a new sentence at the end to read:

/ *When making recommendations, the committee shall consider both the environmental and economic implications of the study.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

Amendment No. 39

Senator TEDDER proposed the following amendment (AM HEMP-INFUSED SOFT DRINKS), which was ruler out of order:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 577, after line 24, by adding an appropriately numbered new proviso to read:

/ *(GP: Hemp-Infused Soft Drinks) No agency receiving state appropriations may promulgate or enforce state regulations or offer guidance for hemp-infused soft drinks that are more stringent than federal law or regulation without express permission from the General Assembly. "Hemp-infused soft drinks" are any nonalcoholic, flavored carbonated beverages, including, but not limited to, soda or soda water, fruit-flavored drinks, nonalcoholic still beverages, seltzer or club soda, containing hemp-derived ingredients.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TEDDER explained the amendment.

Point of Order

Senator CORBIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator TEDDER spoke on the Point of Order.

Senator MASSEY spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 29

Senator TEDDER proposed the following amendment (5100 DT HEMP INFUSED SOFT DRINKS.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 577, after line 25, by adding an appropriately numbered new proviso to read:

/ 117. (GP: Hemp-Infused Soft Drinks) No agency receiving state appropriations may promulgate or enforce state regulations or offer guidance for hemp-infused soft drinks that are more stringent than those promulgated or enforced by the federal Secretary of Health and Human Services without express permission from the General Assembly. "Hemp-infused soft drinks" are any nonalcoholic, flavored carbonated beverages, including, but not limited to, soda or soda water, fruit-

flavored drinks, nonalcoholic still beverages, seltzer or club soda, containing hemp-derived ingredients. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Point of Order

Senator MASSEY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator TEDDER spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 51

Senator MATTHEWS proposed the following amendment (AM HAMPTON COUNTY AUDIT), which was adopted (#30):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 577, after line 24, by adding an appropriately numbered new proviso to read:

/ *(GP: Hampton County Audit) Of the funds appropriated in this act and/or carried forward from the previous fiscal year, the Office of the State Auditor, in coordination with the Office of the Inspector General, is directed to contract a firm to conduct a forensic audit on the finances of Hampton County and the Hampton County School District. The State Auditor shall oversee the auditing process and provide interim and final reports to Hampton County Council, the Hampton County Delegation, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways & Means Committee upon completion.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MATTHEWS explained the amendment.

The amendment was adopted.

Amendment No. 45

Senator GOLDFINCH proposed the following amendment (AM BEACHFRONT LIGHTING), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 577, after line 24, by adding an appropriately numbered new proviso to read:

/ *(GP: Beachfront Lighting) The governing body of any coastal county may enact a comprehensive beachfront lighting ordinance for the specific purpose of protecting nesting sea turtles.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Motion Adopted

On motion of Senator GOLDFINCH, with unanimous consent, the amendment was withdrawn.

Amendment No. 66A

Senator MATTHEWS proposed the following amendment (5100 mbm2.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 577, after line 25, by adding an appropriately numbered new proviso to read:

/ *(GP: Fetal Heartbeat) Provisions contained in Article 6, of Title 44, Chapter 41 of the SC Code is suspended.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Motion Adopted

On motion of Senator MATTHEWS, with unanimous consent, the amendment was withdrawn.

Amendment No. 60

Senator PEELER proposed the following amendment (AM NON-RECURRING), which was adopted (#31):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 616, proviso 118.20, by striking line 7 in its entirety.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 615, proviso 118.20, line 22, by striking /*$350,000*/ and inserting /*$515,000*/.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 615, proviso 118.20, after line 29, by inserting a new line to read:

/ *( ) H910 - Arts Commission Newberry Arts Commission – Building Renovations $200,000;* /

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 617, proviso 118.20, after line 34, by inserting a new line to read:

/ *( ) Community Wellness Outreach – Substance Abuse Treatment $300,000;* /

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 619, proviso 118.20, line 10, by striking /*$4,700,890*/ and inserting /*$4,400,890*/.

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 618, proviso 118.20, by striking line 23 in its entirety.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 620, proviso 118.20, after line 11, by inserting a new line to read:

/ *( ) Anderson Civic Center Upgrades $170,000;* /

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 615, proviso 118.20, after line 20, by inserting a new line to read:

/ *( ) Every 1 Voice Matters Mentoring and Reading Program $100,000;* /

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 617, proviso 118.20, line 13, by striking /*$1,000,000*/ and inserting /*$850,000*/.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 617, proviso 118.20, line 20, by striking /*$3,000,000*/ and inserting /*$2,850,000*/.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 615, proviso 118.20, after line 20, by inserting a new line to read:

/ *( ) Junior Achievement of South Carolina $300,000;* /

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 615, proviso 118.20, line 20, by striking /*$300,000*/ and inserting /*$200,000*/.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 607, proviso 118.20, by striking line 32 in its entirety.

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 616, proviso 118.20, line 34, by striking /*Development*/ and inserting /*Demonstration*/.

Renumber sections to conform.
Amend sections, totals and title to conform.

Senator PEELER explained the amendment.

The amendment was adopted.

Amendment No. 9

Senators TALLEY, SENN, TURNER and MATTHEWS proposed the following amendment (SA\5100C010.JN.SA24.DOCX), which was adopted (#32):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, beginning on page 292, by striking proviso 1.49, beginning on line 16, and inserting:

1.49. (SDE: Interscholastic Athletic Association Dues) (A) A public school district supported by state funds shall not use any funds or permit any school within the district to use any funds to join, affiliate with, pay dues or fees to, or in any way financially support any interscholastic athletic association, body, or entity unless the constitution, rules, or policies of the association, body, or entity contain the following:

(1) a range of sanctions that may be applied to a student, coach, team, or program and that takes into account factors such as the seriousness, frequency, and other relevant factors when there is a violation of the constitution, bylaws, rules, or other governing provisions of the association, body, or entity;

(2)(a) guarantees that private or charter schools are afforded the same rights and privileges that are enjoyed by all other members of the association, body, or entity. A private or charter school may not be expelled from or have its membership unreasonably withheld by the association, body, or entity or restricted in its ability to participate in interscholastic athletics including, but not limited to, state playoffs or championships based solely on its status as a private school or charter school. The association, body, or entity shall set reasonable standards for private or charter school admission. A private or charter school denied membership must be provided, in writing within five business days, the reason or reasons for rejection of its application for membership;

(b) guarantees that a South Carolina home school athletic team that is a member of a home school athletic association may not be denied access to preseason and regular season interscholastic athletics

including, but not limited to, jamborees and invitational tournaments, based solely on its status as a home school athletic team; other rules or policies of the association, body, or entity would apply;

(3)(a) an appeals process in which appeals of the association, body, or entity are made to a disinterested third-body appellate panel which consists of seven members who serve four year terms, with one person appointed by the delegation of each congressional district;

(b) a member of the panel serves until his successor is appointed and qualifies. A vacancy on the panel is filled in the manner of the original appointment;

(c) members of the appellate panel do not concurrently serve as officers of the association, body, or entity and may not have served as a member of the executive committee within the last three years. Principals and superintendents are able to appeal a ruling of the association, body, or entity to the panel. The appellate panel also must provide the final ruling in any appeal brought against a decision of the association, body, or entity;

(d) an appeal stays the determination of a sanction made by the association, body, or entity, or staff member of such, pending the outcome of the appeal;

(4) a procedure in place for emergency appeals to be held and decided upon in an expedited manner if the normal appellate process would prohibit the participation of a student, team, program, or school in an athletic event, to include practices;

(5) a uniform system applicable to all member schools establishing fines for the cancellation of a scheduled game regardless of if the game is in or out of region. At a minimum, the school canceling the scheduled game must be fined an amount equal to the cost incurred for officials, tickets, and concessions. If the game is rescheduled or cancelled for a documented health or safety reason the school shall not be fined; and

~~(5)~~*(6)* provisions, implemented within one year after the effective date of this section, that require the composition of the executive committee of the association, body, or entity be geographically representative of this State.

(B) In the event an association, body, or entity fails to include one of the items listed in this proviso, public school districts and schools must end their affiliation with the association, body, or entity prior to the beginning of the upcoming school year and are prohibited from paying dues or fees to the association, body, or entity.

(C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

Amendment No. 35

Senators CAMPSEN, TALLEY and RANKIN proposed the following amendment (SA\5100C013.JN.SA24.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, beginning on page 292, by striking proviso 1.49 and inserting:

/ 1.49. (SDE: Interscholastic Athletic Association Dues) (A) A public school district supported by state funds shall not use any funds or permit any school within the district to use any funds to join, affiliate with, pay dues or fees to, or in any way financially support any interscholastic athletic association, body, or entity unless the constitution, rules, or policies of the association, body, or entity contain the following:

(1) a range of *graduated* sanctions that may be applied to a student, coach, team, or program ~~and that takes into account factors such as the seriousness, frequency, and other relevant factors when there is a violation of the constitution, bylaws, rules, or other governing provisions of the association, body, or entity;~~ *when there is a violation of the constitution, bylaws, rules, or other governing provisions of the association, body, or entity, provided:*

(a) prior to the issuance of a sanction, the following factors must be considered:

(i) the seriousness of a violation including, but not limited to, the degree in which a violation made a material difference in the outcome of a contest, if applicable;

(ii) the frequency in which a violation is committed;

(iii) whether a violation was wilful;

(iv) whether a violation was self-reported; and

(v) the sanction imposed for a similar violation in the states of Florida, Georgia, and North Carolina;

(b) a violation solely by a coach of a team may not include a sanction that prohibits the team from participating in the relevant sport during the regular season or for a region or state championship; and

(c) a violation by a school that is not wilful and that is self-reported by the school may not prohibit a team from the school from participating for a region or state championship;

(2) a requirement that a complaint of an alleged violation must be signed by a complainant to prompt an investigation;

~~(2)~~*(3)*(a) guarantees that private or charter schools are afforded the same rights and privileges that are enjoyed by all other members of the association, body, or entity. A private or charter school may not be expelled from or have its membership unreasonably withheld by the association, body, or entity or restricted in its ability to participate in interscholastic athletics including, but not limited to, state playoffs or championships based solely on its status as a private school or charter school. The association, body, or entity shall set reasonable standards for private or charter school admission. A private or charter school denied membership must be provided, in writing within five business days, the reason or reasons for rejection of its application for membership;

(b) guarantees that a South Carolina home school athletic team that is a member of a home school athletic association may not be denied access to preseason and regular season interscholastic athletics including, but not limited to, jamborees and invitational tournaments, based solely on its status as a home school athletic team; other rules or policies of the association, body, or entity would apply;

~~(3)~~*(4)*(a) an appeals process in which appeals of the association, body, or entity*, or a staff member of an association, body, or entity*, are made to a disinterested third-body appellate panel ~~which~~ *that* consists of seven members who serve four year terms, with one person appointed by the delegation of each congressional district;

(b) a member of the panel serves until his successor is appointed and qualifies. *A member of the panel may not concurrently serve as an officer of the association, body, or entity and must not have served as a member of an executive committee of the association, body, or entity within the prior three years.* A vacancy on the panel is filled in the manner of the original appointment;

(c) ~~members of the appellate panel do not concurrently serve as officers of the association, body, or entity and may not have served as a member of the executive committee within the last three years. Principals~~ *principals* and superintendents are able to appeal a ruling of

the association, body, or entity*, or a staff member of an association, body, or entity, directly* to the panel. *The request for an appeal of a sanction stays the enforcement of the sanction pending the outcome of the appeal.* The appellate panel ~~also~~ must provide the final ruling in any appeal brought against a decision of the association, body, or entity*, or a staff member of an association, body, or entity*;

(d) the appellate panel must establish a hearing process that affords the procedural due process protections of the fourteenth amendment including, but not limited to, the right of an alleged rule violator to cross-examine witnesses and to offer evidence in explanation or rebuttal. A two-thirds vote of the appellate panel members present and voting is required to uphold a sanction that prohibits a team from participating in one or more regular season games or from participating for a region or state championship. The panel must determine all other issues before it by majority vote of the members present and voting;

~~(4)~~*(5)* a procedure in place for emergency appeals to be held and decided upon in an expedited manner if the normal appellate process would prohibit the participation of a student, team, program, or school in an athletic event, to include practices;

(6) a uniform system applicable to all member schools establishing fines for the cancellation of a scheduled game regardless of if the game is in or out of region. At a minimum, the school canceling the scheduled game must be fined an amount equal to the cost incurred for officials, tickets, and concessions. If the game is rescheduled or cancelled for a documented health or safety reason the school shall not be fined; and

~~(5)~~*(7)* provisions, implemented within one year after the effective date of this section, that require the composition of the executive committee of the association, body, or entity be geographically representative of this State.

(B) In the event an association, body, or entity fails to include one of the items listed in this proviso, public school districts and schools must end their affiliation with the association, body, or entity prior to the beginning of the upcoming school year and are prohibited from paying dues or fees to the association, body, or entity.

(C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSEN explained the amendment.

Point of Order

Senator MATTHEWS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator CAMPSEN spoke on the Point of Order.

Senator MATTHEWS spoke on the Point of Order.

Senator CAMPSEN spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 14; Nays 30

AYES

Alexander	Bennett	Devine
Fanning	Gambrell	Hembree
Hutto	Jackson	*Johnson, Kevin*
Matthews	McLeod	Setzler
Tedder	Williams	

Total--14

NAYS

Adams	Allen	Campsen
Cash	Climer	Corbin
Cromer	Davis	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Shealy
Turner	Verdin	Young

Total--30

The Senate refused to table the amendment.

Senator BENNETT spoke on the amendment.

Senator BENNETT moved to lay the amendment on the table.

The amendment was laid on the table.

Amendment No. 63

Senator DAVIS proposed the following amendment (5100R012.JG.TD.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 307, by striking proviso 1.105 and inserting:

1.105 (SDE: Charter School Transfer) Of the funds appropriated or authorized herein, a charter school that is authorized or chartered by an institution of higher education, or entity owned by or affiliated with an institution of higher education, may unilaterally assign its charter and contract to another willing authorizer provided that its current authorizer is operating under a warning of noncompliance with any core requirements or significant noncompliance of other standards or is on probation by its accrediting body for degree-granting higher education institutions. Furthermore, a charter school may apply to have its charter and contract assigned to a different authorizer if its current authorizer ceases operations. An authorizer under warning, on probation, or ceasing operation shall not demand or withhold any unspent appropriated funds held by or owed to a charter school. Furthermore, the authorizer may not charge any fees associated with the school having its charter and contract assigned to another authorizer. Prior to accepting an assignment application, the receiving authorizer shall consider any existing allegations by the prior authorizer that the assigning school is in noncompliance with its charter contract and determine whether any corrective action should be taken by the school, and the assignment shall not be allowed unless and until the corrective action has been taken. If a charter school ceases to operate for any reason as a result of this provision, then its assets become the property of the State Department of Education immediately upon closure and the State Department of Education shall be responsible for adopting and implementing a closure protocol to ensure an orderly closure in this situation.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DAVIS explained the amendment.

Point of Order

Senator HEMBREE raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator DAVIS spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 48

Senators CLIMER, CASH, M. JOHNSON and KIMBRELL proposed the following amendment (5100R020.KMM.WC.DOCX), which was adopted (#35):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 309, after line 31, by adding an appropriately numbered new proviso to read:

/ 1. (SDE: Student Physical Privacy) (A) For the purposes of this provision:

(1) "Changing Facility" means a facility in which a person may be in a state of undress in the presence of others, including a locker room, changing room, or shower room.

(2) "Restroom" means a facility that includes one or more toilets or urinals.

(3) "Sex" means a person's biological sex, either male or female, as objectively determined by anatomy and genetics existing at the time of birth. Evidence of a person's biological sex includes, but is not limited to, any government-issued identification document that accurately reflects a person's sex as listed on the person's original birth certificate issued at or near the time of birth.

(4) "Sleeping Quarters" means a room with a bed in which more than one individual is housed overnight.

(B) A school district supported in part by funds appropriated by this act, shall not permit any public school within the district to use any funds to maintain or operate any restroom or changing facility on its premises that is not in compliance with this provision or facilitate any public-school authorized activity or event involving overnight lodging that is not in compliance with this provision. A school district that violates any portion of this provision shall be penalized twenty-five percent of the

funds appropriated by this act that are used to support the school district's operations.

(C)(1) Multi-occupancy public school restrooms and changing facilities shall be designated for use only by members of one sex. Any public school restrooms and changing facilities that are designated for one sex shall be used only by members of that sex; no person shall enter a restroom or changing facility that is designated for one sex unless he or she is a member of that sex; and the public school with authority over that building shall take reasonable steps to ensure that all restrooms and changing facilities provide its users with privacy from members of the opposite sex. The provisions in this item do not apply (a) to custodial or maintenance work when the restroom or changing facility is not being used or otherwise occupied by a member of the opposite sex, (b) to a person or people rendering medical assistance, and (c) during a natural disaster, emergency, or when use of the restroom or changing facility is necessary to prevent a serious threat to good order or student safety.

(2) During any public-school authorized activity or event where students share overnight lodging, no student shall share a sleeping quarter or multi-occupancy restroom with a member of the opposite sex, unless such persons are members of the same family, such as a parent, legal guardian, sibling, or grandparent.

(3) In any other public-school facility or setting where a person may be in a state of undress in the presence of others, school personnel shall provide separate, private areas designated for use by persons based on their sex, and no person shall enter these private areas unless he or she is a member of the designated sex.

(D) Nothing in this proviso may be construed to prohibit schools from adopting policies necessary to accommodate disabled persons or young children in need of physical assistance when using restrooms or changing facilities. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER explained the amendment.

Point of Order

Senator DEVINE raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator KIMBRELL spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator TEDDER moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 7; Nays 30

AYES

Devine	Fanning	Harpootlian
Matthews	McLeod	Stephens
Tedder		

Total--7

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Senn	Shealy	Turner
Verdin	Williams	Young

Total--30

The Senate refused to table the amendment.

Senator DEVINE spoke on the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 57A

Senator BENNETT proposed the following amendment (AM STATE OF EDUCATION EMERGENCY), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 309, after line 31, by adding an appropriately numbered new proviso to read:

/ *(SDE: State-of-Education Emergency Declaration) For the current fiscal year, the Department of Education may withhold state appropriations for a district if a report of the State Inspector General finds violations of federal or state statute unless the district agrees to a temporary takeover of the district as provided in Section 59-18-1640. The takeover agreed to by the district shall continue until the superintendent of education and district jointly agree that reasons for the takeover no longer exist. Management of the district will include direct management, consolidation with another district, charter management, public/private management, or contracting with an educational management organization or another school district.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BENNETT explained the amendment.

Point of Order

Senator MALLOY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator BENNETT spoke on the Point of Order.

Senator FANNING spoke on the Point of Order.

Senator MASSEY spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

RECESS

At 7:53 P.M., on motion of Senator PEELER, the Senate receded from business not to exceed 20 minutes.

At 8:30 P.M., the Senate resumed.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

OBJECTION

S. 1275 -- Senators Rankin, Sabb, Talley and Alexander: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, JUNE 5, 2024, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 3, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JULY 31, 2028.

Senator MASSEY asked unanimous consent to make a motion to recall the Resolution from the Committee on Operations and Management.

Senator SENN objected.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, Amendment No. 43 was withdrawn.

Motion Adopted

On motion of Senator MATTHEWS, with unanimous consent, Amendment No. 38 was withdrawn.

Amendment No. 62

Senators SETZLER, HEMBREE, LOFTIS, KIMBRELL, DEVINE, CAMPSEN, STEPHENS, GUSTAFSON and RANKIN proposed the following amendment (AM CHARTER SCHOOL AUTHORIZER), which was adopted (#33):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 309, after line 31, by adding an appropriately numbered new proviso to read:

/ *(SDE: Charter Authorizer Fees) From the funds appropriated, the South Carlina Public Charter School District and a public or independent institution of higher learning sponsor of a charter school may retain no more than two percent of the total state appropriations for each charter school it authorizes to cover the costs for overseeing its charter schools. The sponsor's administrative fee does not include costs incurred in delivering services that a charter school may purchase at its discretion from the sponsor. The sponsor's fee is not applicable to federal money or grants received by the charter school. The sponsor shall use its funding provided pursuant to this proviso exclusively for the purpose of fulfilling sponsor obligations in accordance with applicable charter school law.*/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator CAMPSEN, with unanimous consent, Amendment No. 36 was withdrawn.

Motion Adopted

On motion of Senator McELVEEN, with unanimous consent, Amendment No. 26 was withdrawn.

Motion Adopted

On motion of Senator SENN, with unanimous consent, Amendment No. 32 was withdrawn.

Amendment No. 53

Senator SENN proposed the following amendment (5100R024.JG.SS.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 113, AID TO SUBDIVISIONS - STATE TREASURER, page 511, after line 35, by adding an appropriately numbered new proviso to read:

/113. (AS-TREAS: Short-term Rentals Prohibition) A political subdivision that receives money pursuant to this act may not expend any funds, regardless of the source of funds, to enact or enforce an ordinance that prohibits or restricts short term rentals based on their classification, use, frequency, or duration at properties assessed at the 6% rate. If a political subdivision violates this provision or enacts any such ordinance, it must remit to the General Fund fifty percent of the local government funds appropriated by this act. For purposes of this provision, "short-term rental" means any individually or collectively owned residential house or dwelling unit or group of units that is rented wholly or partially for residential use for any period less than thirty days. The provisions of this proviso only apply to municipalities with a population between 1,800 and 4,400 people per the most recent U.S. Census Bureau population estimates as of July 1, 2024, which are located within counties having accommodations tax revenue above $18 million, but less than $20 million per most recent S.C. Department of Revenue reporting as of July 1, 2024. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SENN explained the amendment.

Senator CAMPSEN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 13

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Massey	McElveen
Peeler	Rankin	Reichenbach
Sabb	Shealy	Stephens
Turner	Verdin	Williams
Young		

Total--31

NAYS

Cash	Devine	Fanning
Harpootlian	Hutto	Jackson
Malloy	Martin	Matthews
McLeod	Rice	Senn
Tedder		

Total--13

The amendment was laid on the table.

Amendment No. 67

Senator DAVIS proposed the following amendment (5100R033.JG.TD.DOCX), which was adopted (#34):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 307, by striking /proviso 1.105/ and inserting:

/*1.105 (SDE: Charter School Transfer) Of the funds appropriated or authorized herein, a charter school that is authorized or chartered by an institution of higher education, or entity owned by or affiliated with an institution of higher education, may unilaterally assign its charter and contract to another willing authorizer provided that its current authorizer is operating under a warning of noncompliance with any core requirements or significant noncompliance of other standards or is on probation by its accrediting body for degree-granting higher education institutions. Furthermore, a charter school may apply to have its charter and contract assigned to a different authorizer if its current authorizer ceases operations. An authorizer under warning, on probation, or ceasing operation shall not demand or withhold any unspent appropriated funds held by or owed to a charter school. Furthermore, the authorizer may not charge any fees associated with the school having its charter and contract assigned to another authorizer. Prior to accepting an assignment application, the receiving authorizer shall consider any existing allegations by the prior authorizer that the assigning school is in noncompliance with its charter contract and determine whether any corrective action should be taken by the school, and the assignment shall not be allowed unless and until the corrective action has been taken.* /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DAVIS explained the amendment.

Point of Order

Senator HEMBREE raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator DAVIS spoke on the Point of Order.

Senator M. JOHNSON spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

The question then was the adoption of the amendment.

The amendment was adopted.

There being no further amendments, in accordance with Rule 16, the Senate proceeded to vote on each section of the Bill.

Senator PEELER spoke on the Bill.

The Senate proceeded to Sect. 1, Part 1A and Part 1B, Department of Education.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 1, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 1A, Part 1B, Department of Education-EIA.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 1A, Part 1B, was adopted.

The Senate proceeded to Sect. 3, Part 1A and Part 1B, Lottery Expenditure Account.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 3, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 4, Part 1A, Education Oversight Committee.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Michael	Kimbrell	Malloy
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Martin

Total--1

ABSTAIN

Johnson, Kevin	Loftis

Total--2

Section 4, Part 1A, was adopted.

The Senate proceeded to Sect. 5, Part 1A and Part 1B, Wil Lou Gray Opportunity School.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian

Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 5, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 6, Part 1A and Part 1B, School for the Deaf and Blind.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 6, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 7, Part 1A and Part 1B, John de la Howe School.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 7, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 8, Part 1A and Part 1B, Education Television Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 8, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 9, Part 1A and Part 1B, Governor's School for Arts and Humanities.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 9, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 10, Part 1A and Part 1B, Governor's School for Science and Mathematics.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb

Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 10, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 11, Part 1A and Part 1B, Commission on Higher Education.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 11, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 12, Part 1A, Higher Education Tuition Grants.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 12, Part 1A, was adopted.

The Senate proceeded to Sect. 13, Part 1A and Part 1B, The Citadel.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

McElveen

Total--1

Section 13, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 14, Part 1A and Part 1B, Clemson University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian

Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 14, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 15, Part 1A and Part 1B, Charleston University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

ABSTAIN

Davis	Senn

Total--2

Section 15, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 16, Part 1A, Coastal Carolina University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 16, Part 1A, was adopted.

The Senate proceeded to Sect. 17, Part 1A, Francis Marion University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 17, Part 1A, was adopted.

The Senate proceeded to Sect. 18, Part 1A, Lander University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 18, Part 1A, was adopted.

The Senate proceeded to Sect. 19, Part 1A and Part 1B, S.C. State University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin

Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 19, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 20A-H, Part 1A and Part 1B, University of South Carolina.

The "ayes" and "nays" were demanded and taken, resulting as follows:
Ayes 43; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

ABSTAIN

Davis	Setzler

Total--2

Section 20A-H, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 21, Part 1A, Winthrop University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 21, Part 1A, was adopted.

The Senate proceeded to Sect. 23, Part 1A and Part 1B, Medical University of South Carolina.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Martin

Total--1

ABSTAIN

Senn

Total--1

Section 23, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 24, Part 1A, Area Health Education Consortium.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 24, Part 1A, was adopted.

The Senate proceeded to Sect. 25, Part 1A and Part 1B, Technical and Comprehensive Education Board.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 25, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 26, Part 1A and Part 1B, Archives and History.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy

Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 26, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 27, Part 1A and Part 1B, State Library.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 27, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 28, Part 1A and Part 1B, Arts Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

Section 28, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 29, Part 1A and Part 1B, State Museum Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 29, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 30, Part 1A and Part 1B, Confederate Relic Room and Military Museum.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell

Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 30, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 31, Part 1A and Part 1B, Department of Public Health.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Shealy
Stephens	Tedder	Turner
Verdin	Williams	

Total--41

NAYS

Martin

Total--1

ABSTAIN

Davis	Setzler	Young

Total--3

Section 31, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 32, Part 1A and Part 1B, Vocational Rehabilitation.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 32, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 33, Part 1A and Part 1B, Department of Health and Human Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 25; Nays 15; Abstain 5

AYES

Alexander	Allen	Bennett
Cromer	Devine	Fanning
Gambrell	Goldfinch	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	Malloy	Matthews
McElveen	McLeod	Peeler
Rankin	Sabb	Senn
Shealy	Stephens	Turner
Williams		

Total--25

NAYS

Adams	Cash	Climer
Corbin	Garrett	Grooms
Gustafson	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
Reichenbach	Rice	Verdin

Total--15

ABSTAIN

Campsen	Davis	Setzler
Tedder	Young	

Total--5

Section 33, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 35, Part 1A and Part 1B, Department of Mental Health.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Gustafson

Total--1

Section 35, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 36, Part 1A and Part 1B, Department of Disabilities and Special Needs (DDSN).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0; Abstain 1

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer

Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

Allen

Total--1

Section 36, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 37, Part 1A and Part 1B, Alcohol and Other Drug Abuse Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0; Abstain 1

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis

Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

Allen

Total--1

Section 37, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 38, Part 1A and Part 1B, Department of Social Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0; Abstain 4

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy

Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

ABSTAIN

Allen	Harpootlian	Hutto
Tedder		

Total--4

Section 38, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 39, Part 1A and Part 1B, Commission for the Blind.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 39, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 40, Part 1A and Part 1B, Department on Aging.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 40, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 41, Part 1A and Part 1B, Department of Children's Advocacy.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 41, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 42, Part 1A and Part 1B, Housing Finance and Development.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

ABSTAIN

Davis	Devine

Total--2

Section 42, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 43, Part 1A and Part 1B, Forestry Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*

Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

ABSTAIN

Campsen	Hutto

Total--2

Section 43, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 44, Part 1A and Part 1B, Department of Agriculture.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach

Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

Hutto

Total--1

Section 44, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 45, Part 1A and Part 1B, Clemson University - PSA.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 45, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 46, Part 1A, S. C. State University-PSA.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 46, Part 1A, was adopted.

The Senate proceeded to Sect. 47, Part 1A and Part 1B, Department of Natural Resources.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

Senn

Total--1

Section 47, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 48, Part 1A and Part 1B, Sea Grants Consortium.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

Section 48, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 49, Part 1A and Part 1B, Department of Parks, Recreation and Tourism.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Harpootlian	Hembree

Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Gustafson

Total--1

Section 49, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 50, Part 1A and Part 1B, Department of Commerce.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Devine
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Corbin	Martin

Total--2

ABSTAIN

Davis

Total--1

Section 50, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 51, Part 1A, Jobs-Economic Development Authority (JEDA).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Corbin

Total--1

ABSTAIN

Climer

Total--1

Section 51, Part 1A, was adopted.

The Senate proceeded to Sect. 52, Part 1A and Part 1B, Patriots Point Development Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

Campsen

Total--1

Section 52, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 53, Part 1A and Part 1B, S. C. Conservation Bank.

The "ayes" and "nays" were demanded and taken, resulting as follows:
Ayes 44; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

Setzler

Total--1

Section 53, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 54, Part 1A and Part 1B, Rural Infrastructure Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

Davis

Total--1

Section 54, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 55, Part 1A and Part 1B, Department of Environmental Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0; Abstain 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Devine	Fanning	Gambrell
Garrett	Grooms	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

ABSTAIN

Davis	Goldfinch	Hutto
Setzler		

Total--4

Section 55, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 57, Part 1A and Part 1B, Judicial Department.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0; Abstain 7

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Allen	Campsen	Devine
Hembree	Matthews	Senn
Tedder		

Total--7

Section 57, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 58, Part 1A and Part 1B, Administrative Law Court.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 0; Abstain 14

AYES

Adams	Alexander	Bennett

Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	McLeod	Peeler
Reichenbach	Rice	Shealy
Stephens	Turner	Verdin
Williams		

Total--31

NAYS

Total--0

ABSTAIN

Allen	Campsen	Goldfinch
Hembree	Hutto	Malloy
Matthews	McElveen	Rankin
Sabb	Senn	Setzler
Tedder	Young	

Total--14

Section 58, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 59, Part 1A and Part 1B, Attorney General's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0; Abstain 9

AYES

Adams	Alexander	Campsen
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Jackson	*Johnson, Kevin*

Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--36

NAYS

Total--0

ABSTAIN

Allen	Bennett	Hembree
Hutto	Malloy	Rankin
Sabb	Senn	Tedder

Total--9

Section 59, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 60, Part 1A and Part 1B, Prosecution Coordination.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0; Abstain 4

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin

Williams	Young	

Total--41

NAYS

Total--0

ABSTAIN

Allen	Hembree	McElveen
Sabb		

Total--4

Section 60, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 61, Part 1A and Part 1B, Indigent Defense.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0; Abstain 8

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Grooms	Gustafson	Harpootlian
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Matthews	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

ABSTAIN

Allen	Devine	Garrett
Hembree	Hutto	Malloy
McElveen	Tedder	

Total--8

Section 61, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 62, Part 1A and Part 1B, State Law Enforcement Division (SLED).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0; Abstain 5

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

ABSTAIN

Allen	Hutto	Matthews
Senn	Setzler	

Total--5

Section 62, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 63, Part 1A and Part 1B, Department of Public Safety.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0; Abstain 8

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Grooms	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Shealy	Stephens
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

ABSTAIN

Allen	Goldfinch	Hutto
Matthews	Sabb	Senn
Setzler	Tedder	

Total--8

Section 63, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 64, Part 1A and Part 1B, Law Enforcement Training Council.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0; Abstain 3

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

ABSTAIN

Allen	Hutto	Senn

Total--3

Section 64, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 65, Part 1A and Part 1B, Department of Corrections.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0; Abstain 7

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McLeod
Peeler	Rankin	Reichenbach
Rice	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

ABSTAIN

Allen	Harpootlian	Hutto
McElveen	Sabb	Senn
Tedder		

Total--7

Section 65, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 66, Part 1A and Part 1B, Department of Probation, Parole and Pardon Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 0; Abstain 11

AYES

Adams	Alexander	Bennett

Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Grooms	Gustafson	Harpootlian
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	McLeod	Peeler
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams		

Total--34

NAYS

Total--0

ABSTAIN

Allen	Garrett	Goldfinch
Hembree	Hutto	Malloy
Matthews	McElveen	Rankin
Sabb	Young	

Total--11

Section 66, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 67, Part 1A and Part 1B, Department of Juvenile Justice.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0; Abstain 5

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Jackson

Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

ABSTAIN

Allen	Hembree	Hutto
McElveen	Tedder	

Total--5

Section 67, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 70, Part 1A and Part 1B, Human Affairs Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen

McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 70, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 71, Part 1A and Part 1B, Minority Affairs Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 71, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 72, Part 1A and Part 1B, Public Service Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

ABSTAIN

Malloy	Rankin

Total--2

Section 72, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 73, Part 1A and Part 1B, Office of Regulatory Staff.

The "ayes" and "nays" were demanded and taken, resulting as follows:
Ayes 43; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

ABSTAIN

Davis	Rankin

Total--2

Section 73, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 74, Part 1A and Part 1B, Workers' Compensation Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:
Ayes 29; Nays 0; Abstain 16

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Grooms	Gustafson
Harpootlian	Jackson	*Johnson, Kevin*
Kimbrell	Loftis	Martin
Massey	McLeod	Peeler
Reichenbach	Rice	Senn
Shealy	Stephens	Turner
Verdin	Williams	

Total--29

NAYS

Total--0

ABSTAIN

Allen	Davis	Devine
Garrett	Goldfinch	Hembree
Hutto	*Johnson, Michael*	Malloy
Matthews	McElveen	Rankin
Sabb	Setzler	Tedder
Young		

Total--16

Section 74, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 75, Part 1A and Part 1B, State Accident Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:
Ayes 33; Nays 0; Abstain 12

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	Kimbrell	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Reichenbach
Rice	Shealy	Stephens
Turner	Verdin	Williams

Total--33

NAYS

Total--0

ABSTAIN

Allen	Davis	Goldfinch
Johnson, Michael	Malloy	Matthews
Rankin	Sabb	Senn
Setzler	Tedder	Young

Total--12

Section 75, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 78, Part 1A and Part 1B, Department of Insurance.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0; Abstain 6

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Devine	Fanning	Gambrell

Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

ABSTAIN

Climer	Hutto	Malloy
Senn	Setzler	Tedder

Total--6

Section 78, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 79, Part 1A and Part 1B, Board of Financial Institutions.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod

Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

Climer

Total--1

Section 79, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 80, Part 1A and Part 1B, Department of Consumer Affairs.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Martin	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb

Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Massey

Total--1

ABSTAIN

Malloy	Rankin

Total--2

Section 80, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 81, Part 1A and Part 1B, Labor, Licensing and Regulation (LLR).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 0; Abstain 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Reichenbach
Rice	Shealy	Stephens
Tedder	Turner	Verdin
Williams		

Total--34

NAYS

Total--0

ABSTAIN

Allen	Davis	Devine
Goldfinch	Hutto	Malloy
Rankin	Sabb	Senn
Setzler	Young	

Total--11

Section 81, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 82, Part 1A and Part 1B, Department of Motor Vehicles.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0; Abstain 8

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams		

Total--37

NAYS

Total--0

ABSTAIN

Allen	Davis	Goldfinch
Hutto	Matthews	McElveen
Tedder	Young	

Total--8

Section 82, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 83, Part 1A and Part 1B, Department of Employment and Workforce (DEW).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 1; Abstain 8

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Devine
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Reichenbach	Rice
Senn	Shealy	Tedder
Turner	Verdin	Williams

Total--36

NAYS

Stephens

Total--1

ABSTAIN

Allen	Davis	Hutto
Malloy	Rankin	Sabb
Setzler	Young	

Total--8

Section 83, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 84, Part 1A and Part 1B, Department of Transportation.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0; Abstain 7

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Shealy	Stephens	Turner
Verdin	Williams	

Total--38

NAYS

Total--0

ABSTAIN

Davis	Hutto	Matthews
Senn	Setzler	Tedder
Young		

Total--7

Section 84, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 85, Part 1A and Part 1B, Infrastructure Bank Board.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 85, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 86, Part 1A and Part 1B, County Transportation Funds.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 86, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 87, Part 1A and Part 1B, Division of Aeronautics.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy

Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 87, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 88, Part 1B, Ports Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 88, Part 1B, was adopted.

The Senate proceeded to Sect. 91, A-E, Part 1A and Part 1B, Legislative Department.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

Hembree

Total--1

Section 91A-E, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 92, A and C, Part 1A and Part 1B, Governor's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

ABSTAIN

Campsen	Senn

Total--2

Section 92, A and C, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 92D, Part 1A and Part 1B, Office of Resilience.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning

Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 92D, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 93, Part 1A and Part 1B, Department of Administration.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Shealy	Stephens

Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

Setzler

Total--1

Section 93, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 94, Part 1A and Part 1B, Office of Inspector General.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 94, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 96, Part 1A and Part 1B, Secretary of State.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 96, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 97, Part 1A and Part 1B, Comptroller General.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 97, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 98, Part 1A and Part 1B, State Treasurer.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Stephens

Total--1

ABSTAIN

Malloy

Total--1

Section 98, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 99, Part 1A, Retirement System Investment Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson

Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

Malloy

Total--1

Section 99, Part 1A, was adopted.

The Senate proceeded to Sect. 100, Part 1A and Part 1B, Adjutant General.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb

Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 100, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 101, Part 1A and Part 1B, Veterans Affairs.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 101, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 102, Part 1A and Part 1B, Election Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 1; Abstain 5

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Senn	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--39

NAYS

Martin

Total--1

ABSTAIN

Allen	Hutto	Malloy
Sabb	Tedder	

Total--5

Section 102, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 103, Part 1A and Part 1B, Revenue and Fiscal Affairs.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 103, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 104, Part 1A and Part 1B, State Fiscal Accounting Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Senn

Total--1

Section 104, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 105, Part 1A and Part 1B, State Auditor's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson

Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

Senn

Total--1

Section 105, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 106, Part 1A and Part 1B, Statewide Employee Benefits.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 10

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cromer
Davis	Devine	Fanning
Gambrell	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Sabb
Senn	Setzler	Shealy

Stephens	Tedder	Turner
Williams	Young	

Total--35

NAYS

Cash	Climer	Corbin
Garrett	*Johnson, Michael*	Kimbrell
Martin	Reichenbach	Rice
Verdin		

Total--10

Section 106, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 107, Part 1A, Capital and General Reserve Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 107, Part 1A, was adopted.

The Senate proceeded to Sect. 108, Part 1A and Part 1B, Public Employee Benefit Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Garrett	Martin

Total--2

ABSTAIN

Setzler

Total--1

Section 108, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 109, Part 1A and Part 1B, Department of Revenue.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 0; Abstain 10

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Shealy	Stephens	Turner
Verdin	Williams	

Total--35

NAYS

Total--0

ABSTAIN

Allen	Davis	Goldfinch
Hutto	*Johnson, Kevin*	Malloy
Sabb	Setzler	Tedder
Young		

Total--10

Section 109, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 110, Part 1A and Part 1B, State Ethics Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0; Abstain 9

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Devine
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens
Turner	Verdin	Williams

Total--36

NAYS

Total--0

ABSTAIN

Allen	Davis	Hembree
Hutto	Malloy	Rankin
Sabb	Tedder	Young

Total--9

Section 110, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 111, Part 1A and Part 1B, Procurement Review Panel.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch

Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

Sabb

Total--1

Section 111, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 112, Part 1A and Part 1B, Debt Service.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen

McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 112, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 113, Part 1A and Part 1B, Aid to Subdivisions - State Treasurer.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

Davis

Total--1

Section 113, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 115, Part 1A, Tax Relief Trust Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 115, Part 1A, was adopted.

The Senate proceeded to Sect. 117, Part 1B, General Provisions.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 117, Part 1B, was adopted.

The Senate proceeded to Sect. 118, Part 1B, Statewide Revenue.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch

Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

Section 118, Part 1B, was adopted.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy

Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill, as amended, was read the third time, passed and ordered returned to the House of Representatives with amendments.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 5101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2023-2024, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

The Senate proceeded to a consideration of the Joint Resolution.

The Committee on Finance proposed the following amendment (LC-5101.DG0012S), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTION 1 and inserting:

SECTION X.In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the S. C. Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2023-2024 the following amounts:

(1) H630 Department of Education
(a) School Safety Mapping $5,000,000
(b) School Facilities Safety Upgrades $20,000,000
(2) H670 Educational Television Commission
Microwave and Transmitter Upgrades Phase I $5,000,000
(3) H640 Governor’s School for Arts and Humanities
Residence Hall Renovation and Upgrades Phase II $5,000,000
(4) H790 Department of Archives and History Exhibit Hall
and Meeting Space Expansion $1,000,000
(5) N040 Department of Corrections

(a) Cell Phone Interdiction $7,058,000
(b) Security and Maintenance Funds $5,000,000
(6) H090 The Citadel
(a) Engineering Building Replacement $4,000,000
(b) Renovation of Workforce Housing $1,000,000
(7) H120 Clemson University
College of Veterinary Medicine $47,000,000
(8) H150 University of Charleston Campus Expansion $7,000,000
(9) H170 Coastal Carolina University Pedestrian Walkway $6,000,000
(10) H180 Francis Marion University Leatherman Science Facility/McNair Science Building Renovation $5,000,000
(11) H210 Lander University Maintenance, Renovation, and Replacement $5,000,000
(12) H240 South Carolina State University Replacement of the Whittaker Library $5,000,000
(13) H270 University of South Carolina – Columbia
Health Sciences Campus $47,000,000
(14) H290 University of South Carolina – Aiken
(a)Maintenance, Renovation, and Replacement $1,500,000
(b) Athletic Facilities Relocation $3,500,000
(15) H340 University of South Carolina – Upstate
Maintenance, Renovation, and Replacement $5,000,000
(16) H360 University of South Carolina – Beaufort
New Convocation Center $11,500,000
(17) H370 University of South Carolina – Lancaster
Maintenance, Renovation, and Replacement $1,100,000
(18) H380 University of South Carolina – Salkehatchie
Maintenance, Renovation, and Replacement $1,100,000
(19) H390 University of South Carolina – Sumter
Maintenance, Renovation, and Replacement $3,000,000
(20) H400 University of South Carolina – Union
Maintenance, Renovation, and Replacement $1,100,000
(21) H470 Winthrop University
Maintenance, Renovation, and Replacement $5,000,000
(22) H510 Medical University of South Carolina
College of Medicine Academic Building $22,000,000
(23) H590 State Board for Technical and Comprehensive Education
(a) Aiken Technical CollegeMaintenance, Renovation,

and Replacement	$1,500,000
(b) Central Carolina Technical College Maintenance, Renovation, and Replacement	$2,300,000
(c) Florence-Darlington Technical College Darlington County Campus	$2,200,000
(d) Greenville Technical College Maintenance, Renovation, and Replacement	$4,500,000
(e) Horry-Georgetown Technical College Health Professions Training Complex	$5,000,000
(f) Northeastern Technical CollegeMaintenance, Renovation, and Replacement	$750,000
(g) Orangeburg-Calhoun Technical College Maintenance, Renovation, and Replacement	$1,100,000
(h) Piedmont Technical College Maintenance, Renovation, and Replacement	$2,300,000
(i) Spartanburg Community College Maintenance, Renovation, and Replacement	$2,500,000
(j) Technical College of the Lowcountry Maintenance, Renovation, and Replacement	$1,500,000
(k) Tri-County Technical College Maintenance, Renovation, and Replacement	$1,500,000
(l) Trident Technical College Maintenance, Renovation, and Replacement	$4,500,000
(m) Williamsburg Technical College Maintenance, Renovation, and Replacement	$750,000
(n) York Technical College Maintenance, Renovation, and Replacement	$2,300,000
(24) J120 Department of Mental Health Stone VA Nursing Home	$5,000,000
(25) P210 SC State University Public Service Activities Construction of the South Carolina Limnology Research Center	$2,000,000
(26) P240 Department of Natural Resources Waterfowl Impoundments Infrastructure Maintenance	$1,200,000
(27) P320 Department of Commerce SC Nexus	$5,000,000
(28) P400 Conservation Bank	
(a) Conservation Grant Funding	$6,000,000
(b) Working Ag Lands Grant Funding	$1,000,000
(29) Y140 State Ports Authority North Charleston Economic Development Land Acquisition	$55,000,000

(30) D300 Office of Resilience Disaster Relief and Resilience Reserve Fund $4,000,000
(31) A170 Legislative Services Agency
Network Infrastructure $753,766
(32) D500 Department of Administration
Healthcare Campus Relocation $14,511,113
(33) E240 Adjutant General
(a) SCEMD – State EOC Expansion $3,000,000
(b) Armory Revitalization $3,300,000
(34) E260 Department of Veterans' Affairs
(a) Veteran Homes Capital Improvements $20,000,000
(b) MJ "Dolly" Cooper State Veterans' Cemetery – Committal Shelter II $1,280,000
(c) Military Enhancement Fund $2,000,000
(d) Veteran Trust Fund $1,000,000
(35) R400 Department of Motor Vehicles
SCDMV IT System Modernization $2,528,884
Renumber sections to conform.
Amend title to conform.

Senator SETZLER explained the committee amendment.

The amendment was adopted.

The question then was second reading of the Joint Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin

Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Joint Resolution was read the second time, passed and ordered to a third reading.

Senator PEELER spoke on the Bill.

Remarks by Senator PEELER

Thank you very much Senator SETZLER, I appreciate that so much, and members of the Body. I've never been so proud to finish this budget in two days. I think everyone showed their Senatorial courtesy -- something that I'm so proud of. I can't thank the committee and subcommittees enough for their work. We did our foundation on this budget, came in ready to work with the Judiciary committee members and put the amendments up. This is what the Senate of South Carolina should look like. But we can't take credit for this, credit goes to our staff. We have the best staff in America. These are the people we need to thank. Please join me in thanking them. Thank you all! I've been through about forty-five of these and I think not one time have we passed one without Senator SETZLER here. I think we owe Senator SETZLER a debt of gratitude for his work on both sides of the aisle. I don't know what we're going to do next year without you here trying to pass the budget. Please join me in thanking Senator SETZLER.

On motion of Senator JACKSON, with unanimous consent, the remarks of Senator PEELER were ordered printed in the Journal.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Charles Burgess "Scooter" James, Jr. of Sumter, S.C. Scooter was a member of Alice Drive Baptist Church. He graduated with a business administration degree from the Baptist College of Charleston where he was a member of Kappa Alpha fraternity. Scooter worked forty-two years for the Sumter Insurance Group where he was a senior insurance specialist. He was president of the Independent Insurance Agents in Sumter and president of the Sumter Sertoma Club and Deerfield Courtyard Homeowners Association. Scooter enjoyed hunting and fishing. Scooter was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. E. Heyward Baker of Kingstree, S.C. Heyward was a cousin of our beloved Alicia Eatmon. He worked for the Department of Agriculture for twenty-nine years and retired as Director of Federal Crop Insurance's Risk Management Division before starting a new career in real estate. Heyward was on the Williamsburg County School District Board of Trustees, a member of the Town of Kingstree Zoning Commission and a liaison for special needs children in Williamsburg County. He loved traveling, attending sporting events and recitals and pageants for his nieces. Heyward was well-respected and very loved in his community. Heyward was a loving uncle, cousin and friend who will be dearly missed.

ADJOURNMENT

At 10:30 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, April 25, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Genesis 37:17b, 19

The Book of Genesis reminds us: "So Joseph went after his brothers and found them near Dothan. But they saw him in the distance. . . 'Hear comes that dreamer!' they said to each other."

Let us pray: O loving God, we thank You today for granting us the ability to dream. After all, the capacity to imagine what can be, the means to envision a brighter, bolder future, the facility to picture South Carolina as it could be -- such a wonderful gift You have given us. Yet especially, Lord, might it be that this very gift can and will motivate each of these leaders to continue working diligently for the betterment of everyone here in South Carolina. Indeed, may this be the Body, may these be the very Senators who bring dreams into reality. And as always, we continue to pray for our women and men in uniform wherever they happen to serve; embrace each of them in Your loving care. All this we humbly pray in Your glorious name, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin

Massey	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Setzler	Shealy
Stephens	Tedder	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Reappointment, Florence County Master-in-Equity, with the term to commence March 1, 2024, and to expire March 1, 2030

William Haigh Porter, 908 Madison Avenue, Florence, SC 29501

Initial Appointment, Kershaw County Master-in-Equity, with the term to commence July 1, 2019, and to expire July 1, 2025

William B. Cox, 136 Hunt Trace, Camden, SC 29020 *VICE* Jeffrey M. Tzerman

Doctor of the Day

Senator GOLDFINCH introduced Dr. Michael Bohan of Horry, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator HUTTO, at 1:13 P.M., Senators HARPOOTLIAN and DEVINE were granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator RICE, at 1:13 P.M., Senator GARRETT was granted a leave of absence until 2:13 P.M.

Leave of Absence

On motion of Senator TURNER, at 1:16 P.M., Senator HEMBREE was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CLIMER, at 12:45 P.M., Senator GOLDFINCH was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator YOUNG, at 11:44 A.M., Senator TALLEY was granted a leave of absence for today.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 1242 Sen. Malloy

RECALLED

S. 1268 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 315 IN JASPER COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 170 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 17 "BISHOP DELORIS M. YOUNG HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4965 -- Reps. Mitchell, Yow, Connell and B. Newton: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE JUNCTION AT LOCKHART ROAD AND KEYS LANE IN KERSHAW COUNTY "COMMISSIONER DAVID E. BRANHAM SR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5314 -- Reps. Haddon and Burns: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 25 (WHITE HORSE ROAD) AND SOUTH CAROLINA HIGHWAY 183 (SALUDA DAM ROAD) IN THE GREENVILLE COUNTY TOWN OF BEREA "HAROLD M. BATSON JR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5323 -- Reps. Yow, Henegan, Mitchell and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9/UNITED STATES HIGHWAY 601 FROM ITS INTERSECTION WITH STATE ROAD S-13-40 (HIGH POINT CHURCH ROAD) TO ITS INTERSECTION WITH STATE ROAD S-13-555 (ARANT STREET) IN CHESTERFIELD COUNTY "SSGT. JASON C. HICKS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1291 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. RONALD L. RHAMES, PRESIDENT OF MIDLANDS TECHNICAL COLLEGE, UPON HIS RETIREMENT AFTER THIRTY-FOUR YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

lc-0421ph-jn24.docx

The Senate Resolution was adopted.

S. 1292 -- Senator Massey: A BILL TO AMEND ACT 595 OF 1992, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE EDGEFIELD COUNTY SCHOOL DISTRICT, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED BEGINNING WITH THE SCHOOL DISTRICT ELECTIONS IN 2024, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

lc-0452hdb24.docx

Read the first time and ordered placed on the Local and Uncontested Calendar.

Ordered to a Second Reading. On motion of Senator MASSEY, with unanimous consent, S. 1292 was ordered to receive a second reading on the next legislative day.

S. 1293 -- Senator Davis: A SENATE RESOLUTION TO RECOGNIZE MAY 12 THROUGH MAY 18, 2024, AS "POLICE WEEK IN SOUTH CAROLINA" AND TO HONOR THE SERVICE AND SACRIFICE OF LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY WHILE PROTECTING OUR COMMUNITIES AND SAFEGUARDING DEMOCRACY.

lc-0465vr-rm24.docx

The Senate Resolution was introduced and referred to the Committee on Judiciary.

S. 1294 -- Senator Alexander: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF DR. DONALD D. CLAYTON AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
sr-0701km-vc24.docx

The Senate Resolution was adopted.

S. 1295 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE CASSONDRA MOORE FOR HER LEADERSHIP OF THE SENECA MIDDLE SCHOOL LIBRARY, WHICH HAS BEEN NAMED SOUTH CAROLINA'S OUTSTANDING SCHOOL LIBRARY PROGRAM OF THE YEAR.
sr-0704km-hw24.docx

The Senate Resolution was adopted.

S. 1296 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE THE PELION MIDDLE SCHOOL ARCHERY TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2024 SOUTH CAROLINA NATIONAL ARCHERY IN THE SCHOOLS PROGRAM (NASP) STATE CHAMPIONSHIP TITLES IN IBO AND BULLSEYE (MIDDLE SCHOOL DIVISION).
sr-0705km-vc24.docx

The Senate Resolution was adopted.

S. 1297 -- Senator Cromer: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF BOUNDARY STREET AND THE SOUTH CAROLINA HIGHWAY 34 BYPASS (BOB LAKE BOULEVARD) IN NEWBERRY COUNTY "HENRY S. REEDER INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
sr-0708km-hw24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5246 -- Reps. Wetmore, Brittain, M. M. Smith, Stavrinakis, Hartnett, Leber, Gilliard, Bustos, Pendarvis, Jefferson, Landing and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-612 SO AS TO PROVIDE THAT

THE BLACK SKIMMER IS THE OFFICIAL SEABIRD OF THE STATE.

lc-0538sa24.docx

Read the first time and referred to the Committee on Family and Veterans' Services.

REPORTS OF STANDING COMMITTEES

Senator GROOMS from the Committee on Transportation polled out S. 1242 favorable:

S. 1242 -- Senators McLeod, Shealy, Matthews, Senn, Gustafson, Devine, Setzler and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-14210, RELATING TO UNIVERSITY OF SOUTH CAROLINA 2017 AND 2022 WOMEN'S BASKETBALL NATIONAL CHAMPIONS SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2024 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT.

Poll of the Transportation Committee
Polled 17; Ayes 17; Nays 0; Not Voting 0

AYES

Grooms	Rankin	Verdin
Malloy	Campsen	Peeler
Bennett	Hembree	McElveen
Matthews	Climer	Rice
Senn	Cash	McLeod
Harpootlian	Stephens	

Total--17

NAYS

Total--0

NOT VOTING

Total--0

Ordered for consideration tomorrow.

READ THE SECOND TIME

S. 1242 -- Senators McLeod, Shealy, Matthews, Senn, Gustafson, Devine, Setzler and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-14210, RELATING TO UNIVERSITY OF SOUTH CAROLINA 2017 AND 2022 WOMEN'S BASKETBALL NATIONAL CHAMPIONS SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2024 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT.

Senator GROOMS asked unanimous consent to make a motion to take the Bill up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Bill. The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Grooms	Gustafson	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

S. 1242--Ordered to a Third Reading

On motion of Senator GROOMS, S. 1242 was ordered to receive a third reading on Friday, April 26, 2024.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable with amendment report on:

H. 4189 -- Rep. Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-20, RELATING TO LICENSING AND FEES, SO AS TO AMEND MEETING REQUIREMENTS, REMOVE A CERTIFICATION FEE AND OUTLINE HOW TO MAKE PROPER PAYMENTS TO THE DEPARTMENT; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND, SO AS TO CHANGE THE ALLOWED TRANSFER OF COLLECTED

TAXES FROM TWENTY PERCENT TO FORTY PERCENT; AND BY AMENDING 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation polled out H. 4436 favorable:

H. 4436 -- Reps. Wooten, Ballentine, Long, Erickson, Caskey, Calhoon, Wetmore, Taylor, Forrest, Hiott, Davis, Pope, Herbkersman, M.M. Smith, Robbins, Lawson, Burns, Chumley, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-1538, RELATING TO EMERGENCY SCENE MANAGEMENT, SO AS TO PROVIDE DRIVERS ARE RESPONSIBLE FOR MAINTAINING VEHICLE CONTROL IN CERTAIN EMERGENCY CIRCUMSTANCES TO AVOID INTERFERING WITH THE OPERATION OF AUTHORIZED EMERGENCY VEHICLES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Poll of the Transportation Committee
Polled 17; Ayes 17; Nays 0; Not Voting 0

AYES

Grooms	Rankin	Verdin
Malloy	Campsen	Peeler
Bennett	Hembree	McElveen
Matthews	Climer	Rice
Senn	Cash	McLeod
Harpootlian	Stephens	

Total--17

NAYS

Total--0

NOT VOTING

Total--0

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable with amendment report on:

H. 4832 -- Reps. Hardee, Sandifer, Anderson, Ligon and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PAID FAMILY LEAVE INSURANCE ACT" BY ADDING CHAPTER 103 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH FAMILY LEAVE BENEFITS, OUTLINE REQUIREMENTS OF FAMILY LEAVE INSURANCE POLICIES, AND TO PROVIDE EXCLUSIONS, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

H. 4869 -- Reps. Sandifer, Hardee, Ligon and Jefferson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200, RELATING TO CONDITIONS FOR ALLOWING REINSURANCE CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY AMENDING SECTION 38-13-10, RELATING TO INSURER EXAMINATIONS, SO AS TO PROVIDE SUCH EXAMINATIONS ARE FINANCIAL EXAMINATIONS, TO APPLY THE PROVISIONS TO HEALTH MAINTENANCE ORGANIZATIONS AND OTHER LICENSEES OF THE DEPARTMENT, TO PROVIDE MARKET CONDUCT EXAMINATIONS, AND TO REMOVE OBSOLETE PROVISIONS, AMONG OTHER THINGS; BY AMENDING SECTION 38-13-70, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DIRECTOR OR HIS DESIGNEES MAY CONDUCT INVESTIGATIONS, TO PROVIDE FOR THE CONFIDENTIALITY OF INVESTIGATIONS, AND TO PROVIDE FINAL ORDERS DISCIPLINING LICENSEES ARE PUBLIC INFORMATION, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-57-130, RELATING TO INSURANCE TRADE PRACTICES, SO AS TO PROVIDE REVISED EXEMPTIONS FROM PROVISIONS PROHIBITING MISREPRESENTATIONS, SPECIAL INDUCEMENTS, AND REBATES IN INSURANCE CONTRACTS.

Ordered for consideration tomorrow.

Appointment Reported

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2022, and to expire June 30, 2026

Mortgage Banker:

Carol Addy, 221 Queen Street, Georgetown, SC 29440-3635 *VICE* Charles Henry Stuart

Received as information.

Message from the House

Columbia, S.C., April 24, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4042 -- Reps. Bernstein, Gilliard, Wheeler, Wetmore, King, Howard, Henegan, Stavrinakis, Bauer, Rutherford, W. Newton, Jordan, Pope, Bannister, J.E. Johnson, Brittain, Elliott and Jefferson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-1710 SO AS TO PROVIDE A FRAMEWORK IN WHICH ANTISEMITISM IS CONSIDERED REGARDING ALL LAWS PROHIBITING DISCRIMINATORY ACTS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 24, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4871 -- Reps. Haddon, Ligon and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 47-9-420 SO AS TO PROHIBIT THE INTERFERENCE OR INTERACTION WITH FARM ANIMALS BEING TRANSPORTED BY A MOTOR VEHICLE WITHOUT PERMISSION.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 25, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

MASTER-IN-EQUITY

Local Appointment, Kershaw County Master-in-Equity, with term to commence July 1, 2019, and to expire June 30, 2025:

Mr. William B. Cox, Jr., 136 Hunt Trace, Camden, SC 29020

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 25, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Local Appointment, Florence County Master-in-Equity, with terms to commence March 1, 2024, and to expire March 1, 2030:

Mr. William Haigh Porter, 908 Madison Avenue, Florence, SC 29501

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 1280 -- Senators Jackson and Devine: A CONCURRENT RESOLUTION TO HONOR DR. GARY B. BELL OF RICHLAND COUNTY ON THE OCCASION OF HIS RETIREMENT, TO EXTEND DEEP APPRECIATION FOR HIS MORE THAN FORTY YEARS OF DISTINGUISHED SERVICE AS A PHYSICIAN TO THE PEOPLE OF SOUTH CAROLINA AND BEYOND, AND TO OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.

Returned with concurrence.

Received as information.

S. 1283 -- Senators Jackson and Williams: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF BISHOP FREDERICK CALHOUN JAMES, THE NINETY-THIRD ELECTED AND CONSECRATED BISHOP OF THE AFRICAN METHODIST EPISCOPAL CHURCH, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

Returned with concurrence.

Received as information.

S. 1289 -- Senator Rice: A CONCURRENT RESOLUTION TO RECOGNIZE MAY 11, 2024, AS "LETTER CARRIERS' STAMP OUT HUNGER FOOD DRIVE DAY" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 5395 -- Reps. B. Newton, Mitchell, Yow and Neese: A BILL TO AMEND ACT 879 OF 1954, AS AMENDED, RELATING TO THE CREATION OF THE LANCASTER COUNTY NATURAL GAS AUTHORITY, SO AS TO CLARIFY PER DIEM PROVISIONS APPLICABLE TO MEMBERS OF THE BOARD OF DIRECTORS

AND TO DELETE THE REQUIREMENT THAT ALL UNENCUMBERED REVENUES FROM THE SYSTEM BE PAID OVER TO THE MUNICIPALITIES SERVED BY THE AUTHORITY AND TO PROVIDE THAT THESE FUNDS MUST BE USED INSTEAD TO EXPAND THE SYSTEM OR TO REDUCE CUSTOMER RATES.

SECOND READING BILL

H. 5267 -- Rep. Forrest: A BILL TO AMEND ACT 307 OF 2012, RELATING TO THE ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE SALUDA COUNTY SCHOOL DISTRICT MUST BE ELECTED, SO AS TO REAPPORTION THESE DISTRICTS, TO PROVIDE DEMOGRAPHIC INFORMATION IN REGARD TO THESE DISTRICTS, AND TO UPDATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED.

On motion of Senator MASSEY.

SECOND READING BILL

H. 3248 -- Reps. Collins and Carter: A BILL TO AMEND ACT 609 OF 1984, AS AMENDED, RELATING TO REIMBURSEMENT FOR EXPENSES INCURRED IN PERFORMANCE OF OFFICIAL DUTIES OF SCHOOL BOARD TRUSTEES, SO AS TO ALLOW THE BOARD TO DETERMINE THE MONTHLY REIMBURSEMENT AMOUNT.

On motion of Senator RICE.

AMENDED, SECOND READING BILL

S. 1285 -- Senator Malloy: A BILL TO AMEND ACT 259 OF 1961, RELATING TO THE HARTSVILLE COMMUNITY CENTER BUILDING COMMISSION, SO AS TO INCREASE THE COMMISSION'S MEMBERSHIP FROM THREE TO FIVE MEMBERS, AND TO DELETE REFERENCES TO INITIAL BOARD MEMBERS.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (SR-1285.KM0001S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. The second section of an article added in SECTION 1 of Act 259 of 1961 is amended to read:

Section 2. The commission shall be composed of ~~three~~ five individuals who shall reside in Hartsville Township and be qualified electors of Darlington County. They shall be appointed and commissioned by the Governor upon the recommendation of a weighted majority of the Darlington County Legislative Delegation~~. One shall be appointed for an initial term ending on the first day of April, 1962, one for an initial term ending on the first day of April, 1964, and one for an initial term ending on the first day of April, 1966, or until their successors shall have been appointed and qualified. Upon the expiration of the respective terms of the original commissioners, their successors shall be appointed and commissioned by the Governor upon the recommendation of a majority of the Darlington County Legislative Delegation~~ for terms of six years until their successors shall have been appointed and qualified. In case of a vacancy, it shall be filled by appointment for the unexpired term only. Upon appointment and qualification, the commissioners shall organize. A weighted majority of the Darlington County Legislative Delegation shall designate one member of the commission as chairman. The chairman shall serve in that capacity until the expiration of his term. The commission may elect other officers. ~~by electing one of their members as chairman and another as secretary. The members chosen as chairman and secretary shall serve in such capacities until the expiration of their respective terms or until the sooner termination of their services as commissioners, except that the commissioners by vote of two thirds of the entire commission may at any time effect changes in the offices of chairman and secretary.~~

SECTION 2. Within sixty days after the effective date of this act the Darlington County Legislative Delegation shall designate a member of the commission as chairman. The chairman serving on the effective date of this act shall continue to serve in that capacity until the delegation designates a chairman. The chairman serving on the effective date of this act may be designated a chairman by the delegation.

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

S. 1285--Ordered to a Third Reading

On motion of Senator MALLOY, S. 1285 was ordered to receive a third reading on Friday, April 26, 2024.

CARRIED OVER

S. 154 -- Senators Young, Senn and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STREET GANG AND CRIMINAL ENTERPRISE PREVENTION AND ANTI-RACKETEERING ACT"; BY AMENDING ARTICLE 3 OF CHAPTER 8, TITLE 16, RELATING TO THE CRIMINAL GANG PREVENTION ACT, SO AS TO RETITLE THE ARTICLE, REVISE THE DEFINITIONS FOR PURPOSES OF THE ARTICLE, AND RESTRUCTURE THE ARTICLE AND THE OFFENSES AND PENALTIES CONTAINED WITHIN IT; AND BY ADDING ARTICLE 5 TO CHAPTER 8, TITLE 16 SO AS TO CREATE ANTI-RACKETEERING PROVISIONS TO COMPLIMENT THE REVISED STREET GANG AND CRIMINAL ENTERPRISE PREVENTION ARTICLE, DEFINE NECESSARY TERMS, AND CREATE VARIOUS RACKETEERING OFFENSES AND ESTABLISH PENALTIES FOR VIOLATIONS.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

S. 266 -- Senators Hutto, Jackson, Shealy, Devine, McLeod, Allen and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-820, RELATING TO OUT-OF-HOME PLACEMENT, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; BY AMENDING SECTION 63-19-1020, RELATING TO INSTITUTING PROCEEDINGS, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; BY AMENDING SECTION 63-19-1440, RELATING TO COMMITMENT, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO

CHANGE THE REQUIREMENTS FOR COURT ORDERS; BY AMENDING SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

On motion of Senator MALLOY, the Bill was carried over.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 1076 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-219 SO AS TO ESTABLISH A WORK ZONE SAFETY PROGRAM; BY AMENDING SECTION 56-1-15, RELATING TO THE ADMINISTRATION OF DRIVER'S LICENSE EXAMINATIONS, SO AS TO REQUIRE THAT DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM; AND BY AMENDING SECTION 56-1-130, RELATING TO LICENSE EXAMINATIONS AND BASIC AND CLASSIFIED LICENSES, SO AS TO REQUIRE THAT DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendment:

H. 5023 -- Reps. Brewer, Gilliam, Lawson, Sessions, Schuessler, Hager, Hartnett, Gatch, Mitchell, Hewitt, Robbins, J. Moore, Wooten, Guffey, O'Neal, J.L. Johnson, Pedalino and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-219 SO AS TO ESTABLISH THE WORK ZONE PROGRAM WITHIN THE DEPARTMENT OF PUBLIC SAFETY; BY AMENDING SECTION 56-1-15, RELATING TO THE ADMINISTRATION OF DRIVER'S LICENSE EXAMINATIONS, SO AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE; AND BY

AMENDING SECTION 56-1-130, RELATING TO LICENSE EXAMINATIONS AND BASIC AND CLASSIFIED LICENSES, SO AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 4349 -- Rep. Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-1500, RELATING TO THE GREENVILLE TECHNICAL COLLEGE AREA COMMISSION, SO AS TO REMOVE OBSOLETE REFERENCES, TO REVISE RESIDENCY REQUIREMENTS FOR CERTAIN COMMISSION SEATS, AND TO REVISE THE ABSENCE POLICY FOR COMMISSION MEMBERS, AMONG OTHER THINGS.

H. 4612 -- Reps. Hixon, Pope, Chapman, Taylor, Hartnett, Hardee, Brewer, Robbins, Gatch, Murphy, Connell, Mitchell, Hager, Caskey, Forrest, Wooten, Elliott, B.J. Cox and Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 55-3-110, RELATING TO HUNTING FROM AN AIRCRAFT, SO AS TO PROVIDE PERSONS POSSESSING A PERMIT ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES MAY LAWFULLY HUNT FROM AN AIRCRAFT; AND BY ADDING SECTION 50-11-1190 SO AS TO PROVIDE THE DEPARTMENT OF NATURAL RESOURCES MAY ISSUE PERMITS FOR THE TAKING OF FERAL HOGS WHILE AIRBORNE IN A HELICOPTER UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.

H. 4875 -- Reps. Ott, Brewer, Atkinson and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-1910, RELATING TO THE SALE OF DEER OR DEER PARTS, SO AS TO ALLOW A PROCESSOR TO PROCESS A LEGALLY TAKEN DOE DONATED BY A HUNTER AND RECOVER THE COSTS OF PROCESSING FROM SOMEONE OTHER THAN THE HUNTER WHO DONATED THE DOE, AND TO INCREASE PENALTIES.

H. 5007 -- Reps. Caskey and Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO RESTRICT PERMITTED HOOK SIZE IN THE LOWER SALUDA RIVER.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE EFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND

PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF “ATHLETE AGENT”; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (SEDU-4957.DB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 2, Section 59-158-20~~(4)~~, by adding an item to read:

(C) No appropriated funds of an institution of higher learning may be used to pay an intercollegiate athlete compensation for the use of their name, image, and likeness.

Amend the bill further, SECTION 4, by striking Section 59-158-40~~(2)~~ and inserting:

~~(2) obtaining an athlete agent for the purpose of securing compensation for the use of his name, image, or likeness.~~

(A) An institution of higher learning may prohibit an intercollegiate athlete from using his name, image, or likeness for compensation if the proposed use of his name, image, or likeness conflicts with institutional values as defined by the institution of higher learning.

~~(2) An intercollegiate athlete may not earn compensation for the use of his name, image, or likeness for the endorsement of tobacco, alcohol, illegal substances or activities, banned athletic substances, or gambling including, but not limited to, sports betting.~~

~~(C) An institution of higher learning must disclose known prohibitions for the use of an intercollegiate athlete's name, image, or likeness at the time that an intercollegiate athlete is admitted to the institution of higher learning or when the intercollegiate athlete signs a financial aid agreement or team contract.~~(B) An institution of higher learning or any officers, trustees, directors employees, including athletics coaching staff, may not be liable for any damages to an intercollegiate athlete's ability to earn compensation for the use of the intercollegiate athlete's name, image, or likeness resulting from decisions or actions routinely taken in the course of intercollegiate athletics.

(C) An athletic association, an athletic conference, or any other group or organization with authority over an intercollegiate athletic program at an institution of higher learning to which this chapter applies may not:

Amend the bill further, SECTION 8, by striking Section 59-102-100(H) and inserting:

(H) An agency contract for name, image, or likeness activities, as defined in Chapter 158, Title 59, may provide for athlete agent compensation but may not exceed thirty percent of the name, image, or likeness contract.

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (SMIN-4957.AA0003S), which was adopted:

Amend the bill, as and if amended, SECTION 8, by striking Section 59-102-100(H) and inserting:

(H) An agency contract for name, image, or likeness activities, as defined in Chapter 158, Title 59, may provide for athlete agent compensation but may not exceed ~~thirty~~ twenty percent of the name, image, or likeness contract.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (SMIN-4957.AA0008S), which was carried over:

Amend the bill, as and if amended, SECTION 4, by striking Section 59-158-40~~(2)~~(A) and inserting:

(A) An institution of higher learning may prohibit an intercollegiate athlete from using his name, image, or likeness for compensation ~~if the proposed use of his name, image, or likeness conflicts with institutional values as defined by the institution of higher learning.~~with any of the following:

(1) alcohol and alcoholic beverages;

(2) adult entertainment;

(3) cannabis, cannabinoids, cannabidiol, or other derivatives, not including hemp or hemp products;

(4) controlled substances as defined in Section 44-53-110;

(5) performance enhancing drugs or substances such as steroids or human growth hormone;

(6) drug paraphernalia, as defined in Section 44-53-110;

(7) tobacco, tobacco products, alternative nicotine products, nicotine vapor products, and similar products and devices;

(8) weapons, including firearms and ammunition for firearms; and

(9) casinos or gambling, including sports betting.

~~(2) An intercollegiate athlete may not earn compensation for the use of his name, image, or likeness for the endorsement of tobacco, alcohol, illegal substances or activities, banned athletic substances, or gambling including, but not limited to, sports betting.~~

~~(C) An institution of higher learning must disclose known prohibitions for the use of an intercollegiate athlete's name, image, or likeness at the time that an intercollegiate athlete is admitted to the institution of higher learning or when the intercollegiate athlete signs a financial aid agreement or team contract.~~

Renumber sections to conform.

Amend title to conform.

The amendment was carried over.

Senator MALLOY proposed the following amendment (SMIN-4957.AA0009S), which was adopted:

Amend the bill, as and if amended, SECTION 4, by striking Section 59-158-40~~(2)~~(B) and inserting:

~~(C) An institution of higher learning must disclose known prohibitions for the use of an intercollegiate athlete's name, image, or likeness at the time that an intercollegiate athlete is admitted to the institution of higher learning or when the intercollegiate athlete signs a financial aid agreement or team contract.~~(B) An institution of higher learning or any officers, trustees, directors employees, including athletics coaching staff, may not be liable for any damages to an intercollegiate athlete's ability to earn compensation for the use of the intercollegiate athlete's name, image, or likeness resulting from decisions or actions routinely taken in the course of intercollegiate athletics. However, nothing in this section should be construed to bar any common law claims by intercollegiate athletes of fraud, fraudulent misrepresentation, or intentional misrepresentation.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (SMIN-4957.AA0007S), which was adopted:

Amend the bill, as and if amended, SECTION 7, by striking Section 59-102-20(b)(iii) and inserting:

(iii) is an institution of higher learning or an employee or contractor employed by an institution of higher learning.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (SMIN-4957.AA0005S), which was carried over:

Amend the bill, as and if amended, SECTION 2, Section 59-158-20~~(4)~~, by adding an item to read:

(D) Compensation earned by an intercollegiate athlete for the use of his name, image, or likeness must represent a genuine payment for the use of his name, image or likeness, independent of, rather than as a payment for, his athletic participation or performance.

Renumber sections to conform.

Amend title to conform.

The amendment was carried over.

The question being the second reading of the Bill.

Motion Adopted

Senator SETZLER asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill, as amended, was read the second time, passed and ordered to a third reading.

RECOMMITTED

S. 1218 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO FAMILY DAY CARE HOMES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5229, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator YOUNG, the Resolution was recommitted to Committee on Family and Veterans' Services.

OBJECTION

H. 4029 -- Reps. Dillard, Hyde, Bailey, Brittain, Weeks and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

Senator SENN objected to further consideration of the Bill.

CARRIED OVER

S. 1221 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO RECORDKEEPING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5258, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1222 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE LICENSING BOARD FOR CONTRACTORS, RELATING TO STATE LICENSING BOARD FOR CONTRACTORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5244, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1223 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA ENVIRONMENTAL CERTIFICATION BOARD, RELATING TO ENVIRONMENTAL CERTIFICATION BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER

5245, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1224 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, RELATING TO PROFESSIONAL LAND SURVEYOR LICENSURE REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5246, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1225 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULE FOR THE BUILDING CODES COUNCIL, DESIGNATED AS REGULATION DOCUMENT NUMBER 5243, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1226 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA REAL ESTATE COMMISSION, RELATING TO SOUTH CAROLINA REAL ESTATE COMMISSION (RESIDENTIAL PROPERTY CONDITION DISCLOSURE STATEMENT FORM), DESIGNATED AS REGULATION DOCUMENT NUMBER 5238, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1227 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO COMPENSATION FOR THE OCCUPATIONAL HEALTH AND SAFETY REVIEW BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5236, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1228 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO TRANSPORTATION OF RADIOACTIVE WASTE INTO OR WITHIN SOUTH CAROLINA, DESIGNATED AS REGULATION DOCUMENT NUMBER 5226, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1158 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-500, RELATING TO THE UNLAWFUL POSSESSION OF A FIREARM BY A PERSON CONVICTED OF A VIOLENT OFFENSE, SO AS TO PROVIDE THAT THE VIOLATIONS SUBSEQUENT TO THE FIRST VIOLATION MUST OCCUR WITHIN TWENTY YEARS OF THE FIRST OFFENSE TO QUALIFY FOR GRADUATED PENALTIES; BY AMENDING SECTION 16-23-420, RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT EXPRESS AUTHORIZATION TO CARRY THE FIREARM ON SCHOOL PROPERTY MAY NOT BE PROVIDED TO A STUDENT ENROLLED IN A PUBLIC SCHOOL; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING A WEAPON ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT STUDENTS ENROLLED IN A PUBLIC SCHOOL MAY NOT POSSESS WEAPONS EVEN IF THEY ARE SECURED WITHIN A VEHICLE; BY AMENDING SECTION 23-31-245, RELATING TO

REASONABLE SUSPICION OR PROBABLE CAUSE TO SEARCH, DETAIN, OR ARREST, SO AS TO CLARIFY THAT THE PROVISIONS IN THE SECTION APPLY TO A PERSON CARRYING A WEAPON IN ACCORDANCE WITH THE ARTICLE WHETHER OR NOT THE WEAPON IS CONCEALED; AND BY AMENDING SECTION 16-23-20, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO CLARIFY WHEN CARRYING A HANDGUN IS IMPERMISSIBLE IN A PUBLICLY OWNED BUILDING OTHER THAN A COURTHOUSE WHERE COURT IS HELD.

On motion of Senator MASSEY, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

H. 3865 -- Reps. Hiott, Collins, Rutherford, Carter and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-3865.MB0005S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

SECTION X. Section 17-5-130 (A) and (B) of the S.C. Code are amended to read:

(A)(1) A coroner in this State shall have all of the following qualifications, the person shall:

(a) be a citizen of the United States;

(b) be a resident of the county in which the person seeks the office of coroner for at least one year before qualifying for the election to the office;

(c) be a registered voter;

(d) have attained the age of twenty-one years before the date of qualifying for election to the office;

(e) have obtained a high school diploma or its recognized equivalent by the State Department of Education; and

(f) have not been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States.

(2) In addition to the requirements of subsection (A)(1), a coroner in this State shall have at least one of the following qualifications, the person shall:

(a) have at least three years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(b) have a two-year associate degree and two years of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(c) have a four-year baccalaureate degree and one year of experience in death investigation with a law enforcement agency, coroner, or medical examiner agency;

(d) be a law enforcement officer, as defined by Section 23-23-10(E)(1), who is certified by the South Carolina Law Enforcement Training Council with a minimum of two years of experience;

(e) have completed a recognized forensic science degree or certification program ~~or be enrolled in a recognized forensic science degree or certification program to be completed within one year of being elected to the office of coroner~~;

(f) be a medical doctor; ~~or~~

(g) have a bachelor of science degree in nursing; or

(h) have at least three years of experience as a licensed paramedic.

(B)(1) A person who offers his candidacy for the office of coroner, no later than the close of filing, shall file a sworn affidavit with the county executive committee of the person's political party.

(2) The county executive committee of a political party with whom a person has filed his affidavit must file a copy of the affidavit with the appropriate county election commission by noon on the tenth day following the deadline for filing affidavits by candidates. If the tenth day falls on a Saturday, Sunday, or holiday, the affidavit must be filed by noon the following day.

(3) A person who seeks nomination by petition for the office of coroner, no later than the close of filing, shall file a sworn affidavit with the county election commission in the county of his residence.

(4) The affidavit required by the provisions of this subsection must contain the following information:

(a) the person's date and place of birth;

(b) the person's citizenship;

(c) the county the person is a resident of, and how long the person has been a resident of that county;

(d) whether the person is a registered voter;

(e) the date the person obtained a high school diploma or its recognized equivalent by the State Department of Education;

(f) whether the person has been convicted of a felony offense or an offense involving moral turpitude contrary to the laws of this State, another state, or the United States;

(g) the date the person obtained an associate or baccalaureate degree, if applicable;

(h) the date the person completed a recognized forensic science degree or certification program~~, or information regarding the person's enrollment in a recognized forensic science degree or certification program~~, if applicable; and

(i) the number of years of experience the person has as a death investigator, certified law enforcement officer, licensed paramedic, or licensed private investigator, if applicable.

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

On motion of Senator SABB, the Bill was carried over.

CARRIED OVER

H. 4387 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO INCLUDE REFERENCES TO HYBRID BASS.

On motion of Senator STEPHENS, the Bill was carried over.

READ THE SECOND TIME

H. 4673 -- Reps. Erickson, Gilliam, Williams and Henegan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-50, RELATING TO BEGINNERS' PERMITS, HOURS AND CONDITIONS OF VEHICLE OPERATION, RENEWAL AND FEES, DRIVERS' TRAINING COURSES, AND

ELIGIBILITY FOR FULL LICENSURE, SO AS TO EXEMPT ADDITIONAL PERSONS FROM OBTAINING BEGINNERS' PERMITS BEFORE OPERATING MOTOR VEHICLES, AND TO PROVIDE PERSONS AT LEAST EIGHTEEN YEARS OLD MAY TAKE THE DRIVING TEST AFTER MAINTAINING A BEGINNERS' PERMIT FOR AT LEAST THIRTY DAYS.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Grooms	Gustafson
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4819 -- Reps. Felder, Bernstein and Calhoon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1960, RELATING IN PART TO

PARKING PLACARDS FOR HANDICAPPED PERSONS, SO AS TO ALLOW APPLICANTS FOR HANDICAPPED PARKING PLACARDS TO PROVIDE A PHOTOGRAPH FOR THE PLACARD SUBJECT TO THE DEPARTMENT OF MOTOR VEHICLE'S APPROVAL.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Grooms	Gustafson
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Tedder	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1114 -- Senators Bennett, Hutto, Shealy, Cromer, Kimbrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 1 OF CHAPTER 23, TITLE 50, SECTION 50-23-345 AND SECTION 50-23-375, ALL RELATING TO

THE TITLING OF WATERCRAFT AND OUTBOARD MOTORS, SO AS TO DELETE THE REQUIREMENT THAT OUTBOARD MOTORS BE TITLED; BY AMENDING SECTION 12-37-3210, RELATING TO TAX NOTICES FOR BOATS, BOAT MOTORS, AND WATERCRAFT, SO AS TO ALLOW THE AUDITOR TO CONSOLIDATE THE TAX NOTICE; BY AMENDING SECTION 12-37-890, RELATING TO A PLACE WHERE PROPERTY SHALL BE RETURNED FOR TAXATION, SO AS TO PROVIDE THAT BOATS, BOAT MOTORS, AND WATERCRAFT MUST BE RETURNED TO THE COUNTY IN WHICH THE BOAT, BOAT MOTOR, OR WATERCRAFT IS PRINCIPALLY LOCATED FOR TAXATION; BY AMENDING SECTION 12-37-3220, RELATING TO PROPERTY TAX RETURNS FOR BOATS, BOAT MOTORS, AND WATERCRAFT, SO AS TO PROVIDE THAT SUCH PROPERTY TAX RETURNS MUST BE SUBMITTED TO THE COUNTY IN WHICH THE BOAT, BOAT MOTOR, OR WATERCRAFT IS PRINCIPALLY LOCATED IF THAT IS DIFFERENT THAN THE OWNER'S COUNTY OF RESIDENCE; BY AMENDING SECTION 50-23-340, RELATING TO APPLICATION FOR AND ISSUANCE OF NUMBER AND CERTIFICATE FEES, SO AS TO PROVIDE THAT APPLICATIONS FOR MOTORBOAT NUMBERS MUST INCLUDE A DECLARATION OF THE COUNTY IN WHICH THE MOTORBOAT IS PRINCIPALLY LOCATED; AND BY AMENDING SECTION 50-23-370, RELATING TO EXPIRATION AND RENEWAL, SO AS TO PROVIDE THAT CERTIFICATE RENEWAL NOTICES MUST BE SENT TO OWNERS OF WATERCRAFT PRINCIPALLY LOCATED IN THE COUNTY.

On motion of Senator PEELER, the Bill was carried over.

OBJECTION

H. 4087 -- Reps. G.M. Smith, West, Kirby, Ballentine, Robbins, Hewitt, M.M. Smith, Davis, Hiott, Long, Hager, Ott, Weeks, Dillard, W. Jones, Brewer, Hartnett and Murphy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3410, RELATING TO CORPORATE INCOME TAX CREDIT FOR CORPORATE HEADQUARTERS, SO AS TO PROVIDE CHANGES TO STAFFING REQUIREMENTS AND CERTAIN TIMING; BY AMENDING SECTION 12-6-3460, RELATING TO THE RECYCLING FACILITY TAX CREDIT DEFINITIONS, SO AS TO LOWER THE MINIMUM LEVEL OF INVESTMENT FOR A

QUALIFIED RECYCLING FACILITY AND TO INCLUDE CERTAIN PRODUCTS TO THE DEFINITION OF "POSTCONSUMER WASTE MATERIAL"; BY AMENDING SECTIONS 12-10-20; 12-10-30, 12-10-40, 12-10-45, 12-10-50, 12-10-60, AND 12-10-80, ALL RELATING TO THE ENTERPRISE ZONE ACT OF 1995, SO AS TO ALLOW REMOTE EMPLOYEES WORKING IN SOUTH CAROLINA TO BE INCLUDED IN CERTAIN JOB CREATION REQUIREMENTS AND TO CREATE A NEW PROVISION TO INCENTIVIZE CERTAIN COMPANIES; AND BY AMENDING SECTION 12-10-95, RELATING TO THE ENTERPRISE ZONE ACT CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO PROVIDE WHO IS ELIGIBLE FOR THE CREDIT AND THE AMOUNT OF THE CREDIT ALLOWED.

Senators WILLIAMS and DAVIS objected to consideration of the Bill.

READ THE SECOND TIME

H. 4113 -- Reps. Herbkersman, Sandifer, Jefferson, M.M. Smith, Kirby and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 6 OF TITLE 44 SO AS TO CREATE AN AMBULANCE ASSESSMENT FEE FOR PRIVATE AMBULANCE SERVICES; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH AND CHARGE AMBULANCE SERVICES A UNIFORM FEE; TO ESTABLISH AN AMBULANCE FEE TRUST FUND AND TO PROVIDE FOR THE AUTHORIZED USES OF THE FUND; TO ALLOW THE DEPARTMENT TO IMPOSE PENALTIES AGAINST AMBULANCE SERVICES THAT FAIL TO PAY ASSESSED FEES; AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer

Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Grooms	Gustafson	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4333 -- Reps. M.M. Smith, King, Davis, Pace, B.L. Cox, McDaniel, Henderson-Myers and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-37-320, RELATING TO SITE AND SERVICE LIMITATIONS ON MOBILE OPTOMETRY UNITS AND CERTAIN ASSOCIATED DISCIPLINARY ACTION LIMITATIONS, SO AS TO INCLUDE CERTAIN SITES OF ORGANIZATIONS THAT SERVE CHILDREN FROM LOW-INCOME COMMUNITIES DURING THE SUMMER.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Grooms	Gustafson	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 1276 -- Senators McElveen, Shealy and Young: A JOINT RESOLUTION TO SUSPEND THE PROVISIONS OF ACT 58 OF 2023, RELATING TO THE BOARD OF TRUSTEES FOR THE VETERANS' TRUST FUND OF SOUTH CAROLINA, UNTIL JUNE 1, 2026.

The Senate proceeded to a consideration of the Resolution.

Senator McELVEEN explained the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Grooms	Gustafson	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

S. 1276--Ordered to a Third Reading

On motion of Senator McELVEEN, S. 1276 was ordered to receive a third reading on Friday, April 26, 2024.

OBJECTION

H. 3424 -- Reps. T. Moore, Carter, McCravy, Lawson, Beach, Pope, Nutt, Oremus, Vaughan, Long, Haddon, Burns, Chumley, Kilmartin, Cromer, O'Neal, Yow, Gilliam, W. Newton, Guest, Schuessler, Moss, Magnuson, Harris, Pace, Brittain, Bailey, Robbins, Sessions, Ligon, Felder, B.L. Cox, Guffey, Bradley, Murphy, Brewer, Connell, Hiott, Mitchell, Hager, Erickson, B.J. Cox, Blackwell, Wooten, Ballentine, Hyde, Wheeler, Calhoon, M.M. Smith, Davis, B. Newton, Elliott, Forrest, Willis, Hixon, Taylor, J.E. Johnson, Chapman and Ott: A BILL

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-5-190 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT IT IS UNLAWFUL FOR AN OPERATOR TO MAKE A PORNOGRAPHIC WEBSITE AVAILABLE TO PERSONS UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL CREATE CERTAIN PROCEDURES, AND TO PROVIDE FOR A PRIVATE RIGHT OF ACTION.

Senator BENNETT objected to consideration of the Bill.

CARRIED OVER

H. 3988 -- Reps. Davis, M.M. Smith, B.J. Cox, Pedalino, Forrest, Wheeler, Kirby and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTS THAT CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO LOWER THE VACCINATION RECIPIENT AGE TO TWELVE YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST-ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE "JOINT PHARMACIST ACCESS COMMITTEE" AND MAKE OTHER CONFORMING CHANGES; AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

On motion of Senator MARTIN, the Bill was carried over.

CARRIED OVER

H. 4486 -- Reps. Burns, Long, Ott, Pope and Hiott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-55-655 SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CREATE A PILOT PROGRAM THAT ALLOWS CERTAIN SEPTIC TANK INSTALLERS TO CONDUCT SEPTIC TANK FIELD EVALUATION TESTS FOR THE DEPARTMENT.

On motion of Senator MARTIN, the Bill was carried over.

POINT OF ORDER

S. 1160 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-5-105 SO AS TO CREATE THE SCHOOL MAPPING DATA PROGRAM WITHIN THE STATE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF FACILITATING EFFICIENT EMERGENCY RESPONSES IN PUBLIC SCHOOLS BY PUBLIC SAFETY AGENCIES, TO DEFINE NECESSARY TERMS, TO PROVIDE REQUIREMENTS FOR THE PROGRAM AND ITS IMPLEMENTATION BY THE DEPARTMENT, AND TO PROVIDE RELATED REQUIREMENTS OF SCHOOL DISTRICTS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1286 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO BUILDING CODES COUNCIL, DESIGNATED AS REGULATION DOCUMENT NUMBER 5248, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1287 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA REAL ESTATE COMMISSION, RELATING TO REAL ESTATE COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5253, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3501 -- Rep. W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-102-140, RELATING TO PROHIBITED ACTS OF ATHLETE AGENTS, SO AS TO PROVIDE CERTIFIED ATHLETE AGENTS MAY PAY CERTAIN EXPENSES INCURRED BEFORE THE SIGNING OF AGENCY CONTRACTS BY STUDENT ATHLETES, FAMILY MEMBERS OF STUDENT ATHLETES, AND INDIVIDUALS OR CLASSES OF INDIVIDUALS AUTHORIZED TO RECEIVE SUCH PAYMENTS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3563 -- Reps. Cobb-Hunter, Pace, Collins, Bauer, Dillard, W. Jones, Wheeler, Hart, J.L. Johnson, Henegan, Williams, Trantham, Oremus, Cromer, Beach and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS, SO AS TO PROVIDE FOR AN EXEMPTION FOR FEMININE HYGIENE PRODUCTS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4642 -- Reps. Mitchell, Gilliam, Pope, Sessions, Caskey and Hart: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-1-20, RELATING TO THE ACCEPTANCE OF ACT OF CONGRESS, SO AS TO DISALLOW CONFLICTS; BY AMENDING SECTION 25-1-40, RELATING TO THE APPLICABILITY OF THE UNIFORM CODE OF MILITARY JUSTICE, SO AS TO REMOVE PROVISIONS; BY AMENDING SECTION 25-1-2420, RELATING TO THE MILITARY CODE DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "MILITARY FORCES"; BY AMENDING SECTION 25-1-2430, RELATING TO PERSONS SUBJECT TO CODE OF MILITARY JUSTICE, SO AS TO PROVIDE FOR WHAT JURISDICTION DUTY STATUS INCLUDES; BY AMENDING SECTION 25-1-2520, RELATING TO NONJUDICIAL DISCIPLINARY PUNISHMENT, SO AS TO PROVIDE THAT CERTAIN PERSONS MAY NOT DECLINE NONJUDICIAL PUNISHMENT; BY AMENDING SECTION 25-1-2530, RELATING TO TYPES OF COURTS-MARTIAL, SO AS TO PROVIDE FOR WHOM A SPECIAL COURT-MARTIAL CONSISTS OF; BY AMENDING SECTION 25-1-2550, RELATING TO THE JURISDICTION OF GENERAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2560, RELATING TO THE JURISDICTION OF SPECIAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2570, RELATING TO THE

JURISDICTION OF SUMMARY COURTS-MARTIAL, SO AS TO PROVIDE FOR PUNISHMENTS; BY AMENDING SECTION 25-1-2620, RELATING TO DETAIL AND DESIGNATION OF MILITARY JUDGES, SO AS TO PROVIDE THE AUTHORITY CONVENING A SUMMARY COURT-MARTIAL; BY AMENDING SECTION 25-1-2765, RELATING TO VOTING AND RULINGS, SO AS TO REMOVE CERTAIN REFERENCES TO THE PRESIDENT OF A COURT MARTIAL; BY AMENDING SECTION 25-1-2780, RELATING TO RECORD OF TRIAL, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2795, RELATING TO FORFEITURE OF PAY, SO AS TO REMOVE THE SENTENCE OF FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2805, RELATING TO THE REDUCTION IN PAY GRADE AND THE RESTORATION OF BENEFITS, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2865, RELATING TO THE REMISSION OR SUSPENSION OF A SENTENCE, SO AS TO REPLACE FORFEITURES WITH FINES; BY AMENDING SECTION 25-1-2985, RELATING TO THE IMPROPER USE OR DISCLOSURE OF PAROLE OR COUNTERSIGN, SO AS TO INCLUDE WHEN THE USE OF MILITARY FORCE HAS BEEN AUTHORIZED BY CERTAIN INDIVIDUALS; BY AMENDING SECTION 25-1-3140, RELATING TO WRIT WHEN FINE HAS NOT BEEN PAID, SO AS TO UPDATE DATES; BY AMENDING SECTION 25-1-3145, RELATING TO WRIT OF SENTENCE OF CONFINEMENT, SO AS TO UPDATE DATES; AND BY AMENDING SECTION 25-1-3160, RELATING TO CONSTRUCTION OF CODE OF MILITARY JUSTICE, SO AS TO PROVIDE THAT THE UNIFORM CODE OF MILITARY JUSTICE IS NOT BINDING ON THE SOUTH CAROLINA CODE OF MILITARY JUSTICE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4843 -- Reps. Bailey, Brittain, Guest, J.E. Johnson, Sandifer and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-39-148 SO AS TO AUTHORIZE

BUSINESSES WITH A DECK, DOCK, OR OTHER STRUCTURE LOCATED IN A CRITICAL AREA TO USE THE STRUCTURE FOR PURPOSES DIRECTLY RELATED TO THE OPERATION OF THE BUSINESS WITH LOCAL ZONING APPROVAL.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4953 -- Reps. B.J. Cox, Davis, M.M. Smith, Bustos, Hart, Williams, Henegan, Caskey, Jefferson, J. Moore and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-80, RELATING TO STATE VETERANS' CEMETERIES, SO AS TO REMOVE A RESIDENCY REQUIREMENT.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 5235 -- Reps. Bannister and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 43-7-465, RELATING TO INSURERS PROVIDING COVERAGE TO PERSONS RECEIVING MEDICAID, SO AS TO COMPORT WITH THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2022.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 5236 -- Reps. Bannister and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-6-50, RELATING TO RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES OR A SUCCESSOR AGENCY, SO AS TO MAKE CERTAIN CHANGES CONCERNING MEDICAID CLAIMS PROCESSING CONTRACTS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 5245 -- Reps. G.M. Smith, Erickson, Bradley and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-50, RELATING TO CHARTER SCHOOL ADMISSIONS, SO AS TO PROVIDE CHARTER SCHOOLS MAY GIVE ENROLLMENT PREFERENCE TO CHILDREN OF ACTIVE DUTY MILITARY SERVICEMEMBERS IN THIS STATE IF THEIR ENROLLMENT DOES NOT CONSTITUTE MORE THAN TWENTY PERCENT OF THE OVERALL ENROLLMENT, AND TO REVISE EXISTING ENROLLMENT PREFERENCE PROVISIONS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 1128 -- Senator Turner: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON THURSDAY, NOVEMBER 7 AND FRIDAY, NOVEMBER 8 AND MONDAY, NOVEMBER 18, 2024. HOWEVER, THE CHAMBER MAY NOT BE

USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

The Resolution was adopted.

S. 1232 -- Senator Fanning: A CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF FAIRFIELD STREET IN THE TOWN OF WINNSBORO IN FAIRFIELD COUNTY FROM ITS INTERSECTION WITH TRUMAN STREET TO THE ADULT CENTER FOR EDUCATION "T.E. GREENE STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

S. 1233 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 215 IN FAIRFIELD COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 34 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 213 "ELDER RICHARD BROWN MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

S. 1234 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF UNITED STATES HIGHWAY 21 SOUTH IN FAIRFIELD COUNTY FROM THE INTERSECTION OF WEST CHURCH STREET AND LONGTOWN ROAD TO THE RICHLAND COUNTY LINE "DONALD PRIOLEAU SR. ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS STRETCH OF ROAD CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

S. 1267 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY 17 FROM 8TH AVENUE NORTH TO STARWATCH DRIVE IN HORRY COUNTY "GEORGE RAYFORD VEREEN HIGHWAY" AND ERECT APPROPRIATE

MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

H. 5088 -- Reps. Alexander, Jordan, Kirby, Lowe and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF STATE ROAD 868 (MARION STREET) FROM THE INTERSECTION OF UNITED STATES HIGHWAY 52 (COIT STREET) TO THE INTERSECTION OF STATE HIGHWAY 174 (HARRELL STREET) IN FLORENCE COUNTY "DR. VASHTI SMITH AND MARY T. WILSON WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 5089 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SUMTER STREET IN THE CITY OF FLORENCE IN FLORENCE COUNTY FROM ITS INTERSECTION WITH ALEXANDER STREET TO ITS INTERSECTION WITH MCQUEEN STREET "SENATOR MAGGIE GLOVER WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

S. 1275 -- Senators Rankin, Sabb, Talley and Alexander: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, JUNE 5, 2024, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 3, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JULY 31, 2028.

The Resolution was adopted, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MADE SPECIAL ORDER

H. 4624 -- Reps. Hiott, G.M. Smith, McCravy, Davis, Vaughan, Trantham, Pope, Chapman, Taylor, Oremus, Hartnett, Leber, Long, Nutt, Haddon, Burns, Chumley, Murphy, Mitchell, Brewer, Robbins, Gatch, West, Gilliam, Cromer, Kilmartin, O'Neal, Yow, S. Jones, Landing, Ballentine, Sandifer, Crawford, Guest, Willis, Ligon, Forrest, Pace, W. Newton, Bradley, Erickson, Gibson, Blackwell and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 42 TO TITLE 44 SO AS TO DEFINE GENDER, SEX, AND OTHER TERMS, TO PROHIBIT THE PROVISION OF GENDER TRANSITION PROCEDURES TO A PERSON UNDER EIGHTEEN YEARS OF AGE, TO PROVIDE EXCEPTIONS, TO PROHIBIT THE USE OF PUBLIC FUNDS FOR GENDER TRANSITION PROCEDURES, AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 59-32-36 SO AS TO PROHIBIT PUBLIC SCHOOL STAFF AND OFFICIALS FROM WITHHOLDING KNOWLEDGE OF A MINOR'S PERCEPTION OF THEIR GENDER FROM THE MINOR'S PARENTS, AMONG OTHER THINGS.

Senator MASSEY moved that the Bill be made a Special Order.

The Bill was made a Special Order.

MOTION ADOPTED

At 1:35 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 5101, THE CAPITOL RESERVE FUND RESOLUTION.

READ THE THIRD TIME
HOUSE BILL RETURNED

H. 5101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2023-2024, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

The Senate proceeded to a consideration of the Joint Resolution.

The Resolution, as amended, was read the third time, passed and ordered returned to the House.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Florence County Master-in-Equity, with the term to commence March 1, 2024, and to expire March 1, 2030

William Haigh Porter, 908 Madison Avenue, Florence, SC 29501

Initial Appointment, Kershaw County Master-in-Equity, with the term to commence July 1, 2019, and to expire July 1, 2025

William B. Cox, 136 Hunt Trace, Camden, SC 29020 *VICE* Jeffrey M. Tzerman

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator WILLIAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Bishop Frederick Calhoun James of Columbia, S.C. Bishop James was a prominent AME Church leader, social justice advocate, civil rights activist, educator and presidential advisor. He was the pastor of many churches over his career and in 1984, he became South Carolina's 7th Episcopal District leader where he focused on housing and education. Bishop James joined the White House Advisory Board on Historically Black Colleges and Universities and the U.S. State Department's Advisory Board on Religious Freedom. He was a lifetime member of the NAACP, a member of Alpha Phi Alpha Fraternity and a 33rd degree Mason. In 1991, he was inducted into South Carolina's Black Hall of Fame and the Columbia Housing Authority Wall of Fame in 1994. Bishop James received the Order of the Palmetto in 2003. Bishop James lived a long life of service to our State and country and will be dearly missed.

ADJOURNMENT

At 1:44 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator DEVINE.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bills and Resolution were read the third time and ordered sent to the House:

S. 1242 -- Senators McLeod, Shealy, Matthews, Senn, Gustafson, Devine, Setzler and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-14210, RELATING TO UNIVERSITY OF SOUTH CAROLINA 2017 AND 2022 WOMEN'S BASKETBALL NATIONAL CHAMPIONS SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2024 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT.

On motion of Senator GROOMS.

S. 1276 -- Senators McElveen, Shealy and Young: A JOINT RESOLUTION TO SUSPEND THE PROVISIONS OF ACT 58 OF 2023, RELATING TO THE BOARD OF TRUSTEES FOR THE VETERANS' TRUST FUND OF SOUTH CAROLINA, UNTIL JUNE 1, 2026.

On motion of Senator McELVEEN.

S. 1285 -- Senator Malloy: A BILL TO AMEND ACT 259 OF 1961, RELATING TO THE HARTSVILLE COMMUNITY CENTER BUILDING COMMISSION, SO AS TO INCREASE THE COMMISSION'S MEMBERSHIP FROM THREE TO FIVE MEMBERS, AND TO DELETE REFERENCES TO INITIAL BOARD MEMBERS.

On motion of Senator MALLOY.

SECOND READING BILL

S. 1292 -- Senator Massey: A BILL TO AMEND ACT 595 OF 1992, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE EDGEFIELD COUNTY SCHOOL DISTRICT, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED BEGINNING WITH THE SCHOOL DISTRICT ELECTIONS IN 2024, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

On motion of Senator MASSEY.

ADJOURNMENT

At 11:04 A.M., on motion of Senator HARPOOTLIAN, the Senate adjourned to meet next Tuesday, April 30, 2024, at 12:00 Noon.

* * *

Tuesday, April 30, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Philippians 4:4

In Philippians we find Paul telling us to: "Rejoice in the Lord always; again I will say, Rejoice!"

Dear friends, please bow with me as we pray: O gracious and Ever-loving God, we do rejoice as we thank You for the manifold blessings that surround all of us here in South Carolina. Indeed, wherever we might turn, we readily note the many reasons for us to praise You, to lift up to You our heartfelt gratitude. So today, Lord, we ask You to guide this Senate as these women and men continue to work together to provide for the wise and careful use of our natural resources, to tap into the marvelous wealth of opportunities that are before our people, and to develop further the unlimited talent that our citizens themselves offer. May we unfailingly rejoice as these Senators work together to make the best use of our Carolina treasures, doing so unfailingly for the benefit of all. In Your wondrous name we pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
McElveen	McLeod	Peeler

Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Expression of Personal Interest

Senator HUTTO rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator GUSTAFSON rose for an Expression of Personal Interest.

Remarks by Senator GUSTAFSON

Good morning! We have a packed house inside and out, which is a great audience for what I would like to share today. I have not spoken from the well this year very much. This message is directed towards every legislator in this Body, including the House and the Senate. It is also directed to every person who is running for office. I don't care what level that might be.

One of the many reasons I ran for office is related to our extremely toxic political environment, so I thought I could do things in a different way. I thought I could be a different kind of leader. And I wanted to show how to lead by example without the mudslinging, the lies and the name-calling. My goal has always been to lead effectively with decency, common sense and grace. And I have done my best, but like most, I have fallen short of that goal at times.

We are not supposed to talk about campaign stuff, so I'll make a general statement. We are in "primary season," and I think people sometimes lose their minds when running for office. The pressure is on everyone involved and when you are in the process -- inside the bubble -- it's really easy to lose your perspective. I just want to make a few observations and give some of my infamous unsolicited advice.

First of all, if you don't have a true will to serve, please don't run for office. Secondly, if you don't like talking with people, please don't run for any office, because the people are why you would be in that office. Finally, if you don't have enough good stuff to say about yourself-- including what you have done, want to do or could do, please -- if you cannot promote yourself, don't run. If running to trash someone or discredit is your primary reason for entering politics, and I have seen that in the past, please don't run. You might even win accidently, and then

your poor constituents are stuck with someone who has no personal direction and is there for the wrong reasons.

The public wants to have faith, trust and respect in our elected officials. I am proud to be a State Senator here. I think our Body works very well together, and we show respect towards one another. I'm very proud of that fact. People do watch us, and our actions speak far, far more than our words. We need to step it up -- all of us!

I have distributed a poem, but I am not going to read it. It is a famous poem by Rudyard Kipling, and I carried a copy in my wallet for ten years. My eighth grade English teacher, Faye Gools, by made us memorize it, and it's just a road map. For those who did not get a copy, google it, because it is a great poem that inspired me to speak here in our last weeks of session.

We are dealing with difficult topics, important things, and we all need to show grace -- and that also means the people in the lobby or up there in the gallery or in the House. We can move forward, and we can pass good Legislation. Let's be humble and show grace and forgive one another.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator GUSTAFSON, were ordered printed in the Journal.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 303 Sen. Young
S. 403 Sen. Climer
S. 425 Sen. Young
S. 440 Sen. Kimbrell
S. 767 Sen. Climer
S. 1050 Sen. Young
S. 1160 Sen. Stephens

RECALLED

S. 1297 -- Senator Cromer: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF BOUNDARY STREET AND THE SOUTH CAROLINA HIGHWAY 34 BYPASS (BOB LAKE BOULEVARD) IN NEWBERRY COUNTY "HENRY S. REEDER INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1302 -- Senator Malloy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF HIGHWAY 15 AND BROWNTOWN ROAD IN LEE COUNTY "WALLACE A. 'BULL' BERRY INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5008 -- Rep. W. Newton: A BILL TO ADOPT REVISED CODE VOLUME 17A OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2024.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1298 -- Senators Davis, Shealy, Matthews, McLeod, Senn, Hutto and Devine: A SENATE RESOLUTION TO RECOGNIZE SENATOR PENRY GUSTAFSON FOR HER CONSCIENTIOUS STAND AGAINST AN ABORTION BAN IN SOUTH CAROLINA, FOR

WHICH SHE WAS HONORED WITH THE 2023 JOHN F. KENNEDY PROFILE IN COURAGE AWARD.
sr-0711km-hw24.docx

The Senate Resolution was adopted.

Senator DAVIS spoke on the Resolution.

Remarks by Senator GUSTAFSON

Senator GUSTAFSON was recognized for brief remarks.

Recorded Vote

Senators KIMBRELL, CLIMER, CORBIN, RICE and GARRETT desired to be recorded as voting against the adoption of the Resolution.

S. 1299 -- Senator Massey: A SENATE RESOLUTION TO RECOGNIZE THE PASSING OF COLONEL JOHN MCCLURE AND TO HONOR HIS LEGACY AS A SOLDIER DURING THE AMERICAN REVOLUTIONARY WAR.
sr-0714km-vc24.docx

The Senate Resolution was adopted.

S. 1300 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS TO REENACT SECTION 14-23-1040 OF THE S.C. CODE RELATING TO ELIGIBILITY REQUIREMENTS FOR PROBATE JUDGES; AND TO PROVIDE THAT THE REENACTED SECTION 14-23-1040 SHALL BE ENFORCEABLE BEGINNING ON MARCH 1, 2025.
sr-0696km24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1301 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLE, RELATING TO BILLING ACCOUNTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5221, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0721wab-rt24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1302 -- Senator Malloy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF HIGHWAY 15 AND BROWNTOWN ROAD IN LEE COUNTY "WALLACE A. 'BULL' BERRY INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
sr-0712km-hw24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1303 -- Senator Williams: A CONCURRENT RESOLUTION TO HEREBY PROCLAIM SEPTEMBER 2024 AS CHILDHOOD CANCER AWARENESS MONTH IN THE STATE OF SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO SUPPORT RESEARCH FOR THE CURE OF CHILDHOOD CANCER AND TREATMENT OF CHILDREN DIAGNOSED WITH CHILDHOOD CANCER AND TO SUPPORT THEIR FAMILIES WHO ARE ALL SO DEEPLY IMPACTED.
lc-0468vr-gm24.docx

The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

S. 1304 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF BLUFF ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH WINDY DRIVE TO ITS INTERSECTION WITH PINEVIEW DRIVE "DEPUTY SHERIFF JACOB ERIC SALRIN MEMORIAL WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.
lc-0609cm-gt24.docx

On motion of Senator JACKSON, with unanimous consent, the Concurrent Resolution was adopted and ordered sent to the House.

S. 1305 -- Senators McElveen, K. Johnson and Malloy: A SENATE RESOLUTION TO CONGRATULATE JOSHUA BAPTIST CHURCH UPON THE OCCASION OF ITS ANNUAL HOMECOMING AND TO COMMEND THE CHURCH FOR ITS MANY YEARS OF

DEDICATED SERVICE TO THE DALZELL COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
sr-0719km-vc24.docx

The Senate Resolution was adopted.

S. 1306 -- Senator Turner: A CONCURRENT RESOLUTION TO CONGRATULATE GEORGE "FRANK" SHEPPARD UPON THE OCCASION OF HIS RETIREMENT, TO EXTEND DEEP APPRECIATION FOR HIS DECADES OF DISTINGUISHED SERVICE IN THE INSURANCE INDUSTRY TO THE PEOPLE OF SOUTH CAROLINA AND BEYOND, AND TO OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.
sr-0718km-vc24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

REPORTS OF STANDING COMMITTEES

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 3278 -- Reps. West, Ligon and Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 40-60-30, 40-60-31, AND 40-60-33, ALL RELATING TO REAL ESTATE APPRAISER LICENSURE REQUIREMENTS, SO AS TO MODIFY EXEMPTIONS, REVISE AND PROVIDE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS; AND TO REVISE REQUIREMENTS AND QUALIFICATIONS FOR LICENSED MASS APPRAISERS; BY AMENDING SECTION 40-60-34, RELATING TO REQUIREMENTS RELATING TO APPRENTICE APPRAISERS AND APPRAISERS SUPERVISING APPRENTICES, SO AS TO REVISE REQUIREMENTS; BY AMENDING SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE REPORTING REQUIREMENTS UPON LICENSEES; BY ADDING SECTION 40-60-36 SO AS TO IMPOSE REPORTING REQUIREMENTS UPON PROVIDERS; BY AMENDING SECTION 40-60-37, RELATING TO RECIPROCAL APPLICATIONS FROM APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; BY AMENDING SECTION 40-60-40, RELATING TO REQUIRED APPRAISER CONTACT INFORMATION, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; BY AMENDING SECTION 40-60-320, RELATING TO DEFINITIONS,

SO AS TO REVISE THE DEFINITION OF APPRAISAL PANEL; BY AMENDING SECTION 40-60-330, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; BY AMENDING SECTION 40-60-360, RELATING TO PROMULGATION OF REGULATIONS, SO AS TO SPECIFY REQUIRED REGULATIONS; BY AMENDING SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND BY AMENDING SECTION 40-60-450, RELATING TO COMPENSATION, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services polled out H. 5246 favorable:

H. 5246 -- Reps. Wetmore, Brittain, M.M. Smith, Stavrinakis, Hartnett, Leber, Gilliard, Bustos, Pendarvis, Jefferson, Landing and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-612 SO AS TO PROVIDE THAT THE BLACK SKIMMER IS THE OFFICIAL SEABIRD OF THE STATE.

Poll of the Family and Veterans' Services Committee
Polled 16; Ayes 16; Nays 0; Not Voting 1

AYES

Shealy	Young	*K. Johnson*
McElveen	Climer	Fanning
Talley	Gambrell	Cash
Harpootlian	Adams	Gustafson
M. Johnson	Kimbrell	Reichenbach
Tedder		

Total--16

NAYS

Total--0

NOT VOTING

Stephens

Total--1

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., April 30, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 142 -- Senators Shealy, Gustafson, Goldfinch, Hutto, Jackson, Campsen, McLeod, Setzler and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-2010, RELATING TO THE DEFINITION OF "SEX TRAFFICKING", SO AS TO EXPAND THE DEFINITION TO INCLUDE SEXUAL EXPLOITATION OF A MINOR AND PROMOTING OR PARTICIPATING IN PROSTITUTION OF A MINOR; AND BY AMENDING SECTION 16-3-2020, RELATING TO TRAFFICKING IN PERSONS, PENALTIES, MINOR VICTIMS AND DEFENSES, SO AS TO PROVIDE THAT A SEX TRAFFICKING VICTIM MAY RAISE DURESS AND COERCION AS AN AFFIRMATIVE DEFENSE TO NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM MAY NOT BE CONVICTED FOR NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, AND TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM CANNOT BE FOUND IN VIOLATION OF OR BE THE SUBJECT OF A DELINQUENCY PETITION IF THE MINOR'S CONDUCT WAS A DIRECT RESULT OF OR INCIDENTAL TO OR RELATED TO TRAFFICKING; AND SO AS TO PROVIDE THAT THE PROVISIONS IN THIS ACT ARE RETROACTIVE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

HOUSE CONCURRENCE

S. 1275 -- Senators Rankin, Sabb, Talley and Alexander: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, JUNE 5, 2024, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 3, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JULY 31, 2028.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, ordered that the titles be changed to Acts and enrolled for Ratification:

H. 5267 -- Rep. Forrest: A BILL TO AMEND ACT 307 OF 2012, RELATING TO THE ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE SALUDA COUNTY SCHOOL DISTRICT MUST BE ELECTED, SO AS TO REAPPORTION THESE DISTRICTS, TO PROVIDE DEMOGRAPHIC INFORMATION IN REGARD TO THESE DISTRICTS, AND TO UPDATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED.

On motion of Senator MASSEY.

H. 3248 -- Reps. Collins and Carter: A BILL TO AMEND ACT 609 OF 1984, AS AMENDED, RELATING TO REIMBURSEMENT FOR EXPENSES INCURRED IN PERFORMANCE OF OFFICIAL DUTIES OF SCHOOL BOARD TRUSTEES, SO AS TO ALLOW THE BOARD TO DETERMINE THE MONTHLY REIMBURSEMENT AMOUNT.

On motion of Senator RICE.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 1292 -- Senator Massey: A BILL TO AMEND ACT 595 OF 1992, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE EDGEFIELD COUNTY SCHOOL DISTRICT, SO AS TO

REAPPORTION THE SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED BEGINNING WITH THE SCHOOL DISTRICT ELECTIONS IN 2024, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

On motion of Senator MASSEY.

SECOND READING BILL

H. 5356 -- Rep. Gilliam: A BILL TO AMEND ACT 171 OF 1976, AS AMENDED, RELATING TO FISCAL MATTERS AND THE IMPOSITION OF SCHOOL TAXES FOR LAURENS COUNTY SCHOOL DISTRICTS FIFTY-FIVE AND FIFTY-SIX, SO AS TO ELIMINATE AN EQUALIZATION FORMULA AND PROVIDE EACH DISTRICT WITH FISCAL AUTONOMY; AND TO SPECIFY THE MANNER IN WHICH THE EQUALIZATION FORMULA APPLIES TO PREVIOUS TAX YEARS.

On motion of Senator VERDIN.

CARRIED OVER

S. 154 -- Senators Young, Senn and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STREET GANG AND CRIMINAL ENTERPRISE PREVENTION AND ANTI-RACKETEERING ACT"; BY AMENDING ARTICLE 3 OF CHAPTER 8, TITLE 16, RELATING TO THE CRIMINAL GANG PREVENTION ACT, SO AS TO RETITLE THE ARTICLE, REVISE THE DEFINITIONS FOR PURPOSES OF THE ARTICLE, AND RESTRUCTURE THE ARTICLE AND THE OFFENSES AND PENALTIES CONTAINED WITHIN IT; AND BY ADDING ARTICLE 5 TO CHAPTER 8, TITLE 16 SO AS TO CREATE ANTI-RACKETEERING PROVISIONS TO COMPLIMENT THE REVISED STREET GANG AND CRIMINAL ENTERPRISE PREVENTION ARTICLE, DEFINE NECESSARY TERMS, AND CREATE VARIOUS RACKETEERING OFFENSES AND ESTABLISH PENALTIES FOR VIOLATIONS.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

S. 266 -- Senators Hutto, Jackson, Shealy, Devine, McLeod, Allen and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-820, RELATING TO OUT-OF-HOME PLACEMENT, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; BY AMENDING SECTION 63-19-1020, RELATING TO INSTITUTING PROCEEDINGS, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; BY AMENDING SECTION 63-19-1440, RELATING TO COMMITMENT, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; BY AMENDING SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS,

SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE EFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT

AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

On motion of Senator HUTTO, the Bill was carried over.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to Acts and enrolled for Ratification:

H. 4673 -- Reps. Erickson, Gilliam, Williams and Henegan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-50, RELATING TO BEGINNERS' PERMITS, HOURS AND CONDITIONS OF VEHICLE OPERATION, RENEWAL AND FEES, DRIVERS' TRAINING COURSES, AND ELIGIBILITY FOR FULL LICENSURE, SO AS TO EXEMPT ADDITIONAL PERSONS FROM OBTAINING BEGINNERS' PERMITS BEFORE OPERATING MOTOR VEHICLES, AND TO PROVIDE PERSONS AT LEAST EIGHTEEN YEARS OLD MAY TAKE THE DRIVING TEST AFTER MAINTAINING A BEGINNER'S PERMIT FOR AT LEAST THIRTY DAYS.

H. 4819 -- Reps. Felder, Bernstein and Calhoon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1960, RELATING IN PART TO PARKING PLACARDS FOR HANDICAPPED PERSONS, SO AS TO ALLOW APPLICANTS FOR HANDICAPPED PARKING PLACARDS TO PROVIDE A PHOTOGRAPH FOR THE PLACARD SUBJECT TO THE DEPARTMENT OF MOTOR VEHICLE'S APPROVAL.

H. 4113 -- Reps. Herbkersman, Sandifer, Jefferson, M.M. Smith, Kirby and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 6 OF TITLE 44 SO AS TO CREATE AN AMBULANCE ASSESSMENT FEE FOR PRIVATE AMBULANCE SERVICES; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH AND CHARGE AMBULANCE SERVICES A UNIFORM FEE; TO ESTABLISH AN AMBULANCE FEE TRUST FUND AND TO PROVIDE FOR THE AUTHORIZED USES OF THE FUND; TO ALLOW THE DEPARTMENT TO IMPOSE PENALTIES AGAINST AMBULANCE SERVICES THAT FAIL TO PAY ASSESSED FEES; AND FOR OTHER PURPOSES.

Senator DAVIS explained the Bill.

H. 4333 -- Reps. M.M. Smith, King, Davis, Pace, B.L. Cox, McDaniel, Henderson-Myers and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-37-320, RELATING TO SITE AND SERVICE LIMITATIONS ON MOBILE OPTOMETRY UNITS AND CERTAIN ASSOCIATED DISCIPLINARY ACTION LIMITATIONS, SO AS TO INCLUDE CERTAIN SITES OF ORGANIZATIONS THAT SERVE CHILDREN FROM LOW-INCOME COMMUNITIES DURING THE SUMMER.

AMENDED, OBJECTION

S. 440 -- Senators Corbin, Talley, Gambrell, Goldfinch, Climer, Loftis, Gustafson, Cromer, Cash, Rice, Adams, Verdin, Garrett and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SECOND AMENDMENT PROTECTION ACT"; AND BY ADDING SECTION 25-1-80 SO AS TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE UNORGANIZED MILITIA.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN proposed the following amendment (SMIN-440.MW0002S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Any retired South Carolina Senator shall automatically be given the rank of Colonel within the South Carolina unorganized Militia.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Senator JACKSON objected to further consideration of the Bill.

READ THE SECOND TIME

H. 3880 -- Reps. M.M. Smith, Herbkersman, Davis, Elliott, B.J. Cox, B.L. Cox and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-2420, RELATING TO THE ADMISSIONS TAX, SO AS TO PROVIDE THAT NO TAX MAY BE CHARGED OR COLLECTED ON ANNUAL OR MONTHLY DUES PAID TO A GOLF CLUB.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Devine	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Cash	Fanning	McElveen
McLeod		

Total--4

The Bill was read the second time, passed and ordered to a third reading.

RECOMMITTED

S. 87 -- Senator Malloy: A BILL TO AMEND SECTION 15-78-120 OF THE SOUTH CAROLINA CODE OF LAWS, RELATING TO LIMITATIONS ON LIABILITY, SO AS TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE FROM THREE HUNDRED THOUSAND DOLLARS TO FIVE HUNDRED THOUSAND DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE FROM SIX HUNDRED THOUSAND DOLLARS TO ONE MILLION DOLLARS, AND TO PROVIDE THAT A PARTY WHO FILES AN OFFER OF JUDGMENT THAT IS NOT ACCEPTED, SHALL BE ALLOWED TO RECOVER FROM THE OFFEREE, AS PROVIDED FOR IN SECTION 15-35-400(B), REGARDLESS OF WHETHER THE TOTAL OF ADMINISTRATIVE, FILING, OR OTHER COURT COSTS, AND EIGHT PERCENT INTEREST ON THE AMOUNT OF THE VERDICT OR AWARD FROM THE DATE OF THE OFFER, COMBINED WITH THE VERDICT OR AWARD, EXCEEDS THE LIABILITY LIMITS SPECIFIED IN THIS SECTION.

On motion of Senator MALLOY, the Bill was recommitted to the Committee on Judiciary.

CARRIED OVER

H. 4029 -- Reps. Dillard, Hyde, Bailey, Brittain, Weeks and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.

On motion of Senator MALLOY, the Bill was carried over.

RECOMMITTED

S. 1221 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO RECORDKEEPING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5258, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1222 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE LICENSING BOARD FOR CONTRACTORS, RELATING TO STATE LICENSING BOARD FOR CONTRACTORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5244, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1223 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA ENVIRONMENTAL CERTIFICATION BOARD, RELATING TO ENVIRONMENTAL CERTIFICATION BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5245, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1224 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, RELATING TO PROFESSIONAL LAND SURVEYOR LICENSURE REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5246, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1225 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULE FOR THE BUILDING CODES COUNCIL, DESIGNATED AS REGULATION DOCUMENT NUMBER 5243, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1226 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA REAL ESTATE COMMISSION, RELATING TO SOUTH CAROLINA REAL ESTATE COMMISSION (RESIDENTIAL PROPERTY CONDITION DISCLOSURE STATEMENT FORM), DESIGNATED AS REGULATION DOCUMENT NUMBER 5238, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1227 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO COMPENSATION FOR THE OCCUPATIONAL HEALTH AND SAFETY REVIEW BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5236, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 1228 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO TRANSPORTATION OF RADIOACTIVE WASTE INTO OR WITHIN SOUTH CAROLINA, DESIGNATED AS REGULATION DOCUMENT NUMBER 5226, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

AMENDMENT PROPOSED, OBJECTION

S. 1158 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-500, RELATING TO THE UNLAWFUL POSSESSION OF A FIREARM BY A PERSON CONVICTED OF A VIOLENT OFFENSE, SO AS TO PROVIDE THAT THE VIOLATIONS SUBSEQUENT TO THE FIRST VIOLATION MUST OCCUR WITHIN TWENTY YEARS OF THE FIRST OFFENSE TO QUALIFY FOR GRADUATED PENALTIES; BY AMENDING SECTION 16-23-420, RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT EXPRESS AUTHORIZATION TO CARRY THE FIREARM ON SCHOOL PROPERTY MAY NOT BE PROVIDED TO A STUDENT ENROLLED IN A PUBLIC SCHOOL; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING A WEAPON ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT STUDENTS ENROLLED IN A PUBLIC SCHOOL MAY NOT

POSSESS WEAPONS EVEN IF THEY ARE SECURED WITHIN A VEHICLE; BY AMENDING SECTION 23-31-245, RELATING TO REASONABLE SUSPICION OR PROBABLE CAUSE TO SEARCH, DETAIN, OR ARREST, SO AS TO CLARIFY THAT THE PROVISIONS IN THE SECTION APPLY TO A PERSON CARRYING A WEAPON IN ACCORDANCE WITH THE ARTICLE WHETHER OR NOT THE WEAPON IS CONCEALED; AND BY AMENDING SECTION 16-23-20, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO CLARIFY WHEN CARRYING A HANDGUN IS IMPERMISSIBLE IN A PUBLICLY OWNED BUILDING OTHER THAN A COURTHOUSE WHERE COURT IS HELD.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN proposed the following amendment (SFGF-1158.BC0003S):

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X. Section 23-31-215(P) of the S.C. Code is amended to read:

(P) ~~Upon renewal, a~~A permit issued pursuant to this article is valid for five years. ~~Subject to subsection (Q),~~ SLED shall ~~renew a currently valid permit upon:~~automatically issue a renewed permit to a permit holder as soon as is practicable prior to a permit's expiration date if it determines the permit holder has a valid South Carolina driver's license and a state and federal background check on the permit holder is favorable. A permit that is automatically renewed must use the information and photograph of the permit holder that is on the permit holder's driver's license, and it must be mailed to the address on the driver's license. Subject to subsection (Q), a permit that is not automatically renewed shall be renewed at no cost upon:

~~(1) payment of a fifty-dollar renewal fee by the applicant. This fee must be waived for disabled veterans and retired law enforcement officers;~~

~~(2)~~(1) completion of the renewal application; and

~~(3)~~(2) picture identification or facsimile copy thereof.

SECTION X. Section 23-31-215(S) of the S.C. Code is amended to read:

(S) At least thirty days before a permit issued pursuant to this article expires, SLED shall notify the permit holder by mail, or online if permitted by subsection (H), at the permit holder's address of record that

the permit is set to expire along with notification of the permit holder's opportunity to renew the permit pursuant to the provisions of subsections (P) and (Q). The notification is not required to be sent to the holder of a permit that will be automatically renewed.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

Senator SHEALY objected to further consideration of the Bill.

AMENDMENT PROPOSED, CARRIED OVER

H. 3865 -- Reps. Hiott, Collins, Rutherford, Carter and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

The Senate proceeded to a consideration of the Bill.

Senator GROOMS proposed the following amendment (SR-3865.JG0009S):

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X. Article 1, Chapter 17, Title 14 of the S.C. Code is amended by adding:

Section 14-17-15. No person is eligible to hold the office of clerk of court who is not at the time of his election:

(1) a citizen of the United States and of this State;

(2) at least twenty-one years old;

(3) a qualified elector of the county in which he is to be clerk of court; and

(4)(a) a graduate from an accredited post-secondary institution with a bachelor's degree, or

(b) has at least eight years' experience as an employee in a county clerk of court's office in this State if he has not received a four-year bachelor's degree.

SECTION X. The provisions contained in Section 14-17-15, as added to the S.C. Code by this act, do not apply to a person serving as

county clerk on the effective date of this act for the remainder of his current term or any subsequent, consecutive term.

Amend the bill further, by striking SECTION 2 and inserting:

SECTION 2. This act takes effect January 15, 2025.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

On motion of Senator SABB, the Bill was carried over.

READ THE SECOND TIME

H. 4387 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO INCLUDE REFERENCES TO HYBRID BASS.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

RECOMMITTED

S. 1114 -- Senators Bennett, Hutto, Shealy, Cromer, Kimbrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 1 OF CHAPTER 23, TITLE 50, SECTION 50-23-345 AND SECTION 50-23-375, ALL RELATING TO THE TITLING OF WATERCRAFT AND OUTBOARD MOTORS, SO AS TO DELETE THE REQUIREMENT THAT OUTBOARD MOTORS BE TITLED; BY AMENDING SECTION 12-37-3210, RELATING TO TAX NOTICES FOR BOATS, BOAT MOTORS, AND WATERCRAFT, SO AS TO ALLOW THE AUDITOR TO CONSOLIDATE THE TAX NOTICE; BY AMENDING SECTION 12-37-890, RELATING TO A PLACE WHERE PROPERTY SHALL BE RETURNED FOR TAXATION, SO AS TO PROVIDE THAT BOATS, BOAT MOTORS, AND WATERCRAFT MUST BE RETURNED TO THE COUNTY IN WHICH THE BOAT, BOAT MOTOR, OR WATERCRAFT IS PRINCIPALLY LOCATED FOR TAXATION; BY AMENDING SECTION 12-37-3220, RELATING TO PROPERTY TAX RETURNS FOR BOATS, BOAT MOTORS, AND WATERCRAFT, SO AS TO PROVIDE THAT SUCH PROPERTY TAX RETURNS MUST BE SUBMITTED TO THE COUNTY IN WHICH THE BOAT, BOAT MOTOR, OR WATERCRAFT IS PRINCIPALLY LOCATED IF THAT IS DIFFERENT THAN THE OWNER'S COUNTY OF RESIDENCE; BY AMENDING SECTION 50-23-340, RELATING TO APPLICATION FOR AND ISSUANCE OF NUMBER AND CERTIFICATE FEES, SO AS TO PROVIDE THAT APPLICATIONS FOR MOTORBOAT NUMBERS MUST INCLUDE A DECLARATION OF THE COUNTY IN WHICH THE MOTORBOAT IS PRINCIPALLY LOCATED; AND BY AMENDING SECTION 50-23-370, RELATING TO EXPIRATION AND RENEWAL, SO AS TO PROVIDE THAT

CERTIFICATE RENEWAL NOTICES MUST BE SENT TO OWNERS OF WATERCRAFT PRINCIPALLY LOCATED IN THE COUNTY.

On motion of Senator VERDIN, the Bill was recommitted to the Committee on Finance.

OBJECTION

H. 4087 -- Reps. G.M. Smith, West, Kirby, Ballentine, Robbins, Hewitt, M.M. Smith, Davis, Hiott, Long, Hager, Ott, Weeks, Dillard, W. Jones, Brewer, Hartnett and Murphy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3410, RELATING TO CORPORATE INCOME TAX CREDIT FOR CORPORATE HEADQUARTERS, SO AS TO PROVIDE CHANGES TO STAFFING REQUIREMENTS AND CERTAIN TIMING; BY AMENDING SECTION 12-6-3460, RELATING TO THE RECYCLING FACILITY TAX CREDIT DEFINITIONS, SO AS TO LOWER THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED RECYCLING FACILITY AND TO INCLUDE CERTAIN PRODUCTS TO THE DEFINITION OF "POSTCONSUMER WASTE MATERIAL"; BY AMENDING SECTIONS 12-10-20; 12-10-30, 12-10-40, 12-10-45, 12-10-50, 12-10-60, AND 12-10-80, ALL RELATING TO THE ENTERPRISE ZONE ACT OF 1995, SO AS TO ALLOW REMOTE EMPLOYEES WORKING IN SOUTH CAROLINA TO BE INCLUDED IN CERTAIN JOB CREATION REQUIREMENTS AND TO CREATE A NEW PROVISION TO INCENTIVIZE CERTAIN COMPANIES; AND BY AMENDING SECTION 12-10-95, RELATING TO THE ENTERPRISE ZONE ACT CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO PROVIDE WHO IS ELIGIBLE FOR THE CREDIT AND THE AMOUNT OF THE CREDIT ALLOWED.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (LC-4087.DG0014S):

Amend the bill, as and if amended, SECTION 2, by striking Section 12-6-3460(A)(3) and inserting:

(3) "Qualified recycling facility" means a facility certified as a qualified recycling facility by a duly authorized representative of the department which includes all real and personal property incorporated into or associated with the facility located or to be located within this State that will be used by the taxpayer to manufacture or fabricate

products for sale composed of at least fifty percent postconsumer waste material by weight or by volume. The minimum level of investment for a qualified recycling facility must be at least ~~three~~ one hundred fifty million dollars incurred by the end of the fifth calendar year after the year in which the taxpayer begins construction or operation of the facility.

Amend the bill further, SECTION 3, by striking Section 12-10-30(20) and inserting:

(20) "Remote employee" is a full-time employee who is a resident of this State, North Carolina, or Georgia who is subject to withholding pursuant to Chapter 8 who is hired to fill a job for the project and who works either completely or partially from a home office or other residence within or without this State.

Amend the bill further, SECTION 3, by striking Section 12-10-60 and inserting:

Section 12-10-60. ~~(A)~~ The council may enter into a revitalization agreement with each qualifying business with respect to the project. The terms and provisions of each revitalization agreement must be determined by negotiations between the council and the qualifying business. The decision to enter into a revitalization agreement with a qualifying business is solely within the discretion of the council based on the appropriateness of the negotiated incentives to the project and the determination that approval of the project is in the best interests of the State. The revitalization agreement must set a date by which the qualifying business shall have ~~completed the project~~ met the required investment and employment levels. ~~Within three months of the completion date~~After meeting the thresholds, the qualifying business shall document the actual costs of the project in a manner acceptable to the council. A business is allowed to count jobs filled by remote employees towards the minimum employment levels. While remote employees count towards a business's minimum employment levels, a business may claim job development credits on a remote employee only to the extent the remote employee was subject to withholdings pursuant to Chapter 8. A business which pays withholdings on a remote employee in South Carolina and some other state can only claim job development credits to the extent of the South Carolina withholdings.

~~(B) If a qualifying business that entered into a revitalization agreement before January 1, 1997, receives council approval to amend its revitalization agreement to increase its minimum job requirement, the law in effect on the date of the amendment determines the amount of job development credit a qualifying business may claim pursuant to Section~~

~~12-10-80 for additional jobs created after the date of the amendment. This subsection does not apply to a business whose application for job development fees or credits pursuant to Section 12-10-81 has been approved by council before the effective date of this act.~~

Amend the bill further, by striking SECTIONS 5 and 6 and inserting:
SECTION X. Section 12-36-2120(79) of the S.C. Code is amended to read:

(79)(A)(1) original or replacement computers, computer equipment, and computer hardware and software purchases used within a datacenter; and

(2) electricity used by a datacenter and eligible business property to be located and used at the datacenter. This subsubitem does not apply to sales of electricity for any other purpose, and such sales are subject to the tax~~,~~ including, but not limited to, electricity used in administrative offices, supervisory offices, parking lots, storage warehouses, maintenance shops, safety control, comfort air conditioning, elevators used in carrying personnel, cafeterias, canteens, first aid rooms, supply rooms, water coolers, drink boxes, unit heaters, and waste house lights.

(B) As used in this section:

(1) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(2) "Computer equipment" means original or replacement servers, routers, switches, power units, network devices, hard drives, processors, memory modules, motherboards, racks, other computer hardware and components, cabling, cooling apparatus, and related or ancillary equipment, machinery, and components, the primary purpose of which is to store, retrieve, aggregate, search, organize, process, analyze, or transfer data or any combination of these, or to support related computer engineering or computer science research. This also includes equipment cooling systems for managing the performance of the datacenter property, including mechanical and electrical equipment, hardware for distributed and mainframe computers and servers, data storage devices, network connectivity equipment, and peripheral components and systems.

(3) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(4) "Concurrently maintainable" means capable of having any capacity component or distribution element serviced or repaired on a

planned basis without interrupting or impeding the performance of the computer equipment.

(5) "Datacenter" means a new or existing facility ~~at a single location~~or an array of facilities in a single county in South Carolina, including its contracted tenants, owners, operators, and other entities with an ownership or financial interest thereto:

(i) that provides infrastructure for hosting or data processing services and that has power and cooling systems that are created and maintained to be concurrently maintainable and to include redundant capacity components and multiple distribution paths serving the computer equipment at the facility. Although the facility must have multiple distribution paths serving the computer equipment, a single distribution path may serve the computer equipment at any one time;

(ii)(a) where a taxpayer invests at least fifty million dollars in real or personal property or both over a five year period; or

(b) where one or more taxpayers invests a minimum aggregate capital investment of at least seventy-five million dollars in real or personal property or both over a five year period;

(iii) where ~~a taxpayer creates and maintains~~one or more taxpayers create at least twenty-five full-time jobs over a five year period at the ~~facility~~ datacenter with an average cash compensation level of one hundred fifty percent of the per capita income of the State or of the county in which the ~~facility~~ datacenter is located, whichever is lower, according to the most recently published data available at the time the ~~facility~~ datacenter is certified by the Department of Commerce;

(iv) where the jobs created pursuant to subitem (B)(5)(iii) are maintained for three consecutive years after a ~~facility~~ datacenter with the minimum capital investment and number of jobs has been certified by the Department of Commerce; and

(v) which is certified by the Department of Commerce pursuant to subitem (D)(1) under such policies and procedures as promulgated by the Department of Commerce.

(6) "Eligible business property" means property used for the generation, transformation, transmission, distribution, or management of electricity, including exterior substations and other business personal property used for these purposes.

(7) "Multiple distribution paths" means a series of distribution paths configured to ensure that failure on one distribution path does not interrupt or impede other distribution paths.

(8) "Redundant capacity components" means components beyond those required to support the computer equipment.

(C)(1) To qualify for the exemption allowed by this item, a taxpayer, and the ~~facility~~ datacenter in the case of a seventy-five million dollar investment made by more than one taxpayer, shall notify the Department of Revenue and Department of Commerce, in writing, of ~~its~~ a datacenter taxpayer's intention to claim the exemption. For purposes of meeting the requirements of subitems (B)(5)(ii) and (B)(5)(iii), capital investment and job creation begin accruing once the ~~taxpayer~~ datacenter notifies each department. Also, the five year period begins upon notification.

(2) Once the ~~taxpayer~~ datacenter collectively meets the requirements of subitem (B)(5), or at the end of the five year period, the ~~taxpayer~~ datacenter shall notify the Department of Revenue, in writing, whether it has or has not met the requirements of subitem (B)(5). The ~~taxpayer~~ datacenter shall provide the proof the department determines necessary to determine that the requirements have been met.

(D)(1) Upon notifying each department of its intention to claim the exemption pursuant to subitem (C)(1), and upon certification by the Department of Commerce, the ~~taxpayer~~ datacenter may claim the exemption on eligible purchases at any time during the period provided in Section 12-54-85(F), including the time period prior to subitem (B)(5)(iv) being satisfied.

(2) For purposes of this section, the running of the periods of limitations for assessment of taxes provided in Section 12-54-85 is suspended for:

(i) the time period beginning with notice to each department pursuant to subitem (C)(1) and ending with notice to the Department of Revenue pursuant to subitem (C)(2); and

(ii) during the three-year job maintenance requirement pursuant to subitem (B)(5)(iv).

(E) Any subsequent purchase of or investment in computer equipment, computer hardware and software, and computers, including to replace originally deployed computer equipment or to implement future expansions, likewise shall qualify for the exemption provided in this subitem, regardless of when the ~~taxpayer~~ datacenter makes the investments.

(F)(1) If a ~~taxpayer~~ datacenter receives the exemption for purchases but fails to meet the requirements of subitem (B)(5) at the end of the five year period, the department may assess any state or local sales or use tax due on items purchased.

(2) If a ~~taxpayer~~ datacenter meets the requirements of subitem (B)(5), but subsequently fails to maintain the number of full-time jobs

with the required compensation level at the ~~facility~~datacenter, as previously required pursuant to subitem (B)(5)(iii), the taxpayer is:

(i) not allowed the exemption for items described in subitem (A)(1) until the ~~taxpayer~~ datacenter meets the previous qualifying jobs requirements pursuant to subitem (B)(5)(iii); and

(ii) allowed the exemption for electricity pursuant to subitem (A)(2), but the exemption only applies to a percentage of the sale price, calculated by dividing the number of qualifying jobs by twenty-five.

(G) This subitem only applies to a datacenter that is certified by the Department of Commerce pursuant to subitem (D)(1) prior to January 1, 2032. However, this item shall continue to apply to a ~~taxpayer~~ datacenter that is certified by December 31, 2031, for an additional ten year period. Upon the end of the ten year period, this subitem is repealed;

SECTION 6. This act takes effect upon approval by the Governor and first applies to income tax years beginning after 2023, except that SECTION 3 first applies to income tax years beginning after 2020.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Senator CLIMER objected to further consideration of the Bill.

Objection

Senator DAVIS asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

Senator MATTHEWS objected.

OBJECTION

H. 4594 -- Reps. Ballentine, Pope, Clyburn, West, Elliott and T. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2023 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS

ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

Senator PEELER objected to consideration of the Bill.

OBJECTION

H. 3424 -- Reps. T. Moore, Carter, McCravy, Lawson, Beach, Pope, Nutt, Oremus, Vaughan, Long, Haddon, Burns, Chumley, Kilmartin, Cromer, O'Neal, Yow, Gilliam, W. Newton, Guest, Schuessler, Moss, Magnuson, Harris, Pace, Brittain, Bailey, Robbins, Sessions, Ligon, Felder, B.L. Cox, Guffey, Bradley, Murphy, Brewer, Connell, Hiott, Mitchell, Hager, Erickson, B.J. Cox, Blackwell, Wooten, Ballentine, Hyde, Wheeler, Calhoon, M.M. Smith, Davis, B. Newton, Elliott, Forrest, Willis, Hixon, Taylor, J.E. Johnson, Chapman and Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-5-190 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT IT IS UNLAWFUL FOR AN OPERATOR TO MAKE A PORNOGRAPHIC WEBSITE AVAILABLE TO PERSONS UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL CREATE CERTAIN PROCEDURES, AND TO PROVIDE FOR A PRIVATE RIGHT OF ACTION.

Senator HUTTO objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

H. 3988 -- Reps. Davis, M.M. Smith, B.J. Cox, Pedalino, Forrest, Wheeler, Kirby and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTS THAT CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO

LOWER THE VACCINATION RECIPIENT AGE TO TWELVE YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST-ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE "JOINT PHARMACIST ACCESS COMMITTEE" AND MAKE OTHER CONFORMING CHANGES; AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-3988.JG0014S), which was adopted:

Amend the bill, as and if amended, SECTION 5, by striking Section 40-43-190(B)(3)(a) and inserting:

(a) is certified through a basic life support or CPR provider-level course that is ~~jointly~~ approved by the Board of Medical Examiners and the Board of Pharmacy~~;Joint Pharmacy Access Committee~~ and completes a practical training program that is approved by the Accreditation Council for Pharmacy Education (ACPE) which includes, at a minimum, hands-on injection technique and the recognition and treatment of emergency reactions to vaccines; and

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator MARTIN proposed the following amendment (SR-3988.KM0016S), which was ruled out of order:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. This act may be cited as the "Medical Freedom Act."

SECTION 2. Chapter 17, Title 16 of the S.C. Code is amended by adding:

Section 16-17-780. (A) For purposes of this section:

(1) "Novel vaccine" means a vaccine, as defined in Section 44-4-130, which has obtained Emergency Use Authorization, or which has otherwise not been approved by the U.S. Food and Drug Administration, or which has been licensed for use for less than ten years. The term "novel vaccine" does not include vaccines required by law to attend K-12 schools in this state, including, but not limited to:

(a) hepatitis A;

(b) hepatitis B

(c) DTaP

(d) polio;

(e) MMR;

(f) varicella; and

(g) Tdap.

(2) "Gene therapy" means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

(3) "Indemnified product" means any product including, but not limited to, a covered countermeasure, for which the manufacturers and distributors are shielded from direct civil or criminal liability to consumers for personal injuries and damages resulting from the use of the product as determined by state or federal law.

(B) It is unlawful for any person, partnership, for-profit or non-profit corporation, limited liability corporation, colleges, schools, or the State and its political subdivisions and their agents that employ one or more employees to mandate employees, contractors, students, patrons, customers, clients, or guests to receive a novel vaccine, indemnified product, or gene therapy described in this section as a precondition for employment, entry into buildings and grounds, attendance, participation, or purchase or receipt of any products and services offered.

(C) A person who violates the provisions of this section:

(1) for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned for not more than one year, or both;

(2) for a second offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than two years, or both; and

(3) for a third or subsequent offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars or imprisoned for not more than three years, or both.

SECTION 3. Chapter 1, Title 41 of the S.C. Code is amended by adding:

Section 41-1-55. (A) As used in this section:

(1) "Agent" means any former supervisor or the employer's designee.

(2) "Employer" means any person, partnership, for-profit or non-profit corporation, limited liability corporation, or the State and its political subdivisions and their agents that employ one or more employees.

(3) "Employee" means any person employed by an employer.

(4) "Gene therapy" means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

(5) "Novel vaccine" means a vaccine, as defined in Section 44-4-130, which has obtained Emergency Use Authorization, or which has otherwise not been approved by the U.S. Food and Drug Administration, or which has been licensed for use for less than ten years. The term "novel vaccine" does not include vaccines required by law to attend K-12 schools in this state, including, but not limited to:

(a) hepatitis A;

(b) hepatitis B

(c) DTaP

(d) polio;

(e) MMR;

(f) varicella; and

(g) Tdap.

(6) "Vaccine" means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases.

(7) "Indemnified product" means any product including, but not limited to, a covered countermeasure, for which the manufacturers and distributors are shielded from direct civil or criminal liability to consumers for personal injuries and damages resulting from the use of the product as determined by state or federal law.

(B) Employers are prohibited from taking any adverse pre-employment or employment action including, but not limited to, discrimination, termination, suspension, involuntary reassignment, unpaid leave, demotion, harassment, coercion, or retaliation against an

individual who declines to receive a novel vaccine, indemnified product, or gene therapy as defined in this section.

(C) If an employer violates the provisions of this section, an aggrieved employee shall have the right to apply for and receive unemployment benefits subject to the benefit amounts, duration, and requirements provided in Article 1, Chapter 35, Title 41, as well as back pay, front pay, lost wages, consequential damages, emotional damages, court and litigation costs, and attorney's fees.

(D) If an employer willfully or maliciously discriminates or commits a violation of this section, they shall also be liable to the employee or prospective employee for punitive damages in the treble amount of the actual damages awarded.

SECTION 4. Section 44-1-100 of the S.C. Code is amended to read:

Section 44-1-100. All sheriffs and constables in the several counties of this State and police officers and health officers of cities and towns ~~must~~ may aid and assist the Director of the Department of Public Health ~~and Environmental Control~~ and ~~must~~ may carry out and obey his orders, or those of the Department of Public Health ~~and Environmental Control~~, to enforce and carry out any and all restrictive measures and quarantine regulations that may be prescribed~~. During~~ during a state of public health emergency, as defined in Section 44-4-130~~, the director may request assistance in enforcing orders issued pursuant to this chapter and pursuant to Chapter 4, Title 44, from the public safety authority, as defined in Section 44-4-130, other state law enforcement authorities, and local law enforcement. The public safety authority may request assistance from the South Carolina National Guard in enforcing orders made pursuant to this chapter or pursuant to Chapter 4, Title 44~~.

SECTION 5. Section 44-4-130 of the S.C. Code is amended to read:

Section 44-4-130. As used in the chapter:

(A) "Biological agent" means a microorganism, virus, infectious substance, naturally occurring or bioengineered product, or other biological material that could cause death, disease, or other harm to a human, an animal, a plant, or another living organism.

(B) "Bioterrorism" means the intentional use or threatened use of a biological agent to harm or endanger members of the public.

(C) "Chemical agent" means a poisonous chemical agent that has the capacity to cause death, disease, or other harm to a human, an animal, a plant, or another living organism.

(D) "Chemical terrorism" means the intentional use or threatened use of a chemical agent to harm or endanger members of the public.

(E) "Chain of custody" means the methodology of tracking specimens for the purpose of maintaining control and accountability from initial collection to final disposition of the specimens and providing for accountability at each stage of collecting, handling, testing, storing, and transporting the specimens and reporting test results.

(F) ~~"Commissioner"~~ "Director" means the ~~Commissioner~~ Director of the Department of Public Health ~~and Environmental Control~~.

(G) "Contagious disease" is an infectious disease that can be transmitted from person to person, animal to person, or insect to person.

(H) "Coroners, medical examiners, and funeral directors" have the same meanings as provided in Sections 17-5-5 and 40-19-10, respectively.

(I) ~~"DHEC"~~ "Department" means the Department of Public Health ~~and Environmental Control~~, or any person authorized to act on behalf of the Department of Public Health ~~and Environmental Control~~.

(J) "Facility" means any real property, building, structure, or other improvement to real property or any motor vehicle, rolling stock, aircraft, watercraft, or other means of transportation.

(K) "Gene therapy" means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

~~(K)~~(L) "Health care facility" means any nonfederal institution, building, or agency or portion thereof, whether public or private (for-profit or nonprofit) that is used, operated, or designed to provide health services, medical treatment, or nursing, rehabilitative, or preventive care to any person or persons. This includes, but is not limited to, ambulatory surgical facilities, health maintenance organizations, home health agencies, hospices, hospitals, infirmaries, intermediate care facilities, kidney treatment centers, long-term care facilities, medical assistance facilities, mental health centers, outpatient facilities, public health centers, rehabilitation facilities, residential treatment facilities, skilled nursing facilities, and adult daycare centers. The term also includes, but is not limited to, the following related property when used for or in connection with the foregoing: laboratories, research facilities, pharmacies, laundry facilities, health personnel training and lodging facilities, and patient, guest, and health personnel food service facilities, and offices and office buildings for persons engaged in health care professions or services.

~~(L)~~(M) "Health care provider" means any person or entity who provides health care services including, but not limited to, hospitals,

medical clinics and offices, special care facilities, medical laboratories, physicians, pharmacists, dentists, physician assistants, nurse practitioners, registered and other nurses, paramedics, firefighters who provide emergency medical care, emergency medical or laboratory technicians, and ambulance and emergency medical workers. This includes out-of-state medical laboratories, provided that such laboratories have agreed to the reporting requirements of South Carolina. Results must be reported by the laboratory that performs the test, but an in-state laboratory that sends specimens to an out-of-state laboratory is also responsible for reporting results.

~~(M)~~(N) "Infectious disease" is a disease caused by a living organism or virus. An infectious disease may, or may not, be transmissible from person to person, animal to person, or insect to person.

~~(N)~~(O) "Isolation" and "quarantine" mean the compulsory physical separation (including the restriction of movement or confinement) of individuals and/or groups believed to have been exposed to or known to have been infected with a contagious disease from individuals who are believed not to have been exposed or infected, in order to prevent or limit the transmission of the disease to others; if the context so requires, "quarantine" means compulsory physical separation, including restriction of movement, of populations or groups of healthy people who have been potentially exposed to a contagious disease, or to efforts to segregate these persons within specified geographic areas. "Isolation" means the separation and confinement of individuals known or suspected (via signs, symptoms, or laboratory criteria) to be infected with a contagious disease to prevent them from transmitting disease to others.

~~(O)~~(P) "Protected health information" means any information, whether oral, written, electronic, visual, pictorial, physical, or any other form, that relates to an individual's past, present, or future physical or mental health status, condition, treatment, service, products purchased, or provision of care, and that reveals the identity of the individual whose health care is the subject of the information, or where there is a reasonable basis to believe such information could be utilized (either alone or with other information that is, or reasonably should be known to be, available to predictable recipients of such information) to reveal the identity of that individual.

~~(P)~~(Q) "Public health emergency" means the occurrence or imminent risk of a qualifying health condition.

~~(Q)~~(R) "Public safety authority" means the Department of Public Safety, the State Law Enforcement Division, or designated persons authorized to act on behalf of the Department of Public Safety, the State

Law Enforcement Division including, but not limited to, local governmental agencies that act principally to protect or preserve the public safety, or full-time commissioned law enforcement persons.

~~(R)~~(S) "Qualifying health condition" means:

(1) a natural disaster; or

~~(2)~~ an illness or health condition that may be caused by terrorism, epidemic or pandemic disease, widespread illness, or a novel infectious agent or biological or chemical agent and that poses a substantial risk of a significant number of human fatalities, ~~or serious economic impact to the agricultural sector, including food supply.~~ or incidents of permanent or long-term disability.

~~(S)~~(T) "Radioactive material" means a radioactive substance that has the capacity to cause bodily injury or death to a human, an animal, a plant, or another living organism.

~~(T)~~(U) "Radiological terrorism" means the intentional use or threatened use of a radioactive material to harm or endanger members of the public.

~~(U)~~(V) "Specimens" include, but are not limited to, blood, sputum, urine, stool, other bodily fluids, wastes, tissues, and cultures necessary to perform required tests, and environmental samples or other samples needed to diagnose potential chemical, biological, or radiological contamination.

~~(V)~~(W) "Tests" include, but are not limited to, any diagnostic or investigative analyses necessary to prevent the spread of disease or protect the public's health, safety, and welfare.

~~(W)~~(X) "Trial court" is the circuit court for the county in which the isolation or quarantine is to occur or to the circuit court for the county in which a public health emergency has been declared. If that court is unable to function because of the isolation, quarantine, or public health emergency, the trial court is a circuit court designated by the Chief Justice upon petition and proper showing by the Department of Public Health.

(Y) "Vaccine" means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases.

SECTION 6. Section 44-4-510 of the S.C. Code is amended to read:

Section 44-4-510. (A)(1) During a state of public health emergency, ~~DHEC~~ the department may perform voluntary physical examinations or tests as necessary for the diagnosis or treatment of individuals.

(2) ~~DHEC~~ The department may isolate or quarantine, pursuant to the sections of this act and its existing powers under Section 44-1-140, any symptomatic person or person who has been exposed to the contagious disease for which the public health emergency has been declared whose refusal of physical examination or testing results in uncertainty regarding whether he or she ~~has been exposed to or~~ is infected with ~~a~~ the contagious disease ~~or possibly contagious disease or otherwise poses a danger to public health~~.

(B)(1) Physical examinations or tests may be performed by any qualified person authorized to do so by ~~DHEC~~the department.

(2) Physical examinations or tests must not be reasonably likely to result in serious harm to the affected individual.

SECTION 7. Section 44-4-520 of the S.C. Code is amended to read:

Section 44-4-520. (A) During a state of public health emergency, ~~DHEC~~ the department may exercise the following emergency powers, in addition to its existing powers, over persons as necessary to address the public health emergency:

(1) to vaccinate persons as protection against infectious disease and to prevent the spread of contagious ~~or possibly contagious~~ disease;

(2) to treat persons exposed to or infected with disease; and

(3) to ~~prevent the spread of contagious or possibly contagious disease, DHEC may~~ isolate or quarantine, pursuant to the applicable sections of this act, symptomatic persons or persons exposed to the disease who are unable or unwilling for any reason ~~(~~including, but not limited to, health, religion, or conscience~~)~~ to undergo vaccination or treatment pursuant to this section.

(B) Vaccinations or treatment, or both, must be provided only to those individuals who ~~agree~~ provide informed consent to the vaccinations or treatment, or both.

(C)(1) ~~Vaccination~~ Vaccinations may be performed by any qualified person authorized by ~~DHEC~~ the department.

(2) To be administered pursuant to this section, a vaccine must not be such as is reasonably likely to lead to serious harm to the affected individual.

(D)(1) Treatment must be administered by any qualified person authorized to do so by ~~DHEC.~~ the department.

(2) Treatment must not be such as is reasonably likely to lead to serious harm to the affected individual.

(E) For purposes of this section, "informed consent" means a written document that is signed and dated by an individual; or if the individual is a minor, by a parent or legal guardian; or if the individual is

incapacitated or without sufficient mental capacity, by a designated health care agent pursuant to a health care power of attorney, that at a minimum includes:

(1) an explanation of the vaccine or treatment that is written in language that is understandable to the average lay person;

(2) a description of the potential risks and benefits resulting from vaccine or treatment, along with a realistic description of the most likely outcome;

(3) a statement acknowledging risks associated with the vaccine or treatment if the vaccine or treatment is an indemnified product as defined in Section 44-1-55(A)(7); and

(4) language that clearly indicates that the individual agrees to the administration of the vaccine or treatment, that the individual has had time to thoughtfully and voluntarily accept or decline the vaccine or treatment free from coercion.

(F) The safety and efficacy of vaccines, tests, and treatments performed and administered as provided in this section must be reviewed and adverse events monitored by the department. References to evidence-based data determined to validate vaccines, tests, and treatments including, but not limited to VAERS data, must be prominently posted on the department's public website.

SECTION 8. Section 44-4-530 of the S.C. Code is amended to read:

Section 44-4-530. (A) During a public health emergency, ~~DHEC~~ the department may isolate or quarantine an individual or groups of individuals who have been diagnosed with or exposed to the contagious disease for which the public health emergency was declared. ~~This includes individuals or groups who have not been vaccinated, treated, tested, or examined pursuant to Sections 44-4-510 and 44-4-520. DHEC~~ The department may also establish and maintain places of isolation and quarantine, ~~and~~ set rules, and make orders.

(B) ~~DHEC~~ The department must adhere to the following conditions and principles when isolating or quarantining individuals or groups of individuals:

(1) isolation and quarantine must be by the least restrictive means necessary to prevent the ~~spread~~ transmission of ~~a~~ the contagious or ~~possibly contagious~~ disease ~~to others~~ and may include, but are not limited to, confinement to private homes or other private and public premises;

(2) individuals isolated because of objective evidence of infection or contagious disease must be confined separately from quarantined asymptomatic individuals;

(3) the health status of isolated and quarantined individuals must be monitored regularly to determine if they require isolation or quarantine;

(4) an asymptomatic quarantined individual must be confined for no more than twenty-one days;

~~(4)~~(5) if a quarantined individual becomes infected or is reasonably believed to be infected with ~~a~~ the contagious ~~or possibly contagious~~ disease, he or she must be promptly removed to isolation;

~~(5)~~(6) isolated and quarantined individuals must be immediately released when they no longer pose a substantial risk of transmitting a contagious ~~or possibly contagious~~ disease to others;

~~(6)~~(7) the needs of persons isolated and quarantined must be addressed in a systematic and competent fashion including, but not limited to, providing adequate food, clothing, shelter, means of communication with those in isolation or quarantine and outside these settings, medication, and competent medical care;

~~(7)~~(8) premises used for isolation and quarantine must be maintained in a safe and hygienic manner and be designed to minimize the likelihood of further transmission of infection or other harms to persons isolated or quarantined~~; and~~

~~(8)~~(9) to the extent possible, cultural and religious beliefs must be considered in addressing the needs of the individuals and establishing and maintaining isolation and quarantine premises~~.~~ ; and

(10) individuals who have recovered from the contagious disease must not be separated from quarantined or isolated family members.

(C) A person subject to isolation or quarantine must comply with ~~DHEC's~~ the department's rules and orders, and must not go beyond the isolation or quarantine premises. Failure to comply with these rules and orders constitutes a ~~felony~~misdemeanor and, upon conviction, a person must be fined not more than ~~one thousand~~ two hundred dollars or imprisoned not more than thirty days~~, or both~~.

(D)(1) ~~DHEC~~ The department may authorize physicians, health care workers, or others access to individuals in isolation or quarantine as necessary to meet the needs of isolated or quarantined individuals.

~~(2) No person, other than a person authorized by DHEC, shall enter isolation or quarantine premises. Failure to comply with this provision constitutes a felony and, upon conviction, a person must be fined not more than one thousand dollars or imprisoned not more than thirty days, or both.~~

~~(3)~~(2) A person entering an isolation or quarantine premises with or without authorization ~~of DHEC~~from the department may be isolated or quarantined as provided for in this chapter.

~~(4)~~(3) The public safety authority and other law enforcement officers may arrest, isolate, or quarantine an individual who is acting in violation of an isolation or quarantine order after the order is given to the individual pursuant to Section 44-4-540(B)(3) ~~or after the individual is provided notice of the order. In a case where an individual is not the subject of an isolation or quarantine order under Section 44-4-540, law enforcement officers may provide written or verbal notice of the order~~. Law enforcement officers may arrest, isolate, or quarantine an individual who is acting in violation of isolation or quarantine ~~rules~~ orders after the ~~rules~~ orders are established and the individual is given written ~~or verbal~~ notice of the ~~rules~~ orders. An arrest warrant or ~~an additional~~ isolation or quarantine order is not required for arrest, isolation, or quarantine under Section 44-4-530(D)~~(4)~~(3).

(E) An employer may not fire, demote, or otherwise discriminate against an employee complying with an isolation or quarantine order issued pursuant to Section 44-1-80, 44-1-110, 44-1-140, 44-4-520, 44-4-530, or 44-4-540; however, nothing in this section prohibits an employer from requiring an employee to use annual or sick leave to comply with such an order.

SECTION 9. Section 44-4-540 of the S.C. Code is amended to read:

Section 44-4-540. (A) During a public health emergency, the isolation and quarantine of an individual or groups of individuals must be undertaken in accordance with the procedures provided in this section.

~~—~~(B)(1) The ~~DHEC~~Department of Public Health may temporarily isolate or quarantine an individual or groups of individuals through an emergency order signed by the commissioner or his designee, if delay in imposing the isolation or quarantine would significantly jeopardize ~~DHEC's~~the department ability to prevent or limit the transmission of a contagious or possibly contagious disease to others.

(2) The emergency order must specify the following: (i) the identity of the individual or groups of individuals subject to isolation or quarantine; (ii) the premises subject to isolation or quarantine; (iii) the date and time at which isolation or quarantine commences; (iv) the suspected contagious disease, if known; and (v) a copy of Article V of this act and relevant definitions of this act.

(3) A copy of the emergency order must be given to the individual(s) or groups of individuals to be isolated or quarantined, or if impractical to be given to a group of individuals, it may be posted in a conspicuous place in the isolation or quarantine premises.

(4) Within ~~ten~~ five days after issuing the emergency order, ~~DHEC~~the department must file a petition pursuant to subsection (C) of

this section for a court order authorizing the continued isolation or quarantine of the isolated or quarantined individual or groups of individuals.

(C)(1) ~~DHEC~~The department may make a written petition to the trial court for an order authorizing the isolation or quarantine of an individual or groups of individuals.

(2) A petition under subsection (C)(1) must specify the following: (i) the identity of the individual or groups of individuals subject to isolation or quarantine; (ii) the premises subject to isolation or quarantine; (iii) the date and time at which isolation or quarantine commences; (iv) the suspected contagious disease~~, if known~~; and (v) a statement of compliance with the conditions and principles for isolation or quarantine of Section 44-4-530(B); and (vi) a statement of the basis upon which isolation or quarantine is justified in compliance with this article. The petition must be accompanied by a sworn affidavit ~~of DHEC~~from the department attesting to the facts asserted in the petition, together with any further information that may be relevant and material to the court's consideration.

(3) Notice to individuals or groups of individuals identified in the petition must be accomplished within twenty-four hours in accordance with the South Carolina Rules of Civil Procedure. If notice by mail or fax is not possible, notice must be made by personal service.

(4) A hearing must be held on any petition filed pursuant to this subsection within five days of filing of the petition. ~~In extraordinary circumstances and for good cause shown, DHEC may apply to continue the hearing date on a petition filed pursuant to this section for up to ten days, which continuance the court may grant in its discretion giving due regard to the rights of the affected individuals, the protection of the public's health, the severity of the emergency, and the availability of necessary witnesses and evidence.~~

(5)(a) The court must grant the petition if, by a preponderance of the evidence, isolation or quarantine is shown to be reasonably necessary to prevent or limit the transmission of a contagious ~~or possibly contagious~~ disease.

(b) An order authorizing isolation or quarantine may do so for a period not to exceed~~30~~ the maximum number of days allowed pursuant to Section 44-4-530.

(c) The order must: (i) identify the isolated or quarantined individuals or groups of individuals by name or shared or similar characteristics or circumstances; (ii) specify factual findings warranting isolation or quarantine pursuant to this act; (iii) include any conditions

necessary to ensure that isolation or quarantine is carried out within the stated purposes and restrictions of this act; and (iv) served on affected individuals or groups of individuals in accordance with the South Carolina Rules of Civil Procedure. If notice by mail or fax is not possible, notice must be made by personal service.

(d) Prior to the expiration of an order issued pursuant to this item, ~~DHEC~~ the department may move to continue the isolation or quarantine for additional periods not to exceed thirty days each. The court must consider the motion in accordance with standards set forth in this item.

(D)~~(A)~~(1) An individual or group of individuals isolated or quarantined pursuant to this act may apply to the trial court for an order to show cause why the individual or group of individuals should not be released. The court must rule on the application to show cause within forty-eight hours of its filing. If the court grants the application, the court must schedule a hearing on the order to show cause within twenty-four hours from issuance of the order to show cause. The issuance of the order to show cause does not stay or enjoin the isolation or quarantine order.

(2)(a) An individual or group of individuals isolated or quarantined pursuant to this act may request a hearing in the trial court for remedies regarding breaches to the conditions of isolation or quarantine. A request for a hearing does not stay or enjoin the isolation or quarantine order.

(b) Upon receipt of a request under this subsection alleging extraordinary circumstances justifying the immediate granting of relief, the court must fix a date for hearing on the matters alleged not more than twenty-four hours from receipt of the request.

(c) Otherwise, upon receipt of a request under this subsection, the court must fix a date for hearing on the matters alleged within five days from receipt of the request.

(3) In any proceedings brought for relief under this subsection, in extraordinary circumstances and for good cause shown, ~~DHEC~~ the department may move the court to extend the time for a hearing up to forty-eight hours, which extension the court in its discretion may grant giving due regard to the rights of the affected individuals, the protection of the public's health, the severity of the emergency, and the availability of the necessary witnesses and evidence.

(E)~~(B)~~ A record of the proceedings pursuant to this section must be made and retained. In the event that, given a state of public health emergency, parties cannot personally appear before the court, proceedings may be conducted by their authorized representatives and be held via any means that allow all parties to fully participate.

(F)~~(C)~~ The court must appoint counsel to represent individuals or groups of individuals who are or who are about to be isolated or quarantined pursuant to the provisions of this act and who are not otherwise represented by counsel. Payment for these appointments must be made in accordance with other appointments for legal representation in actions arising outside of matters in this act and is not the responsibility of any one state agency. Appointments last throughout the duration of the isolation or quarantine of the individual or groups of individuals. ~~DHEC~~ The department must provide adequate means of communication between such individuals or groups of individuals and their counsel. Where necessary, additional counsel for ~~DHEC~~ the department from other state agencies or from private attorneys appointed to represent state agencies, must be appointed to provide adequate representation for the agency and to allow timely hearings of the petitions and motions specified in this section.

~~(G) In any proceedings brought pursuant to this section, to promote the fair and efficient operation of justice and having given due regard to the rights of the affected individuals, the protection of the public's health, the severity of the emergency, and the availability of necessary witnesses and evidence, the court may order the consolidation of individual claims into groups of claims where:~~

~~(1) the number of individuals involved or to be affected is so large as to render individual participation impractical;~~

~~(2) there are questions of law or fact common to the individual claims or rights to be determined;~~

~~(3) the group claims or rights to be determined are typical of the affected individuals' claims or rights; and~~

~~(4) the entire group will be adequately represented in the consolidation.~~

(G)~~(H)~~ Notwithstanding the provisions of subsection (A), prior to the Governor declaring a public health emergency, as defined in Section 44-4-130, the isolation and quarantine of an individual or groups of individuals pursuant to Section 44-1-80, 44-1-110, 44-1-140, 44-4-520, 44-4-530, or 44-4-540 must be undertaken in accordance with the procedures provided in this section.

SECTION 10. Section 44-4-570 of the S.C. Code is amended to read:

Section 44-4-570. (A) ~~DHEC~~The department, in coordination with the appropriate licensing authority and the Department of Labor, Licensing and Regulation, may exercise, for such period as the state of public health emergency exists, in addition to existing emergency

powers, the following emergency powers regarding licensing of health personnel:

~~(1) to require in-state health care providers to assist in the performance of vaccination, treatment, examination, or testing of any individual as a condition of licensure, authorization, or the ability to continue to function as a health care provider in this State;~~

~~(2)~~(1) to accept the volunteer services of in-state and out-of-state health care providers consistent with Title 8, Chapter 25, to appoint such in-state and out-of-state health care providers as emergency support function volunteers, and to prescribe the duties as may be reasonable and necessary for emergency response; and

~~(3)~~(2) to authorize the medical examiner or coroner to appoint and prescribe the duties of such emergency assistant medical examiners or coroners as may be required for the proper performance of the duties of the office.

(B)(1) The appointment of in-state and out-of-state health care providers pursuant to this section may be for a limited or unlimited time but must not exceed the termination of the state of public health emergency. ~~DHEC~~The department may terminate the in-state and out-of-state appointments at any time or for any reason provided that any termination will not jeopardize the health, safety, and welfare of the people of this State.

(2) The appropriate licensing authority may waive any or all licensing requirements, permits, or fees required by law and applicable orders, rules, or regulations for health care providers from other jurisdictions to practice in this State.

(C)(1) Any health care provider appointed by the department pursuant to this section must not be held liable for any civil damages as a result of medical care or treatment including, but not limited to, trauma care and triage assessment, related to the appointment of the health care provider and the prescribed duties unless the damages result from providing, or failing to provide, medical care or treatment under circumstances demonstrating a reckless disregard for the consequences so as to affect the life or health of the patient.

(2) This subsection applies if the health care provider does not receive payment from the State other than as allowed in Section 8-25-40 for the appointed services and prescribed duties. However, if the health care provider is an employee of the State, the health care provider may continue to receive compensation from the health care provider's employer. This subsection applies whether the health care provider was paid, should have been paid, or expected to be paid for the services at the

time of rendering the services from sources including, but not limited to, Medicaid, Medicare, reimbursement under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 512, et seq., or private health insurance.

(D)(1) The appointment of emergency assistant medical examiners or coroners pursuant to this section may be for a limited or unlimited time, but must not exceed the termination of the state of public health emergency. The medical examiner or coroner may terminate the emergency appointments at any time or for any reason, if the termination will not impede the performance of the duties of the office.

(2) The medical examiner or coroner may waive any or all licensing requirements, permits, or fees required by law and applicable orders, rules, or regulations for the performance of these duties.

(3) Any emergency assistant medical examiner or coroner appointed pursuant to this section is immune from civil liability for damages resulting from services relating to and performed during the period of appointment unless the damages result from providing, or failing to provide, services under circumstances demonstrating a reckless disregard for the consequences.

SECTION 11. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 12. This act takes effect July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

Point of Order

Senator MATTHEWS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MARTIN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator DAVIS proposed the following amendment (SR-3988.KM0018S), which was tabled:

Amend the bill, as and if amended, SECTION 5, by striking Section 40-43-190(B)(3),(4), and (5) and inserting:

(3) A pharmacist may not delegate the administration of vaccines to a pharmacy technician or certified pharmacy technician.

(4) A pharmacy intern may administer vaccinations under the direct supervision~~, as defined in Section 40-43-84(C),~~ of a pharmacist who has completed vaccination training as required by item (1) if the pharmacy intern:

(a) is certified through a basic life support or CPR provider-level course that is ~~jointly~~ approved by the Board of Medical Examiners and the Board of Pharmacy;~~Joint Pharmacy Access Committee~~ and

(b) completes this course of training described in item (1).

(5) A pharmacist administering vaccinations shall, as part of the current continuing education requirements ~~pursuant to Section 40-43-130~~, complete no less than one hour of continuing education each license year regarding administration of vaccinations.

~~(C)~~

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Senator CROMER moved to lay the amendment on the table.

The amendment was laid on the table.

On motion of Senator MARTIN, the Bill was carried over.

OBJECTION

H. 4486 -- Reps. Burns, Long, Ott, Pope and Hiott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-55-655 SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CREATE A PILOT PROGRAM THAT ALLOWS CERTAIN SEPTIC TANK

INSTALLERS TO CONDUCT SEPTIC TANK FIELD EVALUATION TESTS FOR THE DEPARTMENT.

Senator CORBIN objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 1160 -- Senators Hembree and Stephens: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-5-105 SO AS TO CREATE THE SCHOOL MAPPING DATA PROGRAM WITHIN THE STATE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF FACILITATING EFFICIENT EMERGENCY RESPONSES IN PUBLIC SCHOOLS BY PUBLIC SAFETY AGENCIES, TO DEFINE NECESSARY TERMS, TO PROVIDE REQUIREMENTS FOR THE PROGRAM AND ITS IMPLEMENTATION BY THE DEPARTMENT, AND TO PROVIDE RELATED REQUIREMENTS OF SCHOOL DISTRICTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (SEDU-1160.DB0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 59-5-105(C), by adding a subsection to read:

(D) School mapping data is not subject to disclosure under the Freedom of Information Act.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Devine	Fanning	Gambrell

Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 1286 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BUILDING CODES COUNCIL, RELATING TO BUILDING CODES COUNCIL, DESIGNATED AS REGULATION DOCUMENT NUMBER 5248, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 1287 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA REAL ESTATE COMMISSION, RELATING TO REAL ESTATE COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5253, PURSUANT TO THE

PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

H. 3501 -- Rep. W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-102-140, RELATING TO PROHIBITED ACTS OF ATHLETE AGENTS, SO AS TO PROVIDE CERTIFIED ATHLETE AGENTS MAY PAY CERTAIN EXPENSES INCURRED BEFORE THE SIGNING OF AGENCY CONTRACTS BY STUDENT ATHLETES, FAMILY MEMBERS OF STUDENT ATHLETES, AND INDIVIDUALS OR CLASSES OF INDIVIDUALS AUTHORIZED TO RECEIVE SUCH PAYMENTS.

The Senate proceeded to a consideration of the Bill.

Senator TURNER explained the Bill.

The question being the second reading of the Bill.

On motion of Senator TURNER, the Bill was carried over.

READ THE SECOND TIME

H. 3563 -- Reps. Cobb-Hunter, Pace, Collins, Bauer, Dillard, W. Jones, Wheeler, Hart, J.L. Johnson, Henegan, Williams, Trantham, Oremus, Cromer, Beach and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS, SO AS TO PROVIDE FOR AN EXEMPTION FOR FEMININE HYGIENE PRODUCTS.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--46

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4642 -- Reps. Mitchell, Gilliam, Pope, Sessions, Caskey and Hart: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-1-20, RELATING TO THE ACCEPTANCE OF ACT OF CONGRESS, SO AS TO DISALLOW CONFLICTS; BY AMENDING SECTION 25-1-40, RELATING TO THE APPLICABILITY OF THE UNIFORM CODE OF MILITARY JUSTICE, SO AS TO REMOVE PROVISIONS; BY AMENDING SECTION 25-1-2420, RELATING TO THE MILITARY CODE DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "MILITARY FORCES"; BY AMENDING SECTION 25-1-2430, RELATING TO PERSONS SUBJECT TO CODE OF MILITARY JUSTICE, SO AS TO PROVIDE FOR WHAT JURISDICTION DUTY STATUS INCLUDES; BY AMENDING SECTION 25-1-2520,

RELATING TO NONJUDICIAL DISCIPLINARY PUNISHMENT, SO AS TO PROVIDE THAT CERTAIN PERSONS MAY NOT DECLINE NONJUDICIAL PUNISHMENT; BY AMENDING SECTION 25-1-2530, RELATING TO TYPES OF COURTS-MARTIAL, SO AS TO PROVIDE FOR WHOM A SPECIAL COURT-MARTIAL CONSISTS OF; BY AMENDING SECTION 25-1-2550, RELATING TO THE JURISDICTION OF GENERAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2560, RELATING TO THE JURISDICTION OF SPECIAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2570, RELATING TO THE JURISDICTION OF SUMMARY COURTS-MARTIAL, SO AS TO PROVIDE FOR PUNISHMENTS; BY AMENDING SECTION 25-1-2620, RELATING TO DETAIL AND DESIGNATION OF MILITARY JUDGES, SO AS TO PROVIDE THE AUTHORITY CONVENING A SUMMARY COURT-MARTIAL; BY AMENDING SECTION 25-1-2765, RELATING TO VOTING AND RULINGS, SO AS TO REMOVE CERTAIN REFERENCES TO THE PRESIDENT OF A COURT MARTIAL; BY AMENDING SECTION 25-1-2780, RELATING TO RECORD OF TRIAL, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2795, RELATING TO FORFEITURE OF PAY, SO AS TO REMOVE THE SENTENCE OF FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2805, RELATING TO THE REDUCTION IN PAY GRADE AND THE RESTORATION OF BENEFITS, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2865, RELATING TO THE REMISSION OR SUSPENSION OF A SENTENCE, SO AS TO REPLACE FORFEITURES WITH FINES; BY AMENDING SECTION 25-1-2985, RELATING TO THE IMPROPER USE OR DISCLOSURE OF PAROLE OR COUNTERSIGN, SO AS TO INCLUDE WHEN THE USE OF MILITARY FORCE HAS BEEN AUTHORIZED BY CERTAIN INDIVIDUALS; BY AMENDING SECTION 25-1-3140, RELATING TO WRIT WHEN FINE HAS NOT BEEN PAID, SO AS TO UPDATE DATES; BY AMENDING SECTION 25-1-3145, RELATING TO WRIT OF SENTENCE OF CONFINEMENT, SO AS TO UPDATE DATES; AND BY AMENDING SECTION 25-1-3160, RELATING TO CONSTRUCTION OF CODE OF MILITARY JUSTICE, SO AS TO PROVIDE THAT THE UNIFORM CODE OF MILITARY JUSTICE

IS NOT BINDING ON THE SOUTH CAROLINA CODE OF MILITARY JUSTICE.

The Senate proceeded to a consideration of the Bill.

Senator McELVEEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--46

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 4843 -- Reps. Bailey, Brittain, Guest, J.E. Johnson, Sandifer and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-39-148 SO AS TO AUTHORIZE BUSINESSES WITH A DECK, DOCK, OR OTHER STRUCTURE LOCATED IN A CRITICAL AREA TO USE THE STRUCTURE FOR PURPOSES DIRECTLY RELATED TO THE OPERATION OF THE BUSINESS WITH LOCAL ZONING APPROVAL.

The Senate proceeded to a consideration of the Bill.

Senator GOLDFINCH explained the Bill.

The question being the second reading of the Bill.

On motion of Senator GOLDFINCH, the Bill was carried over.

READ THE SECOND TIME

H. 4953 -- Reps. B.J. Cox, Davis, M.M. Smith, Bustos, Hart, Williams, Henegan, Caskey, Jefferson, J. Moore and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-80, RELATING TO STATE VETERANS' CEMETERIES, SO AS TO REMOVE A RESIDENCY REQUIREMENT.

The Senate proceeded to a consideration of the Bill.

Senator McELVEEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell

Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--46

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 5235 -- Reps. Bannister and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 43-7-465, RELATING TO INSURERS PROVIDING COVERAGE TO PERSONS RECEIVING MEDICAID, SO AS TO COMPORT WITH THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2022.

The Senate proceeded to a consideration of the Bill.

Senator VERDIN explained the Bill.

The question being the second reading of the Bill.

On motion of Senator VERDIN, the Bill was carried over.

CARRIED OVER

H. 5236 -- Reps. Bannister and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-6-50, RELATING TO RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES OR A SUCCESSOR AGENCY, SO AS TO MAKE CERTAIN CHANGES CONCERNING MEDICAID CLAIMS PROCESSING CONTRACTS.

The Senate proceeded to a consideration of the Bill.

Senator VERDIN explained the Bill.

The question being the second reading of the Bill.

On motion of Senator VERDIN, the Bill was carried over.

CARRIED OVER

H. 5245 -- Reps. G.M. Smith, Erickson, Bradley and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-50, RELATING TO CHARTER SCHOOL ADMISSIONS, SO AS TO PROVIDE CHARTER SCHOOLS MAY GIVE ENROLLMENT PREFERENCE TO CHILDREN OF ACTIVE DUTY MILITARY SERVICEMEMBERS IN THIS STATE IF THEIR ENROLLMENT DOES NOT CONSTITUTE MORE THAN TWENTY PERCENT OF THE OVERALL ENROLLMENT, AND TO REVISE EXISTING ENROLLMENT PREFERENCE PROVISIONS.

On motion of Senator CORBIN, the Bill was carried over.

POINT OF ORDER

H. 4189 -- Rep. Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-20, RELATING TO LICENSING AND FEES, SO AS TO AMEND MEETING REQUIREMENTS, REMOVE A CERTIFICATION FEE AND OUTLINE HOW TO MAKE PROPER PAYMENTS TO THE DEPARTMENT; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE

EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND, SO AS TO CHANGE THE ALLOWED TRANSFER OF COLLECTED TAXES FROM TWENTY PERCENT TO FORTY PERCENT; AND BY AMENDING 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4436 -- Reps. Wooten, Ballentine, Long, Erickson, Caskey, Calhoon, Wetmore, Taylor, Forrest, Hiott, Davis, Pope, Herbkersman, M.M. Smith, Robbins, Lawson, Burns, Chumley, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-1538, RELATING TO EMERGENCY SCENE MANAGEMENT, SO AS TO PROVIDE DRIVERS ARE RESPONSIBLE FOR MAINTAINING VEHICLE CONTROL IN CERTAIN EMERGENCY CIRCUMSTANCES TO AVOID INTERFERING WITH THE OPERATION OF AUTHORIZED EMERGENCY VEHICLES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4832 -- Reps. Hardee, Sandifer, Anderson, Ligon and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PAID FAMILY LEAVE INSURANCE ACT" BY ADDING CHAPTER 103 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH FAMILY LEAVE BENEFITS, OUTLINE REQUIREMENTS OF FAMILY LEAVE INSURANCE POLICIES, AND TO PROVIDE EXCLUSIONS, AMONG OTHER THINGS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 4869 -- Reps. Sandifer, Hardee, Ligon and Jefferson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200, RELATING TO CONDITIONS FOR ALLOWING REINSURANCE CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY AMENDING SECTION 38-13-10, RELATING TO INSURER EXAMINATIONS, SO AS TO PROVIDE SUCH EXAMINATIONS ARE FINANCIAL EXAMINATIONS, TO APPLY THE PROVISIONS TO HEALTH MAINTENANCE ORGANIZATIONS AND OTHER LICENSEES OF THE DEPARTMENT, TO PROVIDE MARKET CONDUCT EXAMINATIONS, AND TO REMOVE OBSOLETE PROVISIONS, AMONG OTHER THINGS; BY AMENDING SECTION 38-13-70, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DIRECTOR OR HIS DESIGNEES MAY CONDUCT INVESTIGATIONS, TO PROVIDE FOR THE CONFIDENTIALITY OF INVESTIGATIONS, AND TO PROVIDE FINAL ORDERS DISCIPLINING LICENSEES ARE PUBLIC INFORMATION, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-57-130, RELATING TO INSURANCE TRADE PRACTICES, SO AS TO PROVIDE REVISED

EXEMPTIONS FROM PROVISIONS PROHIBITING MISREPRESENTATIONS, SPECIAL INDUCEMENTS, AND REBATES IN INSURANCE CONTRACTS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 1268 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 315 IN JASPER COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 170 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 17 "BISHOP DELORIS M. YOUNG HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

ADOPTED

H. 4965 -- Reps. Mitchell, Yow, Connell and B. Newton: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE JUNCTION AT LOCKHART ROAD AND KEYS LANE IN KERSHAW COUNTY "COMMISSIONER DAVID E. BRANHAM, SR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

AMENDED, ADOPTED

H. 5314 -- Reps. Haddon and Burns: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 25 (WHITE HORSE ROAD) AND SOUTH CAROLINA HIGHWAY 183 (SALUDA DAM ROAD) IN THE GREENVILLE COUNTY TOWN OF BEREA "HAROLD M. BATSON JR. MEMORIAL INTERSECTION" AND ERECT

APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Senate proceeded to a consideration of the Bill.

Senator RICE proposed the following amendment (SR-5314.KM0002S), which was adopted:

Amend the concurrent resolution, as and if amended, by striking the eighth paragraph and inserting:

That the members of the South Carolina General Assembly, by this resolution, request the Department of Transportation name the intersection of United States Highway 25 (White Horse Road) and South Carolina Highway 183 (Farrs Bridge Road) in the Greenville County Town of Berea "Harold M. Batson Jr. Memorial Intersection" and erect appropriate signs or markers at this location containing these words.

Be it further resolved that a copy of this resolution be forwarded to the Department of Transportation.

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

The Resolution, as amended, adopted, ordered returned to the House.

ADOPTED

H. 5323 -- Reps. Yow, Henegan, Mitchell and Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9/UNITED STATES HIGHWAY 601 FROM ITS INTERSECTION WITH STATE ROAD S-13-40 (HIGH POINT CHURCH ROAD) TO ITS INTERSECTION WITH STATE ROAD S-13-555 (ARANT STREET) IN CHESTERFIELD COUNTY "SSGT. JASON C. HICKS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 3:09 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

H. 4552 -- Reps. Pendarvis, Clyburn, Henegan, M.M. Smith, B.L. Cox, Robbins, Brewer, King, Wheeler, Henderson-Myers, Erickson, Stavrinakis, Weeks, Davis, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS.

On motion of Senator PEELER, the Bill was carried over.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE SECOND TIME

H. 4624 -- Reps. Hiott, G.M. Smith, McCravy, Davis, Vaughan, Trantham, Pope, Chapman, Taylor, Oremus, Hartnett, Leber, Long, Nutt, Haddon, Burns, Chumley, Murphy, Mitchell, Brewer, Robbins, Gatch, West, Gilliam, Cromer, Kilmartin, O'Neal, Yow, S. Jones, Landing, Ballentine, Sandifer, Crawford, Guest, Willis, Ligon, Forrest, Pace, W. Newton, Bradley, Erickson, Gibson, Blackwell and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 42 TO TITLE 44 SO AS TO DEFINE GENDER, SEX, AND OTHER TERMS, TO PROHIBIT THE PROVISION OF GENDER TRANSITION PROCEDURES TO A PERSON UNDER EIGHTEEN YEARS OF AGE, TO PROVIDE EXCEPTIONS, TO PROHIBIT THE USE OF PUBLIC FUNDS FOR GENDER TRANSITION PROCEDURES, AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 59-32-36 SO AS TO PROHIBIT PUBLIC SCHOOL STAFF AND OFFICIALS FROM WITHHOLDING KNOWLEDGE OF A MINOR'S PERCEPTION OF THEIR GENDER FROM THE MINOR'S PARENTS, AMONG OTHER THINGS.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Motion Adopted

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Broadus O. Taylor of Gilbert, S.C. Broadus was a lineman for thirty-six years with Mid-Carolina Electric before retiring as a line supervisor. He was an Army veteran who served in the Vietnam War. Broadus was a member of First Calvary Baptist Church where he served as an usher and was a member of the cemetery committee and Bible Fellowship class. Broadus was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Lisa Barbee Switzer of Pauline, S.C. Lisa retired from Wofford College in 2014. She was a member of Southside Baptist Church in Spartanburg. Lisa enjoyed spending time with and praying for her family and friends. Lisa was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Liner Ray Switzer of Pauline, S.C. Ray retired in July 2022 as vice president of business affairs from Spartanburg Community College. He was a member of the North Spartanburg Rotary Club and Southside Baptist Church. Ray enjoyed being outdoors, hunting, fishing, doing yard work and spending time with his family. Ray was a loving husband for forty-eight years, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 3:14 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, May 1, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Proverbs 20:15

We read in the book of Proverbs that: "Gold there is, and rubies in abundance, but lips that speak knowledge are a rare jewel."

Please, let us pray: O Holy God, as wonderful a place as this State House happens to be -- incredibly beautiful, richly historic, classically meaningful -- I have yet to hear of any storerooms holding precious jewels, bars of gold, much less chests filled with thousand dollar bills. What we do possess, however, especially here in the Senate of South Carolina, is an even more meaningful treasure, a treasure that unfailingly benefits our State in so many wondrous ways. And that is the individual and the collective gift of wisdom brought here by each Senator and every Senate aide. And the thrust of our prayer today, Lord, is a simple one: that these individuals continue using their gifts to benefit this State and her citizens. May it ever be so. We pray this in Your loving name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Martin
Massey	Matthews	McElveen

Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

REGULATION WITHDRAWN

The following was received:

Document No. 5224
Agency: State Election Commission
Chapter: 45
Statutory Authority: 1976 Code Sections 7-3-10 and 7-3-20
SUBJECT: R.45-8, Defective and Duplicate Ballot Cards, Sealed After Tabulation
Received by President of the Senate January 9, 2024
Referred to Judiciary Committee
Legislative Review Expiration: Permanently Withdrawn
Permanently Withdrawn April 29, 2024

Leave of Absence

On motion of Senator YOUNG, at 3:25 P.M., Senator TALLEY was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator ADAMS rose for an Expression of Personal Interest.

RECALLED

H. 3392 -- Rep. M.M. Smith: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 17 AND MELROSE DRIVE IN CHARLESTON COUNTY "DEPUTY SHERIFF JEREMY CHRISTOPHER LADUE MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

ACTING PRESIDENT PRESIDES

Senator MARTIN assumed the Chair.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1307 -- Senator Rankin: A SENATE RESOLUTION TO HONOR FORMER REPRESENTATIVE JOHN JAMES "BUBBER" SNOW, JR. FOR HIS LOVE OF BEACH MUSIC AND TO COMMEMORATE THE FORTIETH ANNIVERSARY OF HIS SUCCESSFUL EFFORTS TO HAVE THE SHAG ENSHRINED AS THE SOUTH CAROLINA STATE DANCE.
sj-0047pb-pb24.docx

The Senate Resolution was adopted.

S. 1308 -- Senator Stephens: A SENATE RESOLUTION TO CONGRATULATE LOUISE GOODWIN MACK ON THE OCCASION OF HER NINETIETH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.
sr-0721km-vc24.docx

The Senate Resolution was adopted.

S. 1309 -- Senator Stephens: A SENATE RESOLUTION TO CONGRATULATE LIEUTENANT COLONEL KATRINA FELDER UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER TWENTY-ONE YEARS OF DEDICATED SERVICE IN THE UNITED STATES AIR FORCE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0713km-hw24.docx

The Senate Resolution was adopted.

S. 1310 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE ALLIANCE CONSULTING ENGINEERS, INC. UPON THE OCCASION OF ITS TWENTIETH ANNIVERSARY AND TO COMMEND ALLIANCE CONSULTING ENGINEERS,

INC. FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
sr-0707km-hw24.docx

The Senate Resolution was adopted.

S. 1311 -- Senator Devine: A CONCURRENT RESOLUTION TO CONGRATULATE LOUREATHA LAWSON PITTMAN AS HER TENURE AS THE PRESIDENT OF THE GETHSEMANE WOMAN AUXILIARY COMES TO A CLOSE, TO COMMEND HER FOR HER FOUR YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0724km-vc24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1312 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE TERRY A. BLACKMON, R.PH. UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0725km-vc24.docx

The Senate Resolution was adopted.

S. 1313 -- Senator Williams: A SENATE RESOLUTION TO CONGRATULATE XAVIER LEGGETTE FOR BEING SELECTED AS THE THIRTY-SECOND PICK IN THE 2024 NFL DRAFT BY THE CAROLINA PANTHERS.
sr-0715km-vc24.docx

The Senate Resolution was adopted.

S. 1314 -- Senators Senn and Campsen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE ROUNDABOUT AT FORT JOHNSON ROAD AND HARBOR VIEW ROAD IN CHARLESTON COUNTY "INEZ BROWN CROUCH ROUNDABOUT" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.
sr-0716km-vc24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1315 -- Senator Campsen: A CONCURRENT RESOLUTION TO ENCOURAGE THE STATE OF SOUTH CAROLINA TO TAKE ALL PRACTICAL STEPS TO INCREASE THE USE OF SUSTAINABLE AVIATION FUEL IN THE STATE, REGIONALLY, AND NATIONALLY.
sr-0710km-hw24.docx

The Concurrent Resolution was introduced and referred to the Committee on Agriculture and Natural Resources.

S. 1316 -- Senator Fanning: A SENATE RESOLUTION TO HONOR THE SIGNIFICANT CONTRIBUTIONS OF THE CLINTON CHAPEL AME ZION CHURCH IN UNION COUNTY AND TO RECOGNIZE ITS INVALUABLE EFFORTS TO FOSTER UNITY IN THE COUNTY AND SURROUNDING AREAS.
lc-0724wab-bl24.docx

The Senate Resolution was adopted.

H. 5495 -- Reps. J. E. Johnson, Anderson, Atkinson, Bailey, Brittain, Crawford, Guest, Hardee, Hayes, McGinnis, Schuessler, Alexander, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guffey, Haddon, Hager, Harris, Hart, Hartnett, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR COACH GARY GILMORE OF COASTAL CAROLINA UNIVERSITY FOR HIS REMARKABLE CAREER OF NEARLY THIRTY YEARS AS BOTH BASEBALL COACH AND MENTOR TO COUNTLESS STUDENT-ATHLETES, TO CONGRATULATE HIM ON THE OCCASION OF HIS APPROACHING RETIREMENT,

AND TO WISH HIM MUCH SUCCESS IN ALL HIS FUTURE ENDEAVORS.

lc-0723wab-rm24.docx

The Concurrent Resolution was adopted, ordered returned to the House.

PRESIDENT PRESIDES

At 1:56 P.M., the PRESIDENT assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3220 -- Reps. W. Newton, Carter, Mitchell, Haddon, Pope, Chumley and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 6 TO CHAPTER 15, TITLE 63 SO AS TO ENACT THE "UNIFORM CHILD ABDUCTION PREVENTION ACT", TO PROVIDE A LEGAL MECHANISM TO PROTECT CHILDREN FROM CREDIBLE RISKS OF ABDUCTION RELATED TO LEGAL CUSTODY OR VISITATION, AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 3313 -- Rep. Jordan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 30-5-10, RELATING TO THE PERFORMANCE OF THE DUTIES OF A REGISTER OF DEEDS, SO AS TO ADD FLORENCE COUNTY TO THE COUNTIES EXEMPT FROM THE REQUIREMENT THAT THESE DUTIES BE PERFORMED BY THE CLERK OF COURT; AND BY AMENDING SECTION 30-5-12, RELATING TO THE APPOINTMENT OF THE REGISTER OF DEEDS FOR CERTAIN COUNTIES, SO AS TO ADD FLORENCE COUNTY TO THE COUNTIES WHERE THE GOVERNING BODY OF THE COUNTY APPOINTS THE REGISTER OF DEEDS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3734 -- Reps. B. Newton, Cobb-Hunter and Felder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 5-15-10, RELATING TO THE CONDUCT OF MUNICIPAL PRIMARY, GENERAL, AND SPECIAL ELECTIONS, SO AS TO REQUIRE THAT ALL SUCH MUNICIPAL ELECTIONS BE CONDUCTED USING THE VOTING SYSTEM APPROVED AND ADOPTED BY THE STATE ELECTION COMMISSION; BY AMENDING SECTION 5-15-40, RELATING TO TERMS OF OFFICE OF MAYOR AND COUNCILMEN, SO AS TO PROVIDE THAT THE TERMS OF THE MAYOR AND COUNCILMEN COMMENCE THE MONDAY FOLLOWING CERTIFICATION OF THE ELECTION RESULTS; BY AMENDING SECTION 5-15-50, RELATING TO ESTABLISHMENT OF MUNICIPAL WARD LINES AND TIME FOR MUNICIPAL GENERAL AND SPECIAL ELECTIONS, SO AS TO, AMONG OTHER THINGS, REQUIRE THAT MUNICIPAL GENERAL ELECTIONS BE HELD ON ONE OF CERTAIN ENUMERATED DATES, PROHIBIT THE TERMS OF INCUMBENT COUNCIL MEMBERS FROM BEING EXTENDED WHEN A NEW TIME FOR MUNICIPAL GENERAL ELECTIONS IS ESTABLISHED, AND REQUIRE MUNICIPAL SPECIAL ELECTIONS SCHEDULED TO OCCUR WITHIN CERTAIN TIME FRAMES OF THE MUNICIPALITY'S GENERAL ELECTION TO BE HELD AT THE SAME TIME AS THE GENERAL ELECTION; BY AMENDING SECTION 5-15-100, RELATING TO FUNCTIONS, POWERS, AND DUTIES OF MUNICIPAL ELECTION COMMISSIONS, SO AS TO EXTEND THE TIME FRAME BY WHICH A MUNICIPAL ELECTION COMMISSION MUST MEET AND DECLARE THE RESULTS FOLLOWING AN ELECTION; BY AMENDING SECTION 5-15-120, RELATING TO VOTE COUNTING IN MUNICIPAL ELECTIONS, SO AS TO CHANGE THE TIME WHEN NEWLY ELECTED OFFICERS MAY BE QUALIFIED AND THEIR TERMS COMMENCE TO THE MONDAY AFTER CERTIFICATION OF THE ELECTION RESULTS; AND BY AMENDING SECTION 5-15-145, RELATING TO TRANSFER OF AUTHORITY TO CONDUCT MUNICIPAL ELECTIONS TO COUNTY ELECTION COMMISSIONS, SO AS TO REQUIRE

COUNTY ELECTION COMMISSIONS TO CONDUCT MUNICIPAL ELECTIONS FOR MUNICIPALITIES THAT ELECT TO TRANSFER AUTHORITY.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3748 -- Reps. Caskey, Wooten, Wetmore, Hartnett, Erickson, W. Newton, Pope, Robbins, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-11-680, RELATING TO THE UNLAWFUL ALTERATION OR REMOVAL OF BOUNDARY LANDMARKS, SO AS TO CLARIFY THAT THE SECTION PROHIBITS MOVING, ALTERING, DESTROYING, OR REMOVING GEODETIC CONTROL MONUMENTS OR CERTAIN LAND SURVEYING MONUMENTS, TO UPDATE THE PENALTIES FOR VIOLATIONS OF THIS SECTION, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 3776 -- Reps. Bannister, Bamberg, Caskey, Collins, Connell, Elliott, Garvin, Gatch, Guest, Hager, Hart, Henderson-Myers, Hyde, J.E. Johnson, Jordan, McCabe, McCravy, Mitchell, Pope, Robbins, Rose, Rutherford, Stavrinakis, T. Moore, Tedder, W. Newton, Weeks, Wetmore and Wheeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING SECTION 14-5-130 RELATING TO JUDGES ABSENTING THEMSELVES FROM THE STATE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3934 -- Rep. Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-29-1625, RELATING TO FEDERAL DEFENSE FACILITIES DEFINITIONS, SO AS TO ADD FORT GORDON TO THE DEFINITION OF "FEDERAL MILITARY INSTALLATIONS".

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4158 -- Reps. Pendarvis, M.M. Smith, Bauer, King, Henderson-Myers, Gilliard, Rivers, Jefferson, Henegan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27-40-350 SO AS TO PROVIDE THAT RESIDENTIAL TENANTS WHO ARE VICTIMS OF CERTAIN DOMESTIC VIOLENCE MAY TERMINATE A RENTAL AGREEMENT AND TO PROVIDE FOR NECESSARY REQUIREMENTS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4187 -- Reps. J.E. Johnson, W. Newton, Robbins, Haddon, Mitchell, Yow, Chapman, Gagnon, Ligon, O'Neal, B. Newton, Sessions, Felder, Blackwell, Oremus and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO DEFINE NECESSARY TERMS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF FELONY ORGANIZED RETAIL CRIME AND FELONY ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE GRADUATED PENALTIES FOR THE OFFENSES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4231 -- Reps. M.M. Smith, Davis, Bernstein, Guest, Brittain, Henegan, B. Newton, Carter, B.L. Cox, Bannister, Herbkersman, Robbins, Schuessler, Hart and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-6-1155, RELATING TO MICRO-DISTILLERIES, SO AS TO PROVIDE THAT A MICRO-DISTILLERY MAY SELL CERTAIN LIQUORS DISTILLED ON THE PREMISES ON SUNDAYS; AND BY AMENDING SECTION 61-6-4160, RELATING TO THE PROHIBITION ON THE SALE OF ALCOHOLIC LIQUORS ON CERTAIN DAYS, SO AS TO PROVIDE THAT CERTAIN LOCAL

GOVERNING BODIES MAY AUTHORIZE THE SALE OF ALCOHOLIC LIQUORS ON SUNDAYS UNDER CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4234 -- Reps. W. Newton, Bernstein and Mitchell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-5-101, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "SUPPORTS AND ASSISTANCE"; BY AMENDING SECTION 62-5-103, RELATING TO FACILITY OF PAYMENT OR DELIVERY, SO AS TO CLARIFY THE NATURE OF THE FIFTEEN THOUSAND DOLLAR THRESHOLD; BY AMENDING SECTION 62-5-106, RELATING TO DUTIES OF GUARDIANS AD LITEM, SO AS TO INCREASE THE LENGTH OF TIME THE GUARDIAN AD LITEM HAS TO SUBMIT HIS REPORT PRIOR TO THE HEARING; BY AMENDING SECTION 62-5-108, RELATING TO EMERGENCY AND TEMPORARY ORDERS AND HEARINGS, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTIONS 62-5-303, 62-5-303A, 62-5-303B, 62-5-303C, AND 62-5-303D, ALL RELATING TO THE PROCEDURE FOR COURT APPOINTMENT OF A GUARDIAN, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTION 62-5-307, RELATING TO INFORMAL REQUESTS FOR RELIEF, SO AS TO CLARIFY THE WARD'S ABILITY TO SUBMIT CERTAIN REQUESTS TO THE COURT; BY AMENDING SECTION 62-5-401, RELATING TO VENUES, SO AS TO CLARIFY, AMONG OTHER THINGS, THAT, IN THE CASE OF MINOR CONSERVATORSHIPS, PROPER VENUE IS THE COUNTY IN WHICH THE MINOR RESIDES OR OWNS PROPERTY; BY AMENDING SECTION 62-5-403A, RELATING TO SERVICE OF SUMMONS AND PETITIONS, SO AS TO INCLUDE CERTAIN OTHER AFFIDAVITS AND REPORTS AMONG THOSE THAT MUST BE FILED WITH THE PETITION; BY AMENDING SECTION 62-5-403B, RELATING TO THE APPOINTMENT OF COUNSEL AND GUARDIANS, SO AS TO APPOINT NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, NURSES, AND PSYCHOLOGISTS TO SERVE AS EXAMINERS UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 62-5-403C, RELATING TO HEARINGS

AND WAIVERS, SO AS TO REVISE, AMONG OTHER THINGS, CERTAIN PROCEDURES IF NO PARTY REQUESTS A HEARING OR IF THE ALLEGED INCAPACITATED INDIVIDUAL WAIVES HIS RIGHT TO A HEARING; BY AMENDING SECTION 62-5-405, RELATING TO PROTECTIVE ARRANGEMENTS, SO AS TO REVISE CERTAIN ACTS THAT MAY BE PERFORMED BY CONSERVATORS AND SPECIAL CONSERVATORS; BY AMENDING SECTION 62-5-422, RELATING TO POWERS OF CONSERVATORS IN ADMINISTRATION, SO AS TO MAKE CONFORMING CHANGES REGARDING THE PAYMENT OF CERTAIN FEES; BY AMENDING SECTION 62-5-426, RELATING TO CLAIMS AGAINST PROTECTED PERSONS, SO AS TO REQUIRE, AMONG OTHER THINGS, THAT THE CLAIMANT ALSO MUST FILE A WRITTEN STATEMENT OF THE CLAIM WITH THE PROBATE COURT IN WHICH THE CONSERVATORSHIP IS UNDER ADMINISTRATION; BY AMENDING SECTION 62-5-428, RELATING TO ACTIONS FOR REQUESTS SUBSEQUENT TO THE APPOINTMENT, SO AS TO, AMONG OTHER THINGS, REVISE CERTAIN ACTIONS THAT THE COURT MAY TAKE AFTER THE TIME FOR RESPONSE TO THE PETITION HAS ELAPSED TO ALL PARTIES SERVED; BY AMENDING SECTION 62-5-433, RELATING TO DEFINITIONS AND PROCEDURES FOR SETTLEMENT OF CLAIMS IN FAVOR OF OR AGAINST MINORS OR INCAPACITATED PERSONS, SO AS TO, AMONG OTHER THINGS, DEFINE “GUARDIAN AD LITEM”; BY AMENDING SECTION 62-5-715, RELATING TO CONFIRMATIONS OF GUARDIANSHIPS OR CONSERVATORSHIPS TRANSFERRED FROM OTHER STATES, SO AS TO ALLOW THE COURT MORE DISCRETION AS TO THE TYPE OF DOCUMENTS IT MAY REQUIRE IN THE TRANSFER OF A GUARDIANSHIP OR CONSERVATORSHIP FROM ANOTHER JURISDICTION; AND BY AMENDING SECTION 62-5-716, RELATING TO THE REGISTRATION OF ORDERS FROM ANOTHER STATE, SO AS TO, AMONG OTHER THINGS, ACKNOWLEDGE THAT IN CERTAIN OTHER JURISDICTIONS, A GUARDIAN MAY ALSO HOLD THE SAME POWERS AS A CONSERVATOR.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4248 -- Reps. Rose and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-4-50, RELATING TO THE SALE OF BEER, ALE, PORTER, OR WINE TO UNDERAGED PERSONS, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE; AND BY AMENDING SECTION 61-6-4080, RELATING TO THE SALE OF ALCOHOLIC LIQUORS TO AN UNDERAGED PERSON, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4304 -- Reps. Connell, Mitchell, Yow, Murphy, Elliott, Robbins, Collins, Pope and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-75-30 SO AS TO PERMIT PARENTAL AND FILIAL CONSORTIUM CLAIMS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4563 -- Reps. Bernstein, J.L. Johnson and Clyburn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-11-345 SO AS TO CLARIFY THE POWER OF SPECIAL PURPOSE DISTRICTS TO OWN, ACQUIRE, PURCHASE, HOLD, USE, LEASE, CONVEY, SELL, TRANSFER, OR OTHERWISE DISPOSE OF PROPERTY IN FURTHERANCE OF CERTAIN FUNCTIONS, TO PROVIDE THESE POWERS ARE IN ADDITION TO POWERS AND AUTHORIZATIONS PREVIOUSLY VESTED IN SUCH DISTRICTS, AND DEFINE NECESSARY TERMINOLOGY.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 4611 -- Reps. Hixon, Pope, Chapman, Taylor, Hardee, Brewer, Robbins, Gatch and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-11-785 SO AS TO PROHIBIT THE UNLAWFUL REMOVAL OR DESTRUCTION OF ELECTRONIC COLLARS OR OTHER

ELECTRONIC DEVICES PLACED ON DOGS BY THEIR OWNERS AND TO PROVIDE PENALTIES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4617 -- Reps. Hixon, Davis, M.M. Smith, Bannister, Pope, Wooten, Haddon, Brewer, Burns, Thayer, Kirby, Oremus, Hager, Hyde, Sessions, Carter, McDaniel, Magnuson, Hayes, W. Newton, Bauer, Trantham, J.L. Johnson, Henegan, Guffey, Chapman, Leber, Kilmartin, Robbins, Felder, Jefferson, Caskey, Ligon and Vaughan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-230, RELATING TO SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A SCHEDULE III CONTROLLED SUBSTANCE, WITH EXCEPTIONS; AND BY ADDING SECTION 44-53-372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES.

Ordered for consideration tomorrow.

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

H. 4754 -- Reps. Sandifer and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 57, TITLE 40 SO AS TO OUTLINE REQUIREMENTS FOR PROVIDERS OF PRELICENSING AND CONTINUING EDUCATION COURSES FOR REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS; BY ADDING SECTION 40-57-725 SO AS TO ESTABLISH ADMINISTRATIVE CITATIONS AND PENALTIES AND APPEALS; AND BY AMENDING CHAPTER 57, TITLE 40, RELATING TO REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS, SO AS TO, AMONG OTHER THINGS, DEFINE TERMS, MAKE CONFORMING CHANGES, DEFINE THE USE OF APPLICATION FEES, OUTLINE THE PROCEDURE FOR A LICENSE CLASSIFICATION CHANGE, ALLOW FOR RECIPROCAL AGREEMENTS WITH OTHER JURISDICTIONS, PROHIBIT BAD FAITH AGREEMENTS, REDUCE THE AMOUNT

OF REQUIRED CLASSROOM INSTRUCTION FOR BROKERS-IN-CHARGE, PROHIBIT ENGAGING IN, REPRESENTING OTHERS IN, OR ASSISTING OTHERS IN THE PRACTICE OF WHOLESALING, REGULATE TEAM MARKETING, AND ADDRESS LICENSING AFTER REVOCATION.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4817 -- Reps. West and G.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-17-500, RELATING TO THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO MINORS WITHOUT PROOF OF AGE AND THE LOCATION OF VENDING MACHINES, SO AS TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS AND TO REQUIRE INDIVIDUALS SEEKING TO PURCHASE TOBACCO PRODUCTS OR ALTERNATIVE NICOTINE PRODUCTS TO PRESENT PROOF OF AGE UPON DEMAND, AND TO ALLOW THE PURCHASE OF TOBACCO PRODUCTS AND ALTERNATIVE NICOTINE PRODUCTS FROM VENDING MACHINES IN CERTAIN ESTABLISHMENTS.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 4820 -- Reps. Forrest, Hixon, Hayes, Chumley, Burns, Haddon, Magnuson, Chapman, McDaniel and Gibson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-580, RELATING TO THE SEASON FOR HUNTING AND TAKING MALE WILD TURKEYS, BAG LIMITS, TAKING FEMALE WILD TURKEYS, AND ANNUAL REPORTING, SO AS TO ADJUST THE HUNTING AND LIMIT FOR TAKING MALE WILD TURKEYS; AND TO PROVIDE A SUNSET PROVISION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4825 -- Reps. Hewitt, Murphy, W. Newton, Brewer, Gatch, Robbins, Kirby, Mitchell, Crawford, Yow, Bailey, Pope, Guest, Hartnett, West, Oremus, Leber, Williams, Jefferson, Gilliard, Schuessler, Landing, Bustos, Calhoon, Gilliam, Gibson, M.M. Smith, B.

Newton and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-910, RELATING TO OFFENSES INVOLVING KIDNAPPING, SO AS TO INCLUDE UNLAWFULLY LURING ANOTHER PERSON, TO PROVIDE FOR A SENTENCING ENHANCEMENT WHEN THE VICTIM IS A MINOR, TO SPECIFICALLY PROVIDE FOR PUNISHMENT FOR ATTEMPTED KIDNAPPING OFFENSES, AND TO DEFINE THE TERM "MINOR".

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 4867 -- Reps. Lawson, Hayes, G.M. Smith, Moss, Hiott, Blackwell, B.L. Cox, Caskey, M.M. Smith, Hart, Sandifer, J.E. Johnson, Brittain and Bauer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-23-45 SO AS TO REQUIRE ALL 911 TELECOMMUNICATORS WHO PROVIDE DISPATCH FOR EMERGENCY MEDICAL CONDITIONS TO BE TRAINED IN HIGH-QUALITY TELECOMMUNICATOR CARDIOPULMONARY RESUSCITATION (T-CPR).

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 4874 -- Reps. Hixon, Chapman and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 17 TO TITLE 50 SO AS TO REGULATE CAPTIVE WILDLIFE BY DEFINING TERMS, OUTLINING THE PERMITTING PROCESS, LISTING EXCEPTIONS, AND PROVIDING PENALTIES FOR VIOLATIONS, AMONG OTHER THINGS; BY AMENDING SECTION 50-16-40, RELATING TO EXCEPTIONS TO THE PERMIT REQUIREMENT FOR WILDLIFE IMPORTED FOR EXHIBITION PURPOSES, SO AS TO LIMIT THE EXCEPTIONS; AND BY REPEALING SECTION 50-11-1180 RELATING TO THE AUTHORITY OF THE DEPARTMENT TO ISSUE PERMITS TO COLLECT PROTECTED WILDLIFE FOR SCIENTIFIC OR PROPAGATING PURPOSES.

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

S. 1306 -- Senator Turner: A CONCURRENT RESOLUTION TO CONGRATULATE GEORGE "FRANK" SHEPPARD UPON THE OCCASION OF HIS RETIREMENT, TO EXTEND DEEP APPRECIATION FOR HIS DECADES OF DISTINGUISHED SERVICE IN THE INSURANCE INDUSTRY TO THE PEOPLE OF SOUTH CAROLINA AND BEYOND, AND TO OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

CARRIED OVER

S. 154 -- Senators Young, Senn and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STREET GANG AND CRIMINAL ENTERPRISE PREVENTION AND ANTI-RACKETEERING ACT"; BY AMENDING ARTICLE 3 OF CHAPTER 8, TITLE 16, RELATING TO THE CRIMINAL GANG PREVENTION ACT, SO AS TO RETITLE THE ARTICLE, REVISE THE DEFINITIONS FOR PURPOSES OF THE ARTICLE, AND RESTRUCTURE THE ARTICLE AND THE OFFENSES AND PENALTIES CONTAINED WITHIN IT; AND BY ADDING ARTICLE 5 TO CHAPTER 8, TITLE 16 SO AS TO CREATE ANTI-RACKETEERING PROVISIONS TO COMPLIMENT THE REVISED STREET GANG AND CRIMINAL ENTERPRISE PREVENTION ARTICLE, DEFINE NECESSARY TERMS, AND CREATE VARIOUS RACKETEERING OFFENSES AND ESTABLISH PENALTIES FOR VIOLATIONS.

On motion of Senator MALLOY, the Bill was carried over.

RECOMMITTED

S. 266 -- Senators Hutto, Jackson, Shealy, Devine, McLeod, Allen and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-820, RELATING TO OUT-OF-HOME PLACEMENT, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A

RELATED COURT ORDER; BY AMENDING SECTION 63-19-1020, RELATING TO INSTITUTING PROCEEDINGS, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; BY AMENDING SECTION 63-19-1440, RELATING TO COMMITMENT, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; BY AMENDING SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

On motion of Senator HUTTO, the Bill was recommitted to Committee on Judiciary.

CARRIED OVER

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE

INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE EFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION;

BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

On motion of Senator MALLOY, the Bill was carried over.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to Acts and enrolled for Ratification:

H. 3880 -- Reps. M.M. Smith, Herbkersman, Davis, Elliott, B.J. Cox, B.L. Cox and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-2420, RELATING TO THE ADMISSIONS TAX, SO AS TO PROVIDE THAT NO TAX MAY BE CHARGED OR COLLECTED ON ANNUAL OR MONTHLY DUES PAID TO A GOLF CLUB.

H. 4387 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO INCLUDE REFERENCES TO HYBRID BASS.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House:

S. 1160 -- Senators Hembree and Stephens: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-5-105 SO AS TO CREATE THE SCHOOL MAPPING DATA PROGRAM WITHIN THE STATE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF FACILITATING EFFICIENT EMERGENCY RESPONSES IN PUBLIC SCHOOLS BY PUBLIC SAFETY AGENCIES, TO DEFINE NECESSARY TERMS, TO PROVIDE REQUIREMENTS FOR THE PROGRAM AND ITS IMPLEMENTATION BY THE DEPARTMENT, AND TO PROVIDE RELATED REQUIREMENTS OF SCHOOL DISTRICTS.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to Acts and enrolled for Ratification:

H. 3563 -- Reps. Cobb-Hunter, Pace, Collins, Bauer, Dillard, W. Jones, Wheeler, Hart, J.L. Johnson, Henegan, Williams, Trantham, Oremus, Cromer, Beach and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS, SO AS TO PROVIDE FOR AN EXEMPTION FOR FEMININE HYGIENE PRODUCTS.

H. 4642 -- Reps. Mitchell, Gilliam, Pope, Sessions, Caskey and Hart: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-1-20, RELATING TO THE ACCEPTANCE OF ACT OF CONGRESS, SO AS TO DISALLOW CONFLICTS; BY AMENDING SECTION 25-1-40, RELATING TO THE APPLICABILITY OF THE UNIFORM CODE OF MILITARY JUSTICE, SO AS TO REMOVE PROVISIONS; BY AMENDING SECTION 25-1-2420, RELATING TO THE MILITARY CODE DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "MILITARY FORCES"; BY AMENDING SECTION 25-1-2430, RELATING TO PERSONS SUBJECT TO CODE OF MILITARY JUSTICE, SO AS TO PROVIDE FOR WHAT JURISDICTION DUTY STATUS INCLUDES; BY AMENDING SECTION 25-1-2520, RELATING TO NONJUDICIAL DISCIPLINARY PUNISHMENT, SO AS TO PROVIDE THAT CERTAIN PERSONS MAY NOT DECLINE NONJUDICIAL PUNISHMENT; BY AMENDING SECTION 25-1-2530, RELATING TO TYPES OF COURTS-MARTIAL, SO AS TO PROVIDE FOR WHOM A SPECIAL COURT-MARTIAL CONSISTS OF; BY AMENDING SECTION 25-1-2550, RELATING TO THE JURISDICTION OF GENERAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2560, RELATING TO THE JURISDICTION OF SPECIAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2570, RELATING TO THE JURISDICTION OF SUMMARY COURTS-MARTIAL, SO AS TO PROVIDE FOR PUNISHMENTS; BY AMENDING SECTION 25-1-2620, RELATING TO DETAIL AND DESIGNATION OF MILITARY JUDGES, SO AS TO PROVIDE THE AUTHORITY

CONVENING A SUMMARY COURT-MARTIAL; BY AMENDING SECTION 25-1-2765, RELATING TO VOTING AND RULINGS, SO AS TO REMOVE CERTAIN REFERENCES TO THE PRESIDENT OF A COURT MARTIAL; BY AMENDING SECTION 25-1-2780, RELATING TO RECORD OF TRIAL, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2795, RELATING TO FORFEITURE OF PAY, SO AS TO REMOVE THE SENTENCE OF FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2805, RELATING TO THE REDUCTION IN PAY GRADE AND THE RESTORATION OF BENEFITS, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2865, RELATING TO THE REMISSION OR SUSPENSION OF A SENTENCE, SO AS TO REPLACE FORFEITURES WITH FINES; BY AMENDING SECTION 25-1-2985, RELATING TO THE IMPROPER USE OR DISCLOSURE OF PAROLE OR COUNTERSIGN, SO AS TO INCLUDE WHEN THE USE OF MILITARY FORCE HAS BEEN AUTHORIZED BY CERTAIN INDIVIDUALS; BY AMENDING SECTION 25-1-3140, RELATING TO WRIT WHEN FINE HAS NOT BEEN PAID, SO AS TO UPDATE DATES; BY AMENDING SECTION 25-1-3145, RELATING TO WRIT OF SENTENCE OF CONFINEMENT, SO AS TO UPDATE DATES; AND BY AMENDING SECTION 25-1-3160, RELATING TO CONSTRUCTION OF CODE OF MILITARY JUSTICE, SO AS TO PROVIDE THAT THE UNIFORM CODE OF MILITARY JUSTICE IS NOT BINDING ON THE SOUTH CAROLINA CODE OF MILITARY JUSTICE.

H. 4953 -- Reps. B.J. Cox, Davis, M.M. Smith, Bustos, Hart, Williams, Henegan, Caskey, Jefferson, J. Moore and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-80, RELATING TO STATE VETERANS' CEMETERIES, SO AS TO REMOVE A RESIDENCY REQUIREMENT.

Senator McELVEEN explained the Bill.

CARRIED OVER

H. 3682 -- Reps. Murphy, Wetmore, Bailey, Rose, Crawford, Brewer, Taylor, Hardee, Wooten, Pope, McDaniel, Hewitt, Bauer, Yow, J.E. Johnson, Willis, Ligon, Lawson, Robbins, Schuessler, Guest, Henegan, Williams, M.M. Smith and Vaughan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION

47-1-140, RELATING TO THE CARE OF ANIMALS AFTER THE ARREST OF THE OWNER, SO AS TO REMOVE PROVISIONS REGARDING A LIEN ON THE SEIZED ANIMAL; BY AMENDING SECTION 47-1-145, RELATING TO CUSTODY AND CARE OF ANIMALS AFTER THE ARREST OF THE OWNER, SO AS TO OUTLINE HEARING PROCEDURES FOR ORDERING THE COST OF CARE OF THE SEIZED ANIMALS; AND BY AMENDING SECTION 47-1-170, RELATING TO PENALTIES FOR ANIMAL CRUELTY, SO AS TO MAKE CONFORMING CHANGES.

On motion of Senator M. JOHNSON, the Bill was carried over.

CARRIED OVER

H. 4029 -- Reps. Dillard, Hyde, Bailey, Brittain, Weeks and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

H. 3865 -- Reps. Hiott, Collins, Rutherford, Carter and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

The Senate proceeded to a consideration of the Bill.

Senators GROOMS and MATTHEWS proposed the following amendment (SR-3865.JG0009S), which was withdrawn:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X. Article 1, Chapter 17, Title 14 of the S.C. Code is amended by adding:

Section 14-17-15. No person is eligible to hold the office of clerk of court who is not at the time of his election:

(1) a citizen of the United States and of this State;

(2) at least twenty-one years old;

(3) a qualified elector of the county in which he is to be clerk of court; and

(4)(a) a graduate from an accredited post-secondary institution with a bachelor's degree, or

(b) has at least eight years' experience as an employee in a county clerk of court's office in this State if he has not received a four-year bachelor's degree.

SECTION X. The provisions contained in Section 14-17-15, as added to the S.C. Code by this act, do not apply to a person serving as county clerk on the effective date of this act for the remainder of his current term or any subsequent, consecutive term.

Amend the bill further, by striking SECTION 2 and inserting:

SECTION 2. This act takes effect January 15, 2025.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

On motion of Senator GROOMS, with unanimous consent, the amendment was withdrawn.

On motion of Senator MALLOY, the Bill was carried over.

AMENDED, CARRIED OVER

H. 4601 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-4100, RELATING TO PREVENTING ESCAPE OF MATERIALS LOADED ON VEHICLES AND CLEANING THE HIGHWAYS OF ESCAPED SUBSTANCES OR CARGO, SO AS TO INCORPORATE THE PROVISIONS OF SECTION 56-5-4110 TO CLARIFY THE EXCEPTIONS FOR TRANSPORTATION OF CERTAIN FARM PRODUCTS AND MATERIALS; AND BY REPEALING SECTION 56-5-4110 RELATING TO THE REQUIREMENTS THAT LOADS AND COVERS MUST BE FIRMLY ATTACHED.

The Senate proceeded to a consideration of the Bill.

Senator CROMER proposed the following amendment (SR-4601.KM0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 56-5-4100(D) and inserting:

(D) No person shall operate on any highway any vehicle with any load unless such load and any covering thereon is securely fastened so as to prevent such covering or load from becoming loose, detached, or in any

manner a hazard to other users of the highway. Provisions of this subsection do not apply to motor vehicles with a curb weight of eight thousand two hundred pounds or less.

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

On motion of Senator MALLOY, the Bill was carried over.

OBJECTION

H. 4087 -- Reps. G.M. Smith, West, Kirby, Ballentine, Robbins, Hewitt, M.M. Smith, Davis, Hiott, Long, Hager, Ott, Weeks, Dillard, W. Jones, Brewer, Hartnett and Murphy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3410, RELATING TO CORPORATE INCOME TAX CREDIT FOR CORPORATE HEADQUARTERS, SO AS TO PROVIDE CHANGES TO STAFFING REQUIREMENTS AND CERTAIN TIMING; BY AMENDING SECTION 12-6-3460, RELATING TO THE RECYCLING FACILITY TAX CREDIT DEFINITIONS, SO AS TO LOWER THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED RECYCLING FACILITY AND TO INCLUDE CERTAIN PRODUCTS TO THE DEFINITION OF "POSTCONSUMER WASTE MATERIAL"; BY AMENDING SECTIONS 12-10-20; 12-10-30, 12-10-40, 12-10-45, 12-10-50, 12-10-60, AND 12-10-80, ALL RELATING TO THE ENTERPRISE ZONE ACT OF 1995, SO AS TO ALLOW REMOTE EMPLOYEES WORKING IN SOUTH CAROLINA TO BE INCLUDED IN CERTAIN JOB CREATION REQUIREMENTS AND TO CREATE A NEW PROVISION TO INCENTIVIZE CERTAIN COMPANIES; AND BY AMENDING SECTION 12-10-95, RELATING TO THE ENTERPRISE ZONE ACT CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO PROVIDE WHO IS ELIGIBLE FOR THE CREDIT AND THE AMOUNT OF THE CREDIT ALLOWED.

Senator WILLIAMS objected to consideration of the Bill.

READ THE SECOND TIME

H. 4594 -- Reps. Ballentine, Pope, Clyburn, West, Elliott and T. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2023 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--46

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED AMENDED, OBJECTION

H. 3424 -- Reps. T. Moore, Carter, McCravy, Lawson, Beach, Pope, Nutt, Oremus, Vaughan, Long, Haddon, Burns, Chumley, Kilmartin, Cromer, O'Neal, Yow, Gilliam, W. Newton, Guest, Schuessler, Moss, Magnuson, Harris, Pace, Brittain, Bailey, Robbins, Sessions, Ligon, Felder, B.L. Cox, Guffey, Bradley, Murphy, Brewer, Connell, Hiott, Mitchell, Hager, Erickson, B.J. Cox, Blackwell, Wooten, Ballentine, Hyde, Wheeler, Calhoon, M.M. Smith, Davis, B. Newton, Elliott, Forrest, Willis, Hixon, Taylor, J.E. Johnson, Chapman and Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-5-190 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT IT IS UNLAWFUL FOR AN OPERATOR TO MAKE A PORNOGRAPHIC WEBSITE AVAILABLE TO PERSONS UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL CREATE CERTAIN PROCEDURES, AND TO PROVIDE FOR A PRIVATE RIGHT OF ACTION.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-3424.PH0003S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

SECTION X. Chapter 1, Title 39 of the S.C. Code is amended by adding:

Section 39-1-100. (A) As used in this section:

(1) “Child pornography” means any material depicting a person under the age of eighteen years doing or assisting in doing an act or thing constituting an offense pursuant to Chapter 15, Title 16 and involving any material, act, or thing that is obscene within the meaning of Section 16-15-305.

(2) “Child sexual exploitation” is defined as the term is used in Sections 16-15-395, 16-15-405, and 16-15-410.

(3) "Commercial entity" includes corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.

(4) "Digitized identification card" means a data file available on any mobile device which has connectivity to the Internet through a state-approved application that allows the mobile device to download the data file from a state agency or an authorized agent of a state agency that contains all of the data elements visible on the face and back of a license or identification card and displays the current status of the license or identification card.

(5) "Distribute" means to issue, sell, give, provide, deliver, transfer, transmit, circulate, or disseminate by any means.

(6) "Internet" means the international computer network of both federal and nonfederal interoperable packet switched data networks.

(7) "Material harmful to minors" is defined as those terms are used in Section 16-15-375.

(8) "Obscene material" is defined as the term is used in Section 16-15-305.

(9) "Minor" is defined as the term is used in Section 16-15-375.

(10) "News-gathering organization" means any of the following:

(a) an employee of a newspaper, news publication, or news source, printed or on an online or mobile platform, of current news and public interest, while operating as an employee as provided in this subsection, who can provide documentation of such employment with the newspaper, news publication, or news source; or

(b) an employee of a radio broadcast station, television broadcast station, cable television operator, or wire service while operating as an employee as provided in this subsection, who can provide documentation of such employment.

(11) "Publish" means to communicate or make information available to another person or entity on a publicly available Internet website.

(12) "Reasonable age verification methods" means verifying that the person seeking to access the material is eighteen years old or older by using any of the following methods:

(a) use of a digitized identification card as defined in this subsection;

(b) verification through an independent, third-party age verification service that compares the personal information entered by the individual who is seeking access to the material that is available from a commercially available database, or aggregate of databases, that is

regularly used by government agencies and businesses for the purpose of age and identity verification; or

(c) any commercially reasonable method that relies on public or private transactional data to verify the age of the person attempting to access the material.

(13) "Substantial portion" means more than thirty-three and one-third percent of total material on a website, which meets the definition of "material harmful to minors" as defined in this section.

(14)(a) "Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event.

(b) "Transactional data" includes records from mortgage, education, and employment entities.

(B)(1) Any commercial entity that knowingly and intentionally publishes or distributes obscene material, or material that depicts, describes, or promotes child pornography or child sexual exploitation, on the Internet may be held liable to an individual for nominal damages, actual damages, court costs, and reasonable attorney's fees as ordered by the court.

(2) A commercial entity that has violated this section in a manner that satisfies the standards for imposition of punitive damages elsewhere provided by law may be held liable to an individual for punitive damages.

(3) Individual claims that satisfy the generally applicable standards for joinder or class action elsewhere provided by law or rules of court, as applicable, may combine their claims in a single action.

(C)(1) Beginning January 1, 2025, a commercial entity that knowingly and intentionally publishes or distributes material harmful to minors on the Internet from a website that contains a substantial portion of such material must be held liable if the entity fails to perform reasonable age verification methods to verify the age of an individual attempting to access the material.

(2) A commercial entity that is found to have violated this section is liable to the minor, by and through the minor's parent or legal guardian, for damages resulting from a minor's accessing the material, including liability for nominal damages, actual damages, court costs, and reasonable attorney's fees as ordered by the court.

(3) A commercial entity that has violated this section in a manner that satisfies the standards for imposition of punitive damages elsewhere

provided by law may be held liable to the minor, by and through the minor's parent or legal guardian, for punitive damages.

(4) Individual claims that satisfy the generally applicable standards for joinder or class action elsewhere provided by law or rules of court, as applicable, may combine their claims in a single action.

(5) A commercial entity may not be held liable under this section for allowing access to its website if the entity uses reasonable age verification methods to verify that the individual attempting to access the material from its website is not a minor.

(6) A commercial entity or third party that uses reasonable age verification methods may not retain any identifying information of the individual after access has been granted to the material.

(7) A commercial entity that is found to have knowingly retained identifying information of the individual after access has been granted to the individual is liable to the individual for damages resulting from retaining the identifying information, including court costs and reasonable attorney's fees as ordered by the court.

(8) This section does not apply to any bona fide news or public interest broadcast, website video, report, or event and may not be construed to affect the rights of a news-gathering organization, unless the organization's website contains a substantial portion of material harmful to minors.

(9) An Internet service provider, affiliate or subsidiary of an Internet service provider, search engine, or cloud service provider may not be held to have violated the provisions of this section solely for providing access or connection to or from a website or other information or content on the Internet, or a facility, system, or network not under that provider's control, including transmission, downloading, storing, or providing access, to the extent that such provider is not responsible for the creation of the content of the communication that constitutes material harmful to minors.

(D) The Attorney General may seek injunctive and other equitable relief against a commercial entity that fails to comply with the provisions of this section.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

Senator HUTTO proposed the following amendment (LC-3424.VR0008S), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X. Section 16-15-375 of the S.C. Code is amended to read:

Section 16-15-375. The following definitions apply to Section 16-15-385, disseminating or exhibiting to minors harmful material or performances; Section 16-15-387, employing a person under the age of eighteen years to appear in a state of sexually explicit nudity in a public place; Section 16-15-395, first degree sexual exploitation of a minor; Section 16-15-405, second degree sexual exploitation of a minor; Section 16-15-410, third degree sexual exploitation of a minor; Section 16-15-415, promoting prostitution of a minor; and Section 16-15-425, participating in prostitution of a minor.

(1) "Harmful to minors" means that quality of any material or performance that depicts sexually explicit nudity or sexual activity and that, taken as a whole, has the following characteristics:

(a) the average adult person applying contemporary community standards would find that the material or performance has a predominant tendency to appeal to a prurient interest of minors in sex; and

(b) the average adult person applying contemporary community standards would find that the depiction of sexually explicit nudity or sexual activity in the material or performance is patently offensive to prevailing standards in the adult community concerning what is suitable for minors; and

(c) to a reasonable person, the material or performance taken as a whole lacks serious literary, artistic, political, or scientific value for minors.

(2) "Material" means pictures, drawings, video recordings, films, digital electronic files, <u>computer generated images or pictures,</u> or other visual depictions or representations but not material consisting entirely of written words.

(3) "Minor" means an individual who is less than eighteen years old.

(4) "Prostitution" means engaging or offering to engage in sexual activity with or for another in exchange for anything of value.

(5) "Sexual activity" includes any of the following acts or simulations thereof:

(a) masturbation, whether done alone or with another human or animal;

(b) vaginal, anal, or oral intercourse, whether done with another human or an animal;

(c) touching, in an act of apparent sexual stimulation or sexual abuse, of the clothed or unclothed genitals, pubic area, or buttocks of another person or the clothed or unclothed breasts of a human female;

(d) an act or condition that depicts bestiality, sado-masochistic abuse, meaning flagellation or torture by or upon a person who is nude or clad in undergarments or in a costume which reveals the pubic hair, anus, vulva, genitals, or female breast nipples, or the condition of being fettered, bound, or otherwise physically restrained on the part of the one so clothed;

(e) excretory functions;

(f) the insertion of any part of a person's body, other than the male sexual organ, or of any object into another person's anus or vagina, except when done as part of a recognized medical procedure.

(6) "Sexually explicit nudity" means the showing of:

(a) uncovered, or less than opaquely covered human genitals, pubic area, or buttocks, or the nipple or any portion of the areola of the human female breast; or

(b) covered human male genitals in a discernibly turgid state.

(7) "Identifiable minor"

(a) means a person who:

(1) was a minor at the time the image was created, adapted, or modified, or whose image as a minor was used in the creating, adapting, or modifying of the image; and

(2) is recognizable as an actual person by the person's face, likeness, or other distinguishing characteristic, such as a unique birthmark, or other recognizable feature.

(b) shall not be construed to require proof of the actual identity of the identifiable minor.

(8) "Morphed image" means any visual depiction or representation, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where such visual depiction or representation has been created, adapted, or modified to appear that an identifiable minor is engaging in sexual conduct or sexually explicit activity or appearing in a state of sexually explicit nudity.

SECTION X. Section 16-15-395(A)(4) of the S.C. Code is amended to read:

(A) An individual commits the offense of first degree sexual exploitation of a minor if, knowing the character or content of the material or performance, he:

(4) records, photographs, films, develops, duplicates, produces, or creates a digital electronic file for sale or pecuniary gain material that contains a visual representation depicting a minor or a morphed image of an identifiable minor engaged in sexual activity or a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation.

Section 16-15-395 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A)(4) is a minor and the offense is the minor's first offense related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

SECTION X. Section 16-15-405(A) of the S.C. Code is amended to read:

(A) An individual commits the offense of second degree sexual exploitation of a minor if, knowing the character or content of the material, he:

(1) records, photographs, films, develops, duplicates, produces, or creates digital electronic file material that contains a visual representation of a minor or a morphed image of an identifiable minor engaged in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation; or

(2) distributes, transports, exhibits, receives, sells, purchases, exchanges, or solicits material that contains a visual representation of a minor or a morphed image of an identifiable minor engaged in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation.

Section 16-15-405 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A) is a minor and the offense is the minor's first charge related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

SECTION X. Section 16-15-410(A) of the S.C. Code is amended to read:

(A) An individual commits the offense of third degree sexual exploitation of a minor if, knowing the character or content of the material, he possesses material that contains a visual representation of a

minor or a morphed image of an identifiable minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation.

Section 16-15-410(D) of the S.C. Code is amended to read:

(D) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a prosecuting agency, including the South Carolina Attorney General's Office, or the South Carolina Department of Corrections who, while acting within the employee's official capacity in the course of an investigation or criminal proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation. The employee's official capacity in the course of such investigation or criminal proceeding includes making materials available for inspection to the defendant's counsel in response to discovery requests.

Section 16-15-410 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A) is a minor and the offense is the minor's first offense related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

SECTION X. Section 23-3-430(C)(1) of the S.C. Code is amended to read:

(C)(1) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to, any of the following offenses shall be referred to as a Tier I offender:

(a) criminal sexual conduct in the third degree (Section 16-3-654);

(b) kidnapping (Section 16-3-910) of a person eighteen years of age or older except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;

(c) incest (Section 16-15-20);

(d) buggery (Section 16-15-120);

(e) peeping, voyeurism, or aggravated voyeurism (Section 16-17-470);

(f) a person, regardless of age, who has been convicted or pled guilty or nolo contendere in this State, or who has been convicted or pled guilty or nolo contendere in a comparable court in the United States, or

who has been convicted or pled guilty or nolo contendere in the United States federal courts of indecent exposure or of a similar offense in other jurisdictions is required to register pursuant to the provisions of this article if the court makes a specific finding on the record that, based on the circumstances of the case, the convicted person should register as a sex offender;

(g) sexual intercourse with a patient or trainee (Section 44-23-1150);

(h) administering, distributing, dispensing, delivering, or aiding, abetting, attempting, or conspiring to administer, distribute, dispense, or deliver a controlled substance or gamma hydroxy butyrate to an individual with the intent to commit a crime listed in Section 44-53-370(f), except petit larceny or grand larceny;

(i) any other offense as described in Section 23-3-430(D)~~,~~ ; ~~or~~

(j) any other offense required by Title I of the federal Adam Walsh Child Protection and Safety Act of 2006 (Pub. L. 109-248), the Sex Offender Registration and Notification Act (SORNA)~~,~~;

(k) criminal sexual exploitation of a minor, first degree (Section 16-15-395), provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article;

(l) criminal sexual exploitation of a minor, second degree (Section 16-15-405), provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article;

(m) criminal sexual exploitation of a minor, third degree (Section 16-15-410), provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article; or

(n) obscene visual representation of child sexual abuse (Section 16-15-390). If the person is under eighteen years of age and was adjudicated in the family court, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article..

SECTION X. Section 23-3-430(C)(2) of the S.C. Code is amended to read:

(C)(2) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to, any of the following offenses shall be referred to as a Tier II offender:

(a) criminal sexual conduct in the second degree (Section 16-3-653);

(b) engaging a child for sexual performance (Section 16-3-810);

(c) producing, directing, or promoting sexual performance by a child (Section 16-3-820);

(d) trafficking in persons (Section 16-3-2020) except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;

(e) criminal sexual conduct with minors, second degree (Section 16-3-655(B)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(f) criminal sexual conduct with minors, third degree (Section 16-3-655(C)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(g) criminal solicitation of a minor if the purpose or intent of the solicitation or attempted solicitation was to:

(i) persuade, induce, entice, or coerce the person solicited to engage or participate in sexual activity as defined in Section 16-15-375(5);

(ii) perform a sexual activity in the presence of the person solicited (Section 16-15-342); ~~or~~

(h) violations of Article 3, Chapter 15, Title 16 involving a minor, except as otherwise provided in this article;

(i) sexual exploitation of a minor, first degree (Section 16-15-395), except as otherwise provided in this article;

(j) sexual exploitation of a minor, second degree (Section 16-15-405), except as otherwise provided in this article; or

(k) sexual exploitation of a minor, third degree (Section 16-15-410), except as otherwise provided in this article.

SECTION X. Section 23-3-462(A) of the S.C. Code is amended to read:

(A) After successful completion of the requirements of this section, an offender may apply to the South Carolina Law Enforcement Division for the termination of the requirements of registration pursuant to this article. If it is determined that the offender has met the requirements of this section, SLED shall remove the offender's name and identifying information from the sex offender registry and shall notify the offender within one hundred twenty days that the offender has been relieved of the registration requirements of this article.

(1) An offender may file a request for termination of the requirement of registration with SLED, in a form and process established by the agency:

(a) after fifteen years of having been registered ~~for at least fifteen years~~, or after fifteen years from the date of discharge from incarceration without supervision or the termination of active supervision of probation, parole, or any other alternative to incarceration, if the offender was required to register based on an adjudication of delinquency or the offender ~~was required to register as~~ is a Tier I offender;

(b) after twenty-five years of having been registered ~~for at least twenty-five years~~, or after twenty-five years from the date of discharge from incarceration without supervision or the termination of active supervision of probation, parole, or any other active alternative to incarceration, if the offender was convicted as an adult, and ~~was required to register as~~ is a Tier II offender;

(c) ~~an~~ a Tier I or Tier II offender who was required to register as an offender because of a conviction in another state or because of a federal conviction may apply to be removed from the requirements of the registry if he is eligible to be removed under the laws of the jurisdiction where the conviction occurred.

(2) An offender who was convicted as an adult, and who is required to register as a Tier III offender may not file a request for termination of registration with SLED nor shall any such request be granted pursuant to this subsection.

(3) The requesting offender must have successfully completed all sex offender treatment programs that have been required.

(4) The requesting offender must not have been convicted of failure to register within the previous ten years.

(5) The offender must not have been convicted of any additional sexual offense or violent sexual offense after being placed on the registry.

(6) A filing fee, as set by SLED but not to exceed two hundred fifty dollars, shall be paid to file the request for termination of registration requirements. The initial application may be filed with SLED and the administrative review may begin one hundred twenty days prior to the date specified in subsection (A)(1); however, any removal may not occur prior to the date specified.

SECTION X. Article 3, Chapter 15, Title 16 of the S.C. Code is amended by adding:

Section 16-15-390. (A) As used in this section:

(1) "Obscene" has the same meaning as Section 16-15-305.

(2) "Visual depiction or representation" means and includes undeveloped film and videotape, and data stored on a computer disk or by electronic means that is capable of conversion into a visual image, and also includes any photograph, film, video, picture, digital image or picture, computer image or picture, or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means.

(B) Any person who knowingly produces, distributes, receives, or possesses with intent to distribute, a visual depiction or representation of any kind, including a drawing, cartoon, sculpture, or painting that depicts a minor engaging in sexually explicit conduct, sexually explicit activity, or sexually explicit nudity, and is obscene, or attempts or conspires to do so, is guilty of a felony and, upon conviction, must be imprisoned not less than two years nor more than ten years. No part of the minimum sentence may be suspended nor is the individual convicted eligible for parole until he has served the minimum sentence.

(C) Any person who knowingly possesses a visual depiction or representation of any kind, including a drawing, cartoon, sculpture, or painting, that depicts a minor engaging in sexually explicit conduct, sexually explicit activity, or sexually explicit nudity, and is obscene, or attempts or conspires to do so is guilty of a felony and, upon conviction, must be imprisoned no more than ten years.

(D) The offense is a misdemeanor to be heard by the family court if the person charged under this section is a minor, and the minor has no prior adjudication under this section or for any offense for which a person may be included in the sex offender registry. The family court may order

behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

(E) It is not a required element of any offense under this section that the minor depicted actually exists.

(F) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a prosecuting agency, including the South Carolina Attorney General's Office, or the South Carolina Department of Corrections, who, while acting within the employee's official capacity in the course of an investigation or criminal proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation. An employee's official capacity in the course of such investigation or criminal proceeding includes making materials available for inspection to the defendant's counsel in response to discovery requests.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator SENN objected to further consideration of the Bill.

AMENDMENT PROPOSED, CARRIED OVER

H. 3988 -- Reps. Davis, M.M. Smith, B.J. Cox, Pedalino, Forrest, Wheeler, Kirby and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTS THAT CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO LOWER THE VACCINATION RECIPIENT AGE TO TWELVE

YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST-ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE "JOINT PHARMACIST ACCESS COMMITTEE" AND MAKE OTHER CONFORMING CHANGES; AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN proposed the following amendment (SR-3988.JG0019S):

Amend the bill, as and if amended, SECTION 1, by deleting Section 40-43-30(73)(f).

Amend the bill further, SECTION 5, by striking Section 40-43-190(A) and inserting:

As used in this section:

(1)"gene therapy" means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms;

(2) "vaccine" means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases; and

(3) "novel vaccine" means a vaccine which has obtained Emergency Use Authorization by the U.S. Food and Drug Administration (FDA), or which has otherwise not been approved by the FDA, or which has been approved for use by the FDA for less than 5 years. The term "novel vaccine" does not include vaccines for which the contents have only been modified by antigenic subtype to address the most prevalent strain of virus including, but not limited to, the yearly influenza vaccine.

(B)(1) Upon recommendation of the Joint Pharmacist Administered Vaccines Committee, the Board of Medical Examiners shall determine whether a specific vaccine is appropriate for administration by a

pharmacist without a written order or prescription of a practitioner pursuant to this section. If a vaccine is approved, the Board of Medical Examiners shall issue a written protocol for the administration of vaccines by pharmacists without an order or prescription of a practitioner.

Amend the bill further, SECTION 5, by striking Section 40-43-190(B) and inserting:

~~(B)~~(C) The written protocol must provide that:

(1) A pharmacist seeking authorization to administer a vaccine approved pursuant to this section shall successfully complete a course of training accredited by the Accreditation Council for Pharmacy Education or a similar health authority or professional body approved by the Board of Pharmacy and the Board of Medical Examiners. Training must comply with current Centers for Disease Control guidelines and must include study materials, hands-on training, and techniques for administering vaccines and must provide instruction and experiential training in the following content areas:

(a) mechanisms of action for vaccines, contraindications, drug interactions, and monitoring after vaccine administration;

(b) standards for adult vaccination practices;

(c) basic immunology and vaccine protection;

(d) vaccine-preventable diseases;

(e) recommended vaccination schedules;

(f) vaccine storage management;

(g) biohazard waste disposal and sterile techniques;

(h) informed consent;

(i) physiology and techniques for vaccine administration;

(j) prevaccine and postvaccine assessment and counseling;

(k) vaccination record management;

(l) management of adverse events, including identification, appropriate response, emergency procedures, documentation, and reporting;

(m) understanding of vaccine coverage by federal, state, and local entities;

(n) needle stick management.

(2) A pharmacist administering vaccinations without an order or prescription of a practitioner pursuant to this section shall:

(a) obtain the signed written consent of the person being vaccinated or that person's guardian;

(b) maintain a copy of the vaccine administration in that person's record and provide a copy to the person or the person's guardian;

(c) notify that person's designated physician or primary care provider of a vaccine administered;

(d) report administration of all vaccinations to the South Carolina Immunization Registry in compliance with regulations established by the Department of Health and Environmental Control as the department may require; provided, however, that the phase-in schedule provided in Regulation 61-120 for reporting vaccinations does not apply to vaccinations administered pursuant to this section;

(e) maintain a current copy of the written protocol at each location at which a vaccination is administered pursuant to this section.

(3) ~~A pharmacist may not delegate the administration of vaccines to a pharmacy technician or certified pharmacy technician.~~ For purposes of this section, "informed consent" means a written document that is signed and dated by an individual; or if the individual is a minor, by a parent or legal guardian; or if the individual is incapacitated or without sufficient mental capacity, by a designated health care agent pursuant to a health care power of attorney, that at a minimum includes:

(a) an explanation of the vaccine or treatment that is written in language that is understandable to the average lay person;

(b) a description of the potential risks and benefits resulting from vaccine or treatment, along with a realistic description of the most likely outcome;

(c) a statement acknowledging risks associated with the vaccine or treatment if the vaccine or treatment is an indemnified product as defined in Section 44-1-55(A)(7);

(d) language that clearly indicates that the individual agrees to the administration of the vaccine or treatment, that the individual has had time to thoughtfully and voluntarily accept or decline the vaccine or treatment free from coercion: and

(e) if the vaccine or treatment is an investigational medical product or is made available through an Emergency Use Authorization by the Federal Food and Drug Administration, a statement acknowledging its investigational nature and the civil liability protections afforded it by law.

(4) A pharmacy intern or pharmacy technician may administer vaccinations under the direct supervision~~, as defined in Section 40-43-84(C),~~ of a pharmacist who has completed vaccination training as required by item (1) if the pharmacy intern or pharmacy technician:

(a) is certified through a basic life support or CPR provider-level course that is ~~jointly~~ approved by the Board of Medical Examiners and the Board of Pharmacy~~;Joint Pharmacy Access Committee~~ and

completes a practical training program that is approved by the Accreditation Council for Pharmacy Education (ACPE) which includes, at a minimum, hands-on injection technique and the recognition and treatment of emergency reactions to vaccines; and

(b) ~~completes this course of training described in item (1).~~if a pharmacy technician, the pharmacy technician must be:

(i) state-certified; or

(ii) nonstate-certified but administered vaccinations and received training pursuant to the federal Public Readiness and Emergency Preparedness (PREP) Act prior to the effective date of this section and registers with the Board of Pharmacy as an authorized vaccination provider.

(5) A pharmacist or pharmacy technician administering vaccinations shall, as part of the current continuing education requirements ~~pursuant to Section 40-43-130~~, complete no less than one hour of continuing education each license year regarding administration of vaccinations.

~~(C)~~

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

Point of Order

Senator HARPOOTLIAN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MARTIN spoke on the Point of Order.
Senator MATTHEWS spoke on the Point of Order.
Senator DAVIS spoke on the Point of Order.
Senator MATTHEWS spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

On motion of Senator HARPOOTLIAN, the Bill was carried over.

OBJECTION

H. 4486 -- Reps. Burns, Long, Ott, Pope and Hiott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-55-655 SO AS TO AUTHORIZE THE DEPARTMENT

OF HEALTH AND ENVIRONMENTAL CONTROL TO CREATE A PILOT PROGRAM THAT ALLOWS CERTAIN SEPTIC TANK INSTALLERS TO CONDUCT SEPTIC TANK FIELD EVALUATION TESTS FOR THE DEPARTMENT.

Senator TALLEY objected to consideration of the Bill.

CARRIED OVER

H. 3501 -- Rep. W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-102-140, RELATING TO PROHIBITED ACTS OF ATHLETE AGENTS, SO AS TO PROVIDE CERTIFIED ATHLETE AGENTS MAY PAY CERTAIN EXPENSES INCURRED BEFORE THE SIGNING OF AGENCY CONTRACTS BY STUDENT ATHLETES, FAMILY MEMBERS OF STUDENT ATHLETES, AND INDIVIDUALS OR CLASSES OF INDIVIDUALS AUTHORIZED TO RECEIVE SUCH PAYMENTS.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

H. 4843 -- Reps. Bailey, Brittain, Guest, J.E. Johnson, Sandifer and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-39-148 SO AS TO AUTHORIZE BUSINESSES WITH A DECK, DOCK, OR OTHER STRUCTURE LOCATED IN A CRITICAL AREA TO USE THE STRUCTURE FOR PURPOSES DIRECTLY RELATED TO THE OPERATION OF THE BUSINESS WITH LOCAL ZONING APPROVAL.

On motion of Senator MASSEY, the Bill was carried over.

OBJECTION

H. 5235 -- Reps. Bannister and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 43-7-465, RELATING TO INSURERS PROVIDING COVERAGE TO PERSONS RECEIVING MEDICAID, SO AS TO COMPORT WITH THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2022.

Senator M. JOHNSON objected to consideration of the Bill.

OBJECTION

H. 5236 -- Reps. Bannister and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-6-50, RELATING TO RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES OR A SUCCESSOR AGENCY, SO AS TO MAKE CERTAIN CHANGES CONCERNING MEDICAID CLAIMS PROCESSING CONTRACTS.

Senator M. JOHNSON objected to consideration of the Bill.

OBJECTION

H. 5245 -- Reps. G.M. Smith, Erickson, Bradley and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-50, RELATING TO CHARTER SCHOOL ADMISSIONS, SO AS TO PROVIDE CHARTER SCHOOLS MAY GIVE ENROLLMENT PREFERENCE TO CHILDREN OF ACTIVE DUTY MILITARY SERVICEMEMBERS IN THIS STATE IF THEIR ENROLLMENT DOES NOT CONSTITUTE MORE THAN TWENTY PERCENT OF THE OVERALL ENROLLMENT, AND TO REVISE EXISTING ENROLLMENT PREFERENCE PROVISIONS.

Senator CORBIN objected to consideration of the Bill.

OBJECTION

H. 4189 -- Rep. Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-20, RELATING TO LICENSING AND FEES, SO AS TO AMEND MEETING REQUIREMENTS, REMOVE A CERTIFICATION FEE AND OUTLINE HOW TO MAKE PROPER PAYMENTS TO THE DEPARTMENT; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE

INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND, SO AS TO CHANGE THE ALLOWED TRANSFER OF COLLECTED TAXES FROM TWENTY PERCENT TO FORTY PERCENT; AND BY AMENDING 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

Senator M. JOHNSON objected to consideration of the Bill.

OBJECTION

H. 4436 -- Reps. Wooten, Ballentine, Long, Erickson, Caskey, Calhoon, Wetmore, Taylor, Forrest, Hiott, Davis, Pope, Herbkersman, M.M. Smith, Robbins, Lawson, Burns, Chumley, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-1538, RELATING TO EMERGENCY SCENE MANAGEMENT, SO AS TO PROVIDE DRIVERS ARE RESPONSIBLE FOR MAINTAINING VEHICLE CONTROL IN CERTAIN EMERGENCY CIRCUMSTANCES TO AVOID INTERFERING WITH THE OPERATION OF AUTHORIZED EMERGENCY VEHICLES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

H. 4832 -- Reps. Hardee, Sandifer, Anderson, Ligon and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “PAID FAMILY LEAVE INSURANCE ACT” BY ADDING CHAPTER 103 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH FAMILY LEAVE BENEFITS, OUTLINE

REQUIREMENTS OF FAMILY LEAVE INSURANCE POLICIES, AND TO PROVIDE EXCLUSIONS, AMONG OTHER THINGS.

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

H. 4869 -- Reps. Sandifer, Hardee, Ligon and Jefferson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200, RELATING TO CONDITIONS FOR ALLOWING REINSURANCE CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY AMENDING SECTION 38-13-10, RELATING TO INSURER EXAMINATIONS, SO AS TO PROVIDE SUCH EXAMINATIONS ARE FINANCIAL EXAMINATIONS, TO APPLY THE PROVISIONS TO HEALTH MAINTENANCE ORGANIZATIONS AND OTHER LICENSEES OF THE DEPARTMENT, TO PROVIDE MARKET CONDUCT EXAMINATIONS, AND TO REMOVE OBSOLETE PROVISIONS, AMONG OTHER THINGS; BY AMENDING SECTION 38-13-70, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DIRECTOR OR HIS DESIGNEES MAY CONDUCT INVESTIGATIONS, TO PROVIDE FOR THE CONFIDENTIALITY OF INVESTIGATIONS, AND TO PROVIDE FINAL ORDERS DISCIPLINING LICENSEES ARE PUBLIC INFORMATION, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-57-130, RELATING TO INSURANCE TRADE PRACTICES, SO AS TO PROVIDE REVISED EXEMPTIONS FROM PROVISIONS PROHIBITING MISREPRESENTATIONS, SPECIAL INDUCEMENTS, AND REBATES IN INSURANCE CONTRACTS.

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

S. 1301 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLE, RELATING TO BILLING ACCOUNTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5221, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator ALEXANDER objected to consideration of the Resolution.

OBJECTION

H. 3278 -- Reps. West, Ligon and Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 40-60-30, 40-60-31, AND 40-60-33, ALL RELATING TO REAL ESTATE APPRAISER LICENSURE REQUIREMENTS, SO AS TO MODIFY EXEMPTIONS, REVISE AND PROVIDE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS; AND TO REVISE REQUIREMENTS AND QUALIFICATIONS FOR LICENSED MASS APPRAISERS; BY AMENDING SECTION 40-60-34, RELATING TO REQUIREMENTS RELATING TO APPRENTICE APPRAISERS AND APPRAISERS SUPERVISING APPRENTICES, SO AS TO REVISE REQUIREMENTS; BY AMENDING SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE REPORTING REQUIREMENTS UPON LICENSEES; BY ADDING SECTION 40-60-36 SO AS TO IMPOSE REPORTING REQUIREMENTS UPON PROVIDERS; BY AMENDING SECTION 40-60-37, RELATING TO RECIPROCAL APPLICATIONS FROM APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; BY AMENDING SECTION 40-60-40, RELATING TO REQUIRED APPRAISER CONTACT INFORMATION, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; BY AMENDING SECTION 40-60-320, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF APPRAISAL PANEL; BY AMENDING SECTION 40-60-330, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; BY AMENDING SECTION 40-60-360, RELATING TO PROMULGATION OF REGULATIONS, SO AS TO SPECIFY REQUIRED REGULATIONS; BY AMENDING SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR

REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND BY AMENDING SECTION 40-60-450, RELATING TO COMPENSATION, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

Senator ALEXANDER objected to consideration of the Bill.

CARRIED OVER

H. 5008 -- Rep. W. Newton: A BILL TO ADOPT REVISED CODE VOLUME 17A OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2024.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

H. 5246 -- Reps. Wetmore, Brittain, M.M. Smith, Stavrinakis, Hartnett, Leber, Gilliard, Bustos, Pendarvis, Jefferson, Landing and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-612 SO AS TO PROVIDE THAT THE BLACK SKIMMER IS THE OFFICIAL SEABIRD OF THE STATE.

On motion of Senator MASSEY, the Bill was carried over.

ADOPTED

S. 1297 -- Senator Cromer: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF BOUNDARY STREET AND THE SOUTH CAROLINA HIGHWAY 34 BYPASS (BOB LAKE BOULEVARD) IN NEWBERRY COUNTY "HENRY S. REEDER INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

S. 1302 -- Senator Malloy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF HIGHWAY 15 AND BROWNTOWN ROAD IN LEE COUNTY "WALLACE A. 'BULL' BERRY INTERSECTION" AND ERECT APPROPRIATE MARKERS

OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

Motion Failed

Senator MATTHEWS moved that the Senate stand adjourned.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 9; Nays 34

AYES

Devine	Fanning	Harpootlian
Matthews	McElveen	McLeod
Sabb	Stephens	Tedder

Total--9

NAYS

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Turner	Verdin	Williams
Young		

Total--34

The Senate refused to adjourn.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 3:36 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

H. 4552 -- Reps. Pendarvis, Clyburn, Henegan, M.M. Smith, B.L. Cox, Robbins, Brewer, King, Wheeler, Henderson-Myers, Erickson, Stavrinakis, Weeks, Davis, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS.

On motion of Senator PEELER, the Bill was carried over.

CARRIED OVER

S. 142 -- Senators Shealy, Gustafson, Goldfinch, Hutto, Jackson, Campsen, McLeod, Setzler and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-2010, RELATING TO THE DEFINITION OF "SEX TRAFFICKING", SO AS TO EXPAND THE DEFINITION TO INCLUDE SEXUAL EXPLOITATION OF A MINOR AND PROMOTING OR PARTICIPATING IN PROSTITUTION OF A MINOR; AND BY AMENDING SECTION 16-3-2020, RELATING TO TRAFFICKING IN PERSONS, PENALTIES, MINOR VICTIMS AND DEFENSES, SO AS TO PROVIDE THAT A SEX TRAFFICKING VICTIM MAY RAISE DURESS AND COERCION AS AN AFFIRMATIVE DEFENSE TO NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM MAY NOT BE CONVICTED FOR NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, AND TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM CANNOT BE FOUND IN VIOLATION OF OR BE THE SUBJECT OF A DELINQUENCY PETITION IF THE MINOR'S CONDUCT WAS A DIRECT RESULT OF OR INCIDENTAL TO OR RELATED TO TRAFFICKING; AND

SO AS TO PROVIDE THAT THE PROVISIONS IN THIS ACT ARE RETROACTIVE.

On motion of Senator MASSEY, the Bill was carried over.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

DEBATE INTERRUPTED

H. 4624 -- Reps. Hiott, G.M. Smith, McCravy, Davis, Vaughan, Trantham, Pope, Chapman, Taylor, Oremus, Hartnett, Leber, Long, Nutt, Haddon, Burns, Chumley, Murphy, Mitchell, Brewer, Robbins, Gatch, West, Gilliam, Cromer, Kilmartin, O'Neal, Yow, S. Jones, Landing, Ballentine, Sandifer, Crawford, Guest, Willis, Ligon, Forrest, Pace, W. Newton, Bradley, Erickson, Gibson, Blackwell and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 42 TO TITLE 44 SO AS TO DEFINE GENDER, SEX, AND OTHER TERMS, TO PROHIBIT THE PROVISION OF GENDER TRANSITION PROCEDURES TO A PERSON UNDER EIGHTEEN YEARS OF AGE, TO PROVIDE EXCEPTIONS, TO PROHIBIT THE USE OF PUBLIC FUNDS FOR GENDER TRANSITION PROCEDURES, AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 59-32-36 SO AS TO PROHIBIT PUBLIC SCHOOL STAFF AND OFFICIALS FROM WITHHOLDING KNOWLEDGE OF A MINOR'S PERCEPTION OF THEIR GENDER FROM THE MINOR'S PARENTS, AMONG OTHER THINGS.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-4624.JG0088S):

Amend the bill, as and if amended, SECTION 1, by striking Section 44-42-350 and inserting:

Section 44-42-350. The South Carolina Medicaid Program shall not reimburse or provide coverage for practices prohibited under the provisions of this chapter.

Amend the bill further, SECTION 2, by striking Section 59-32-36 and inserting:

(A) A nurse, counselor, teacher, principal, or other official or staff at a public school shall not knowingly:

Amend the bill further, SECTION 2, Section 59-32-36, by adding a subsection to read:

(B) The principal, vice principal, or counselor at a public school shall immediately notify in writing a minor's parent or legal guardian if the minor:

(1) asserts to any school employee that the minor's gender is inconsistent with his or her sex, as defined in Section 44-42-310;

(2) requests a school employee to address the minor by a name other than the minor's legal name or a derivative thereof; or

(3) requests a school employee to address a minor using a pronoun or title that does not align with the minor's sex.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Debate was interrupted by adjournment.

Motion Adopted

On motion of Senator VERDIN, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator CROMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Lieutenant Michael Charles Wood, Jr. of Newberry, S.C. Michael was a graduate of Newberry College where he played football. He served on the board of the Newberry Soil and Water Conservation District and was a boy scout leader and youth baseball coach. He was a member of Wightman United Methodist Church. Michael joined the Newberry Police Department in 2003 and earned Lieutenant rank in 2017. He organized the Walk and Talk Community Outreach Health Initiative and was awarded the Life Saving Award and the "ADP" Award from the city of Newberry. Michael was a loving husband and devoted father who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jayson Reed Haven of Aiken, S.C. Jayson was a member of the South Carolina National Guard, Company B, 1-118th Infantry. He enjoyed reading, traveling, music, history, politics, international studies, playing video games, attending live concerts and was a Master of Discord. Jayson was a loving son and devoted brother who will be dearly missed.

ADJOURNMENT

At 4:37 P.M., on motion of Senator VERDIN, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, May 2, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 46:1

We read that the Psalmist declares: "God is our refuge and strength, an ever-present help in trouble."

Join me, friends, as we bow in prayer: Today, Holy God, is officially the National Day of Prayer, a day first set aside by action of Congress in 1952. Yet of course, even long before that action, throughout our Nation's history prayer has been significant, not just in times of desperate troubles, but also during periods when we have given praise for the rich blessings that surround us all. Therefore, Lord, here in the Senate of South Carolina, may we always and unfailingly be individuals who turn to You and pray: praying together for this Nation we love, praying for the State of South Carolina, praying for all of our citizens, and praying for the meaningful and important work of this Senate. Bless and sustain us all, O Lord, for in Your loving name we pray. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Loftis
Martin	Massey	Matthews
McLeod	Peeler	Reichenbach
Rice	Sabb	Senn

Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Leave of Absence

On motion of Senator CROMER, at 11:08 A.M., Senator GROOMS was granted a leave of absence until 11:30 A.M.

Leave of Absence

On motion of Senator McELVEEN, at 4:18 P.M., Senator HARPOOTLIAN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CORBIN, at 4:18 P.M., Senator TALLEY was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator K. JOHNSON, at 4:18 P.M., Senator ALLEN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator GOLDFINCH, at 4:21 P.M., Senators GAMBRELL and RANKIN were granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

Remarks by Senator CASH

Thank you, Mr. PRESIDENT. Prophet Isaiah said, “the grass withers, the flower fades, when the breath of the Lord blows upon it.” Surely the people are grass. The grass withers, the flower fades, but the word of our God stands forever. In the first chapter of Genesis, “So God created mankind in his own image, in the image of God he created him; male and female he created them.” Yesterday, actually this morning, it was completed on the south steps a reading of the Bible -- a marathon reading that went from Genesis chapter one to the end -- took about ninety hours, and it concluded today, which is the National Day of Prayer. I understand

and I realize that most all of what we deal with down here is simply political in nature. Bills that change various laws and regulations and so forth. Occasionally, we deal with things that are more constitutional in nature -- good example that is Bills that we have on the second amendment. We argue over what the Constitution means on that point. And of course you bring your political arguments into it, but at least we're arguing about what the Constitution says. It rises to our higher level of debate. And then there are those very few issues that kind of get to moral issues. Issues at which whatever your compass is on issues of morality -- whatever your guiding stars are -- those come into play. Because they're inescapable, and we're talking about the rightness or wrongness of taking an innocent life in the womb, and issues such as can you actually separate basic human biology, where cells of your body are either male or female, can we separate that from gender? You just can't get away from the moral dimensions of the debate.

We are going to pass or not pass something here in the next few days, the course for rule favorably or unfavorably, in a brief period of time all of us in this Chamber will no longer be here. I'm simply here to say that there are some things in the nature of creation and male and female is one of them that go beyond what you believe or what I believe is rooted in the creation. It is rooted in the Creator, and those who oppose that are in some sense opposing the nature of creation itself. Thank you, Mr. PRESIDENT.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator CASH were ordered printed in the Journal.

Expression of Personal Interest

Senator SABB rose for an Expression of Personal Interest.

Remarks by Senator SABB

Thank you, Mr. PRESIDENT and members. I appreciate the diversity of opinions. I think that we are all products of our experience. I do think that some of our debates center around issues associated with morality. I remember when I was in law school the question was whether or not one could legislate morality, and it made for an interesting debate. So here we are. We find ourselves in an issue dealing with morality and I don't think the question is whether or not we can legislate morality. I think the question is whether or not we can legislate it in a meaningful way such that it impacts our society in a positive way. There is a portion of our

debate from yesterday to me that hinges on the issue of fundamental fairness.

I want to talk for a moment or two -- and really for me the issue is the message that we send based upon our debates. I wonder when the little ones look at a debate like yesterday -- I think that the idea of going to public schools is a choice. The idea of going to private schools is a choice. I think when state action is a part of the choice where we in effect pay for that education. I think that there is an obligation on behalf of the State to make sure that what we are providing is somehow dealt in a fair way. I would disagree with the idea that we ought to fund private education and have no say. I believe that it is wrong of us to say that we will spend money -- public funds -- for private school purposes and that the State will stay away and that we won't be involved at all in the regulation of private schools -- that it is the intent, our intent. I appreciate how Senator STEPHENS talks about legislation that he doesn't support. One of the things that I notice he always says is, “We did it.” Whether he voted for it or not, he is a member of this Body, and so if the Body voted for it, he's a part of it. I've tried to embrace that, because I believe I’m a part of it, as well. So, the idea that we believe that we ought to fund private education but have no say in whether or not all of our children are being dealt with -- as we say in a fair manner. I don't think that is fair, and I believe children that are listening to our debate will wonder why it is. I listened to Senator FANNING as he asked questions yesterday relative to the weight that we place on teachers, and whether or not we ought to be adding things that they're required to do -- where we are measuring their effectiveness based upon the result from testing. So, if we place extra burdens on public school teachers that we're unwilling to place on private school teachers, is that a fair playing field for them to be measured upon? I just think that's an issue of fundamental fairness and I think to the extent that we say boldly to the State of South Carolina we are going to fund private education with no strings attached. I think that's a formula for disaster. I think it is wrong, and I think it takes us down a perilous road. I'm going to end with this, because Senator HARPOOTLIAN, when he started talking to us about what's happening with public charter schools and how it was not our intent for public charter schools to go the way that they're going, and that we're funding them. I think he's right. I think we've got a responsibility to make sure that the purposes upon which we created those entities and fund those entities are being realized and how those entities are working. And not one's where they are simply adding to the pockets of those who are opportunists and are not interested in the choice that is given -- the

unique opportunities to be creative, to try to be effective, to try to educate our kids, particularly those who need to learn differently from others. I think that is the basis upon which that opportunity was given, but to the extent that opportunity is not the one that's happening on the ground, then I think we've got a fundamental obligation to make sure that the matter of which Thank you, Mr. PRESIDENT, thank you Senator STEPHENS, thank you members and I don't intend to take the five minutes. I think I've made the point that I want to make on that issue, tied into the issue associated with public charter schools, tied into the responsibility that we have to make sure that our teachers get an opportunity to teach and to make sure all our children are treated fairly -- try to create an educational system to make sure every child has an opportunity to learn, every child has an opportunity to appreciate the fact that there are what Douglas Wilder classified as being the endless possibility of the individual. I think what most of us have found is that although there are several different paths for success, education continues to be the one where the vast majority of successful Americans and successful people in the world realize their dreams and their successful journey as a result of number one having been educated. And so, I wanted to make the point that I think it is fundamentally wrong for us in this Chamber to take the position that we will fund private schools, but the State of South Carolina will have no oversight. The State of South Carolina will not be a part of making sure that there is accountability -- State of South Carolina would not be a part of making sure that those scholarships are used in the right way. I just think that we in effect toss our responsibility out of the window because we are promoting something. And I hate to go into something else, but I have to and then I'm going to sit down, I promise. The idea of critical race theory, and I start thinking in terms of every education member -- if I had any idea, well actually I did, but I don't know that we in this Body appreciate the fact that black history can no longer be taught in our schools. I don't know whether or not that was the intent of our debate, but on the ground that's what's happening. If in a classroom there is a book that the teacher’s using that teaches African American history, that is a violation of the law as is viewed by some. If that is the intent of this Body, I wish somebody would come to this well. I don't want to be long winded and get on a soapbox, but I think it is wrong for anyone in this Nation to say that if you are teaching what the impacts of slavery were back in the day, you are somehow committing an affront to any child. I would challenge that notion, and here is why. When you look back at slavery, and you look back at the struggles through the civil rights movement, what you find is that people of good conscious from all races

and all nationalities, banded together to outlaw wrong. That history is not a history that's associated with a person of color. That is a history of people associated with goodwill. So, any time we try to erase that because somebody feels uncomfortable -- I would submit that sometimes the truth makes us feel a bit uncomfortable, but we ought to rejoice in the notion that was an issue that was resolved through diversity. That ought to be something we celebrate as a people, and perhaps I'm off on an island. Perhaps I'm talking to myself when I say the things that I'm saying, but I fundamentally believe in my heart of hearts and mind of minds that if you deny a people their past, and restrict the opportunity for their future and force them to live in the presence, that's a lost soul. And I don't think any of us in this Chamber are about the business of doing anything other than giving a guiding light for people. I spoke true words that are Biblically written, but my goodness, if we dig deeper, I guarantee we find in book after book after book support for what I am now sharing. So, what I would encourage is for us to refocus on that, because if that's what's happening on the ground, I don't believe that's what we intended. We've got an opportunity to fix it. Thank you, Mr. PRESIDENT.

On motion of Senator TEDDER, with unanimous consent, the remarks of Senator SABB were ordered printed in the Journal.

Motion to Ratify Adopted

At 11:46 A.M., on motion of Senator MASSEY, the House of Representatives was invited to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

A message was sent to the House accordingly.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

Remarks by Senator MATTHEWS

First, I would like to apologize because I could not find the email that I received from Walterboro this past weekend. Most of you may not know it, but it is what we call “Rice Festival Week” in Walterboro. It's an annual festival where a lot of our local vendors have an opportunity

to show off their wears and to make sales -- they usually make a lot of money during the festival.

I was out of town, so I did not get a chance to go to the festival this year, but I understand that a couple of folks in here were able to go to the parade. We usually start out with the Taste of Walterboro, which is very heavily attended -- it is a wonderful event. For over ten years I was on the Rice Festival Committee. Our goals were to raise money to make Walterboro visible. We usually have a parade on Saturday. We have different events like a 5k run, a pageant, and singers of all kinds and like a lot of festivals it is our time to show.

And I want you to know, the Senate of South Carolina, that because the Palmetto Gun Rights Lobby was successful in getting what I call "unconstitutional carry" or "anybody can carry" through -- because of them making this Body, and the one across the Chamber, and the Body across the street, to rush this gun Bill through -- I want you to know that I got backlash when I returned to Walterboro because they had to shut down the Rice Festival for the first time since I have been back in Walterboro from college. They had to shut down the Rice Festival early. They did not have the street dance and they couldn't -- even though it had been paid for -- they couldn't have the vendors and food trucks out there selling. Do you know why? Because there were guys carrying guns in the city parking lot. And the officers, because of the way the Bill had been written, felt that they could not legally question them. So, they did not question them. They shut the whole thing down to protect themselves and to protect the people who were there. Those little children who were out there, the community members who were there to perform, the budding country singers who usually perform, the bands that perform throughout the entire day, the gospel groups who sing and perform… thank you Senate, thank you for allowing gun rights to trump the rights of people. We are not protecting with this law. We need to revisit this issue and we need to protect our law enforcement. Most importantly, we need to protect our people! We need to protect our children!

On motion of Senator STEPHENS, with unanimous consent, the remarks of Senator MATTHEWS were ordered printed in the Journal.

Doctor of the Day

Senator GOLDFINCH introduced Dr. William Mills, of Spartanburg, S.C., Doctor of the Day.

RECALLED AND ADOPTED

S. 1293 -- Senators Davis, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, Kevin Johnson, Michael Johnson, Kimbrell, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Tedder, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE MAY 12 THROUGH MAY 18, 2024, AS "POLICE WEEK IN SOUTH CAROLINA" AND TO HONOR THE SERVICE AND SACRIFICE OF LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY WHILE PROTECTING OUR COMMUNITIES AND SAFEGUARDING DEMOCRACY.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Judiciary.

The Resolution was recalled from the Committee on Judiciary.

Senator DAVIS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator DAVIS, the Resolution was adopted.

OBJECTION

S. 1315 -- Senator Campsen: A CONCURRENT RESOLUTION TO ENCOURAGE THE STATE OF SOUTH CAROLINA TO TAKE ALL PRACTICAL STEPS TO INCREASE THE USE OF SUSTAINABLE AVIATION FUEL IN THE STATE, REGIONALLY, AND NATIONALLY.

Senator CLIMER asked unanimous consent to make a motion to recall the Resolution from the Committee on Agriculture and Natural Resources.

Senator MATTHEWS objected.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1317 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE THE EIGHTIETH CELEBRATION OF APPALACHIAN SQUARE DANCES AT OCONEE STATE PARK.
sr-0722km-vc24.docx

The Senate Resolution was adopted.

S. 1318 -- Senator Harpootlian: A SENATE RESOLUTION TO CONGRATULATE THE HERITAGE CONDOMINIUMS UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND ROBERT T. "BOBBY" LYLES FOR HIS WORK AS LEAD ARCHITECT FOR THE PROJECT.
sr-0726km-vc24.docx

The Senate Resolution was adopted.

S. 1319 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR BRADEN WILSON, AN EIGHTH GRADE SOCIAL STUDIES TEACHER AT PALMETTO MIDDLE SCHOOL IN ANDERSON SCHOOL DISTRICT ONE, AND TO CONGRATULATE HER FOR BEING NAMED THE SOUTH CAROLINA TEACHER OF THE YEAR.
lc-0337ha-gm24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1320 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE MARINE CORPS LEAGUE DEPARTMENT OF SOUTH CAROLINA UPON THE OCCASION OF ITS ANNUAL CONVENTION AND COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
sr-0723km-vc24.docx

The Senate Resolution was adopted.

S. 1321 -- Senator Campsen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR LIEUTENANT/PARAMEDIC MATT DOMANOWSKI OF THE CITY OF BEAUFORT/TOWN OF PORT ROYAL FIRE DEPARTMENT FOR DECISIVELY AND COURAGEOUSLY TAKING ACTION THAT SAVED THE LIFE OF

A GUNSHOT VICTIM ON NOVEMBER 1, 2023, AND TO EXPRESS THE DEEPEST GRATITUDE OF THE SOUTH CAROLINA SENATE FOR LIEUTENANT DOMANOWSKI'S SELFLESS SERVICE.
lc-0456hdb-rm24.docx

The Senate Resolution was adopted.

S. 1322 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR BELTON-HONEA PATH HIGH SCHOOL FOR BEING NAMED A NATIONAL SCHOOL OF EXCELLENCE AND TO CONGRATULATE THE ADMINISTRATION, FACULTY, STAFF, AND STUDENTS FOR THEIR CONTRIBUTIONS TO THIS ACHIEVEMENT.
lc-0727wab-gm24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1323 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS DEEP APPRECIATION FOR THE LATE SENATOR JOHN L. SCOTT, JR., AND HIS YEARS OF MEANINGFUL SUPPORT FOR STATE EMPLOYEES DURING HIS SERVICE TO THE STATE OF SOUTH CAROLINA IN THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND IN THE SOUTH CAROLINA SENATE.
lc-0616cm-gm24.docx

The Senate Resolution was adopted.

S. 1324 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE THE MEMBERS OF THE STAFF OF PAWMETTO LIFELINE AND TO WISH THEM SUCCESS AS THEY BEGIN THE ANIMAL ADVOCACY ASSOCIATION OF SOUTH CAROLINA AND AS THEY CONTINUE TO PROVIDE SOUTH CAROLINA POLICE ACADEMY WITH ACCREDITED TRAINING FOR ANIMAL CONTROL OFFICERS AND LAW ENFORCEMENT OFFICERS ACROSS OUR GREAT STATE.
lc-0729wab-ar24.docx

The Senate Resolution was adopted.

S. 1325 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE JOURNAL FOR WINNING SEVERAL SOUTH CAROLINA PRESS ASSOCIATION AWARDS, INCLUDING THE TOP AWARD IN GENERAL EXCELLENCE.
sr-0702km-vc24.docx

The Senate Resolution was adopted.

S. 1326 -- Senator Garrett: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SERGEANT JOHN ROBERT COKER OF THE MCCORMICK COUNTY SHERIFF'S OFFICE FOR DECISIVELY AND COURAGEOUSLY TAKING ACTION THAT POTENTIALLY SAVED THE LIVES OF INNOCENT RESIDENTS WHILE PUTTING HIMSELF IN HARM'S WAY ON JUNE 18, 2023, AND TO EXPRESS THE DEEPEST GRATITUDE OF THE SOUTH CAROLINA SENATE FOR SERGEANT COKER'S SELFLESS SERVICE.
lc-0608sa-rm24.docx

The Senate Resolution was adopted.

REPORTS OF STANDING COMMITTEES

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

H. 4086 -- Reps. Sandifer, Nutt, Chapman and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-59-35 SO AS TO PROVIDE THAT THE WORK OF CERTAIN LICENSEES OF THE RESIDENTIAL BUILDERS COMMISSION THAT COMPLIES WITH APPLICABLE REGULATIONS OF THE COMMISSION MUST BE DEEMED TO SATISFY CERTAIN IMPLIED WARRANTIES; BY ADDING SECTION 40-59-40 SO AS TO PROVIDE IMPLIED WARRANTIES INCLUDE ONLY THOSE PERFORMANCE STANDARDS VIOLATIONS IDENTIFIED BY A HOMEOWNER WITHIN TWELVE MONTHS AFTER SUBSTANTIAL COMPLETION; BY AMENDING SECTION 40-59-10, RELATING TO COMPOSITION OF THE COMMISSION, SO AS TO REVISE ITS COMPOSITION; BY AMENDING SECTION 40-59-20, RELATING TO DEFINITIONS APPLICABLE TO THE COMMISSION AND ITS LICENSEES, SO AS TO REVISE VARIOUS DEFINITIONS, INCLUDING THE RENAMING OF SPECIALTY CONTRACTORS AS RESIDENTIAL TRADE CONTRACTORS; BY AMENDING SECTION 40-59-25, RELATING TO ROOFING CONTRACT CANCELLATIONS FOR

INSURANCE COVERAGE DENIALS, SO AS TO EXPAND THE APPLICABILITY OF THESE PROVISIONS; BY AMENDING SECTION 40-59-30, RELATING TO THE REQUIREMENT OF LICENSURE TO ENGAGE IN RESIDENTIAL BUILDING AND RESIDENTIAL SPECIALTY CONTRACTING, SO AS TO MAKE CONFORMING CHANGES AND PROVIDE PENALTIES FOR VIOLATIONS; BY AMENDING SECTION 40-59-50, RELATING TO THE ROSTER OF LICENSEES OF THE COMMISSION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-80, RELATING TO INVESTIGATIONS OF COMPLAINTS, SO AS TO PROVIDE LICENSEES OR REGISTRANTS MAY BE PRESENT FOR INSPECTIONS CONDUCTED PURSUANT TO AN INVESTIGATION, AND TO PROVIDE UNDERLYING COMPLAINTS THAT PROMPT AN INVESTIGATION MUST BE DISMISSED IF THE COMPLAINANT UNJUSTIFIABLY REFUSES TO COOPERATE WITH THIS REQUIREMENT; BY AMENDING SECTION 40-59-105, RELATING TO ADMINISTRATIVE CITATIONS AND PENALTIES, SO AS TO REVISE THE BASES FOR WHICH REFERRALS OF VIOLATIONS TO THE COMMISSION ARE MADE; BY AMENDING SECTION 40-59-110, RELATING TO REVOCATION, SUSPENSION, OR RESTRICTION OF A LICENSE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-140, RELATING TO DENIALS OF LICENSURE OR REGISTRATION BASED ON THE PAST CRIMINAL RECORD OF THE APPLICANT, SO AS TO MAKE THE DENIALS DISCRETIONARY WITH THE COMMISSION AND TO PROVIDE THAT ALL NEW APPLICANTS SHALL PROVIDE CERTAIN CRIMINAL BACKGROUND REPORTS; BY AMENDING SECTION 40-59-220, RELATING TO LICENSES AND CERTIFICATES OF REGISTRATION, SO AS TO MAKE CONFORMING CHANGES, TO REVISE CRITERIA FOR LICENSURE, AND TO REVISE REQUIREMENTS FOR HOMEOWNER CLAIMS FOR LOSS, AMONG OTHER THINGS; BY AMENDING SECTION 40-59-230, RELATING TO LICENSURE RENEWALS AND CONTINUING EDUCATION REQUIREMENTS, SO AS TO MAKE THE EXAMINATION REQUIREMENT FOR CERTAIN INACTIVE LICENSEES DISCRETIONARY WITH THE COMMISSION, TO PROVIDE THE CONTINUING EDUCATION PROGRAMS MUST BE ADMINISTERED BY THE HOME BUILDERS ASSOCIATION OF SOUTH CAROLINA, AND TO PROVIDE A TIERED SYSTEM FOR RESIDENTIAL BUILDER

LICENSES; BY AMENDING SECTION 40-59-240, RELATING TO THE CLASSIFICATIONS OF RESIDENTIAL SPECIALTY CONTRACTORS, SO AS TO MAKE CONFORMING CHANGES, TO REMOVE THE LIMITATION ON THE NUMBER OF CLASSIFICATIONS FOR WHICH THE COMMISSION MAY ISSUE REGISTRATIONS, AND TO INCREASE THE THRESHOLD COSTS OF AN UNDERTAKING THAT REQUIRES AN EXECUTED BOND WITH A SURETY IN AN AMOUNT APPROVED BY THE COMMISSION; BY AMENDING SECTION 40-59-250, RELATING TO CREDIT REPORTS REQUIRED FOR LICENSURE, SO AS TO MAKE CONFORMING CHANGES, AND TO MAKE PROOF OF NET WORTH AN AVAILABLE ALTERNATIVE TO A CREDIT REPORT; BY AMENDING SECTION 40-59-260, RELATING TO EXCEPTIONS FOR PROJECTS BY THE PROPERTY OWNER FOR PERSONAL USE, EXEMPTION DISCLOSURE STATEMENTS, AND CERTAIN NOTICES FILED WITH THE REGISTER OF DEEDS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-270, RELATING TO THE APPLICABILITY OF CHAPTER 49, TITLE 40, TO LICENSEES OF THE CONTRACTOR'S LICENSING BOARD, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-300, RELATING TO CONSTRUCTION OF LOW-INCOME HOUSING USING VOLUNTEER LABOR BY CERTAIN ELEEMOSYNARY ORGANIZATIONS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-400, RELATING TO DEFINITIONS CONCERNING CERTIFICATES OF AUTHORIZATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-410, RELATING TO RESIDENTIAL BUSINESS CERTIFICATES OF AUTHORIZATION, SO AS TO MAKE CONFORMING CHANGES, AMONG OTHER THINGS; BY AMENDING SECTION 40-59-530, RELATING TO EXCEPTIONS FROM PROVISIONS CONCERNING THE LICENSURE OF HOME INSPECTORS, SO AS TO MAKE CONFORMING CHANGES, AMONG OTHER THINGS; BY AMENDING SECTION 40-59-580, RELATING TO REMEDIES AVAILABLE TO THE COMMISSION FOR VIOLATIONS OF PROVISIONS CONCERNING THE LICENSURE OF HOME INSPECTORS, SO AS TO REMOVE CIVIL PENALTIES FROM THE AVAILABLE REMEDIES; BY AMENDING SECTION 40-59-600, RELATING TO CRIMINAL PENALTIES FOR PERSONS UNDERTAKING THE BUSINESS OF HOME INSPECTION

WITHOUT LICENSURE OR EXEMPTION, SO AS TO REMOVE TIERED PENALTIES; BY AMENDING SECTION 40-59-820, RELATING TO DEFINITIONS IN THE NOTICE AND OPPORTUNITY TO CURE THE CONSTRUCTION DWELLING DEFECTS ACT, SO AS TO REVISE VARIOUS DEFINITIONS; BY AMENDING SECTION 40-59-830, RELATING TO STAYS OF ACTIONS BROUGHT UNDER THE NOTICE AND OPPORTUNITY TO CURE THE CONSTRUCTION DWELLING DEFECTS ACT UNTIL THE CLAIMANT COMPLIES WITH THE PROVISIONS OF THE ACT, SO AS TO PROVIDE THE CLAIMANT'S UNJUSTIFIED FAILURE TO COMPLY WITH THE REQUIREMENTS OF THE ACT UNDER CIRCUMSTANCES THAT MAKE COMPLIANCE WITH THE CERTAIN PROVISIONS OF CHAPTER 59, TITLE 40, IMPOSSIBLE SHALL REQUIRE THE COURT TO DISMISS THE ACTION WITH PREJUDICE; AND BY REPEALING SECTION 40-59-560 RELATING TO INSPECTION REPORTS AND FORMS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Operations and Management polled out H. 5042 favorable:

H. 5042 -- Reps. B.L. Cox, J.L. Johnson, Murphy, Sessions, Cobb-Hunter, Kirby, Brewer, Garvin, Henegan, M.M. Smith, Jefferson, Rivers, McDaniel, Davis, Haddon, King, Gilliard, Stavrinakis, Bauer, West, Wetmore, T. Moore, Thigpen, Chapman, Schuessler, Pope, Guffey, Dillard, W. Jones, Pendarvis, G.M. Smith, Weeks, Wheeler, Williams, S. Jones, J. Moore, O'Neal, B. Newton, Neese, Lawson, Atkinson, Hayes, W. Newton, Bannister, Caskey, Hyde, J.E. Johnson, Hiott, Brittain, Hartnett, Mitchell, Yow, Gagnon, Carter, Guest, Gatch, Crawford, Ott, Rutherford, Leber, Hixon, Herbkersman, Anderson, Bailey, Elliott, Gilliam, Calhoon, Wooten, Forrest, Pedalino, Jordan, Bustos, Bamberg, Bernstein, Clyburn, Hosey, Henderson-Myers, Howard, Vaughan, Beach, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 10-1-185 SO AS TO ESTABLISH ON THE GROUNDS OF THE STATE HOUSE A ROBERT SMALLS MONUMENT, CREATE A COMMISSION TO DETERMINE THE DESIGN AND LOCATION OF THE MONUMENT, PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION, AND SUNSET THE COMMISSION AT A DATE CERTAIN.

Poll of the Operations and Management Committee
Polled 8; Ayes 8; Nays 0; Not Voting 1

AYES

Alexander	Peeler	Setzler
Hutto	Malloy	Massey
Shealy	Turner	

Total--8

NAYS

Total--0

NOT VOTING

Rankin

Total--1

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2023, and to expire December 31, 2027

1st Congressional District, Registered Nurse:

Bridget A. Enos, 8049 Kittery Ave., North Charleston, SC 29420-8918 *VICE* Kelli Garber

Received as information.

Reappointment, South Carolina Board of Long-Term Health Care Administrators, with the term to commence June 9, 2023, and to expire June 9, 2026

Residential Care Administrator:

Edward G. Burton, 103 Stonecrest Road, #29650, Greer, SC 29650-3422

Received as information.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2024, and to expire September 30, 2027

Occupational Therapist:

Lesly Wilson James, 135 Garden Brooke Dr., Irmo, SC 29063

Received as information.

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 2, 2022, and to expire June 2, 2026

Speech-Language Pathologist:

Sarah Davis Emory, 621 Crystal Drive, Spartanburg, SC 29302-2716

Received as information.

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 30, 2021, and to expire June 30, 2025

Speech-Language Pathologist:

Beth F. Montgomery, 14 Hillstone Court, Columbia, SC 29212-8646

Received as information.

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 1, 2022, and to expire June 1, 2026

Audiologist:

Jason P. Wigand, 310 Honey Tree Drive, Lexington, SC 29073-6401

Received as information.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2023, and to expire May 30, 2025

Dietician, Community or Public Health:

Katherine L. Bernard, 307 Magnolia Tree Road, Lexington, SC 29073-6731 *VICE* Rebecca Wrenn

Received as information.

HOUSE CONCURRENCE

S. 1161 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF US 276 (LAURENS ROAD) BETWEEN MILLENNIUM BOULEVARD (N) AND FORRESTER DRIVE IN GREENVILLE COUNTY "SCHP PATROLMAN EDWIN D. MILAM MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 1162 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SC-183 FROM S-87 (SULPHUR SPRINGS ROAD) TO S-430 (RIDGE ROAD) IN GREENVILLE COUNTY "SCHP PATROLMAN ALBERT T. SEALY JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 1311 -- Senator Devine: A CONCURRENT RESOLUTION TO CONGRATULATE LOUREATHA LAWSON PITTMAN AS HER TENURE AS THE PRESIDENT OF THE GETHSEMANE WOMAN AUXILIARY COMES TO A CLOSE, TO COMMEND HER FOR HER FOUR YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

RECOMMITTED

S. 303 -- Senators Shealy, McElveen, Gustafson, Talley, Davis, Adams, Kimbrell, Jackson, Rankin, Harpootlian, M. Johnson, Hutto, Sabb, Matthews, Fanning, Gambrell, Peeler, Goldfinch, McLeod and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF

LAWS BY ADDING SECTION 52-5-300 SO AS TO ENACT THE SOUTH CAROLINA EQUINE ADVANCEMENT ACT TO ESTABLISH A GRANT PROGRAM TO ASSIST THE GROWTH AND DEVELOPMENT OF THE EQUINE INDUSTRY IN SOUTH CAROLINA; BY ADDING SECTION 52-5-310 SO AS TO PROVIDE DEFINITIONS; BY ADDING SECTION 52-5-320 SO AS TO ESTABLISH THE SOUTH CAROLINA EQUINE COMMISSION; BY ADDING SECTION 52-5-330 SO AS TO ESTABLISH THE POWERS OF THE SOUTH CAROLINA EQUINE COMMISSION; BY ADDING SECTION 52-5-340 SO AS TO PROVIDE ADMINISTRATIVE SUPPORT FOR THE SOUTH CAROLINA EQUINE COMMISSION; BY ADDING SECTION 52-5-350 SO AS TO PROVIDE GUIDELINES FOR PARI-MUTUEL WAGERING; BY ADDING SECTION 52-5-360 SO AS TO PROVIDE APPLICATION GUIDELINES FOR PARI-MUTUEL WAGERING; BY ADDING SECTION 52-5-370 SO AS TO PROVIDE FOR APPLICATION AND LICENSE FEES; BY ADDING SECTION 52-5-380 SO AS TO PROVIDE FOR THE EQUINE INDUSTRY DEVELOPMENT FUND; BY ADDING SECTION 52-5-390 AND SECTION 52-5-400 SO AS TO PROVIDE GUIDELINES AND PROTECTIONS FOR COMMITTEE MEMBERS; BY ADDING SECTION 52-5-410 SO AS TO REQUIRE THE COMMISSION TO SUBMIT AN ANNUAL REPORT.

On motion of Senator SHEALY, the Bill was recommitted to Committee on Family and Veterans' Services.

RECOMMITTED

S. 143 -- Senators Shealy, Goldfinch, Senn, McLeod, Hutto, Jackson, Devine and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 20-4-20, RELATING TO DEFINITIONS, SO AS TO DEFINE A HOUSEHOLD MEMBER AND TO DEFINE A DATING RELATIONSHIP; AND BY AMENDING SECTION 20-4-40, RELATING TO PETITION FOR ORDER OF PROTECTION, SO AS TO DESIGNATE PEOPLE WHO CAN APPLY FOR AN ORDER OF PROTECTION ON BEHALF OF A MINOR.

On motion of Senator SHEALY, the Bill was recommitted to Committee on Judiciary.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE

H. 4624 -- Reps. Hiott, G.M. Smith, McCravy, Davis, Vaughan, Trantham, Pope, Chapman, Taylor, Oremus, Hartnett, Leber, Long, Nutt, Haddon, Burns, Chumley, Murphy, Mitchell, Brewer, Robbins, Gatch, West, Gilliam, Cromer, Kilmartin, O'Neal, Yow, S. Jones, Landing, Ballentine, Sandifer, Crawford, Guest, Willis, Ligon, Forrest, Pace, W. Newton, Bradley, Erickson, Gibson, Blackwell and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 42 TO TITLE 44 SO AS TO DEFINE GENDER, SEX, AND OTHER TERMS, TO PROHIBIT THE PROVISION OF GENDER TRANSITION PROCEDURES TO A PERSON UNDER EIGHTEEN YEARS OF AGE, TO PROVIDE EXCEPTIONS, TO PROHIBIT THE USE OF PUBLIC FUNDS FOR GENDER TRANSITION PROCEDURES, AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 59-32-36 SO AS TO PROHIBIT PUBLIC SCHOOL STAFF AND OFFICIALS FROM WITHHOLDING KNOWLEDGE OF A MINOR'S PERCEPTION OF THEIR GENDER FROM THE MINOR'S PARENTS, AMONG OTHER THINGS.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-4624.JG0088S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-42-350 and inserting:

Section 44-42-350. The South Carolina Medicaid Program shall not reimburse or provide coverage for practices prohibited under the provisions of this chapter.

Amend the bill further, SECTION 2, by striking Section 59-32-36 and inserting:

(A) A nurse, counselor, teacher, principal, or other official or staff at a public school shall not knowingly:

Amend the bill further, SECTION 2, Section 59-32-36, by adding a subsection to read:

(B) The principal, vice principal, or counselor at a public school shall immediately notify in writing a minor's parent or legal guardian if the minor:

(1) asserts to any school employee that the minor's gender is inconsistent with his or her sex, as defined in Section 44-42-310;

(2) requests a school employee to address the minor by a name other than the minor's legal name or a derivative thereof; or

(3) requests a school employee to address a minor using a pronoun or title that does not align with the minor's sex.

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL spoke on the amendment.

Senator DEVINE spoke on the amendment.

Senator TEDDER spoke on the amendment.

Senator HUTTO spoke on the amendment.

The question then was the adoption of the committee amendment.

The committee amendment was adopted.

Amendment No. 1

Senator VERDIN proposed the following amendment (SR-4624.JG0095S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

Amendment No. 3

Senator DAVIS proposed the following amendment (SMIN-4624.MW0100S), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, Section 44-42-310, by adding a subsection to read:

(10) "Reversible" means not permanent or irreversible as accepted by clinical practice guidelines.

Amend the bill further, SECTION 1, by striking Section 44-42-320 and inserting:

(F) Nothing in this section prohibits a physician or other healthcare professional with prescribing authority from prescribing any medications which is reversible.

Renumber sections to conform.

Amend title to conform.

On motion of Senator DAVIS, with unanimous consent, the amendment was withdrawn.

Amendment No. 6

Senator DAVIS proposed the following amendment (SR-4624.JG0110S), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-42-310, by adding a subsection to read:

(10) "Reversable" means not permanent or irreversible as accepted by clinical practice guidelines within the context of the patient's relationship with his physician or healthcare professional.

Amend the bill further, SECTION 1, Section 44-42-320, by adding a subsection to read:

(F) Nothing in this section prohibits a physician or other healthcare professional with prescribing authority from prescribing any medications which is reversible.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Senator CASH spoke on the amendment.

Senator GUSTAFSON spoke on the amendment.

The question then was the adoption of the amendment.

Senator VERDIN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 23; Nays 16

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Garrett
Goldfinch	Grooms	Hembree
Johnson, Michael	Kimbrell	Loftis
Martin	Massey	Peeler
Reichenbach	Rice	Turner
Verdin	Young	

Total--23

NAYS

Davis	Devine	Gustafson
Hutto	Jackson	Malloy
Matthews	McElveen	McLeod
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Williams		

Total--16

The amendment was laid on the table.

Amendment No. 4A

Senator McLEOD proposed the following amendment (SR-4624.JG0109S), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-32-36(A) and inserting:

(A) A nurse, counselor, teacher, principal, or other official or staff at a public or private school shall not knowingly:

(1) encourage or coerce a minor to withhold from the minor’s parent or legal guardian the fact that the minor’s perception of his or her gender is inconsistent with his or her sex, as defined in Section 44-42-310; or

(2) withhold from a minor's parent or legal guardian information related to the minor's perception that his or her gender is inconsistent with his or her sex, as defined in Section 44-42-310.

Renumber sections to conform.

Amend title to conform.

Senator McLEOD explained the amendment.

Senator VERDIN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 23; Nays 17

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Garrett	Goldfinch	Grooms
Hembree	*Johnson, Michael*	Kimbrell
Loftis	Massey	Peeler
Reichenbach	Rice	Turner
Verdin	Young	

Total--23

NAYS

Allen	Devine	Gustafson
Harpootlian	Hutto	Jackson
Johnson, Kevin	Malloy	Matthews
McElveen	McLeod	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	

Total--17

The amendment was laid on the table.

Amendment No. 5

Senator GUSTAFSON proposed the following amendment (SR-4624.JG0103S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-32-36(B)(1) and (2) and inserting:

(1) asserts to any school employee that the minor's gender is inconsistent with his or her sex, as defined in Section 44-42-310; or

Renumber sections to conform.

Amend title to conform.

Motion Failed

Pursuant to Rule 15A, Senator MASSEY moved that the entire matter of H. 4624 be brought to a close, that debate on amendments be limited to 5 minutes for proponents and 5 minutes for opponents, with the addition of one amendment by each the Minority leader and the Majority leader and that upon consideration of all amendments, the Senate would proceed to a vote on third reading of the Bill.

The question then was the adoption of the motion.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 21; Nays 18

AYES

Adams	Alexander	Campsen
Cash	Climer	Corbin
Garrett	Goldfinch	Grooms
Hembree	*Johnson, Michael*	Kimbrell
Loftis	Massey	Peeler
Reichenbach	Rice	Shealy
Turner	Verdin	Young

Total--21

NAYS

Allen	Bennett	Davis
Devine	Gustafson	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Malloy	Matthews	McElveen

McLeod	Sabb	Setzler
Stephens	Tedder	Williams

Total--18

Having failed to receive the necessary vote, the motion failed.

Senator GUSTAFSON spoke on the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Motion Adopted

Pursuant to Rule 15A, Senator MASSEY moved that the entire matter of H. 4624 be brought to a close, that debate on amendments be limited to 5 minutes for proponents and 5 minutes for opponents, that amendments be limited to four for the proponents, controlled by Senator VERDIN, and four for opponents, controlled by Senator HUTTO, and further that one amendment from Senator HUTTO and one amendment from Senator MASSEY be permitted and that upon completion of the amendments, the Senate move immediately to a vote on third reading of the Bill.

Motion Adopted

Senator HUTTO asked unanimous consent to proceed to Amendment No. 15.

There was no objection.

Amendment No. 15

Senator CASH proposed the following amendment (SR-4624.JG0106S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-42-320(D) and inserting:

(D) Subject to the provisions in subsections (A) and (B), nothing in this section prohibits a licensed health provider from offering mental health services within the scope of his practice.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

Amendment No. 7

Senator HUTTO proposed the following amendment (SMIN-4624.MW0080S), which was not adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-42-360(C) and inserting:

(C) A person shall be required to bring a claim for a violation of Section 44-42-320 no later than three years after the day the cause of action accrues. A minor may bring an action before reaching eighteen years of age through a parent or guardian and may bring an action in the minor's own name upon reaching eighteen years of age at any time from that point until six years after.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO spoke in favor of the amendment.

Senator CASH spoke in opposition of the amendment.

The question then was the adoption of the amendment.

The amendment failed and was not adopted.

Amendment No. 9

Senator MATTHEWS proposed the following amendment (SMIN-4624.MW0112S), which was not adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-42-320(E) and inserting:

(E) A physician who knowingly performs genital gender reassignment surgery in violation of this chapter is guilty of assault and battery in the second degree as provided for in Section 16-3-600(D).

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS spoke in favor of the amendment.

Senator CASH spoke in opposition of the amendment.

The question then was the adoption of the amendment.

The amendment failed and was not adopted.

Amendment No. 10

Senator DAVIS proposed the following amendment (SR-4624.JG0111S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-42-330(1) and inserting:

(1) appropriate medical services to a person for precocious puberty, prostate cancer, breast cancer, endometriosis, or other procedure unrelated to gender transition, or to a person who was born with a medically verifiable disorder of sexual development including, but not limited to, a person with external biological sexual characteristics that are ambiguous including, but not limited to, people who were born with forty-six XX chromosomes with virilization or forty-six XY chromosomes with under virilization or having both ovarian and testicular tissue;

Renumber sections to conform.

Amend title to conform.

Senator DAVIS spoke in favor of the amendment.

Senator CASH spoke in favor of the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 11

Senator DEVINE proposed the following amendment (SMIN-4624.MW0113S), which was not adopted:

Amend the bill, as and if amended, SECTION 1, by adding:

Section 44-42-370. Any treatment for harm to a persons mental health caused by this act shall be covered by Medicaid.

Renumber sections to conform.

Amend title to conform.

Senator DEVINE spoke in favor of the amendment.

Senator CASH spoke in opposition of the amendment.

The question then was the adoption of the amendment.

The amendment failed and was not adopted.

Amendment No. 12

Senator DEVINE proposed the following amendment (SMIN-4624.AA0114S), which was not adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. A. As used in this section, "conversion therapy" means any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. "Conversion therapy" does not include counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity.

B. No provider in this state whose services include counseling or any professional licensed in this state shall engage in conversion therapy with a person under 18 years of age. Any conversion therapy efforts with a person under 18 years of age shall constitute unprofessional conduct and shall be grounds for disciplinary action by the appropriate regulatory authority.

Renumber sections to conform.

Amend title to conform.

Senator DEVINE spoke in favor of the amendment.

Senator CASH spoke in opposition of the amendment.

The question then was the adoption of the amendment.

The amendment failed and was not adopted.

The question then was third reading of the Bill.

Point of Quorum

At 6:09 P.M., Senator HUTTO made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 8

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Garrett	Goldfinch	Grooms
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Senn	Shealy
Turner	Verdin	Williams
Young		

Total--28

NAYS

Allen	Devine	Harpootlian
Hutto	Jackson	Matthews
McLeod	Tedder	

Total--8

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 6:12 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator HARPOOTLIAN.

ADJOURNMENT

At 11:04 A.M., on motion of Senator JACKSON, the Senate adjourned to meet next Tuesday, May 7, 2024, at 12:00 Noon.

* * *

Tuesday, May 7, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Genesis 12:2

We read in Genesis that the Lord said to Abram:" 'I will make you into a great nation and I will bless you. I will make your name great, and you will be a blessing.' "

Please join me as we bow in prayer: Most Holy God, how attuned are we all to the fact that the last day of this regular legislative session draws ever closer. And these Senators and their aides are equally aware, assuredly, of some major issues that remain unresolved: an energy bill, whether a certain position should be an appointed or elected one, judicial reform, plus finalizing the budget. Therefore, O God, we pray fervently today that You will bestow Your guidance and blessing upon these leaders that they might by Your grace have the stamina and wisdom to wrap up this year's state business in ways that truly benefit all of our people. So we pray in Your wondrous name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
Matthews	McElveen	Peeler
Reichenbach	Rice	Sabb

Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

Reappointment, Department of Transportation Commission, with the term to commence February 15, 2024, and to expire February 15, 2028

5th Congressional District:

Curtis M. Spencer, American Forest Management / AMF Real Estate
732 Mattison Ave., Sumter, SC 29150-3108

Referred to the Committee on Transportation.

Local Appointments

Initial Appointment, Chester County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Michael H. Lifsey, 168 York Street, Chester, SC 29706-1487 *VICE* Angela Boyd

Initial Appointment, Edgefield County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Gladys Mason, P. O. Box 23, Trenton, SC 29847-0023

Reappointment, Kershaw County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

James Davis, P.O. Box 1528, Camden, SC 29021-8528

Reappointment, Kershaw County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Roderick Todd, P. O. Box 1528, Camden, SC 29021-8528

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Roneeka Allyce Bailey, 208 Gadsden Street, Columbia, SC 29201-4214

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Timothy Jerome Hall, 145 Westmeath Dr., Moore, SC 29369-9023

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Kenneth Sanders, 619 Whitestone Road, Spartanburg, SC 29302-5322

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Keith Sherlin, 1305 North Blackstock Road, Landrum, SC 29356-9117

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Jason Thomas Wall, 180 Magnolia Street, Spartanburg, SC 29306-2359

Doctor of the Day

Senator M. JOHNSON introduced Dr. Keith Shealy of Lancaster, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator RICE, at 12:10 P.M., Senator GARRETT was granted a leave of absence for today.

Expression of Personal Interest

Senator MARTIN rose for an Expression of Personal Interest.

Introduction of The Honorable Mark Daly, Leas-Chathaoirleach of Seanad Éireann (Deputy Chairman of the Senate of Ireland)

Remarks by Senator REICHENBACH

Senator Daly, what a pleasure it is to see you here and to have you here in our Chambers. A few people, more than a few, have asked what's

the genesis of me proposing this Bill. It actually was my first Bill as primary sponsor to get over the finish line.

A very quick anecdote, Charisse and I were at NCSL about sixty days after we were elected into this Body and sworn in. We were in the convention center with John Mahoney. We walked by and were talking to John and here comes Senator Daly -- larger than life, got an entourage with him, and he was talking about the Irish Trade Commission and what they would like to do in partnering with states. I want to see if I can understand this. You want to talk to a black German about proposing an Irish Trade agreement? How ubiquitous could this be? After that conversation I remember you saying that you were more impressed with Charisse, as most people are, than with me. We still wanted to talk about what an Irish Trade Commission would look like.

We are excited at the prospect of bilateral trade, about foreign direct investment and about just partnering with an ally. One of the largest English speaking countries outside of the European Union and what this could look like with South Carolinians and for the folks of Ireland.

Charisse and I are delighted to have you here. Thank you for the partnership and for the cooperation. I'd be remiss if I didn't give a shout out to Representative Heather Bauer and Representative Chris Murphy who partnered with us as we went over there to meet you and to talk more about what the commission looks like. None of this would have happened without Senator NIKKI SETZLER who had our vision come to life and come to fruition. It's a pleasure to have you here.

On motion of Senator SABB, with unanimous consent, the remarks of Senator REICHENBACH were ordered printed in the Journal.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 915 Sen. Gustafson
S. 1315 Sen. Alexander

RECALLED AND ADOPTED

S. 1002 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE MAY 5-11, 2024, AS "TARDIVE DYSKINESIA AWARENESS WEEK" IN SOUTH CAROLINA.

Senator SHEALY asked unanimous consent to make a motion to recall the Resolution from the Committee on Medical Affairs.

The Resolution was recalled from the Committee on Medical Affairs.

Senator SHEALY asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator SHEALY, the Resolution was adopted.

OBJECTION

S. 1282 -- Senator Verdin: A SENATE RESOLUTION TO RESOLVE FOR THE CONTINUED EXAMINATION AND IMPLEMENTATION OF BEST PRACTICES TOWARD RECOVERY FROM THE OPIOID CRISIS THROUGH STRENGTHENING THE PATIENT AND HEALTH CARE PROVIDER RELATIONSHIP AND MAKING NEW POTENTIAL TREATMENTS AVAILABLE UPON FDA APPROVAL TO SOUTH CAROLINIANS.

Senator VERDIN asked unanimous consent to make a motion to recall the Resolution from the Committee on Medical Affairs.

The Resolution was recalled from the Committee on Medical Affairs.

Senator VERDIN asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

Senator CORBIN objected.

RECALLED AND ADOPTED

S. 1303 -- Senator Williams: A CONCURRENT RESOLUTION TO HEREBY PROCLAIM SEPTEMBER 2024 AS CHILDHOOD CANCER AWARENESS MONTH IN THE STATE OF SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO SUPPORT RESEARCH FOR THE CURE OF CHILDHOOD CANCER AND TREATMENT OF CHILDREN DIAGNOSED WITH CHILDHOOD CANCER AND TO SUPPORT THEIR FAMILIES WHO ARE ALL SO DEEPLY IMPACTED.

Senator WILLIAMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Medical Affairs.

The Resolution was recalled from the Committee on Medical Affairs.

Senator WILLIAMS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator WILLIAMS, the Resolution was adopted and ordered sent to the House.

RECALLED

S. 1314 -- Senators Senn and Campsen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE ROUNDABOUT AT FORT JOHNSON ROAD AND HARBOR VIEW ROAD IN CHARLESTON COUNTY "INEZ BROWN CROUCH ROUNDABOUT" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4040 -- Reps. Gilliard and Stavrinakis: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GARDEN STREET FROM ITS INTERSECTION WITH HOFF AVENUE TO ITS INTERSECTION WITH HUNTLEY DRIVE IN THE CITY OF CHARLESTON IN CHARLESTON COUNTY "BILL SHARPE WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4806 -- Reps. Rivers and Gilliard: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF THE SEA ISLAND PARKWAY IN BEAUFORT COUNTY FROM ITS INTERSECTION WITH CHOWAN CREEK BLUFF TO ITS INTERSECTION WITH COWEN CREEK BRIDGE "MONTFORD POINT MARINES WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4904 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE BROAD RIVER ALONG SOUTH CAROLINA HIGHWAYS 49 AND 9 IN UNION COUNTY "1ST LT. ROY D. BRATTON MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS DESIGNATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4905 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED AT THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 9 AND SOUTH CAROLINA HIGHWAY 49 IN UNION COUNTY "PFC FRANKLIN LEROY BARBER BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4906 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE LOCKHART CANAL ON SOUTH CAROLINA HIGHWAYS 49 AND 9 "SP5 WALTER 'BUBBA' BRANNON MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5378 -- Reps. Thigpen, Howard, Garvin, Bernstein, Bauer, McDaniel and Rutherford: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF UNITED STATES HIGHWAY 21 (WILSON BOULEVARD) FROM STATE ROAD S-910 (PLUMBERS ROAD) TO ITS INTERSECTION WITH STATE ROAD S-130 (SHARPE ROAD) IN RICHLAND COUNTY "JAMES AND BARBARA MCLAWHORN BOULEVARD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 5458 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL,

RELATING TO STANDARDS FOR LICENSING AMBULATORY SURGICAL FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5264, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator VERDIN asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Medical Affairs.

The Joint Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1327 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. ASHLEY ADAMSON BILLS.
sr-0731km-vc24.docx

The Senate Resolution was adopted.

S. 1328 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE OLGA C. ROSA, M.D. UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER TWENTY YEARS OF DEDICATED SERVICE TO THE CHILDREN OF SOUTH CAROLINA THROUGH THE CREATION AND MANAGEMENT OF THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0730km-vc24.docx

The Senate Resolution was adopted.

S. 1329 -- Senators Campsen and Alexander: A SENATE RESOLUTION TO ENCOURAGE THE STATE OF SOUTH CAROLINA TO TAKE ALL PRACTICAL STEPS TO INCREASE THE USE OF SUSTAINABLE AVIATION FUEL IN THE STATE, REGIONALLY, AND NATIONALLY.
sr-0728km-vc24.docx

The Senate Resolution was adopted.

S. 1330 -- Senator Stephens: A SENATE RESOLUTION TO CONGRATULATE THE BETHUNE-BOWMAN HIGH SCHOOL JROTC MOHAWK BATTALION FOR ACHIEVING THE HONOR UNIT WITH DISTINCTION DESIGNATION.
sr-0735km-vc24.docx
The Senate Resolution was adopted.

S. 1331 -- Senator Stephens: A SENATE RESOLUTION TO CONGRATULATE THE ORANGEBURG TECHNOLOGY CENTER TEAM FOR WINNING THE 2024 SKILLS USA CHAPTER DISPLAY STATE CHAMPIONSHIP.
sr-0729km-vc24.docx
The Senate Resolution was adopted.

S. 1332 -- Senator Stephens: A SENATE RESOLUTION TO CONGRATULATE THE BETHUNE-BOWMAN HIGH SCHOOL BASKETBALL TEAM ON A STRONG SEASON AND HONOR THEM FOR PLAYING IN THE 2024 STATE CHAMPIONSHIP.
sr-0732km-vc24.docx
The Senate Resolution was adopted.

H. 5339 -- Reps. Jefferson, Cobb-Hunter, Murphy, Pedalino, Brewer, Gatch and Robbins: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178 FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 15 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 78 IN DORCHESTER COUNTY "MAYOR CHARLES WILLIAM ACKERMAN HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.
lc-0561cm-gt24.docx
The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5378 -- Reps. Thigpen, Howard, Garvin, Bernstein, Bauer, McDaniel and Rutherford: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF UNITED STATES HIGHWAY 21 (WILSON BOULEVARD) FROM STATE ROAD S-910 (PLUMBERS ROAD) TO ITS INTERSECTION WITH STATE ROAD S-130 (SHARPE

ROAD) IN RICHLAND COUNTY "JAMES AND BARBARA MCLAWHORN BOULEVARD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.
lc-0590cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5458 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING AMBULATORY SURGICAL FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5264, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0713wab-dbs24.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 5459 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO MINIMUM STANDARDS FOR LICENSING HOSPITALS AND INSTITUTIONAL GENERAL INFIRMARIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5265, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
lc-0712wab-rt24.docx

Read the first time and ordered placed on the Calendar without reference.

H. 5465 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF ASHBY ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH IRBY STREET TO ITS INTERSECTION WITH DOUGLAS STREET "DR. JAMES DUCKETT HAMMOND, JR. MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS

OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

lc-0608cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 5478 -- Reps. Hosey, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR ROBERT MILLER, FORMER INTERIM CHIEF OF THE CITY OF BARNWELL POLICE DEPARTMENT, UPON THE OCCASION OF HIS RECENT RETIREMENT AFTER GRACIOUSLY SERVING DURING A TIME OF TRANSITION AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

lc-0450hdb-rm24.docx

The Senate Resolution was introduced and referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Senator CLIMER from the Committee on Agriculture and Natural Resources polled out S. 1315 favorable:

S. 1315 -- Senators Campsen and Alexander: A CONCURRENT RESOLUTION TO ENCOURAGE THE STATE OF SOUTH CAROLINA TO TAKE ALL PRACTICAL STEPS TO INCREASE

THE USE OF SUSTAINABLE AVIATION FUEL IN THE STATE, REGIONALLY, AND NATIONALLY.

Poll of the Agriculture and Natural Resources Committee
Polled 17; Ayes 16; Nays 0; Abstain 1

AYES

Climer	Verdin	Williams
McElveen	Sabb	Fanning
Goldfinch	Talley	Harpootlian
Garrett	Gustafson	M. Johnson
Kimbrell	Stephens	Massey
Reichenbach		

Total--16

NAYS

Total--0

ABSTAIN

Loftis

Total--1

Ordered for consideration tomorrow.

ADOPTED

S. 1315 -- Senators Campsen and Alexander: A CONCURRENT RESOLUTION TO ENCOURAGE THE STATE OF SOUTH CAROLINA TO TAKE ALL PRACTICAL STEPS TO INCREASE THE USE OF SUSTAINABLE AVIATION FUEL IN THE STATE, REGIONALLY, AND NATIONALLY.

Senator CAMPSEN asked unanimous consent to make a motion to take the Concurrent Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Concurrent Resolution. The question then was the adoption of the Concurrent Resolution.

On motion of Senator CAMPSEN, the Concurrent Resolution was adopted and ordered sent to the House.

Senator RANKIN from the Committee on Judiciary polled out H. 3676 favorable:

H. 3676 -- Reps. G.M. Smith, Pope, Jordan, W. Newton, Elliott, Lowe, J.E. Johnson, Guest, Mitchell, Taylor, Robbins and Brewer: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.

Poll of the Judiciary Committee
Polled 23; Ayes 13; Nays 5; Not Voting 5

AYES

Rankin	Massey	Climer
Rice	Senn	Talley
Cash	Loftis	Adams
Gustafson	Kimbrell	M. Johnson
Reichenbach		

Total--13

NAYS

Hutto	Sabb	McLeod
Stephens	Tedder	

Total--5

NOT VOTING

Malloy	Campsen	Harpootlian
Garrett	Devine	

Total--5

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary polled out H. 5154 favorable:

H. 5154 -- Reps. West and Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-5-1030, RELATING TO CIVIL PENALTIES, SO AS TO PROVIDE A GAS UTILITY WHICH VIOLATES SECTION 58-5-1020 OR A REGULATION UNDER ARTICLE 9 OF CHAPTER 5, TITLE 58 IS SUBJECT TO A CIVIL PENALTY NOT MORE THAN THE CIVIL PENALTY PROVIDED BY 49 U.S.C. SECTION 60122 AND 49 C.F.R. 190.233.

Poll of the Judiciary Committee
Polled 23; Ayes 21; Nays 1; Not Voting 1

AYES

Rankin	Hutto	Malloy
Campsen	Sabb	Climer
McLeod	Rice	Senn
Talley	Cash	Harpootlian
Loftis	Adams	Gustafson
Kimbrell	M. Johnson	Stephens
Reichenbach	Tedder	Devine

Total--21

NAYS

Massey

Total--1

NOT VOTING

Garrett

Total--1

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., May 7, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 124 -- Senators Hembree, Turner and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-18-1115 SO AS TO ESTABLISH A PILOT PROGRAM THAT WILL PERMIT PUBLIC SCHOOL DISTRICTS TO HIRE NONCERTIFIED TEACHERS IN A RATIO UP TO TEN PERCENT OF ITS ENTIRE TEACHING STAFF, TO PROVIDE ACADEMIC, EVALUATION, AND EXPERIENCE REQUIREMENTS, TO FURTHER PROVIDE FOR ANNUAL PROGRAM REPORTING AND NONCERTIFIED TEACHER REGISTRATION AND CLEARANCE REQUIREMENTS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

Message from the House

Columbia, S.C., May 7, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 305 -- Senators Young, M. Johnson, Kimbrell, Turner, Fanning, Climer, Stephens, Rankin, Loftis, Garrett, Matthews, Adams, Gustafson and Sabb: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THAT AN INDIVIDUAL’S PRIOR WORK EXPERIENCE MAY BE AWARDED ON AN INITIAL TEACHING CERTIFICATE IF THE

PRIOR EXPERIENCE IS IN OR RELATED TO THE CONTENT FIELD OF THE CERTIFICATE, AND TO PROVIDE THAT EXISTING CERTIFICATE HOLDERS MAY ALSO RECEIVE THE SAME CREDIT FOR PRIOR WORK EXPERIENCE.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

The question being the adoption of Rule 32A on S. 305.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The motion was adopted.

Message from the House

Columbia, S.C., May 7, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 314 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-157-10 SO AS TO PROVIDE CHAPTER DEFINITIONS; BY ADDING SECTION 59-157-30 SO AS TO REQUIRE CERTAIN PERMANENT IMPROVEMENT PROJECTS OVER THRESHOLD AMOUNTS FOR HIGHER INSTITUTIONS TO BE SUBMITTED FOR REVIEW TO THE COMMISSION ON HIGHER EDUCATION AND JOINT BOND REVIEW COMMITTEE AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY FOR APPROVAL AFTER FULL ARCHITECTURE AND ENGINEERING DESIGN WORK IS COMPLETED BUT PRIOR TO THE EXECUTION OF A CONSTRUCTION CONTRACT, TO ALLOW THE CHAIRMAN OF JOINT BOND REVIEW COMMITTEE TO REQUEST A REVIEW AND COMMENT ON ANY OTHER PERMANENT IMPROVEMENT PROJECT; BY ADDING SECTION 59-157-40 SO AS TO EXEMPT CERTAIN HIGHER EDUCATION PERMANENT IMPROVEMENT PROJECTS FROM THE REQUIREMENTS OF SECTION 2-47-50 AND TO REQUIRE THE GOVERNING BOARDS TO REPORT ANNUALLY TO THE COMMISSION ON HIGHER EDUCATION, THE JOINT BOND REVIEW COMMITTEE, AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY OF ALL PROJECTS APPROVED; BY ADDING SECTION 59-157-50 SO AS TO REQUIRE THE BOARD OF TRUSTEES TO PROVIDE ON AN ANNUAL BASIS A REPORT OF PROPERTY ACQUIRED AND ANY CAPITAL PROJECTS THAT ARE EXEMPT BY OPERATION OF SECTION 59-157-40.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator TALLEY, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

The question being the adoption of Rule 32A on S. 314.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Devine	Fanning	Gambrell
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Massey	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--40

NAYS

Corbin	Martin	Matthews
McLeod		

Total--4

The motion was adopted.

Message from the House

Columbia, S.C., May 7, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 408 -- Senators Shealy and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-75-250, RELATING TO ISSUANCE OF LICENSE, DISPLAY, AND RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT; AND BY AMENDING SECTION 40-75-540, RELATING TO REGULATIONS FOR CONTINUING EDUCATION AND LICENSE RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator VERDIN, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

Senator MATTHEWS made a motion to have the Bill read in full.

The PRESIDENT announced that the motion was out of order.

Message from the House

Columbia, S.C., May 7, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 610 -- Senators Cromer, Shealy and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PROFESSIONAL COUNSELING COMPACT ACT" BY ADDING ARTICLE 6 TO CHAPTER 75, TITLE 40 SO AS TO PROVIDE THE PURPOSE, FUNCTIONS, OPERATIONS, AND DEFINITIONS FOR THE COMPACT.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Senator DAVIS explained the House amendment.

Motion Adopted

On motion of Senator VERDIN, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

The question being the adoption of Rule 32A on S. 610.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Johnson, Kevin	*Johnson, Michael*	Loftis
Malloy	Massey	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn

Setzler	Stephens	Talley
Tedder	Turner	Verdin
Williams		

Total--37

NAYS

Martin	Matthews	McLeod

Total--3

The motion was adopted.

Statement by Senator YOUNG

I was out of the Chamber in a meeting with constituents during the roll call vote to waive the printing for S. 610. I would have voted "aye".

Message from the House

Columbia, S.C., May 7, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 962 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-71-2330, RELATING TO DUTIES OF PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS, SO AS TO REMOVE THE REQUIREMENT THAT PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS MUST ACT AS FIDUCIARIES TO PHARMACIES.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Senator CROMER explained the House amendment.

Motion Adopted

On motion of Senator VERDIN, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

The question being the adoption of Rule 32A on S. 962.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Massey	McElveen	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--40

NAYS

Martin	Matthews	McLeod

Total--3

The motion was adopted.

Message from the House

Columbia, S.C., May 7, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1005 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1320, RELATING TO MOTOR RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROVIDE THAT A BOAT, WATERCRAFT, OR OTHER TYPE OF VESSEL POWERED BY AN OUTDRIVE OR INBOARD MOTOR HAVING AN ENGINE AUTOMOTIVE HORSEPOWER RATING IN EXCESS OF TWO HUNDRED HORSEPOWER IS PERMITTED AND THAT PERSONAL WATERCRAFT MAY NOT EXCEED ONE HUNDRED NINETY HORSEPOWER; AND BY AMENDING SECTION 50-25-1350, RELATING TO WATER SKIING AND TOWING RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROHIBIT THE OPERATION OF PERSONAL WATERCRAFT, SPECIALTY PROPCRAFT, OR VESSELS IN EXCESS OF IDLE SPEED WITHIN ONE HUNDRED FEET OF A WHARF, DOCK, BULKHEAD, OR PIER OR WITHIN FIFTY FEET OF A MOORED OR ANCHORED VESSEL OR PERSON IN THE WATER.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

Message from the House

Columbia, S.C., May 7, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME,

STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Senator CROMER explained the House amendment.

Motion Adopted

On motion of Senator CROMER, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

Recorded Vote

Senator MARTIN desired to be recorded as voting against the motion to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

Message from the House

Columbia, S.C., May 7, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 5314 -- Reps. Haddon and Burns: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 25 (WHITE HORSE ROAD) AND SOUTH CAROLINA HIGHWAY 183 (SALUDA DAM ROAD) IN THE GREENVILLE COUNTY TOWN OF BEREA "HAROLD M. BATSON JR. MEMORIAL INTERSECTION" AND ERECT

APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 1267 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY 17 FROM 8TH AVENUE NORTH TO STARWATCH DRIVE IN HORRY COUNTY "GEORGE RAYFORD VEREEN HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 1268 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 315 IN JASPER COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 170 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 17 "BISHOP DELORIS M. YOUNG HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 1297 -- Senator Cromer: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF BOUNDARY STREET AND THE SOUTH CAROLINA HIGHWAY 34 BYPASS (BOB LAKE BOULEVARD) IN NEWBERRY COUNTY "HENRY S. REEDER INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 1302 -- Senator Malloy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF HIGHWAY 15 AND BROWNTOWN ROAD IN LEE COUNTY "WALLACE A. 'BULL' BERRY INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 1304 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF BLUFF ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH WINDY DRIVE TO ITS INTERSECTION WITH PINEVIEW DRIVE "DEPUTY SHERIFF JACOB ERIC SALRIN MEMORIAL WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 1319 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR BRADEN WILSON, AN EIGHTH GRADE SOCIAL STUDIES TEACHER AT PALMETTO MIDDLE SCHOOL IN ANDERSON SCHOOL DISTRICT ONE, AND TO CONGRATULATE HER FOR BEING NAMED THE SOUTH CAROLINA TEACHER OF THE YEAR.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 1322 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR BELTON-HONEA PATH HIGH SCHOOL FOR BEING NAMED A NATIONAL SCHOOL OF EXCELLENCE AND TO CONGRATULATE THE

ADMINISTRATION, FACULTY, STAFF, AND STUDENTS FOR THEIR CONTRIBUTIONS TO THIS ACHIEVEMENT.

Returned with concurrence.

Received as information.

ACTING PRESIDENT PRESIDES

Senator TURNER assumed the Chair.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

RECOMMITTED

S. 154 -- Senators Young, Senn and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STREET GANG AND CRIMINAL ENTERPRISE PREVENTION AND ANTI-RACKETEERING ACT"; BY AMENDING ARTICLE 3 OF CHAPTER 8, TITLE 16, RELATING TO THE CRIMINAL GANG PREVENTION ACT, SO AS TO RETITLE THE ARTICLE, REVISE THE DEFINITIONS FOR PURPOSES OF THE ARTICLE, AND RESTRUCTURE THE ARTICLE AND THE OFFENSES AND PENALTIES CONTAINED WITHIN IT; AND BY ADDING ARTICLE 5 TO CHAPTER 8, TITLE 16 SO AS TO CREATE ANTI-RACKETEERING PROVISIONS TO COMPLIMENT THE REVISED STREET GANG AND CRIMINAL ENTERPRISE PREVENTION ARTICLE, DEFINE NECESSARY TERMS, AND CREATE VARIOUS RACKETEERING OFFENSES AND ESTABLISH PENALTIES FOR VIOLATIONS.

On motion of Senator MALLOY, the Bill was recommitted to Committee on Judiciary.

AMENDED, HOUSE BILL RETURNED

H. 4674 -- Rep. Erickson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1240, RELATING TO THE DISPLAY OF LICENSE PLATES, SO AS TO PROVIDE THE CIRCUMSTANCES IN WHICH THE PROVISIONS OF THIS SECTION APPLY, TO PROVIDE HOW LICENSE PLATES MUST BE FASTENED TO VEHICLES, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE FOR THE DISPLAY OF

TEMPORARY LICENSE PLATES ON LARGE COMMERCIAL MOTOR VEHICLES.

The Senate proceeded to a consideration of the Bill.

Senators McLEOD, SHEALY, MATTHEWS, SENN, GUSTAFSON, DEVINE, SETZLER and MALLOY proposed the following amendment (SR-4674.KM0004S),which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 56-3-14210 of the S.C. Code is amended to read:

Section 56-3-14210. (A) The Department of Motor Vehicles shall issue "University of South Carolina 2017 ~~and~~, 2022, and 2024 Women's Basketball National Champions" special license plates to owners of private passenger motor vehicles, as defined in Section 56-3-630, or motorcycles as defined in Section 56-3-20, registered in their names.

(B) The University of South Carolina may submit to the department for its approval the emblem, seal, or other symbol it desires to be used for its respective special license plate.

(C) The requirements for production, collection, and distribution of fees for the plate are those set forth in Section 56-3-8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of seventy dollars. Any portion of the additional seventy-dollar fee not set aside to defray costs of production and distribution must be distributed to the fund established for the University of South Carolina pursuant to Section 56-3-3710(B) used for the purposes provided in that section.

(D) License number "1" for the "University of South Carolina 2017, ~~and~~ 2022, and 2024 Women's Basketball National Champions" license plates are reserved for the University of South Carolina Women's Basketball Coach.

(E) The department must issue to registrants who have a license plate commemorating only the 2017 Women's Basketball National Championship or only the 2017 and 2022 Women's Basketball National Championship the license plate commemorating ~~both~~ the 2017, ~~and~~ 2022, and 2024 national championships once the 2017 or 2022 license plate reaches the end of its ten-year lifecycle. This subsection does not apply to registrants who choose to switch to the "2017 ~~and~~, 2022, and 2024" license plate on their own.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

PRESIDENT PRESIDES

At 1:40 P.M., the PRESIDENT assumed the Chair.

AMENDED, OBJECTION

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE EFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC

INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (SMIN-4957.AA0008S), which was adopted, reconsidered, and tabled:

Amend the bill, as and if amended, SECTION 4, by striking Section 59-158-40~~(2)~~(A) and inserting:

(A) An institution of higher learning may prohibit an intercollegiate athlete from using his name, image, or likeness for compensation ~~if the proposed use of his name, image, or likeness conflicts with institutional values as defined by the institution of higher learning.~~with any of the following:

(1) alcohol and alcoholic beverages;

(2) adult entertainment;

(3) cannabis, cannabinoids, cannabidiol, or other derivatives, not including hemp or hemp products;

(4) controlled substances as defined in Section 44-53-110;

(5) performance enhancing drugs or substances such as steroids or human growth hormone;

(6) drug paraphernalia, as defined in Section 44-53-110;

(7) tobacco, tobacco products, alternative nicotine products, nicotine vapor products, and similar products and devices;

(8) weapons, including firearms and ammunition for firearms; and

(9) casinos or gambling, including sports betting.

~~(2) An intercollegiate athlete may not earn compensation for the use of his name, image, or likeness for the endorsement of tobacco, alcohol, illegal substances or activities, banned athletic substances, or gambling including, but not limited to, sports betting.~~

~~(C) An institution of higher learning must disclose known prohibitions for the use of an intercollegiate athlete's name, image, or likeness at the time that an intercollegiate athlete is admitted to the institution of higher learning or when the intercollegiate athlete signs a financial aid agreement or team contract.~~

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was carried over and subsequently adopted.

Recorded Vote

Senators MARTIN, CORBIN and CLIMER desired to be recorded as voting against the adoption of the amendment.

Senator MALLOY proposed the following amendment (SMIN-4957.AA0005S), which was withdrawn:

Amend the bill, as and if amended, SECTION 2, Section 59-158-20~~(4)~~, by adding an item to read:

(D) Compensation earned by an intercollegiate athlete for the use of his name, image, or likeness must represent a genuine payment for the use of his name, image or likeness, independent of, rather than as a payment for, his athletic participation or performance.

Renumber sections to conform.

Amend title to conform.

On motion of Senator MALLOY, with unanimous consent, the amendment was withdrawn.

Senator MALLOY proposed the following amendment (SMIN-4957.AA0011S), which was withdrawn:

Amend the bill, as and if amended, SECTION 2, Section 59-158-20~~(4)~~, by adding an item to read:

(D) Compensation earned by an intercollegiate athlete for the use of his name, image, or likeness must represent payment for the use of his name, image or likeness, independent of, rather than as a payment for, his athletic participation or performance.

Renumber sections to conform.

Amend title to conform.

On motion of Senator MALLOY, with unanimous consent, the amendment was withdrawn.

Senator TALLEY proposed the following amendment (SEDU-4957.DB0013S), which was withdrawn:

Amend the bill, as and if amended, SECTION 4, by striking Section 59-158-40(7)(B) and inserting:

~~(C) An institution of higher learning must disclose known prohibitions for the use of an intercollegiate athlete's name, image, or likeness at the time that an intercollegiate athlete is admitted to the institution of higher learning or when the intercollegiate athlete signs a financial aid agreement or team contract.~~(B) An institution of higher learning or any officers, trustees, directors, employees, including athletics coaching staff, may not be liable for any damages to an intercollegiate athlete's ability to earn compensation for the use of the intercollegiate athlete's name, image, or likeness resulting from decisions or actions routinely taken in the course of intercollegiate athletics.

Renumber sections to conform.

Amend title to conform.

On motion of Senator TALLEY, with unanimous consent, the amendment was withdrawn.

Senators MALLOY, TALLEY and SETZLER proposed the following amendment (SEDU-4957.DB0014S), which was adopted:

Amend the bill, as and if amended, SECTION 2, Section 59-158-20~~(4)~~(C), by adding an item to read:

(D) Compensation earned by an intercollegiate athlete for the use of his name, image or likeness must represent payment for the use of his name, image or likeness, independent of, rather than as payment for, his athletic participation or performance unless otherwise permitted or authorized by a collegiate athletic association and institution of higher learning policy, a court order or a settlement agreement.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator TALLEY spoke on the Bill.

The amendment was adopted.

Senator MARTIN spoke on the Bill.

Senator MARTIN proposed the following amendment (SR-4957.JG0019S), with was ruled out of order:

Amend the bill, as and if amended, SECTION 4, by striking Section 59-158-40~~(2)~~(A) and inserting:

(A) An institution of higher learning may prohibit an intercollegiate athlete from using his name, image, or likeness for compensation ~~if the proposed use of his name, image, or likeness conflicts with institutional values as defined by the institution of higher learning.~~with any of the following:

(1) alcohol and alcoholic beverages;

(2) adult entertainment;

(3) cannabis, cannabinoids, cannabidiol, or other derivatives, not including hemp or hemp products;

(4) controlled substances as defined in Section 44-53-110;

(5) performance enhancing drugs or substances such as steroids or human growth hormone;

(6) drug paraphernalia, as defined in Section 44-53-110;

(7) tobacco, tobacco products, alternative nicotine products, nicotine vapor products, and similar products and devices; and

(8) casinos or gambling, including sports betting.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

Point of Order

Senator MALLOY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MARTIN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator BENNETT spoke on the Bill.

Senator HARPOOTLIAN spoke on the Bill.

Having voted on the prevailing side of the amendment by Senator MALLOY (SMIN-4957.AA0008S) previously adopted, Senator TALLEY moved to reconsider the vote whereby the amendment was adopted.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 10

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rankin	Reichenbach	Rice
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--35

NAYS

Allen	Devine	Hutto
Jackson	*Johnson, Kevin*	Matthews

McLeod	Sabb	Stephens
Tedder		

Total--10

The motion to reconsider was adopted.

The question was the adoption of the amendment.

Senator HUTTO spoke on the amendment.
Senator TALLEY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 12

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Grooms
Gustafson	Hembree	*Johnson, Michael*
Kimbrell	Loftis	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Shealy	Talley
Turner	Verdin	Young

Total--30

NAYS

Allen	Devine	Harpootlian
Hutto	Jackson	*Johnson, Kevin*
Matthews	McElveen	McLeod
Sabb	Stephens	Tedder

Total--12

The amendment was laid on the table.

Senator JACKSON objected to further consideration of the Bill.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4594 -- Reps. Ballentine, Pope, Clyburn, West, Elliott and T. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2023 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

RECOMMITTED

S. 88 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-671 SO AS TO PROVIDE FOR THE DESIGN, COLOR, AND OTHER ELEMENTS OF THE SOUTH CAROLINA STATE FLAG AND TO DESIGNATE THE FLAG OF THIS DESIGN, COLOR, AND ELEMENTS AS THE OFFICIAL SOUTH CAROLINA STATE FLAG.

On motion of Senator HUTTO, the Bill was recommitted to Committee on Family and Veterans' Services.

RECOMMITTED

S. 260 -- Senators Rankin, Hutto and Stephens: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; BY AMENDING TITLE 61, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, TO PROVIDE FOR THE ESTABLISHMENT, IMPLEMENTATION, AND ENFORCEMENT OF A MANDATORY ALCOHOL SERVER TRAINING AND EDUCATION PROGRAM, TO REQUIRE SERVERS OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IN LICENSED OR PERMITTED BUSINESSES TO OBTAIN ALCOHOL SERVER CERTIFICATES, TO PROVIDE GUIDANCE FOR THE CURRICULA OF THE TRAINING PROGRAMS, TO PROVIDE FOR THE DEPARTMENT OF REVENUE TO BE RESPONSIBLE FOR APPROVAL OF THE TRAINING PROGRAMS AND IMPLEMENTATION OF THE

ALCOHOL SERVER CERTIFICATES, TO REQUIRE FEES FROM PROVIDERS OF TRAINING PROGRAMS AND FROM APPLICANTS FOR ALCOHOL SERVER CERTIFICATES TO COVER THE COSTS OF THE MANDATORY TRAINING AND ENFORCEMENT, TO REQUIRE COORDINATION AMONG THE DEPARTMENT OF REVENUE, THE STATE LAW ENFORCEMENT DIVISION, AND OTHER STATE AND LOCAL AGENCIES FOR THE IMPLEMENTATION AND ENFORCEMENT OF THESE PROVISIONS, AND TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; BY AMENDING SECTION 61-2-60, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND BY AMENDING SECTION 61-2-145, SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

On motion of Senator HUTTO, the Bill was recommitted to Committee on Judiciary.

RECOMMITTED

S. 244 -- Senator Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-19-40, RELATING TO CERTAIN SPECIAL PROVISIONS FOR THE ELECTION OR APPOINTMENT OF SCHOOL TRUSTEES, SO AS TO PROVIDE THAT ELECTIONS FOR SCHOOL TRUSTEES MUST BE HELD AT THE SAME TIME AS THE GENERAL ELECTION IN EVEN-NUMBERED YEARS.

On motion of Senator MASSEY, the Bill was recommitted to Committee on Education.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 3682 -- Reps. Murphy, Wetmore, Bailey, Rose, Crawford, Brewer, Taylor, Hardee, Wooten, Pope, McDaniel, Hewitt, Bauer, Yow, J.E. Johnson, Willis, Ligon, Lawson, Robbins, Schuessler, Guest, Henegan, Williams, M.M. Smith and Vaughan: A BILL TO AMEND THE

SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 47-1-140, RELATING TO THE CARE OF ANIMALS AFTER THE ARREST OF THE OWNER, SO AS TO REMOVE PROVISIONS REGARDING A LIEN ON THE SEIZED ANIMAL; BY AMENDING SECTION 47-1-145, RELATING TO CUSTODY AND CARE OF ANIMALS AFTER THE ARREST OF THE OWNER, SO AS TO OUTLINE HEARING PROCEDURES FOR ORDERING THE COST OF CARE OF THE SEIZED ANIMALS; AND BY AMENDING SECTION 47-1-170, RELATING TO PENALTIES FOR ANIMAL CRUELTY, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (SR-3682.JG0009S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 47-1-140 of the S.C. Code is amended to read:

Section 47-1-140. The law enforcement officer making the arrest, with or without warrant, shall use reasonable diligence to give notice to the owner of the animals found in the charge or custody of the person arrested, if the person is not the owner, and shall care and provide properly for the animals. ~~The law enforcement officer making the arrest shall have a lien on the animals for the expense of such care and provision unless the charge is dismissed or nol prossed or the person is found not guilty, then the lien is extinguished. The lien also may be extinguished by an agreement between the person charged and the prosecuting agency or the law enforcement agency in custody of the animal.~~ Notwithstanding any other provision of law, an animal may be seized preceding an arrest and pursuant to Section 47-1-150.

SECTION 2. Section 47-1-145 of the S.C. Code is amended to read:

Section 47-1-145. (A)(1) ~~Any person, organization~~ Notwithstanding another provision of law, any sheriff, deputy sheriff, deputy state constable, constable, law enforcement officer, or other entity that is awarded custody of an animal under the provisions of Section 47-1-150 or who has seized an animal because of ~~the arrest of a defendant for~~ a violation of any provision of Chapter 1, Title 47 or Chapter 27, Title 16 ~~and that provides services to the animal without compensation~~ may file a petition with ~~the~~ a court of competent jurisdiction to hear civil cases requesting ~~that the defendant, if found guilty, be ordered~~ the court to require the owner of the animal or animals to deposit funds at specified intervals in an amount sufficient to secure payment of all ~~the reasonable~~

~~expenses incurred by the custodian in caring for and providing for the animal~~ anticipated costs of the seizure and care of the animals pending the disposition of the litigation. ~~In the absence of a conviction, the county or municipality making the arrest shall pay the reasonable expenses of the custodian. For purposes of this section, "court" refers to municipal or magistrates court, and "reasonable expenses" includes the cost of providing food, water, shelter, and care, including medical care, but does not include extraordinary medical procedures.~~

~~(B) The court shall, at the time of adjudication, determine the actual cost of care for the animal that the custodian incurred pursuant to subsection (A). Either party may demand that the trial be given priority over other cases.~~

~~(C)(1) If the court makes a final determination of the charges or claims against the defendant in his favor, then the defendant may recover custody of his animal.~~

(2) If the defendant is found guilty, then the custodian of the animal may then determine if the animal is suitable for adoption and if adoption can be arranged for the animal. The animal may not be adopted by the defendant or by any person residing in the defendant's household if the defendant was found guilty. If no adoption can be arranged after the forfeiture or if the animal is unsuitable for adoption, then the custodian shall humanely euthanize the animal.

~~(D) Within thirty days of an animal's impoundment, the animal's custodian must provide a good faith estimate, pursuant to subsection (A), of the daily custodial cost of the impounded animal. Upon receipt of the good faith estimate, the court shall then issue a notice to the defendant about his impounded animal that includes:~~

~~(1) an estimate of the daily custodial costs required to care for the animal;~~

~~(2) a statement that the defendant, if found guilty, shall be required to pay for the animal's care during impoundment; and~~

(3) ~~a statement that the defendant,~~ At any time prior to final adjudication, the owner has the right to forfeit ownership of the animal and avoid all future custodial costs related to the animal's care but not costs already accrued, beginning with the date of the seizure.

(4) If the charge is dismissed, nol prossed, or the defendant is found not guilty, then the petitioner must reimburse the defendant the amount of all costs of seizure and care of the animal imposed by the court paid by the defendant, plus interest and court costs.

(B)(1) Every petition filed pursuant to subsection (A) shall contain a description of the time, place, and circumstances of the seizure, the legal

authority for the seizure, and the name and address of the owner of the animal seized.

(2) Any sheriff, deputy sheriff, deputy state constable, constable, or other law enforcement officer shall personally serve written process of the petition on the owner of the animal. If the officer is unable to personally serve written process of the petition on the owner of the animal within thirty days of the filing of the petition, the officers shall, within ten days thereafter, post a copy of the petition on the door of the residence of the owner or in another conspicuous place at the location where the animal was seized.

(C)(1)(a) Upon the court's receipt of return of process of the petition on the owner, the court shall set a hearing on the petition to determine the need to care for and provide for the animal pending the final disposition of the animal. The hearing shall be conducted no less than ten days and no more than fifteen business days after the court's receipt of return of service of process of the petition on the owner. Any sheriff, deputy sheriff, deputy state constable, constable, or other law enforcement officer is authorized to serve written notice on the owner of the date, time, and location of the hearing. If no name and address for the owner are set forth in the petition, then such notice shall be posted in a conspicuous place at the location where the animal or animals were seized.

(b) If the owner is financially unable to retain counsel then counsel shall be provided upon order of the appropriate judge pursuant to Chapter 3, Title 17, unless the owner voluntarily and intelligently waives court appointed counsel.

(c) The court may waive or reduce the requirement for the owner to pay the costs of seizure and care pursuant to this section if the owner is indigent.

(2) The scope of the hearing is limited to whether probable cause existed to seize the animal. Upon such a showing, the court shall require payment into the registry of the court of an amount sufficient to cover all costs of seizure and care, as determined by the court, for a period beginning as of the date of seizure and ending thirty days after the date of the order. Neither the result of a hearing provided for under this section nor a statement of an owner made at any such hearing shall be admissible in any criminal prosecution related to the seizure of the animal.

(3) The owner shall be ordered to deposit an amount equal to the portion of the original deposit amount attributable to the first thirty days after the date of the initial order and every thirty days thereafter until the

owner relinquishes the animal or until the final disposition of the animal. If the required funds are not deposited within five days of the original order setting the amount of funds, or within five days after the expiration of each applicable subsequent thirty-day period, then the animal shall be forfeited to the petitioning agency by operation of law and may, with the consent or any prosecutor prosecuting charges against the owner regarding the owner's animal, be disposed of via transfer to another person or entity capable of providing care or other humane disposition.

(4) The court may correct, alter, or otherwise adjust the owner's thirty-day obligation of payment upon a motion made by the owner of the petition agency at least five days before the expiration date of the then current thirty-day payment period. The hearing shall be held within ten days of service of the motion on the opposing party, and any adjustment to the thirty-day payment amount shall become effective five days after the court orders, or refuses to order, an adjustment.

(D)(1) Upon the deposit of funds with the court in accordance with this section, the petitioning agency may immediately begin to draw from those funds for payment of the actual costs incurred by the petitioning agency in keeping and caring for the animal from the date of seizure to the date of the final disposition of the underlying criminal action regarding the owner and the animal.

(2) Upon final disposition of the animal, remaining funds deposited with the court shall be refunded to the owner.

(E) The remedy provided for in this section is in addition to any other remedy provided by law.

SECTION 3. Section 47-1-170 of the S.C. Code is amended to read:

Section 47-1-170. The owner or person having charge or custody of an animal cruelly used who is convicted of any violation of this chapter forfeits ownership, charge, or custody of the animal and at the discretion of the court, the person who is charged with or convicted of a violation of this chapter ~~must~~ may be ordered, if not previously ordered, to pay costs incurred to care for the animal and related expenses.

SECTION 4. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Senator MATTHEWS moved to lay the amendment on the table.

The Senate refused to lay the amendment on the table.

The amendment was adopted.

Senators HEMBREE and RANKIN proposed the following amendment (SEDU-3682.DB0019S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 47-1-145~~(C)~~(2) and inserting:

(2) If the defendant is found guilty, then the custodian of the animal may then determine if the animal is suitable for adoption or rescue and if adoption or rescue can be arranged for the animal. The animal may not be adopted by the defendant or by any person residing in the defendant's household if the defendant was found guilty. If no adoption or rescue can be arranged after the forfeiture or if the animal is unsuitable for adoption or rescue, then the custodian shall humanely euthanize the animal.

Amend the bill further, SECTION 2, by striking Section 47-1-145~~(D)~~(4) and inserting:

(4) In the event that an owner is adjudicated not guilty of all charges related to the animal seizure or all charges are dismissed not pursuant to plea negotiations or an intervention program, the owner shall receive from the filing agency a refund of all costs paid by the owner pursuant to the petition. The court may award interest on the amount refunded to an owner under this subsection.

(B)(1) Every petition filed pursuant to subsection (A) shall contain a description of the time, place, and circumstances of the seizure, the legal authority for the seizure, and the name and address of the owner of the animal seized.

(2) Any sheriff, deputy sheriff, deputy state constable, constable, or other law enforcement officer shall personally service written process of the petition on the owner of the animal. If the officer is unable to personally serve written process of the petition on the owner of the animal within thirty days of the filing of the petition, the officers shall, within ten days thereafter, post a copy of the petition on the door of the residence of the owner or in another conspicuous place at the location where the animal were seized.

(C)(1)(a) Upon the court’s receipt of return of process of the petition on the owner, the court shall set a hearing on the petition to determine the need to care for and provide for the animal pending the final disposition of the animal. The hearing shall be conducted no less than ten days and no more than fifteen business days after the court’s receipt of return of service of process of the petition on the owner. Any sheriff, deputy sheriff, deputy state constable, constable, or other law enforcement officer is authorized to serve written notice on the owner of

the date, time, and location of the hearing. If no name and address for the owner are set forth in the petition, then such notice shall be posted in a conspicuous place at the location where the animal or animals were seized.

(b) If the owner is financially unable to retain counsel then counsel shall be provided upon order of the appropriate judge pursuant to Chapter 3, Title 17, unless the owner voluntarily and intelligently waives court appointed counsel.

(c) The court may reduce the amount the owner is required to pay under this section if the owner is indigent.

(2) The scope of the hearing is limited to whether probable cause existed to seize the animal. Upon such a showing, the court shall require payment to the clerk of court of an amount sufficient to cover reasonable costs of seizure and care, as determined by the court, for a period beginning as of the date of seizure and ending thirty days after the date of the order. Neither the result of a hearing provided for under this section nor a statement of an owner made at any such hearing shall be admissible in any criminal prosecution related to the seizure of the animal.

(3) The owner shall be ordered to deposit an amount equal to the portion of the original deposit amount attributable to the first thirty days after the date of the initial order and every thirty days thereafter until the owner relinquishes the animal or until the final disposition of the animal. If the required funds are not deposited within five days of the original order setting the amount of funds, or within five days after the expiration of each applicable subsequent thirty-day period, then the animal shall be forfeited to the petitioning agency by operation of law and may be disposed of via transfer to another person or entity capable of providing care or other humane disposition.

(4) The court may correct, alter, or otherwise adjust the owner's thirty-day obligation of payment upon a motion made by the owner or the petitioning agency at least five days before the expiration date of the then current thirty-day payment period. The hearing shall be held within ten days of service of the motion on the opposing party, and any adjustment to the thirty-day payment amount shall become effective five days after the court orders, or refuses to order, an adjustment.

(D)(1) Upon the deposit of funds with the court in accordance with this section, the entity incurring the costs of care may immediately begin to draw from those funds for payment of the actual costs incurred by the petitioning agency in keeping and caring for the animal from the date of

seizure to the date of the final disposition of the underlying criminal action regarding the owner and the animal.

(2) Upon final disposition of the animal, remaining funds deposited with the court shall be refunded to the owner.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Nothing in this act may be applied in contradiction to the exemptions and protections provided to hunting dogs, sporting dogs or working dogs under Section 47-1-40, Section 16-27-60, and Section 16-27-80.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 650 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-150-70, RELATING TO TEMPORARY REGULATIONS OF THE SOUTH CAROLINA EDUCATION LOTTERY, INITIAL AVAILABILITY OF TICKETS, AND ALTERNATE USE FOR NONWINNING TICKETS, SO AS TO ALLOW PAYMENT BY DEBIT CARD; AND BY ADDING SECTION 59-150-145 SO AS TO EXEMPT CERTAIN PERSONALLY IDENTIFIABLE INFORMATION CONCERNING LOTTERY CLAIMS FROM NONCONSENSUAL DISCLOSURE OR RELEASE UNDER THE FREEDOM OF INFORMATION ACT, TO PROVIDE THE LOTTERY COMMISSION MAY DISCLOSE CERTAIN INFORMATION CONCERNING LOTTERY CLAIMS WITHOUT CONSENT, AND TO PROVIDE AN EXCEPTION FOR PARTICIPANTS IN CERTAIN PROMOTIONS.

Senator SHEALY objected to consideration of the Bill.

RECOMMITTED

S. 543 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-11-140, RELATING TO AUTHORIZATION OF FISCAL ACCOUNTABILITY AUTHORITY THROUGH THE OFFICE OF INSURANCE RESERVE FUND, SO AS TO PROVIDE FOR EXTENSION OF COVERAGE TO EMPLOYEES OF ENTITIES INSURED BY THE INSURANCE RESERVE FUND PROVIDED THAT EMPLOYEES ACTED IN GOOD FAITH AND WITHIN THE SCOPE OF EMPLOYMENT.

On motion of Senator MASSEY, the Bill was recommitted to Committee on Judiciary.

RECOMMITTED

S. 1175 -- Senator Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-3-800 SO AS TO PROVIDE DEFINITIONS FOR THE SOUTH CAROLINA

DRAM SHOP ACT; BY ADDING SECTION 15-3-810 SO AS TO PROVIDE THAT AN INDIVIDUAL WHO SUFFERS DEATH, BODILY INJURY, OR PROPERTY DAMAGE BY AN INTOXICATED PERSON HAS A CAUSE OF ACTION FOR DAMAGES AGAINST THE HOLDER OF A PERMIT TO SELL BEER, WINE, OR LIQUOR IF THE PERMIT HOLDER KNOWINGLY SOLD, FURNISHED, OR SERVED ALCOHOL TO THE INTOXICATED PERSON AND THE SALE, FURNISHMENT, OR SERVICE WAS THE PROXIMATE CAUSE OF THE INJURY GIVING RISE TO THE CLAIM; AND BY ADDING SECTION 15-3-820 SO AS TO PROVIDE THAT AN INDIVIDUAL WHO SUFFERS DEATH, BODILY INJURY, OR PROPERTY DAMAGE BY A PERSON UNDER THE LAWFUL DRINKING AGE HAS A CAUSE OF ACTION FOR DAMAGES AGAINST THE HOLDER OF A PERMIT TO SELL BEER, WINE, OR LIQUOR IF THE PERMIT HOLDER KNOWINGLY SOLD, FURNISHED, OR SERVED ALCOHOL TO THE PERSON UNDER THE LAWFUL DRINKING AGE AND THE SALE, FURNISHMENT, OR SERVICE WAS THE PROXIMATE CAUSE OF THE INJURY GIVING RISE TO THE CLAIM.

On motion of Senator MALLOY, the Bill was recommitted to Committee on Judiciary.

CARRIED OVER

H. 4029 -- Reps. Dillard, Hyde, Bailey, Brittain, Weeks and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.

On motion of Senator MALLOY, the Bill was carried over.

RECOMMITTED

S. 1158 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-500, RELATING TO THE UNLAWFUL POSSESSION OF A FIREARM BY A PERSON CONVICTED OF A VIOLENT OFFENSE, SO AS TO PROVIDE THAT THE VIOLATIONS SUBSEQUENT TO THE FIRST VIOLATION MUST OCCUR WITHIN TWENTY YEARS OF THE FIRST OFFENSE TO QUALIFY FOR GRADUATED PENALTIES; BY AMENDING SECTION 16-23-420, RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO

AS TO PROVIDE THAT EXPRESS AUTHORIZATION TO CARRY THE FIREARM ON SCHOOL PROPERTY MAY NOT BE PROVIDED TO A STUDENT ENROLLED IN A PUBLIC SCHOOL; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING A WEAPON ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT STUDENTS ENROLLED IN A PUBLIC SCHOOL MAY NOT POSSESS WEAPONS EVEN IF THEY ARE SECURED WITHIN A VEHICLE; BY AMENDING SECTION 23-31-245, RELATING TO REASONABLE SUSPICION OR PROBABLE CAUSE TO SEARCH, DETAIN, OR ARREST, SO AS TO CLARIFY THAT THE PROVISIONS IN THE SECTION APPLY TO A PERSON CARRYING A WEAPON IN ACCORDANCE WITH THE ARTICLE WHETHER OR NOT THE WEAPON IS CONCEALED; AND BY AMENDING SECTION 16-23-20, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO CLARIFY WHEN CARRYING A HANDGUN IS IMPERMISSIBLE IN A PUBLICLY OWNED BUILDING OTHER THAN A COURTHOUSE WHERE COURT IS HELD.

On motion of Senator MASSEY, the Bill was recommitted to Committee on Judiciary.

CARRIED OVER

H. 3865 -- Reps. Hiott, Collins, Rutherford, Carter and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

On motion of Senator CORBIN, the Bill was carried over.

AMENDED, READ THE SECOND TIME

H. 5118 -- Reps. G.M. Smith, West, Davis, Hager, Hewitt, Kirby, Long, M.M. Smith, B. Newton, Pendarvis, Sandifer, Hiott, Landing, Crawford, Brittain, Lawson, Williams, Whitmire, Jefferson, Bustos, Hartnett, Carter, Blackwell, Neese, W. Newton, Bradley, Erickson, Murphy, Brewer, Yow, Mitchell, Connell, Jordan, Thayer, Elliott, Wooten, Pedalino, Bailey, T. Moore, McGinnis, Gatch, Ligon, Gagnon, Hardee, B.L. Cox, Chapman, Leber, Anderson, Bannister, Calhoon, Felder, Hixon, Lowe, Taylor, Thigpen, Willis and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY

ENACTING THE "SOUTH CAROLINA TEN-YEAR ENERGY TRANSFORMATION ACT"; BY AMENDING SECTION 58-3-20, RELATING TO THE MEMBERSHIP, ELECTION, AND QUALIFICATIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO CHANGE THE NUMBER OF COMMISSIONERS FROM SEVEN TO THREE TO BE ELECTED BY THE GENERAL ASSEMBLY FROM THE STATE AT LARGE; BY AMENDING SECTION 58-3-140, RELATING TO THE PUBLIC SERVICE COMMISSION'S POWERS TO REGULATE PUBLIC UTILITIES, SO AS TO ESTABLISH CONSIDERATIONS AND STATE POLICY FOR THE COMMISSION'S DECISION-MAKING PROCESS, TO ESTABLISH A SCHEDULE FOR CERTAIN TESTIMONY AND DISCOVERY IN CONTESTED PROCEEDINGS, TO PERMIT ELECTRICAL UTILITY CUSTOMERS TO ADDRESS THE COMMISSION AS PUBLIC WITNESSES, AND TO ESTABLISH REQUIREMENTS FOR AN INDEPENDENT THIRD PARTY CONSULTANT HIRED BY THE COMMISSION; BY AMENDING SECTION 58-3-250, RELATING TO SERVICE OF ORDERS AND DECISIONS ON PARTIES, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS REPRESENTATION OF PUBLIC INTEREST BEFORE THE COMMISSION, SO AS TO ESTABLISH ITS CONSIDERATIONS FOR PUBLIC INTEREST; BY ADDING SECTION 58-4-150 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO PREPARE A COMPREHENSIVE STATE ENERGY ASSESSMENT AND ACTION PLAN AND TO ESTABLISH REQUIREMENTS FOR THIS PLAN; BY ADDING CHAPTER 38 TO TITLE 58 SO AS TO ESTABLISH THE SOUTH CAROLINA ENERGY POLICY INSTITUTE; BY ADDING SECTION 58-33-195 SO AS TO ENCOURAGE DOMINION ENERGY, THE PUBLIC SERVICE AUTHORITY, DUKE ENERGY CAROLINAS, AND DUKE ENERGY PROGRESS TO EVALUATE CERTAIN ELECTRICAL GENERATION FACILITIES AND PROVIDE FOR CONSIDERATIONS RELATED TO THESE FACILITIES; BY ADDING SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN ELECTRICAL GENERATION AND TRANSMISSION FACILITIES WITH INVESTOR-OWNED ELECTRIC UTILITIES, AND TO PROVIDE REQUIREMENTS FOR JOINT OWNERSHIP; BY AMENDING SECTION 58-27-650, RELATING TO REASSIGNMENT OF ELECTRIC SUPPLIERS' SERVICE AREAS,

SO AS TO PERMIT THE COMMISSION TO APPROVE A REQUEST FOR ANY ELECTRIC SUPPLIER TO SERVE ANY TRANSFORMATIONAL ECONOMIC DEVELOPMENT PROJECT CUSTOMER UNDER CERTAIN CONDITIONS; BY AMENDING ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO AS ESTABLISH THE COUNCIL IN THE OFFICE OF REGULATORY STAFF, TO PROVIDE FOR ITS DUTIES AND MEMBERSHIP, AND TO PROVIDE FOR THE COUNCIL'S DIRECTOR; BY AMENDING SECTION 37-6-604, RELATING TO THE CONSUMER ADVOCATE'S INTERVENTION ON MATTERS FILED AT THE COMMISSION, SO AS TO TRANSFER THESE DUTIES TO THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 58-33-196 SO AS TO ENCOURAGE CONSIDERATION OF DEPLOYMENT OF NUCLEAR FACILITIES AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 58-37-70 SO AS TO PERMIT A SMALL MODULAR NUCLEAR PILOT PROGRAM AND TO ESTABLISH REQUIREMENTS; BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 58 SO AS TO PROVIDE FOR STATE AGENCY REVIEW OF ENERGY INFRASTRUCTURE PROJECT APPLICATIONS AND TO PROVIDE A SUNSET; BY AMENDING SECTION 58-40-10, RELATING TO THE DEFINITION OF "CUSTOMER-GENERATOR", SO AS TO ESTABLISH CHARACTERISTICS FOR A "CUSTOMER-GENERATOR"; BY AMENDING SECTION 58-41-30, RELATING TO VOLUNTARY RENEWABLE ENERGY PROGRAMS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS AND CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-41-10, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF "ENERGY STORAGE FACILITIES"; BY AMENDING SECTION 58-41-20, RELATING TO PROCEEDINGS FOR ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES AND RELATED PROCESSES, SO AS TO AUTHORIZE COMPETITIVE PROCUREMENT PROGRAMS FOR RENEWABLE ENERGY, CAPACITY, AND STORAGE, TO PERMIT COMPETITIVE PROCUREMENT OF NEW RENEWABLE ENERGY CAPACITY AND ESTABLISH REQUIREMENTS FOR NON-COMPETITIVE PROCUREMENT PROGRAMS, AND TO DELETE LANGUAGE REGARDING THE COMMISSION HIRING THIRD-PARTY EXPERTS FOR THESE PROCEEDINGS; BY ADDING SECTION 58-41-25 SO AS TO PROVIDE FOR A PROCESS FOR COMPETITIVE

PROCUREMENT OF RENEWABLE ENERGY FACILITIES; BY AMENDING SECTION 58-33-20, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION "LIKE FACILITY"; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE FOR A LIKE FACILITY, TO ESTABLISH REQUIREMENTS AND CONSIDERATIONS FOR PROPOSED FACILITIES, TO PROVIDE WHAT ACTIONS MAY BE TAKEN WITHOUT PERMISSION FROM THE COMMISSION, AND TECHNICAL CHANGES; BY AMENDING SECTION 58-37-40, RELATING TO INTEGRATED RESOURCES PLANS, SO AS TO ADD CONSIDERATION OF A UTILITY'S TRANSMISSION AND DISTRIBUTION RESOURCE PLAN, TO ESTABLISH PROCEDURAL REQUIREMENTS AND EVALUATION BY THE COMMISSION, AND REQUIRE PARTIES TO BEAR THEIR OWN COSTS; BY AMENDING SECTION 58-3-260, RELATING TO COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES, SO AS TO MODIFY REQUIREMENTS FOR ALLOWABLE EX PARTE COMMUNICATIONS AND BRIEFINGS, AND TO PERMIT COMMISSION TOURS OF UTILITY PLANTS OR OTHER FACILITIES UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-3-270, RELATING TO EX PARTE COMMUNICATION COMPLAINT PROCEEDINGS AT THE ADMINISTRATIVE LAW COURT, SO AS TO PERMIT AN ORDER TOLLING ANY DEADLINES ON A PROCEEDING SUBJECT TO A COMPLAINT TO THE EXTENT THE PROCEEDING WAS PREJUDICED SO THAT THE COMMISSION COULD NOT CONSIDER THE MATTER IMPARTIALLY; BY ADDING CHAPTER 43 TO TITLE 58 SO AS TO ESTABLISH ECONOMIC DEVELOPMENT RATES FOR ELECTRICAL UTILITIES; BY AMENDING SECTION 58-33-310, RELATING TO AN APPEAL FROM A FINAL ORDER OR DECISION OF THE COMMISSION, SO AS TO REQUIRE A FINAL ORDER ISSUED PURSUANT TO CHAPTER 33, TITLE 58 BE IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT AND TO PROVIDE FOR AN EXPEDITED HEARING; BY AMENDING SECTION 58-33-320, RELATING TO JOINT HEARINGS AND JOINT INVESTIGATIONS, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-4-160 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE ESTABLISHING A THIRD-PARTY

ADMINISTRATOR FOR ENERGY EFFICIENCY AND DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO ADD A REFERENCE TO "DEMAND-SIDE MANAGEMENT PROGRAM" AND PROVIDE DEFINITIONS FOR "COST-EFFECTIVE" AND "DEMAND-SIDE MANAGEMENT PILOT PROGRAM"; BY AMENDING SECTION 58-37-20, RELATING TO COMMISSION PROCEDURES ENCOURAGING ENERGY EFFICIENCY PROGRAMS, SO AS TO EXPAND COMMISSION CONSIDERATIONS FOR COST-EFFECTIVE DEMAND-SIDE MANAGEMENT PROGRAMS, AND REQUIRE EACH INVESTOR-OWNED ELECTRICAL UTILITY TO SUBMIT AN ANNUAL REPORT TO THE COMMISSION REGARDING ITS DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-37-35 SO AS TO PERMIT PROGRAMS AND CUSTOMER INCENTIVES TO ENCOURAGE OR PROMOTE DEMAND-SIDE MANAGEMENT PROGRAMS FOR CUSTOMER SITED DISTRIBUTION RESOURCES, AND TO PROVIDE CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-37-50, RELATING TO AGREEMENTS FOR ENERGY EFFICIENCY AND CONSERVATION MEASURES, SO AS TO ESTABLISH CERTAIN TERMS AND RATE RECOVERY FOR AGREEMENTS FOR FINANCING AND INSTALLING ENERGY EFFICIENCY AND CONSERVATION MEASURES, AND FOR APPLICATION TO A RESIDENCE OCCUPIED BEFORE THE MEASURES ARE TAKEN; BY ADDING SECTION 58-31-215 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY, IN CONSULTATION WITH THE DEPARTMENT OF COMMERCE, TO SERVE AS AN ANCHOR SUBSCRIBER OF NATURAL GAS AND PIPELINE CAPACITY FOR THIS STATE, TO ESTABLISH THE "ENERGY INVESTMENT AND ECONOMIC DEVELOPMENT FUND", AND TO PROVIDE FOR RELATED REQUIREMENTS; BY AMENDING SECTION 58-3-70, RELATING TO COMPENSATION OF PUBLIC SERVICE COMMISSION MEMBERS, SO AS TO ESTABLISH SALARIES IN AMOUNTS EQUAL TO NINETY-SEVEN AND ONE-HALF PERCENT OF SUPREME COURT ASSOCIATE JUSTICES.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-5118.BJ0052S):

Amend the bill, after the title but before the enacting words, by striking the twenty eighth paragraph and inserting:

Whereas, the South Carolina General Assembly recognizes the strategic importance of investigating in and pursuing fusion energy and advanced nuclear technologies such as small modular reactors and molten salt reactors at this time, understanding that proactive engagement in research and development positions the state to capitalize on future opportunities when SMRs become economically and technologically viable; and

Amend the bill further, by deleting SECTION 2.

Amend the bill further, SECTION 5, by striking Section 58-4-10(B) and inserting:

(B) Unless and until it chooses not to participate, the Office of Regulatory Staff must be considered a party of record in all filings, applications, or proceedings before the commission. The regulatory staff must represent the public interest of South Carolina before the commission as it pertains to the matters below:~~. For purposes of this chapter only, "public interest" means~~

(1) the concerns of the using and consuming public with respect to public utility services, regardless of the class of customer~~,~~;

(2) economic development and job attraction and retention in South Carolina; and

(3) preservation of the ~~of~~ continued investment in and maintenance of utility facilities so as to provide reliable and high quality utility services.

Amend the bill further, SECTION 6, by striking Section 58-4-150(A) and inserting:

(A) To further advance and expand upon Executive Order 2023-18 which established the PowerSC Energy Resources and Economic Development Interagency Working Group, the Office of Regulatory Staff, in consultation with a stakeholder group that includes representatives of consumer, environmental, manufacturing, forestry, and agricultural organizations, natural gas and electrical utilities, the South Carolina Public Service Authority, and other affected state agencies, shall prepare a comprehensive South Carolina energy assessment and action plan, hereinafter referred to as "the plan". This plan must identify recommended actions over a ten-year period to ensure the availability of adequate, reliable, and economical supply of electric power and natural gas to the people and economy of South Carolina. For

purposes of this section, natural gas and electrical utilities also includes any investor-owned electrical utility, a public utility as defined in Section 58-5-10, electric cooperatives, and any consolidated political subdivision that owns or operates in this State equipment or facilities for generating, transmitting, delivering, or furnishing electricity, but does not include an entity that furnishes electricity only to itself, its residents, or tenants when such current is not resold or used by others.

Amend the bill further, SECTION 7, by striking Section 58-38-20(7) and inserting:

(7) The EPI shall collaborate across South Carolina in coordination with SC Nexus, Savannah River National Laboratory, energy utility providers, private industry, and workforce development to deliver advice on policy creation aligned with the state's distinctive needs and opportunities. EPI shall support and collaborate with SC Nexus, a consortium of public and private entities, formed within the South Carolina Department of Commerce concerning power generation, transmission, and storage.

(8) The EPI shall collaborate with the Energy Center at Clemson University to identify research funding opportunities to meet the urgent needs for energy technology innovation in South Carolina, develop curriculum to ensure relevant academic programming for the future jobs and leadership roles in the new energy industry, provide energy-related training programs to meet the increasing demand for skilled workers in the new energy industry, and promote technology innovation, translational research, and rapid technology transfer from research labs to industry.

Amend the bill further, SECTION 8, by striking Section 58-33-195(A)(2) and inserting:

(2) The General Assembly encourages Dominion Energy South Carolina, Inc. and the Public Service Authority to jointly complete evaluations related to the Joint Resource and to use such information as may be necessary from such evaluations to make a filing as soon as practicable with the commission to obtain a certificate pursuant to Article 3 of this chapter. The General Assembly instructs all governmental agencies to provide accelerated consideration of any action required to permit or authorize construction and operation of the facilities subject to this section in preference to all other pending nonemergency applications or requests. The General Assembly finds adding natural gas generation capacity at the retired Canadys coal site would advance the economy and general welfare of the State based on current conditions and information as of the effective date of this Act.

However, this subsection does not exempt the entities from complying with the requirements of the Utility Facility Siting and Environmental Protection Act, including the requirement to seek commission approval for a certificate of environmental compatibility and public convenience and necessity nor does this subsection limit the commission's independent decision-making authority. The entities are further encouraged to use existing rights of way for new natural gas lines to the Canadys site to the greatest extent practicable.

Amend the bill further, SECTION 10, by striking Section 13-7-820(5) and inserting:

(5) to engage stakeholders and develop a strategic plan to advance the development of advanced nuclear generation including small modular reactors, molten salt reactors, fusion energy, and spent nuclear fuel recycling facilities to serve customers in this State in the most economical manner at the earliest reasonable time possible.

Amend the bill further, SECTION 12, by striking Section 58-33-196 and inserting:

Section 58-33-196. Electrical utilities and the Public Service Authority are encouraged to explore the potential for deploying fusion energy and advanced nuclear facilities including, but not limited to, small modular nuclear facilities at suitable sites. Suitable sites may include sites of current nuclear facilities, sites where nuclear facilities have been proposed but not constructed, and other brownfield sites, such as coal-generation sites. Any utility pursuing deployment of such nuclear facilities must provide annual progress reports to the commission and the Public Utilities Review Committee; this report may be in writing or in the form of testimony in an appropriate proceeding. A utility whose rates are regulated by the commission must provide estimates of the cost of the studies including, but not limited to, planning, licensing, and project development to the commission. If the commission finds such estimated costs are reasonable, prudent, and in the public interest, such costs may be recoverable through rates as they are incurred. Nothing in this section relieves an electrical utility of the burden of filing for a certificate under this article and obtaining appropriate approvals from the commission before commencing construction.

Amend the bill further, SECTION 13, by striking Section 58-37-70(B)(1) and inserting:

(1) "Electrical utility" has the same meaning as provided in Section 58-27-10(7).

Amend the bill further, SECTION 13, by striking Section 58-37-70(F)(3) and inserting:

(3) In the event the commission finds cost estimates provided by an electrical utility pursuant to item (2) are reasonable and prudent, the costs may be recoverable through rates, even if an application for a certificate of environmental compatibility and public convenience and necessity have not been filed. However, these costs shall not include a rate of return.

Amend the bill further, SECTION 14, by striking Section 58-37-130 and inserting:

Section 58-37-130. The applicant or any person whose private rights are affected by an agency decision or action on an application for a permit for any energy infrastructure project may appeal that decision or action to the South Carolina Supreme Court. The Supreme Court shall hear these appeals as a direct appeal in accordance with South Carolina Appellate Court Rule 203. The Court shall provide for an expedited briefing and hearing of the appeal, in preference to all other nonemergency matters on its docket, and decide such appeals on an expedited basis. Any agency decision or action that is subject to a contested case review before the Administrative Law Court, pursuant to Section 1-23-600 et seq., shall be appealable under this section upon issuance of an appealable order by the Administrative Law Court.

Amend the bill further, SECTION 22, by striking Section 58-37-40(B)(1)(j) and inserting:

(j) a report addressing updates to the utility's transmission plan under the utility's open access transmission tariff pursuant to the federal jurisdictional planning process. In this report, the utility shall, when applicable, describe planned transmission improvements specific to siting of new resources expected to impact interconnection constraints or other operations of the systems. The utility shall also describe how it evaluated alternate transmission technologies when developing solutions for identified transmission needs for interconnecting resources. The utility's transmission report must include how the utility evaluates transmission investments, including:

(i) a description of how the utility evaluated a range of transmission solutions, including non-wires alternatives, joint projects with neighboring and other regional utilities, other upgrades to existing facilities, and other best practices. Modeling may consider, as appropriate, grid-enhancing technologies and alternate transmission technologies such as static synchronous compensators, static Volt-Ampere Reactive (VAR) compensators, advanced power flow control devices, transmission switching, synchronous condensers, voltage

source converters, advanced conductors, switchable reactors, and tower lifting in a manner consistent with common utility practice;

(ii) a description of how transmission factored into the utility's evaluation of the range of future scenarios included in the fifteen-year time period of the utility's resource plan, including significant continued economic growth and the retirement of the utility's coal generation;

(iii) a discussion of transmission considerations for facilities included in the utility's preferred resource plan for which there are particular sites specified;

(iv) information such that intervenors and stakeholders can pursue participation in local transmission planning collaborative activities which are held pursuant to orders from the Federal Energy Regulatory Commission; and

(v) any other information that the utility believes is relevant to its resource plan or future transmission investments.

Amend the bill further, SECTION 22, by striking Section 58-37-40(C)(1) and inserting:

(C)(1) The commission shall have a proceeding to review each electrical utility subject to subsection (A)(1) and the Public Service Authority's integrated resource plan. As part of the integrated resource plan filing, the commission shall allow intervention by interested parties. The procedural schedule shall include dates for completion of each phase of discovery, including discovery related to the integrated resource plan as filed, direct testimony of the applicant, direct testimony of the Office of Regulatory Staff and other parties and intervenors, and rebuttal testimony of the applicant. Except upon showing exceptional circumstances, all discovery shall be served in time to allow its completion, but not less than ten days prior to the hearing. The commission shall establish a procedural schedule to permit reasonable discovery after an integrated resource plan is filed in order to assist parties in obtaining evidence concerning the integrated resource plan, including the reasonableness and prudence of the plan and alternatives to the plan raised by intervening parties. No later than three hundred days after an electrical utility or the Public Service Authority files an integrated resource plan, the commission shall issue a final order approving, modifying, or denying the plan filed by the electrical utility or the Public Service Authority.

Amend the bill further, SECTION 23, by striking Section 58-3-260(H)(2) and inserting:

(2) conducting a site visit of a utility or Public Service Authority facility under construction or attending educational tours of utility or Public Service Authority plants or other facilities provided:

(a) the Executive Director of the Office of Regulatory Staff or his designee also attends the site visit or educational tour;

(b) a summary of the discussion is produced and posted on the commission's website, along with copies of any written materials utilized, referenced, or distributed; and

(c) each party, person, commission, and commission employee who participated in the site visit or educational tour, within forty-eight hours of the site visit or educational tour, files a certification with the Executive Director of the Office of Regulatory Staff that no commitment, predetermination, or prediction of any commissioner's action as to any ultimate or penultimate issue or any commission employee's opinion or recommendation as to any ultimate or penultimate issue in any proceeding was requested by any person or party, nor any commitment, predetermination, or prediction was given by any commissioner or commission employee as to any commission action or commission employee opinion or recommendation on any ultimate or penultimate issue.

Amend the bill further, SECTION 26, by striking Sections 58-33-310 and 58-33-320 and inserting:

Section 58-33-310. Any party may appeal, in accordance with Section 1-23-380, from all or any portion of any final order or decision of the commission, including conditions of the certificate required by a state agency under Section 58-33-160 as provided by Section 58-27-2310. ~~Any appeals may be called up for trial out of their order by either party.~~ The commission shall issue all orders on rehearing or reconsideration within thirty days of the date the petition is filed. Any final order on the merits issued pursuant to this chapter shall be immediately appealable to the Supreme Court of South Carolina in accordance with South Carolina Appellate Court Rule 203. The commission must not be a party to an appeal.

Section 58-33-320. Except as expressly set forth in Section 58-33-310, no court of this State shall have jurisdiction to hear or determine any issue, case, or controversy concerning any matter which was or could have been determined in a proceeding before the commission under this chapter or to stop or delay the construction, operation, or maintenance of a major utility facility, except to enforce compliance with this chapter or the provisions of a certificate issued hereunder, and any such action shall be brought only by the Office of Regulatory Staff. Provided, however,

nothing herein contained shall be construed to abrogate or suspend the right of any individual or corporation not a party to maintain any action which he might otherwise have been entitled.

Amend the bill further, SECTION 33, by striking Section 58-31-215(C) and inserting:

(C) There is hereby established the "Energy Investment and Economic Development Fund" to be held in an operating account by the Public Service Authority to further the provisions of this section and other energy investment needs. Subject to the approval of the Joint Bond Review Committee, the Energy Investment and Economic Development Fund may be funded by the amount required to be paid to the State pursuant to Section 58-31-110 less the annual costs billed by the Office of Regulatory Staff and the South Carolina Public Service Commission. The South Carolina Department of Commerce shall report, at least once annually and no later than September first, to the Joint Bond Review Committee as to the level and need for funding to advance the provisions of this section. If sufficient funding is allocated to the Energy Investment and Economic Development Fund, the Public Service Authority may execute a binding precedent agreement on behalf of the State pursuant to this section, provided such action is approved by the Joint Bond Review Committee. In no event shall the costs associated with serving as an anchor affect the rates and charges for electric or water service for the Public Service Authority's customers.

Amend the bill further, SECTION 34.A., by adding:

Section 58-3-60(A) of the S.C. Code is amended to read:

(A) The commission is authorized and empowered to employ: a chief clerk and deputy clerk; a commission attorney and assistant commission attorneys; hearing officers; hearing reporters; and such other professional, administrative, technical, and clerical personnel as the commission determines to be necessary in the proper discharge of the commission's duties and responsibilities as provided by law. The chairman must organize and direct the work of the commission staff. <u>The chief clerk shall receive a salary in an amount equal to ninety percent of the salary fixed for commission members, unless disapproved by the Public Utilities Review Committee.</u> The salaries of the chairman, the commissioners, and the chief clerk shall not be construed as limiting the maximum salary which may be paid to other employees of the Public Service Commission. The commission staff shall not appear as a party in commission proceedings and shall not offer testimony on issues before the commission.

Amend the bill further, by striking SECTION 34.B and inserting:

B. This section is effective beginning with the fiscal year immediately following the next Public Service Commission election after the effective date of this act.

Amend the bill further, SECTION 35, by striking Section 58-41-50(B)(1) and inserting:

(B)(1) An electrical utility may file a proposed agreement regarding co-located resources between the utility and a customer or multiple customers with an electric load in excess of 25 megawatts for the commission's consideration. The proposed agreement must contain at least one of the following requirements:

(a) co-location of electric generation or storage on the customer's property provides bulk system benefits for all customers and benefits for the host customer;

(b) co-location of renewable electric generation resources on the customer's property provides bulk system benefits for all customers and the renewable attributes associated with such generation can be allocated to the host customer;

(c) co-location of electric generation on the customer's property would result in permitting and siting efficiencies to enable electric generation to come online earlier than otherwise could occur; or

(d) co-location of electric generation resources on the customer's property could be utilized as resiliency resources to serve the electric grid in times of need.

Amend the bill further, SECTION 35, by deleting Section 58-41-50(B)(2)(a).

Amend the bill further, SECTION 35, by striking Section 58-41-50(C)(1) and inserting:

(1) the proposed program was voluntarily agreed upon by the electrical utility and the customer or multiple customers,

Amend the bill further, SECTION 35, by striking Section 58-41-50(D) and inserting:

(D) For purposes of this section, "co-located" or "co-location" includes electric generation, storage, renewables, and associated facilities on a customer's site as well as any location where the connection to the electrical utility enables resilient power supply to support the development of power supply to meet the customer's needs. An agreement regarding co-location may also include potential co-ownership of the electric generation and associate facilities by the electrical utility and the customer. A customer participating in a co-location or co-ownership agreement shall not be considered an electrical utility.

Amend the bill further, by striking SECTION 37 and inserting:

SECTION 37. (A) To foster economic development and future jobs in this State resulting from the supply-chains associated with the same while supporting the significant and growing energy and capacity needs of the State, enhance grid resiliency, and maintain reliability, the General Assembly finds that the State of South Carolina should take steps necessary to encourage the development of a diverse mix of long-lead, clean generation resources that may include advanced small modular reactors, biomass as defined in Section 12-63-20(B)(2) of the S.C. Code, hydrogen-capable resources, fusion energy and the Carolina Long Bay Project, and should preserve the option of efficiency development of such long-lead resources with timely actions to establish or maintain eligibility for or capture available tax or other financial incentives or address operational needs.

(B) For an electrical utility to capture available tax or other financial or operational incentives for South Carolina ratepayers in a timely manner, the commission may find that actions by an electrical utility in pursuit of the directives in Section 58-37-35(A) are in the public interest, provided that the commission determines that such proposed actions are in the public interest and reasonably balance economic development and industry retention benefits, capacity expansion benefits, resource adequacy and diversification, emissions reduction levels, and potential risks, costs, and benefits to ratepayers and otherwise comply with all other legal requirements applicable to the electrical utility's proposed action. For the South Carolina Public Service Authority, the Office of Regulatory Staff and the Public Service Authority's board of directors shall apply the same principles described in this subsection in evaluating and approving actions proposed by the management of the Public Service Authority to achieve the objectives of this section.

Amend the bill further, by deleting SECTION 39.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 33, Title 58 of the S.C. Code is amended by adding:

Section 58-33-200. For any construction project with a project budget of at least five hundred million dollars and in order to maintain the financial integrity of significant expenditures affecting ratepayers, the Office of Regulatory Staff shall retain an independent construction analyst who shall monitor the construction project on a regular basis and who shall provide to the Office of Regulatory Staff, the Public Service Commission, the Public Utilities Review Committee, and the Joint Bond

Review Committee regular reports as to the status of the construction efforts as needed, but at least on a quarterly basis.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Senator DAVIS proposed the following amendment (SJ-5118.BJ0066S), which was withdrawn:

Amend the bill, by striking all after the title but before the enacting words and inserting:

Amend the bill further, by striking all after the enacting words and inserting:

SECTION 1. (A) The General Assembly finds that:

(1) South Carolina is achieving remarkable economic development success, which is bringing jobs and prosperity to its citizens.

(2) From January to December 2023, the State announced total capital investments of 9.22 billion dollars and over 14,000 jobs, the second largest amount in state history.

(3) In 2022, the State announced 120 projects creating over 14,000 new jobs with 10.27 billion dollars in new capital investment, the largest amount in State history.

(4) Since 2017, the State has announced over 36.4 billion dollars in new investments and 86,378 new jobs.

(5) Sustaining this success in economic development requires an electric system that can grow and modernize to meet the demands that a prosperous and developing economy places on it.

(6) According to the U.S. Census Bureau, South Carolina led the nation in population growth in 2023.

(7) The rapidly expanding population and record-breaking economic development successes necessitate a strategic and forward-thinking approach to developing new energy infrastructure capable of meeting the energy needs of South Carolina's residents and supporting the continued prosperity of the State.

(8) The urgency of addressing this situation is underscored by the interconnected challenges of meeting surging energy demand, ensuring grid reliability, and fortifying the state's resilience against potential disruptions, thereby compelling the imperative for the timely construction of new generation and transmission facilities to safeguard the continued well-being and economic vitality of South Carolina.

(9) The economic and financial well-being of South Carolina and its citizens depends upon continued economic development, industry retention, and opportunities for job attraction and retention.

(10) Major commercial and industrial enterprises with the potential to bring substantial investments and employment opportunities are increasingly making decisions on the location of new facilities and investments in existing facilities based on the availability of safe, reliable, and affordable electricity generated from a diverse portfolio of resources.

(11) Electrical utilities, the South Carolina Public Service Authority, and electric cooperatives are critical economic development and industry retention partners for South Carolina by offering affordable power that has helped to attract jobs and associated development.

(12) Natural gas combined-cycle generation provides dispatchability and operating flexibility that will allow the state's electrical utilities and the South Carolina Public Service Authority to add large amounts of flexible resources to their systems without jeopardizing cost-efficient and reliable service to customers.

(13) Integrated resource planning by the state's electrical utilities and the South Carolina Public Service Authority consistently indicates the need for and benefit of additional combined-cycle natural gas resources under multiple planning scenarios.

(14) Cooperatively building new generation resources can enable the state's electrical utilities and the South Carolina Public Service Authority to benefit from economies of scale to reduce the capital cost of these units compared to building single, stand-alone units sized to meet their individual needs alone, while at the same time reducing the environmental and land-use impact of the natural gas pipeline and transmission infrastructure required to support separate units.

(15) Cooperatively building projects can provide a unique opportunity to anchor the expansion of natural gas pipelines serving certain coastal counties of South Carolina where economic development is currently hampered by the lack of such supplies, thereby increasing jobs, prosperity, and public welfare in those areas, and cooperatively built projects do so with minimal environmental disruption.

(16) The rates, services, and operations of electrical utilities are a matter of public interest, and the availability of an adequate, reliable, and economical supply of electric power and natural gas to the people and economy of South Carolina is a matter of public policy.

(17) Certain aspects of the current regulatory structure in South Carolina can be revised to reduce the cost, delay, and uncertainty of

planning, siting, and constructing new generation and transmission resources serving customers in this State.

(18) It is important that the General Assembly take action to ensure that generation and transmission providers are able to plan, site, and construct new and replacement generation and transmission resources in a timely and cost-effective manner, utilizing procedures that are fair, prompt, efficient, and guided by an informed Public Service Commission.

(19) It is important that the General Assembly take action to ensure that permitting and litigation processes for utility facilities are streamlined and do not cause unnecessary cost and delay.

(B) The General Assembly declares it is the policy of this State to:

(1) ensure South Carolina customers have access to an adequate, reliable, and economical supply of energy resources;

(2) sustain growth in industrial and economic development by ensuring an electric generation, transmission, and distribution system that can grow and modernize to meet the demands that a prosperous and developing economy places on it;

(3) provide fair regulation of electrical utilities in the interest of the public in a manner that maintains the financial integrity of the electrical utility by assuring a sufficient and fair rate of return, supports economic development and industry retention, and provides just and reasonable rates to be established for entities providing electrical utility services to customers in this State while promoting adequate, reliable, and economical utility service to all of the citizens and residents of this State;

(4) provide the State and the public with a well-regulated electrical utility environment;

(5) assure that resources necessary to meet future growth through the provision of adequate, reliable electrical utility and South Carolina Public Service Authority services include use of the entire spectrum of demand-side options including, but not limited to, conservation, load management, and energy efficiency programs as additional sources of energy supply and energy demand reduction;

(6) provide just and reasonable rates and charges for electrical utility and South Carolina Public Service Authority services without undue preferences or advantages, or unfair or destructive competitive practices, and consistent with long-term management and conservation of energy resources by avoiding wasteful, uneconomic generation and uses of energy;

(7) assure that facilities necessary to meet future growth can be financed by the utilities operating in this State on terms which are

reasonable and fair to both the customers and existing investors of such utilities, and to that end, to authorize fixing of rates in such a manner as to result in lower costs of new facilities and lower rates over the operating lives of such new facilities;

(8) recognize the important role of utilities in economic development and industry retention, and the necessity for utilities to maintain the ability to finance continued investment in, and operation and maintenance of, the electric system, rapid restoration of power after major storms and outages, rate designs, and infrastructure necessary to attract and retain businesses and jobs to South Carolina, to maintain the ability to obtain financing at attractive rates, and to ensure a viable workforce for providing electricity and to attract such utility workers at market-competitive wages;

(9) seek to encourage and promote harmony between public utilities, their users, and the environment;

(10) foster the continued service of electrical utilities and the South Carolina Public Service Authority on a well-planned and coordinated basis that is consistent with the level of energy needed for the protection of public health and safety, and for the promotion of the general welfare, economic development, and industry retention;

(11) seek to adjust the rate of growth of regulated energy supply facilities serving the State to the policy requirements of statewide economic development and industry retention;

(12) encourage the continued study and research on new and innovative rate designs, which will protect the State, the public, the ratepayers, and the utilities;

(13) facilitate the construction of facilities in and the extension of natural gas service to unserved and underserved areas in order to promote the public welfare throughout the State;

(14) encourage electric providers to cooperate and collaborate on the development of new energy infrastructure where economies of scale and spreading of cost and risk bring benefit to consumers;

(15) further the development of cleaner energy technologies on a cost-effective basis to protect the natural resources of this State, promote the health and well-being of the people of this State, and attract investments, create employment opportunities, drive economic growth, and foster innovation in this State; and

(16) accomplish regulatory processes and issue orders in a timely manner.

(C) The General Assembly finds that comprehensive legislation is needed to promote the development of new and reliable energy

infrastructure resources, fostering resilient and reliable energy infrastructure critical to the economic success of the State of South Carolina.

SECTION 2. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

On motion of Senator DAVIS, with unanimous consent, the amendment was withdrawn.

Senators DAVIS, HARPOOTLIAN, BENNETT, CAMPSEN, STEPHENS, ALLEN, DEVINE, SABB, MATTHEWS, LOFTIS, KIMBRELL, GROOMS, CROMER, RICE, ADAMS, K. JOHNSON, SETZLER, GUSTAFSON and M. JOHNSON proposed the following amendment (SJ-5118.BJ0068S), which was adopted:

Amend the bill, by striking all after the title but before the enacting words and inserting:

Amend the bill further, by striking all after the enacting words and inserting:

SECTION 1. (A) The General Assembly finds that:

(1) South Carolina is achieving remarkable economic development success, which is bringing jobs and prosperity to its citizens.

(2) From January to December 2023, the State announced total capital investments of 9.22 billion dollars and over 14,000 jobs, the second largest amount in state history.

(3) In 2022, the State announced 120 projects creating over 14,000 new jobs with 10.27 billion dollars in new capital investment, the largest amount in state history.

(4) Since 2017, the State has announced over 36.4 billion dollars in new investments and 86,378 new jobs.

(5) Sustaining this success in economic development requires an electric system that can grow and modernize to meet the demands that a prosperous and developing economy places on it.

(6) According to the U.S. Census Bureau, South Carolina led the nation in population growth in 2023.

(7) The rapidly expanding population and record-breaking economic development successes necessitate a strategic and forward-thinking approach to developing new energy infrastructure capable of

meeting the energy needs of South Carolina's residents and supporting the continued prosperity of the State.

(8) The urgency of addressing this situation is underscored by the interconnected challenges of meeting surging energy demand, ensuring grid reliability, and fortifying the state's resilience against potential disruptions, thereby compelling the imperative for the timely construction of new generation and transmission facilities to safeguard the continued well-being and economic vitality of South Carolina.

(9) The economic and financial well-being of South Carolina and its citizens depends upon continued economic development, industry retention, and opportunities for job attraction and retention.

(10) Major commercial and industrial enterprises with the potential to bring substantial investments and employment opportunities are increasingly making decisions on the location of new facilities and investments in existing facilities based on the availability of safe, clean, reliable, and affordable electricity generated from a diverse portfolio of resources.

(11) Electrical utilities, the South Carolina Public Service Authority, and electric cooperatives are critical economic development and industry retention partners for South Carolina by offering affordable power that has helped to attract jobs and associated development.

(12) Natural gas combined-cycle generation, combustion turbines, and battery storage provide dispatchability and operating flexibility that will allow the state’s electrical utilities and the South Carolina Public Service Authority to add large amounts of flexible resources to their systems without jeopardizing cost-efficient and reliable service to customers.

(13) Integrated resource planning by the state’s electrical utilities and the South Carolina Public Service Authority consistently indicates the need for and benefit of additional resources including, without limitation, combined-cycle natural gas, under multiple planning scenarios.

(14) Cooperatively building new generation resources may enable the state’s electrical utilities and the South Carolina Public Service Authority to benefit from economies of scale to reduce the capital cost of these units compared to building single, stand-alone units sized to meet their individual needs alone, potentially reducing the environmental and land-use impact of the natural gas pipeline and transmission infrastructure required to support separate units.

(15) Cooperatively building projects can provide a unique opportunity to anchor the expansion of natural gas pipelines serving

certain coastal counties of South Carolina where economic development is currently hampered by the lack of such supplies, thereby increasing jobs, prosperity, and public welfare in those areas, and cooperatively built projects do so with minimal environmental disruption.

(16) The rates, services, and operations of electrical utilities are a matter of public interest, and the availability of an adequate, reliable, clean, and economical supply of electric power and natural gas to the people and economy of South Carolina is a matter of public policy.

(17) Certain aspects of the current regulatory structure in South Carolina can be revised to reduce the cost, delay, and uncertainty of planning, siting, and constructing new generation and transmission resources serving customers in this State.

(18) It is important that the General Assembly take action to ensure that generation and transmission providers are able to plan, site, and construct new and replacement generation and transmission resources in a timely and cost-effective manner, utilizing procedures that are fair, prompt, efficient, and guided by an informed Public Service Commission.

(19) It is important that the General Assembly take action to ensure that permitting and litigation processes for utility facilities are streamlined and do not cause unnecessary cost and delay.

(B) The General Assembly declares it is the policy of this State to:

(1) ensure South Carolina customers have access to an adequate, reliable, clean, and economical supply of energy resources;

(2) sustain growth in industrial and economic development by ensuring an electric generation, transmission, and distribution system that can grow and modernize to meet the demands that a prosperous and developing economy places on it;

(3) provide fair regulation of electrical utilities in the interest of the public in a manner that maintains the financial integrity of the electrical utility by assuring a sufficient and fair rate of return, supports economic development and industry retention, and provides just and reasonable rates to be established for entities providing electrical utility services to customers in this State while promoting adequate, reliable, clean, and economical utility service to all of the citizens and residents of this State;

(4) provide the State and the public with a well-regulated electrical utility environment;

(5) assure that resources necessary to meet future growth through the provision of adequate, clean, and reliable electrical utility and South Carolina Public Service Authority services include use of the entire spectrum of demand-side options including, but not limited to,

conservation, load management, and energy efficiency programs as additional sources of energy supply and energy demand reduction;

(6) provide just and reasonable rates and charges for electrical utility and South Carolina Public Service Authority services without undue preferences or advantages, or unfair or destructive competitive practices, and consistent with long-term management and conservation of energy resources by avoiding wasteful, uneconomic generation and uses of energy;

(7) assure that facilities necessary to meet future growth can be financed by the utilities operating in this State on terms which are reasonable and fair to both the customers and existing investors of such utilities, and to that end, to authorize fixing of rates in such a manner as to result in lower costs of new facilities and lower rates over the operating lives of such new facilities;

(8) recognize the important role of utilities in economic development and industry retention, and the necessity for utilities to maintain the ability to finance continued investment in, and operation and maintenance of, the electric system, rapid restoration of power after major storms and outages, rate designs, and infrastructure necessary to attract and retain businesses and jobs to South Carolina, to maintain the ability to obtain financing at attractive rates, and to ensure a viable workforce for providing electricity and to attract such utility workers at market-competitive wages;

(9) seek to encourage and promote harmony between public utilities, their users, and the environment;

(10) foster the continued service of electrical utilities and the South Carolina Public Service Authority on a well-planned and coordinated basis that is consistent with the level of energy needed for the protection of public health and safety, and for the promotion of the general welfare, economic development, and industry retention;

(11) seek to adjust the rate of growth of regulated energy supply facilities serving the State to the policy requirements of statewide economic development and industry retention;

(12) encourage the continued study and research on new and innovative rate designs, which will protect the State, the public, the ratepayers, and the utilities;

(13) facilitate the construction of energy facilities in and the extension of natural gas service to unserved and underserved areas in order to promote the public welfare throughout the State;

(14) encourage electric providers to cooperate and collaborate on the development of new energy infrastructure where economies of scale and spreading of cost and risk bring benefit to consumers;

(15) further the development of cleaner energy technologies on a cost-effective basis to protect the natural resources of this State, promote the health and well-being of the people of this State, and attract investments, create employment opportunities, drive economic growth, and foster innovation in this State; and

(16) accomplish regulatory processes and issue orders in a timely manner.

(C) The General Assembly finds that comprehensive legislation is needed to promote the development of new and reliable energy infrastructure resources, fostering resilient and reliable energy infrastructure critical to the economic success of the State of South Carolina.

SECTION 2. This act shall not affect the commission or any state agency's decision-making in any proceeding, pending the passage of comprehensive legislation as contemplated in this act.

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Motion Adopted

Senator MASSEY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4386 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-13-647 SO AS TO PROHIBIT THE TAKING, HARMING, OR KILLING OF ROBUST REDHORSE.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (SFGF-4386.BC0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 50-13-647 and inserting:

Section 50-13-647. It is unlawful to take, harm, or kill robust redhorse (moxostoma robustum) from public waters. Any robust redhorse taken must be returned immediately to the water from which it was taken. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars for a first offense and not more than one thousand dollars for each subsequent offense.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Objection

Senator CAMPSEN asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

Senator MATTHEWS objected.

The question being the second reading of the Bill.

Motion Adopted

Senator CAMPSEN asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 4601 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-4100, RELATING TO PREVENTING ESCAPE OF MATERIALS LOADED ON VEHICLES AND CLEANING THE HIGHWAYS OF ESCAPED SUBSTANCES OR CARGO, SO AS TO INCORPORATE THE PROVISIONS OF SECTION 56-5-4110 TO CLARIFY THE EXCEPTIONS FOR TRANSPORTATION OF CERTAIN FARM PRODUCTS AND MATERIALS; AND BY REPEALING SECTION 56-5-4110 RELATING TO THE REQUIREMENTS THAT LOADS AND COVERS MUST BE FIRMLY ATTACHED.

The Senate proceeded to a consideration of the Bill.

Senator CROMER spoke on the Bill.

Having voted on the prevailing side, Senator CROMER moved to reconsider the vote whereby Amendment No. 1A was adopted on Wednesday, May 1, 2024.

The motion was adopted.

Senator CROMER proposed the following amendment (SR-4601.KM0002S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 56-5-4100(D) and inserting:

(D) No person shall operate on any highway any vehicle with any load unless such load and any covering thereon is securely fastened so as to prevent such covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway. Provisions of this subsection do not apply to motor vehicles with a curb weight of eight thousand two hundred pounds or less.

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

Senator CROMER moved to lay the amendment on the table.

The amendment was laid on the table.

The question being the second reading of the Bill.

On motion of Senator MASSEY, the Bill was carried over.

READ THE SECOND TIME

H. 4087 -- Reps. G.M. Smith, West, Kirby, Ballentine, Robbins, Hewitt, M.M. Smith, Davis, Hiott, Long, Hager, Ott, Weeks, Dillard, W. Jones, Brewer, Hartnett and Murphy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3410, RELATING TO CORPORATE INCOME TAX CREDIT FOR CORPORATE HEADQUARTERS, SO AS TO PROVIDE CHANGES TO STAFFING REQUIREMENTS AND CERTAIN TIMING; BY AMENDING SECTION 12-6-3460, RELATING TO THE RECYCLING FACILITY TAX CREDIT DEFINITIONS, SO AS TO LOWER THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED RECYCLING FACILITY AND TO INCLUDE CERTAIN PRODUCTS TO THE DEFINITION OF "POSTCONSUMER WASTE MATERIAL"; BY AMENDING SECTIONS 12-10-20; 12-10-30, 12-10-40, 12-10-45, 12-10-50, 12-10-60, AND 12-10-80, ALL RELATING TO THE ENTERPRISE ZONE ACT OF 1995, SO AS TO ALLOW REMOTE EMPLOYEES WORKING IN SOUTH CAROLINA TO BE INCLUDED IN CERTAIN JOB CREATION REQUIREMENTS AND TO CREATE A NEW PROVISION TO INCENTIVIZE CERTAIN COMPANIES; AND BY AMENDING SECTION 12-10-95, RELATING TO THE ENTERPRISE ZONE ACT CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO PROVIDE WHO IS ELIGIBLE FOR THE CREDIT AND THE AMOUNT OF THE CREDIT ALLOWED.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

Motion Adopted

Senator DAVIS asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

H. 3424 -- Reps. T. Moore, Carter, McCravy, Lawson, Beach, Pope, Nutt, Oremus, Vaughan, Long, Haddon, Burns, Chumley, Kilmartin, Cromer, O'Neal, Yow, Gilliam, W. Newton, Guest, Schuessler, Moss, Magnuson, Harris, Pace, Brittain, Bailey, Robbins, Sessions, Ligon, Felder, B.L. Cox, Guffey, Bradley, Murphy, Brewer, Connell, Hiott, Mitchell, Hager, Erickson, B.J. Cox, Blackwell, Wooten, Ballentine, Hyde, Wheeler, Calhoon, M.M. Smith, Davis, B. Newton, Elliott, Forrest, Willis, Hixon, Taylor, J.E. Johnson, Chapman and Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-5-190 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT IT IS UNLAWFUL FOR AN OPERATOR TO MAKE A PORNOGRAPHIC WEBSITE AVAILABLE TO PERSONS UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL CREATE CERTAIN PROCEDURES, AND TO PROVIDE FOR A PRIVATE RIGHT OF ACTION.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

Senator MATTHEWS objected to further consideration of the Bill.

READ THE SECOND TIME

H. 3988 -- Reps. Davis, M.M. Smith, B.J. Cox, Pedalino, Forrest, Wheeler, Kirby and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTS THAT

CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO LOWER THE VACCINATION RECIPIENT AGE TO TWELVE YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST-ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE "JOINT PHARMACIST ACCESS COMMITTEE" AND MAKE OTHER CONFORMING CHANGES; AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN proposed the following amendment (SR-3988.JG0019S), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by deleting Section 40-43-30(73)(f).

Amend the bill further, SECTION 5, by striking Section 40-43-190(A) and inserting:

As used in this section:

(1)"gene therapy" means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms;

(2) "vaccine" means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases; and

(3) "novel vaccine" means a vaccine which has obtained Emergency Use Authorization by the U.S. Food and Drug Administration (FDA), or which has otherwise not been approved by the FDA, or which has been approved for use by the FDA for less than 5 years. The term "novel vaccine" does not include vaccines for which the contents have only been modified by antigenic subtype to address the most prevalent strain of virus including, but not limited to, the yearly influenza vaccine.

(B)(1) Upon recommendation of the Joint Pharmacist Administered Vaccines Committee, the Board of Medical Examiners shall determine whether a specific vaccine is appropriate for administration by a pharmacist without a written order or prescription of a practitioner pursuant to this section. If a vaccine is approved, the Board of Medical Examiners shall issue a written protocol for the administration of vaccines by pharmacists without an order or prescription of a practitioner.

Amend the bill further, SECTION 5, by striking Section 40-43-190(B) and inserting:

~~(B)~~(C) The written protocol must provide that:

(1) A pharmacist seeking authorization to administer a vaccine approved pursuant to this section shall successfully complete a course of training accredited by the Accreditation Council for Pharmacy Education or a similar health authority or professional body approved by the Board of Pharmacy and the Board of Medical Examiners. Training must comply with current Centers for Disease Control guidelines and must include study materials, hands-on training, and techniques for administering vaccines and must provide instruction and experiential training in the following content areas:

(a) mechanisms of action for vaccines, contraindications, drug interactions, and monitoring after vaccine administration;

(b) standards for adult vaccination practices;

(c) basic immunology and vaccine protection;

(d) vaccine-preventable diseases;

(e) recommended vaccination schedules;

(f) vaccine storage management;

(g) biohazard waste disposal and sterile techniques;

(h) informed consent;

(i) physiology and techniques for vaccine administration;

(j) prevaccine and postvaccine assessment and counseling;

(k) vaccination record management;

(l) management of adverse events, including identification, appropriate response, emergency procedures, documentation, and reporting;

(m) understanding of vaccine coverage by federal, state, and local entities;

(n) needle stick management.

(2) A pharmacist administering vaccinations without an order or prescription of a practitioner pursuant to this section shall:

(a) obtain the ~~signed written~~informed consent of the person being vaccinated or that person's guardian;

(b) maintain a copy of the vaccine administration in that person's record and provide a copy to the person or the person's guardian;

(c) notify that person's designated physician or primary care provider of a vaccine administered;

(d) report administration of all vaccinations to the South Carolina Immunization Registry in compliance with regulations established by the Department of Health and Environmental Control as the department may require; provided, however, that the phase-in schedule provided in Regulation 61-120 for reporting vaccinations does not apply to vaccinations administered pursuant to this section;

(e) maintain a current copy of the written protocol at each location at which a vaccination is administered pursuant to this section.

(3) ~~A pharmacist may not delegate the administration of vaccines to a pharmacy technician or certified pharmacy technician.~~ For purposes of this section, "informed consent" means a written document that is signed and dated by an individual; or if the individual is a minor, by a parent or legal guardian; or if the individual is incapacitated or without sufficient mental capacity, by a designated health care agent pursuant to a health care power of attorney, that at a minimum includes:

(a) an explanation of the vaccine or treatment that is written in language that is understandable to the average lay person;

(b) a description of the potential risks and benefits resulting from vaccine or treatment, along with a realistic description of the most likely outcome;

(c) a statement acknowledging risks associated with the vaccine or treatment if the vaccine or treatment is an indemnified product as defined in Section 44-1-55(A)(7);

(d) language that clearly indicates that the individual agrees to the administration of the vaccine or treatment, that the individual has had time to thoughtfully and voluntarily accept or decline the vaccine or treatment free from coercion: and

(e) if the vaccine or treatment is an investigational medical product or is made available through an Emergency Use Authorization by the Federal Food and Drug Administration, a statement acknowledging its investigational nature and the civil liability protections afforded it by law.

(4) A pharmacy intern or pharmacy technician may administer vaccinations under the direct supervision~~, as defined in Section 40-43-84(C),~~ of a pharmacist who has completed vaccination training as required by item (1) if the pharmacy intern or pharmacy technician:

(a) is certified through a basic life support or CPR provider-level course that is ~~jointly~~ approved by the Board of Medical Examiners and the Board of Pharmacy~~;Joint Pharmacy Access Committee~~ and completes a practical training program that is approved by the Accreditation Council for Pharmacy Education (ACPE) which includes, at a minimum, hands-on injection technique and the recognition and treatment of emergency reactions to vaccines; and

(b) ~~completes this course of training described in item (1).~~if a pharmacy technician, the pharmacy technician must be:

(i) state-certified; or

(ii) nonstate-certified but administered vaccinations and received training pursuant to the federal Public Readiness and Emergency Preparedness (PREP) Act prior to the effective date of this section and registers with the Board of Pharmacy as an authorized vaccination provider.

(5) A pharmacist or pharmacy technician administering vaccinations shall, as part of the current continuing education requirements ~~pursuant to Section 40-43-130~~, complete no less than one hour of continuing education each license year regarding administration of vaccinations.

~~(C)~~

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

On motion of Senator MARTIN, with unanimous consent, the amendment was withdrawn.

Senator MARTIN proposed the following amendment (SR-3988.JG0021S:

Amend the bill, as and if amended, SECTION 1, by deleting Section 40-43-30(73)(f).

Amend the bill further, SECTION 5, by striking Section 40-43-190(A) and inserting:

As used in this section:

(1)"gene therapy" means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms;

(2) "vaccine" means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases; and

(3) "novel vaccine" means a vaccine which has obtained Emergency Use Authorization by the U.S. Food and Drug Administration (FDA), or which has otherwise not been approved by the FDA, or which has been approved for use by the FDA for less than 5 years. The term "novel vaccine" does not include vaccines for which the contents have only been modified by antigenic subtype to address the most prevalent strain of virus including, but not limited to, the yearly influenza vaccine.

(B)(1) Upon recommendation of the Joint Pharmacist Administered Vaccines Committee, the Board of Medical Examiners shall determine whether a specific vaccine is appropriate for administration by a pharmacist without a written order or prescription of a practitioner pursuant to this section. If a vaccine is approved, the Board of Medical Examiners shall issue a written protocol for the administration of vaccines by pharmacists without an order or prescription of a practitioner.

Amend the bill further, SECTION 5, by striking Section 40-43-190(B) and inserting:

~~(B)~~(C) The written protocol must provide that:

(1) A pharmacist seeking authorization to administer a vaccine approved pursuant to this section shall successfully complete a course of training accredited by the Accreditation Council for Pharmacy Education or a similar health authority or professional body approved by the Board of Pharmacy and the Board of Medical Examiners. Training must comply with current Centers for Disease Control guidelines and must include study materials, hands-on training, and techniques for

administering vaccines and must provide instruction and experiential training in the following content areas:

(a) mechanisms of action for vaccines, contraindications, drug interactions, and monitoring after vaccine administration;

(b) standards for adult vaccination practices;

(c) basic immunology and vaccine protection;

(d) vaccine-preventable diseases;

(e) recommended vaccination schedules;

(f) vaccine storage management;

(g) biohazard waste disposal and sterile techniques;

(h) informed consent;

(i) physiology and techniques for vaccine administration;

(j) prevaccine and postvaccine assessment and counseling;

(k) vaccination record management;

(l) management of adverse events, including identification, appropriate response, emergency procedures, documentation, and reporting;

(m) understanding of vaccine coverage by federal, state, and local entities;

(n) needle stick management.

(2) A pharmacist administering vaccinations without an order or prescription of a practitioner pursuant to this section shall:

(a) obtain the ~~signed written~~informed consent of the person being vaccinated or that person's guardian;

(b) maintain a copy of the vaccine administration in that person's record and provide a copy to the person or the person's guardian;

(c) notify that person's designated physician or primary care provider of a vaccine administered;

(d) report administration of all vaccinations to the South Carolina Immunization Registry in compliance with regulations established by the Department of Health and Environmental Control as the department may require; provided, however, that the phase-in schedule provided in Regulation 61-120 for reporting vaccinations does not apply to vaccinations administered pursuant to this section;

(e) maintain a current copy of the written protocol at each location at which a vaccination is administered pursuant to this section.

(3) ~~A pharmacist may not delegate the administration of vaccines to a pharmacy technician or certified pharmacy technician.~~ For purposes of this section, "informed consent" means a written document that is signed and dated by an individual; or if the individual is a minor, by a parent or legal guardian; or if the individual is incapacitated or without sufficient

mental capacity, by a designated health care agent pursuant to a health care power of attorney, that at a minimum includes:

(a) an explanation of the vaccine or treatment that is written in language that is understandable to the average lay person;

(b) a description of the potential risks and benefits resulting from vaccine or treatment, along with a realistic description of the most likely outcome;

(c) a statement acknowledging risks associated with the vaccine or treatment if the vaccine or treatment is an indemnified product as defined in Section 44-1-55(A)(7);

(d) language that clearly indicates that the individual agrees to the administration of the vaccine or treatment, that the individual has had time to thoughtfully and voluntarily accept or decline the vaccine or treatment free from coercion: and

(e) if the vaccine or treatment is an investigational medical product or is made available through an Emergency Use Authorization by the Federal Food and Drug Administration, a statement acknowledging its investigational nature and the civil liability protections afforded it by law.

(4) A pharmacy intern or pharmacy technician may administer vaccinations under the direct supervision~~, as defined in Section 40-43-84(C),~~ of a pharmacist who has completed vaccination training as required by item (1) if the pharmacy intern or pharmacy technician:

(a) is certified through a basic life support or CPR provider-level course that is ~~jointly~~ approved by the Board of Medical Examiners and the Board of Pharmacy~~;Joint Pharmacy Access Committee~~ and completes a practical training program that is approved by the Accreditation Council for Pharmacy Education (ACPE) which includes, at a minimum, hands-on injection technique and the recognition and treatment of emergency reactions to vaccines; and

(b) ~~completes this course of training described in item (1).~~if a pharmacy technician, the pharmacy technician must be:

(i) state-certified; or

(ii) nonstate-certified but administered vaccinations and received training pursuant to the federal Public Readiness and Emergency Preparedness (PREP) Act prior to the effective date of this section and registers with the Board of Pharmacy as an authorized vaccination provider.

(5) A pharmacist or pharmacy technician administering vaccinations shall, as part of the current continuing education requirements ~~pursuant to Section 40-43-130~~, complete no less than one

hour of continuing education each license year regarding administration of vaccinations.

~~(C)~~

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The question being the adoption of the amendment.

Point of Order

Senator MATTHEWS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MARTIN spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator HUTTO moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 20; Nays 22

AYES

Allen	Bennett	Devine
Gambrell	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Malloy	Massey	Matthews
McElveen	McLeod	Sabb
Setzler	Stephens	Tedder
Turner	Williams	

Total--20

NAYS

Adams	Alexander	Campsen
Cash	Climer	Corbin
Cromer	Davis	Goldfinch
Grooms	Gustafson	*Johnson, Michael*
Kimbrell	Loftis	Martin
Peeler	Reichenbach	Rice

Senn Shealy Verdin
Young

Total--22

The Senate refused to lay the amendment on the table.

The question being the second reading of the Bill.

Motion Adopted

Senator CROMER asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3501 -- Rep. W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-102-140, RELATING TO PROHIBITED ACTS OF ATHLETE AGENTS, SO AS TO PROVIDE CERTIFIED ATHLETE AGENTS MAY PAY CERTAIN EXPENSES INCURRED BEFORE THE SIGNING OF AGENCY CONTRACTS BY STUDENT ATHLETES, FAMILY MEMBERS OF STUDENT ATHLETES, AND INDIVIDUALS OR CLASSES OF INDIVIDUALS AUTHORIZED TO RECEIVE SUCH PAYMENTS.

The Senate proceeded to a consideration of the Bill.

Senator TURNER spoke on the Bill.

The question being the second reading of the Bill.

Motion Adopted

Senator SETZLER asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 4843 -- Reps. Bailey, Brittain, Guest, J.E. Johnson, Sandifer and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-39-148 SO AS TO AUTHORIZE BUSINESSES WITH A DECK, DOCK, OR OTHER STRUCTURE LOCATED IN A CRITICAL AREA TO USE THE STRUCTURE FOR PURPOSES DIRECTLY RELATED TO THE OPERATION OF THE BUSINESS WITH LOCAL ZONING APPROVAL.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN proposed the following amendment (SFGF-4843.BC0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 48-39-148 and inserting:

Section 48-39-148. Notwithstanding any other provision of law to the contrary, a business that contains a grandfathered or permitted commercial deck or marina that is located in a critical area may utilize the deck or marina for the purpose of allowing patrons of the business to consume food and beverages. The provision of this section does not authorize a kitchen, food preparation area, or bar on the deck or marina.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Campsen
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Goldfinch
Grooms	Gustafson	Harpootlian

Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 5235 -- Reps. Bannister and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 43-7-465, RELATING TO INSURERS PROVIDING COVERAGE TO PERSONS RECEIVING MEDICAID, SO AS TO COMPORT WITH THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2022.

The Senate proceeded to a consideration of the Bill.

Senator VERDIN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Campsen
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Goldfinch

Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 5236 -- Reps. Bannister and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-6-50, RELATING TO RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES OR A SUCCESSOR AGENCY, SO AS TO MAKE CERTAIN CHANGES CONCERNING MEDICAID CLAIMS PROCESSING CONTRACTS.

The Senate proceeded to a consideration of the Bill.

Senator VERDIN explained the Bill.

The question being the second reading of the Bill.

Motion Adopted

Senator MALLOY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 4189 -- Rep. Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-20, RELATING TO LICENSING AND FEES, SO AS TO AMEND MEETING REQUIREMENTS, REMOVE A CERTIFICATION FEE AND OUTLINE HOW TO MAKE PROPER PAYMENTS TO THE DEPARTMENT; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND, SO AS TO CHANGE THE ALLOWED TRANSFER OF COLLECTED TAXES FROM TWENTY PERCENT TO FORTY PERCENT; AND BY AMENDING 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

On motion of Senator MARTIN, the Bill was carried over.

READ THE SECOND TIME

H. 4436 -- Reps. Wooten, Ballentine, Long, Erickson, Caskey, Calhoon, Wetmore, Taylor, Forrest, Hiott, Davis, Pope, Herbkersman, M.M. Smith, Robbins, Lawson, Burns, Chumley, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-1538, RELATING TO EMERGENCY SCENE MANAGEMENT, SO AS TO PROVIDE DRIVERS ARE RESPONSIBLE FOR MAINTAINING VEHICLE CONTROL IN CERTAIN EMERGENCY CIRCUMSTANCES TO AVOID INTERFERING WITH THE OPERATION OF AUTHORIZED EMERGENCY VEHICLES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

The Senate proceeded to a consideration of the Bill.

Senator GROOMS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4832 -- Reps. Hardee, Sandifer, Anderson, Ligon and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PAID FAMILY LEAVE INSURANCE ACT" BY ADDING CHAPTER 103 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH FAMILY LEAVE BENEFITS, OUTLINE REQUIREMENTS OF FAMILY LEAVE INSURANCE POLICIES, AND TO PROVIDE EXCLUSIONS, AMONG OTHER THINGS.

The Senate proceeded to a consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (LC-4832.PH0004S), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 3.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Goldfinch	Grooms
Gustafson	Harpootlian	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*

Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

H. 4869 -- Reps. Sandifer, Hardee, Ligon and Jefferson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200, RELATING TO CONDITIONS FOR ALLOWING REINSURANCE CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY AMENDING SECTION 38-13-10, RELATING TO INSURER EXAMINATIONS, SO AS TO PROVIDE SUCH EXAMINATIONS ARE FINANCIAL EXAMINATIONS, TO APPLY THE PROVISIONS TO HEALTH MAINTENANCE ORGANIZATIONS AND OTHER LICENSEES OF THE DEPARTMENT, TO PROVIDE MARKET CONDUCT EXAMINATIONS, AND TO REMOVE OBSOLETE PROVISIONS, AMONG OTHER THINGS; BY AMENDING SECTION 38-13-70, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DIRECTOR OR HIS DESIGNEES MAY CONDUCT INVESTIGATIONS, TO PROVIDE FOR THE CONFIDENTIALITY OF INVESTIGATIONS, AND TO PROVIDE FINAL ORDERS DISCIPLINING LICENSEES

ARE PUBLIC INFORMATION, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-57-130, RELATING TO INSURANCE TRADE PRACTICES, SO AS TO PROVIDE REVISED EXEMPTIONS FROM PROVISIONS PROHIBITING MISREPRESENTATIONS, SPECIAL INDUCEMENTS, AND REBATES IN INSURANCE CONTRACTS.

Senator TURNER objected to consideration of the Bill.

RECOMMITTED

S. 1301 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLE, RELATING TO BILLING ACCOUNTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5221, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Transportation.

OBJECTION

H. 3278 -- Reps. West, Ligon and Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 40-60-30, 40-60-31, AND 40-60-33, ALL RELATING TO REAL ESTATE APPRAISER LICENSURE REQUIREMENTS, SO AS TO MODIFY EXEMPTIONS, REVISE AND PROVIDE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS; AND TO REVISE REQUIREMENTS AND QUALIFICATIONS FOR LICENSED MASS APPRAISERS; BY AMENDING SECTION 40-60-34, RELATING TO REQUIREMENTS RELATING TO APPRENTICE APPRAISERS AND APPRAISERS SUPERVISING APPRENTICES, SO AS TO REVISE REQUIREMENTS; BY AMENDING SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE REPORTING REQUIREMENTS UPON LICENSEES; BY ADDING SECTION 40-60-36 SO AS TO IMPOSE REPORTING REQUIREMENTS UPON PROVIDERS; BY AMENDING SECTION 40-60-37, RELATING TO RECIPROCAL APPLICATIONS FROM APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; BY AMENDING SECTION 40-60-40, RELATING TO REQUIRED APPRAISER CONTACT INFORMATION, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; BY

AMENDING SECTION 40-60-320, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF APPRAISAL PANEL; BY AMENDING SECTION 40-60-330, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; BY AMENDING SECTION 40-60-360, RELATING TO PROMULGATION OF REGULATIONS, SO AS TO SPECIFY REQUIRED REGULATIONS; BY AMENDING SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND BY AMENDING SECTION 40-60-450, RELATING TO COMPENSATION, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

Senator MARTIN objected to consideration of the Bill.

READ THE SECOND TIME

H. 5008 -- Rep. W. Newton: A BILL TO ADOPT REVISED CODE VOLUME 17A OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2024.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Loftis	Malloy
Martin	Massey	Matthews

McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 5246 -- Reps. Wetmore, Brittain, M.M. Smith, Stavrinakis, Hartnett, Leber, Gilliard, Bustos, Pendarvis, Jefferson, Landing and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-612 SO AS TO PROVIDE THAT THE BLACK SKIMMER IS THE OFFICIAL SEABIRD OF THE STATE.

On motion of Senator MALLOY, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME

H. 3220 -- Reps. W. Newton, Carter, Mitchell, Haddon, Pope, Chumley and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 6 TO CHAPTER 15, TITLE 63 SO AS TO ENACT THE "UNIFORM CHILD ABDUCTION PREVENTION ACT", TO PROVIDE A LEGAL MECHANISM TO PROTECT CHILDREN FROM CREDIBLE RISKS OF ABDUCTION RELATED TO LEGAL CUSTODY OR VISITATION, AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-3220.MB0010S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 63-15-630(A) and inserting:

(A) A petition under this article may be filed only in a court that has jurisdiction to make a child-custody determination with respect to the child at issue under S.C. Code Section 63-15-300, et seq.

Amend the bill further, SECTION 2, Section 63-15-640, by striking the first undesignated paragraph and inserting:

A petition under this article must be verified or supported by a sworn affidavit and include a copy of any existing child-custody determination, if available. The petition must specify the risk factors for abduction, including the relevant factors described in Section 63-15-650. Subject to Section 63-15-346(E), if reasonably ascertainable, the petition must contain:

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 15, Title 63 of the S.C. Code is amended by adding:

Section 63-15-605. A court of this State shall treat a foreign country as it if were a state of the United States for the purpose of applying this article if its child-custody determination was made under factual circumstances in substantial conformity with the jurisdictional standards of this article and if the child custody laws of that foreign country do not violate fundamental principles of human rights.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. After enactment of the provisions of this act, the Code Commissioner is authorized to insert the Reporter's Comments, as amended, provided by the Reporter for the South Carolina Law Initiative Council, into the annotated version of the provisions of this act, as contained in the South Carolina Code of Laws, after the appropriate provisions. The Reporter's Comments, prepared by the Reporter for the South Carolina Law Initiative Council with the intent of aiding the user in understanding the provisions to the Uniform Child Abduction Prevention Act, are not considered part of this act and do not indicate legislative intent. The official comments prepared by the Uniform Law Commissioner are not included in this act, but interested users may access these comments at the Uniform Law Commission's depository website: https://uniformlaws.org.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator SHEALY proposed the following amendment (SR-3220.JG0011S), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X. Sections 63-7-2340 through 63-7-2350 of the S.C. Code are amended to read:

Section 63-7-2340. (A) A person applying for licensure as a foster parent or for approval for adoption placement, for approval as a prospective legal guardian for a child in the custody of DSS, or seeking employment or a volunteer role with direct, unsupervised contact with children under the age of eighteen in a Child Placing Agency, qualified residential treatment program or residential facility, or a contracted service provider, and a person eighteen years of age or older, residing in a home in which a person has applied to be licensed as a foster parent or an approved adoption placement, must undergo a state fingerprint-based background check ~~review~~ to be conducted by the State Law Enforcement Division to determine any state criminal history and a fingerprint~~ing~~-based background check ~~review~~ to be conducted by the Federal Bureau of Investigation to determine any other criminal history.

(B) ~~Any fee charged by the Federal Bureau of Investigation for the fingerprint review must be paid by the individual.~~The South Carolina Law Enforcement Division and the Federal Bureau of Investigation are authorized to retain and store fingerprints for further use in the identification of persons including, but not limited to, use in identifying unsolved latent prints. The South Carolina Law Enforcement Division and the Federal Bureau of Investigation are authorized to provide the department with current and future information regarding the fingerprints stored, including arrests, convictions, dispositions, warrants, and other information available to the South Carolina Law Enforcement Division and the Federal Bureau of Investigation, such as civil and criminal information.

Section 63-7-2345. (A) Notwithstanding the provisions of Section 63-7-2350, the department is authorized to pay from funds appropriated for foster care the costs of Federal Bureau of Investigation fingerprint-based background checks ~~reviews~~ for foster care families recruited and selected as potential adoption and foster care providers for children in the custody of the department.

(B) Costs for Federal Bureau of Investigation fingerprint-based background checks required for prospective employees or volunteers of

a qualified residential treatment program or residential facility, or prospective legal guardians or persons in a prospective placement household aged eighteen years and older, must be paid by the individual or entity requesting the background checks.

Section 63-7-2350. (A) No child in the custody of the Department of Social Services may be placed in a foster home, adoptive home, legal guardian's home, qualified residential treatment program, or residential facility with a person if the person or anyone eighteen years of age or older residing in the home or a person working or volunteering with direct unsupervised contact with children under the age of eighteen in the qualified residential treatment program or residential facility:

(1) has a substantiated history of child abuse or neglect; or

(2) has pled guilty or nolo contendere to or has been convicted of:

(a) an "Offense Against the Person" as provided for in Chapter 3, Title 16;

(b) an "Offense Against Morality or Decency" as provided for in Chapter 15, Title 16;

(c) contributing to the delinquency of a minor as provided for in Section 16-17-490;

(d) the common law offense of assault and battery of a high and aggravated nature when the victim was a person seventeen years of age or younger;

(e) criminal domestic violence as defined in Section 16-25-20;

(f) criminal domestic violence of a high and aggravated nature as defined in Section 16-25-65;

(g) a felony drug-related offense under the laws of this State;

(h) unlawful conduct toward a child as provided for in Section 63-5-70;

(i) cruelty to children as provided for in Section 63-5-80;

(j) child endangerment as provided for in Section 56-5-2947; or

(k) criminal sexual conduct with a minor in the first degree as provided for in Section 16-3-655(A).

(B) A person who has been convicted of a criminal offense similar in nature to a crime enumerated in subsection (A) when the crime was committed in another jurisdiction or under federal law is subject to the restrictions set out in this section.

(C) At a minimum, the department shall require that all persons referenced in subsection (A) undergo a fingerprint-based background check ~~review~~ to be conducted by the State Law Enforcement Division and a fingerprint-based background check ~~review~~ to be conducted by the Federal Bureau of Investigation. The department also shall check the

State Central Registry of Child Abuse and Neglect, department records, the equivalent registry system for each state in which the person has resided for five years preceding an application for licensure as a foster parent, the National Sex Offender Public Website ~~Registry~~, and the state sex offender registry for applicants and all persons twelve years of age and older residing in the home of an applicant.

(D) This section does not prevent placement in a foster home, adoptive home, qualified residential treatment program, legal guardian's home, or residential facility when a conviction or plea of guilty or nolo contendere for one of the crimes enumerated in subsection (A) has been pardoned. However, notwithstanding the entry of a pardon, the department or other entity making placement or licensing decisions may consider all information available, including the person's pardoned convictions or pleas and the circumstances surrounding them, to determine whether the applicant is unfit or otherwise unsuited to provide foster care services.

(E) For the purposes of this section, "residential facility" means a group home, residential treatment center, or other facility that, pursuant to a contract with or a license or permit issued by the department, provides residential services to children in the custody of the department. This includes, but is not limited to, child caring institutions, emergency shelters, group homes, wilderness therapeutic camps, and organizations with supervised individual living facilities.

(F) Notwithstanding the provisions in this section, in the discretion of the department when it is in a child's best interest, a child may be placed in the home of a kin or fictive kin caregiver who has been convicted of or has plead guilty or nolo contendere to a criminal offense described in this section if more than five years have elapsed since the conviction, guilty plea, or nolo contendere plea and the criminal offense was not a violent crime as defined in Section 16-1-60 or a felony involving violence including, but not limited to, child abuse and neglect, domestic violence, or any crime against a child.

SECTION X. Sections 63-13-50 through 63-13-60 of the S.C. Code are amended to read:

Section 63-13-50. The fingerprint-based background checks ~~reviews~~ required by this chapter are not required of a certified education personnel who has undergone a fingerprint-based background check ~~review~~ pursuant to Section 59-26-40 or of a person licensed as a foster parent who has undergone a state and federal fingerprint-based background check ~~review~~ pursuant to Section 63-7-2340, and the results of these fingerprint-based background checks ~~reviews~~ have been submitted to the department and the person has remained employed since

the fingerprint-based background check ~~review~~ in certified education or licensed as a foster parent or the fingerprint-based background checks ~~reviews~~ have been conducted within the preceding six months.

Section 63-13-60. For conducting a state fingerprint-based criminal history record check ~~review~~ as required by this chapter, the State Law Enforcement Division may not impose a fee greater than the fee imposed by the Federal Bureau of Investigation for conducting such a fingerprint-based background check ~~review~~.

SECTION X. Section 63-13-190 of the S.C. Code is amended to read:

Section 63-13-190. (A)(1) Before the Department of Social Services employs a person in its childcare licensing or child protective services divisions, the person shall undergo a state fingerprint-based background check ~~review~~ to be conducted by the State Law Enforcement Division to determine any state criminal history and a fingerprint-based background check ~~review~~ to be conducted by the Federal Bureau of Investigation to determine any other criminal history. No person may be employed in these divisions if the person has been convicted of or pled guilty or nolo contendere to any crime listed in Section 63-13-40(A).

(2) A volunteer or an employee of a contractor or subcontractor who contracts for delivery of protective services, family preservation services, foster care services, family reunification services, adoption services, and other related services or programs or a person who has direct unsupervised contact with a child in the custody of the Department of Social Services shall undergo a state fingerprint-based background check to be conducted by the State Law Enforcement Division to determine any state criminal history and a fingerprint-based background check to be conducted by the Federal Bureau of Investigation to determine any other criminal history. No person may be employed by a contractor or a subcontractor, act in a volunteer capacity, or have access to a child in the custody of the department if the person has been convicted of or pled guilty or nolo contendere to any crime listed in Section 63-13-40(A).

(3) Persons in subsection (A)(1) and (2) shall also submit to a Central Registry check to be conducted by the department to determine any abuse or neglect perpetrated by the person upon a child, and a search of the state sex offender registry pursuant to Section 23-3-430.

~~(2)~~(4) This section does not prohibit employment when a conviction or plea of guilty or nolo contendere for one of the crimes listed has been pardoned. However, notwithstanding the entry of a pardon, the department may consider all information available, including the person's pardoned convictions or pleas and the circumstances

surrounding them, to determine whether the applicant is unfit or otherwise unsuited for employment.

(B) Notwithstanding subsection (A) or any other provision of law, a person may be provisionally employed in the childcare licensing or child protective services divisions upon receipt and review of the results of the State Law Enforcement Division fingerprint-based background check ~~review~~ if the results show no convictions of the crimes referenced in subsection (A). Pending receipt of the results of the Federal Bureau of Investigation fingerprint-based background check ~~review~~, the department must obtain from the prospective employee a written affirmation on a form provided by the department that the employee has not been convicted of any crime referenced in ~~sub~~Section 63-13-40~~(A)~~.

(C) A person who has been convicted of a crime referenced in subsection (A) who applies for employment with the childcare licensing or child protective services divisions, or with a contractor or subcontractor of DSS, or applies or seeks to act in a volunteer capacity for such entities, is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than one year, or both.

(D) The South Carolina Law Enforcement Division and the Federal Bureau of Investigation are authorized to retain and store fingerprints for further use in the identification of persons including, but not limited to, use in identifying unsolved latent prints. The South Carolina Law Enforcement Division and the Federal Bureau of Investigation are authorized to provide the department with current and future information regarding the fingerprints stored, including arrests, convictions, dispositions, warrants, and other information available to the South Carolina Law Enforcement Division and the Federal Bureau of Investigation, such as civil and criminal information.

(E) The department shall be responsible for the costs of background checks for prospective employees of the childcare licensing and child protective services divisions. The costs for other fingerprints required under this section shall be the responsibility of the individual, contractor, or subcontractor. Fees shall not exceed the actual cost of processing and administration.

SECTION X. Sections 63-13-420(G), (H), (I), and (J) of the S.C. Code are amended to read:

(G) A person eighteen years of age or older living in a group family childcare home, and any person eighteen years of age or older who moves into a group family childcare home after an initial application for licensing is approved, shall undergo a state fingerprint-based background

check ~~review~~ to be conducted by the State Law Enforcement Division to determine any state criminal history, a fingerprint-based background check ~~review~~ to be conducted by the Federal Bureau of Investigation to determine any other criminal history, a Central Registry check to be conducted by the department to determine any abuse or neglect perpetrated by the person upon a child, and a search of the National Crime Information Center National Sex Offender Registry and the state sex offender registry pursuant to Section 23-3-430. The person shall be subject to a state criminal register or repository check, a state sex offender check, and a state child abuse and neglect registry and database check in each state where the person has lived in the previous five years. The fingerprint-based background check ~~reviews~~ required by this subsection are required to be repeated every five years.

(H) A person fifteen through seventeen years of age living in a group family childcare home, and any person fifteen through seventeen years of age who moves into a group family childcare home after an initial application for licensing is approved, shall undergo a state fingerprint-based background check ~~review~~ to be conducted by the State Law Enforcement Division to determine any state criminal history and a fingerprint-based background check ~~review~~ to be conducted by the Federal Bureau of Investigation to determine any other criminal history. The fingerprint-based background checks ~~reviews~~ required by this subsection are required to be repeated every five years.

(I) A person applying for a license as an operator under this section shall undergo a state fingerprint-based background check ~~review~~ to be conducted by the State Law Enforcement Division to determine any state criminal history, a fingerprint-based background check ~~review~~ to be conducted by the Federal Bureau of Investigation to determine any other criminal history, a Central Registry check to be conducted by the department to determine any abuse or neglect perpetrated by the person upon a child, and a search of the National Crime Information Center National Sex Offender Registry and the state sex offender registry pursuant to Section 23-3-430. The person shall be subject to a state criminal register or repository check, a state sex offender check, and a state child abuse and neglect registry and database check in each state where the person has lived in the previous five years. If a person is not employed or does not provide caregiver services for six months or longer, then the fingerprint-based background checks ~~reviews~~ must be repeated. The fingerprint-based background checks ~~reviews~~ required by this subsection are required to be repeated every five years.

(J) A person applying for a license as an operator under this section or seeking employment or seeking to provide caregiver services at a facility licensed under this section shall undergo a state fingerprint-based background check ~~review~~ to be conducted by the State Law Enforcement Division to determine any state criminal history, a fingerprint-based background check ~~review~~ to be conducted by the Federal Bureau of Investigation to determine any other criminal history, a Central Registry check to be conducted by the department to determine any abuse or neglect perpetrated by the person upon a child, and a search of the National Crime Information Center National Sex Offender Registry and the state sex offender registry pursuant to Section 23-3-430. The person shall be subject to a state criminal register or repository check, a state sex offender check, and a state child abuse and neglect registry and database check in each state where the person has lived in the previous five years. If a person is not employed or does not provide caregiver services for six months or longer, then the fingerprint-based background checks ~~reviews~~ must be repeated. The fingerprint-based background checks ~~reviews~~ required by this subsection are required to be repeated every five years.

SECTION X. Section 63-13-430(F) of the S.C. Code is amended to read:

(F) A licensee seeking license renewal under this section, its employees, and its caregivers, who have not done so previously, on the first renewal after June 30, 1995, shall undergo a state fingerprint-based background check ~~review~~ to be conducted by the State Law Enforcement Division to determine any state criminal history, a fingerprint-based background check ~~review~~ to be conducted by the Federal Bureau of Investigation to determine any other criminal history, a Central Registry check to be conducted by the department to determine any abuse or neglect perpetrated by the person upon a child, and a search of the National Crime Information Center National Sex Offender Registry and the state sex offender registry pursuant to Section 23-3-430. The person shall be subject to a state criminal register or repository check, a state sex offender check, and a state child abuse and neglect registry and database check in each state where the person has lived in the previous five years.

SECTION X. Section 63-13-620(C) of the S.C. Code is amended to read:

(C) A person applying for approval under this section shall undergo a state fingerprint-based background check ~~review~~ to be conducted by the State Law Enforcement Division to determine any state criminal history,

a fingerprint-based background check ~~review~~ to be conducted by the Federal Bureau of Investigation to determine any other criminal history, a Central Registry check to be conducted by the department to determine any abuse or neglect perpetrated by the person upon a child, and a search of the National Crime Information Center National Sex Offender Registry and the state sex offender registry pursuant to Section 23-3-430. The person shall be subject to a state criminal register or repository check, a state sex offender check, and a state child abuse and neglect registry and database check in each state where the person has lived in the previous five years. The fingerprint-based background checks ~~reviews~~ required by this subsection are required to be repeated every five years.

SECTION X. Section 63-13-630(D)(1) of the S.C. Code is amended to read:

(D)(1) A person applying for approval renewal under this section, a person who will operate the facility, and its employees and caregivers, who have not done so previously, on the first approval renewal after June 30, 1995, shall undergo a state fingerprint-based background check ~~review~~ to be conducted by the State Law Enforcement Division to determine any state criminal history, a fingerprint-based background check ~~review~~ to be conducted by the Federal Bureau of Investigation to determine any other criminal history, a Central Registry check to be conducted by the department to determine any abuse or neglect perpetrated by the person upon a child, and a search of the National Crime Information Center National Sex Offender Registry and the state sex offender registry pursuant to Section 23-3-430. The person shall be subject to a state criminal register or repository check, a state sex offender check, and a state child abuse and neglect registry and database check in each state where the person has lived in the previous five years.

SECTION X. Sections 63-13-820(C) and (D) of the S.C. Code are amended to read:

(C) A person applying to become a registered operator of a family childcare home under this section, a person eighteen years of age or older living in the family childcare home, and any person eighteen years of age or older who moves into the family childcare home after the initial application for registration is approved shall undergo a state fingerprint-based background check ~~review~~ to be conducted by the State Law Enforcement Division to determine any state criminal history, a fingerprint-based background check ~~review~~ to be conducted by the Federal Bureau of Investigation to determine any other criminal history, a Central Registry check to be conducted by the department to determine

any abuse or neglect perpetrated by the person upon a child, and a search of the National Crime Information Center National Sex Offender Registry and the state sex offender registry pursuant to Section 23-3-430. The fingerprint-based background checks ~~reviews~~ required by this subsection are required to be repeated every five years.

(D) A ~~person applying to become the registered operator of a family childcare home under this section, a~~ person fifteen through seventeen years of age living in a family childcare home~~,~~ and any person fifteen through seventeen years of age who moves into a family childcare home after an initial application for registration is approved shall undergo a state fingerprint-based background check ~~review~~ to be conducted by the State Law Enforcement Division to determine any state criminal history and a fingerprint-based background check ~~review~~ to be conducted by the Federal Bureau of Investigation to determine any other criminal history. The fingerprint-based background checks ~~reviews~~ required by this subsection are required to be repeated every five years.

SECTION X. Section 63-13-830(C)(1) of the S.C. Code is amended to read:

(C)(1) A person applying for renewal of registration as an operator of a family childcare home registered under this article and a person employed or providing caregiver services at a family childcare home registered under this article, who has not done so previously, on the first renewal after June 30, 1996, shall undergo a state fingerprint-based background check ~~review~~ to be conducted by the State Law Enforcement Division to determine any state criminal history, a fingerprint-based background check ~~review~~ to be conducted by the Federal Bureau of Investigation to determine any other criminal history, a Central Registry check to be conducted by the department to determine any abuse or neglect perpetrated by the person upon a child, and a search of the National Crime Information Center National Sex Offender Registry and the state sex offender registry pursuant to Section 23-3-430. The person shall be subject to a state criminal register or repository check, a state sex offender check, and a state child abuse and neglect registry and database check in each state where the person has lived in the previous five years.

SECTION X. Section 63-13-1010(E), (G), and (H) of the S.C. Code is amended to read:

(E) A person applying for a license or registration as an operator of a church or religious childcare center shall undergo a state fingerprint-based background check ~~review~~ to be conducted by the State Law Enforcement Division to determine any state criminal history, a

fingerprint-based background check ~~review~~ to be conducted by the Federal Bureau of Investigation to determine any other criminal history, a Central Registry check to be conducted by the department to determine any abuse or neglect perpetrated by the person upon a child, and a search of the National Crime Information Center National Sex Offender Registry and the state sex offender registry pursuant to Section 23-3-430. The person shall be subject to a state criminal register or repository check, a state sex offender check, and a state child abuse and neglect registry and database check in each state where the person has lived in the previous five years. If a person is not employed or does not provide caregiver services for six months or longer, then the fingerprint-based background checks ~~reviews~~ must be repeated. The fingerprint-based background checks ~~reviews~~ required by this subsection are required to be repeated every five years.

(G) A person applying for a license or registration as an operator of a church or religious childcare center or seeking employment or seeking to provide caregiver services at a church or religious childcare center shall undergo a state fingerprint-based background check ~~review~~ to be conducted by the State Law Enforcement Division to determine any state criminal history, a fingerprint-based background check ~~review~~ to be conducted by the Federal Bureau of Investigation to determine any other criminal history, a Central Registry check to be conducted by the department to determine any abuse or neglect perpetrated by the person upon a child, and a search of the National Crime Information Center National Sex Offender Registry and the state sex offender registry pursuant to Section 23-3-430. The person shall be subject to a state criminal register or repository check, a state sex offender check, and a state child abuse and neglect registry and database check in each state where the person has lived in the previous five years. The fingerprint-based background checks ~~reviews~~ required by this subsection are required to be repeated every five years.

(H) A person applying for renewal of a license or registration as an operator of a church or religious childcare center licensed or registered under this chapter and a person employed or registered under this chapter, who has not done so previously, on the first renewal after June 30, 1996, shall undergo a state fingerprint-based background check ~~review~~ to be conducted by the State Law Enforcement Division to determine any state criminal history, a fingerprint-based background check ~~review~~ to be conducted by the Federal Bureau of Investigation to determine any other criminal history, a Central Registry check to be conducted by the department to determine any abuse or neglect

perpetrated by the person upon a child, and a search of the National Crime Information Center National Sex Offender Registry and the state sex offender registry pursuant to Section 23-3-430. The person shall be subject to a state criminal register or repository check, a state sex offender check, and a state child abuse and neglect registry and database check in each state where the person has lived in the previous five years.

SECTION X. Section 63-11-70 of the S.C. Code is amended to read:

Section 63-11-70. (A) A person seeking employment with a child welfare agency for a position with direct unsupervised contact with children must undergo a state fingerprint-based background check to be conducted by the State Law Enforcement Division to determine any state criminal history and a fingerprint-based background check to be conducted by the Federal Bureau of Investigation to determine any other criminal history. A person seeking to serve as a volunteer with a child welfare agency for a position with direct unsupervised contact with children must undergo a state fingerprint-based background check to be conducted by the State Law Enforcement Division to determine any state criminal history and a fingerprint-based background check to be conducted by the Federal Bureau of Investigation to determine any other criminal history. Additionally, the persons described in this section must also undergo a check of the State Central Registry of Child Abuse and Neglect, DSS department records, the equivalent registry system for each state in which the person has resided for five years preceding an application for employment or as a volunteer, the National Sex Offender Public Website, and the state sex offender registry.

(B) The South Carolina Law Enforcement Division and the Federal Bureau of Investigation are authorized to retain and store fingerprints for further use in the identification of persons including, but not limited to, use in identifying unsolved latent prints. The South Carolina Law Enforcement Division and the Federal Bureau of Investigation are authorized to provide the department with current and future information regarding the fingerprints stored, including arrests, convictions, dispositions, warrants, and other information available to the South Carolina Law Enforcement Division and the Federal Bureau of Investigation, such as civil and criminal information.

(C) Costs for Federal Bureau of Investigation fingerprint-based background checks required for prospective employees of a child welfare agency must be paid by the individual or entity requesting the background checks.

(D) When a provision of law or regulation provides for a criminal history background check in connection with licensing, placement,

service as a volunteer, or employment with a child welfare agency, the provision of law or regulation may not operate to prohibit licensing, placement, service as a volunteer, or employment when a conviction or plea of guilty or nolo contendere has been pardoned. However, notwithstanding the entry of a pardon, the department, child welfare agency, or employer may consider all information available, including the person's pardoned convictions or pleas and the circumstances surrounding them, to determine whether the person is unfit or otherwise unsuited for licensing, placement, service as a volunteer, or employment.

SECTION X. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3313 -- Rep. Jordan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 30-5-10, RELATING TO THE PERFORMANCE OF THE DUTIES OF A REGISTER OF DEEDS, SO AS TO ADD FLORENCE COUNTY TO THE COUNTIES EXEMPT FROM THE REQUIREMENT THAT THESE DUTIES BE PERFORMED BY THE CLERK OF COURT; AND BY AMENDING SECTION 30-5-12, RELATING TO THE APPOINTMENT OF THE REGISTER OF DEEDS FOR CERTAIN COUNTIES, SO AS TO ADD FLORENCE COUNTY TO THE COUNTIES WHERE THE GOVERNING BODY OF THE COUNTY APPOINTS THE REGISTER OF DEEDS.

The Senate proceeded to a consideration of the Bill.

Senator GROOMS proposed the following amendment (SR-3313.JG0001S), which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Article 1, Chapter 17, Title 14 of the S.C. Code is amended by adding:

Section 14-17-15. No person is eligible to hold the office of clerk of court who is not at the time of his election:

(1) a citizen of the United States and of this State;

(2) at least twenty-one years old;

(3) a qualified elector of the county in which he is to be clerk of court; and

(4)(a) a graduate from an accredited post-secondary institution with a bachelor's degree, or

(b) has at least eight years' experience as an employee in a county clerk of court's office in this State if he has not received a four-year bachelor's degree.

Amend the bill further, by striking SECTION and inserting:

SECTION X. The provisions contained in Section 14-17-15, as added to the S.C. Code by this act, do not apply to a person serving as county

clerk on the effective date of this act for the remainder of his current term or any subsequent, consecutive term.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

Senator REICHENBACH spoke on the amendment.

The question being the adoption of the amendment.

Senator REICHENBACH moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 15

AYES

Bennett	Cash	Corbin
Davis	Fanning	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--29

NAYS

Adams	Alexander	Allen
Climer	Cromer	Devine
Gambrell	Goldfinch	Grooms
Kimbrell	Matthews	McElveen
McLeod	Stephens	Tedder

Total--15

The amendment was laid on the table.

The question being the second reading of the Bill.

On motion of Senator MALLOY, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED AMENDED, OBJECTION

H. 3748 -- Reps. Caskey, Wooten, Wetmore, Hartnett, Erickson, W. Newton, Pope, Robbins, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-11-680, RELATING TO THE UNLAWFUL ALTERATION OR REMOVAL OF BOUNDARY LANDMARKS, SO AS TO CLARIFY THAT THE SECTION PROHIBITS MOVING, ALTERING, DESTROYING, OR REMOVING GEODETIC CONTROL MONUMENTS OR CERTAIN LAND SURVEYING MONUMENTS, TO UPDATE THE PENALTIES FOR VIOLATIONS OF THIS SECTION, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-3748.PB0005S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-11-680(A)(1) and inserting:

(1) "Geodetic control monuments" means those land surveying monuments which are established by federal, state, and local governments, and private entities, the position of which monuments on the earth's surface has been fixed by high-order surveying and computation for use by the land surveyors. Such monuments may be in the form of, but are not limited to, metal, disks set in concrete, rock, or some other fixed permanent object, the horizontal and vertical positions of which have been published by the agency which established the monument and made available to the public as well as to land surveyors and engineers for public use.

Amend the bill further, SECTION 1, by striking Section 16-11-680(A)(2)(e) and inserting:

(e) and such other monuments as may be described in plats, instruments of record, and federal, state, and local law.

Amend the bill further, SECTION 1, by striking Section 16-11-680(B)(1) and inserting:

(B)(1) ~~If any~~It is unlawful for a person ~~shall~~ to knowingly, ~~wilfully, maliciously or fraudulently~~with wilful, malicious, or fraudulent intent, move~~ cut, fell~~, alter, destroy, or remove any certain ~~boundary tree or~~

~~other allowed landmark~~geodetic control monuments or property corner monuments~~,~~. Proof that a geodetic control device or property corner monument was unintentionally removed, altered, destroyed, or otherwise tampered with is prima facie evidence of non-criminal intent of the acting party. A ~~such~~ person ~~so offending shall be~~ who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, shall be fined not ~~exceeding~~less than one hundred dollars nor more than five hundred dollars, or imprisoned not ~~exceeding~~more than thirty days.

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (SJ-3748.PB0013S):

Amend the bill, as and if amended, SECTION 1, by striking Section 16-11-680(B)(1) and inserting:

(B)(1) ~~If any~~It is unlawful for a person ~~shall~~ to knowingly, ~~wilfully, maliciously or fraudulently~~with wilful, malicious, or fraudulent intent, move ~~cut, fell~~, alter, destroy, or remove any certain ~~boundary tree or other allowed landmark~~geodetic control monuments or property corner monuments~~,~~. Proof that a geodetic control device or property corner monument was unintentionally removed, altered, destroyed, or otherwise tampered with is prima facie evidence of non-criminal intent of the acting party. A ~~such~~ person ~~so offending shall be~~ who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, shall be fined not exceeding one hundred dollars or imprisoned not exceeding thirty days.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The question being the adoption of the amendment.

Senator CASH moved to lay the amendment on the table.

The motion to lay the amendment on the table was withdrawn.

The amendment was carried over.

Senators M. JOHNSON, CAMPSEN, MASSEY and GARRETT proposed the following amendment (SJ-3748.PB0012S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-11-680(B)(1) and inserting:

(B)(1) ~~If any~~It is unlawful for a person ~~shall~~ to ~~knowingly, wilfully,~~ maliciously or fraudulently move~~ cut, fell~~, alter, destroy, or remove any certain ~~boundary tree or other allowed landmark~~geodetic control monuments or property corner monuments~~,~~. Proof that a geodetic control device or property corner monument was unintentionally removed, altered, destroyed, or otherwise tampered with is prima facie evidence of non-criminal intent of the acting party. A ~~such~~ person ~~so offending shall be~~ who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, shall be fined not ~~exceeding~~less than one hundred dollars nor more than five hundred dollars, or imprisoned not ~~exceeding~~more than thirty days, and may be required by the court to make restitution. For the purpose of this section, "restitution" means payment for specific damages and economic losses and expenses sustained by a crime victim resulting from an offender's criminal conduct. Restitution orders do not limit any civil claims a crime victim may file. If the amount of restitution exceeds the magistrates court's limitation on ordering restitution as provided in Section 22-3-550, the court of general sessions has concurrent jurisdiction with the magistrates court and the case may be transferred to the court of general sessions.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (SJ-3748.PB0013S):

Amend the bill, as and if amended, SECTION 1, by striking Section 16-11-680(B)(1) and inserting:

(B)(1) ~~If any~~It is unlawful for a person ~~shall~~ to knowingly, ~~wilfully, maliciously or fraudulently~~with wilful, malicious, or fraudulent intent, move ~~cut, fell~~, alter, destroy, or remove any certain ~~boundary tree or other allowed landmark~~geodetic control monuments or property corner monuments~~,~~. Proof that a geodetic control device or property corner monument was unintentionally removed, altered, destroyed, or otherwise tampered with is prima facie evidence of non-criminal intent of the acting party. A ~~such~~ person ~~so offending shall be~~ who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, shall be fined not exceeding one hundred dollars or imprisoned not exceeding thirty days.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The question being the adoption of the amendment.

Senator MALLOY objected to further consideration of the Bill.

READ THE SECOND TIME

H. 3776 -- Reps. Bannister, Bamberg, Caskey, Collins, Connell, Elliott, Garvin, Gatch, Guest, Hager, Hart, Henderson-Myers, Hyde, J.E. Johnson, Jordan, McCabe, McCravy, Mitchell, Pope, Robbins, Rose, Rutherford, Stavrinakis, T. Moore, Tedder, W. Newton, Weeks, Wetmore and Wheeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING SECTION 14-5-130 RELATING TO JUDGES ABSENTING THEMSELVES FROM THE STATE.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3934 -- Rep. Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-29-1625, RELATING TO FEDERAL DEFENSE FACILITIES DEFINITIONS, SO AS TO ADD FORT GORDON TO THE DEFINITION OF "FEDERAL MILITARY INSTALLATIONS".

On motion of Senator MASSEY, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED AMENDED, CARRIED OVER

H. 4187 -- Reps. J.E. Johnson, W. Newton, Robbins, Haddon, Mitchell, Yow, Chapman, Gagnon, Ligon, O'Neal, B. Newton, Sessions, Felder, Blackwell, Oremus and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO DEFINE NECESSARY TERMS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF FELONY ORGANIZED RETAIL CRIME AND FELONY ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE GRADUATED PENALTIES FOR THE OFFENSES.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-4187.SW0006S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-13-135(F)(1)(b) and inserting:

(b) causes moderate bodily injury or great bodily injury to another person. "Moderate bodily injury" and "great bodily injury" have the same meanings as defined in Section 16-3-600.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator HUTTO proposed the following amendment (SJ-4187.SW0007S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-13-135(E) and inserting:

(E) A person who violates this section commits the offense of organized retail crime and, upon conviction:

(1) for a first offense:

(a) ~~for a first offense,~~ is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than three years, or both~~;~~, if the value of the retail property is more than two thousand dollars but less than ten thousand dollars~~ and~~;

(b) is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned for not more than five years, or both, if the value of the retail property is more than ten thousand dollars but less than twenty thousand dollars;

(c) is guilty of a felony and, upon conviction, must be fined not more than twenty thousand dollars or imprisoned for not more than ten years, or both, if the value of the retail property is more than twenty thousand dollars but less than fifty thousand dollars;

(d) is guilty of a felony and, upon conviction, must be fined not more than fifty thousand dollars or imprisoned for not more than twenty years, or both, if the value of the retail property is more than fifty thousand dollars;

(2) for a second or subsequent offense, is guilty of a felony and, upon conviction, regardless of the value of the retail property in any offense, must be fined not more than ~~ten~~fifty thousand dollars or imprisoned for not more than twenty years, or both.

(3) For purposes of this section, multiple offenses occurring within a ninety-day period may be aggregated into a single count with the aggregated value used to determine the total value of the property.

(4) Organized retail crime is a lesser-included offense of organized retail crime of an aggravated nature as provided in subsection (F).

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

On motion of Senator MALLOY, the Bill was carried over.

OBJECTION

H. 4231 -- Reps. M.M. Smith, Davis, Bernstein, Guest, Brittain, Henegan, B. Newton, Carter, B.L. Cox, Bannister, Herbkersman, Robbins, Schuessler, Hart and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-6-1155, RELATING TO MICRO-DISTILLERIES, SO AS TO PROVIDE THAT A MICRO-DISTILLERY MAY SELL CERTAIN LIQUORS DISTILLED ON THE PREMISES ON SUNDAYS; AND BY AMENDING SECTION 61-6-4160, RELATING TO THE

PROHIBITION ON THE SALE OF ALCOHOLIC LIQUORS ON CERTAIN DAYS, SO AS TO PROVIDE THAT CERTAIN LOCAL GOVERNING BODIES MAY AUTHORIZE THE SALE OF ALCOHOLIC LIQUORS ON SUNDAYS UNDER CERTAIN CIRCUMSTANCES.

Senator RICE objected to consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED
OBJECTION

H. 4234 -- Reps. W. Newton, Bernstein and Mitchell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-5-101, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "SUPPORTS AND ASSISTANCE"; BY AMENDING SECTION 62-5-103, RELATING TO FACILITY OF PAYMENT OR DELIVERY, SO AS TO CLARIFY THE NATURE OF THE FIFTEEN THOUSAND DOLLAR THRESHOLD; BY AMENDING SECTION 62-5-106, RELATING TO DUTIES OF GUARDIANS AD LITEM, SO AS TO INCREASE THE LENGTH OF TIME THE GUARDIAN AD LITEM HAS TO SUBMIT HIS REPORT PRIOR TO THE HEARING; BY AMENDING SECTION 62-5-108, RELATING TO EMERGENCY AND TEMPORARY ORDERS AND HEARINGS, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTIONS 62-5-303, 62-5-303A, 62-5-303B, 62-5-303C, AND 62-5-303D, ALL RELATING TO THE PROCEDURE FOR COURT APPOINTMENT OF A GUARDIAN, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTION 62-5-307, RELATING TO INFORMAL REQUESTS FOR RELIEF, SO AS TO CLARIFY THE WARD'S ABILITY TO SUBMIT CERTAIN REQUESTS TO THE COURT; BY AMENDING SECTION 62-5-401, RELATING TO VENUES, SO AS TO CLARIFY, AMONG OTHER THINGS, THAT, IN THE CASE OF MINOR CONSERVATORSHIPS, PROPER VENUE IS THE COUNTY IN WHICH THE MINOR RESIDES OR OWNS PROPERTY; BY AMENDING SECTION 62-5-403A, RELATING TO SERVICE OF SUMMONS AND PETITIONS, SO AS TO INCLUDE CERTAIN OTHER AFFIDAVITS AND REPORTS AMONG THOSE THAT MUST BE FILED WITH THE PETITION; BY AMENDING SECTION 62-5-403B, RELATING TO THE APPOINTMENT OF COUNSEL AND GUARDIANS, SO AS TO APPOINT NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, NURSES, AND PSYCHOLOGISTS TO SERVE AS

EXAMINERS UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 62-5-403C, RELATING TO HEARINGS AND WAIVERS, SO AS TO REVISE, AMONG OTHER THINGS, CERTAIN PROCEDURES IF NO PARTY REQUESTS A HEARING OR IF THE ALLEGED INCAPACITATED INDIVIDUAL WAIVES HIS RIGHT TO A HEARING; BY AMENDING SECTION 62-5-405, RELATING TO PROTECTIVE ARRANGEMENTS, SO AS TO REVISE CERTAIN ACTS THAT MAY BE PERFORMED BY CONSERVATORS AND SPECIAL CONSERVATORS; BY AMENDING SECTION 62-5-422, RELATING TO POWERS OF CONSERVATORS IN ADMINISTRATION, SO AS TO MAKE CONFORMING CHANGES REGARDING THE PAYMENT OF CERTAIN FEES; BY AMENDING SECTION 62-5-426, RELATING TO CLAIMS AGAINST PROTECTED PERSONS, SO AS TO REQUIRE, AMONG OTHER THINGS, THAT THE CLAIMANT ALSO MUST FILE A WRITTEN STATEMENT OF THE CLAIM WITH THE PROBATE COURT IN WHICH THE CONSERVATORSHIP IS UNDER ADMINISTRATION; BY AMENDING SECTION 62-5-428, RELATING TO ACTIONS FOR REQUESTS SUBSEQUENT TO THE APPOINTMENT, SO AS TO, AMONG OTHER THINGS, REVISE CERTAIN ACTIONS THAT THE COURT MAY TAKE AFTER THE TIME FOR RESPONSE TO THE PETITION HAS ELAPSED TO ALL PARTIES SERVED; BY AMENDING SECTION 62-5-433, RELATING TO DEFINITIONS AND PROCEDURES FOR SETTLEMENT OF CLAIMS IN FAVOR OF OR AGAINST MINORS OR INCAPACITATED PERSONS, SO AS TO, AMONG OTHER THINGS, DEFINE “GUARDIAN AD LITEM”; BY AMENDING SECTION 62-5-715, RELATING TO CONFIRMATIONS OF GUARDIANSHIPS OR CONSERVATORSHIPS TRANSFERRED FROM OTHER STATES, SO AS TO ALLOW THE COURT MORE DISCRETION AS TO THE TYPE OF DOCUMENTS IT MAY REQUIRE IN THE TRANSFER OF A GUARDIANSHIP OR CONSERVATORSHIP FROM ANOTHER JURISDICTION; AND BY AMENDING SECTION 62-5-716, RELATING TO THE REGISTRATION OF ORDERS FROM ANOTHER STATE, SO AS TO, AMONG OTHER THINGS, ACKNOWLEDGE THAT IN CERTAIN OTHER JURISDICTIONS, A GUARDIAN MAY ALSO HOLD THE SAME POWERS AS A CONSERVATOR.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-4234.MF0004S), which was adopted:

Amend the bill, as and if amended, SECTION 8, by striking Section 62-5-303C(C) and inserting:

(C) If no party has requested a hearing, there is an agreement among all the parties and the guardian ad litem's report indicates that a hearing would not further the interests of justice, the alleged incapacitated individual may waive his right to a hearing. If the alleged incapacitated individual is unable to communicate to his guardian ad litem his wishes, interests, or preferences regarding the appointment of a guardian or the petition for appointment is not contested, either the attorney for the alleged incapacitated individual or the guardian ad litem, if the attorney has been relieved, shall be allowed to waive his right to a hearing. If the alleged incapacitated individual, his attorney, or his guardian ad litem waives his right to a hearing, the court may:

(1) require a formal hearing;

(2) require an informal proceeding as the court shall direct; or

(3) proceed without a hearing.

~~(B)~~

~~Amend~~ the bill further, by striking SECTION 22 and inserting:

SECTION 22. This act takes effect upon approval by the Governor and its provisions shall apply to all applicable actions, proceedings, and matters filed on and after the effective date.

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

Senator MARTIN proposed the following amendment (SR-4234.JG0005S):

Amend the bill, as and if amended, SECTION 4, by striking Section 62-5-108(A)(1)(a) and inserting:

(a) If emergency relief is ~~required to protect the welfare of an alleged incapacitated individual~~requested, the moving party must present evidence of the emergency and of the individual's incapacity to the court's satisfaction including, but not limited to, an affidavit from a physician or nurse practitioner, or at the discretion of the court, or a physician assistant who has performed an examination within thirty days prior to the filing of the action~~,~~. Additionally, the moving party shall file

a motion for the appointment of counsel if counsel has not been retained for an alleged incapacitated individual, and a motion for the appointment of a ~~proposed qualified individual to serve as~~ guardian ad litem.

Amend the bill further, SECTION 4, by striking Section 62-5-108(B)(2)(a) and inserting:

(a) If temporary relief is ~~required to protect the welfare of an alleged incapacitated individual, in addition to the requirements set forth above in subsection (B)(2)~~requested, the moving party shall present evidence of the need for temporary relief and of incapacity, including without limitation, an affidavit from a physician or nurse practitioner, or, at the discretion of the court, or a physician assistant who has performed an examination within the previous forty-five days ~~prior to the filing of the action, a motion for the appointment of counsel if counsel has not been retained, and a motion for appointment of a proposed qualified individual to serve as guardian ad litem~~.

Amend the bill further, SECTION 6, by striking Section 62-5-303A(A)(3) and inserting:

(3) any affidavits or physician's or nurse practitioner's reports, or, at the discretion of the court, the report of a physician assistant filed with the petition.

Amend the bill further, SECTION 7, by striking Section 62-5-303B(b) and inserting:

(b) one examiner, who must be a physician or nurse practitioner, or, at the discretion of the court, may be a physician assistant~~,~~ to examine the alleged incapacitated individual and file a notarized report setting forth his evaluation of the condition of the alleged incapacitated individual in accordance with the provisions set forth in Section 62-5-303D. Unless the guardian ad litem or the alleged incapacitated individual objects, if a physician's or nurse practitioner's notarized report or, at the discretion of the court, or the report of a physician assistant is filed with the petition and served upon the alleged incapacitated individual and all interested parties with the petition, then the court may appoint such physician as the examiner. Upon the court's own motion or upon request of the initial examiner, the alleged incapacitated individual, or his guardian ad litem, the court may appoint a second examiner, who must be a physician, physician assistant, nurse, nurse practitioner, social worker, or psychologist.

Amend the bill further, SECTION 12, by striking Section 62-5-403A(3) and inserting:

(3) any affidavits or physicians' or nurse practitioners' reports, at the discretion of the court, the report of a physician assistant, filed with the petition.

Amend the bill further, SECTION 13, by striking Section 62-5-403B(b) and inserting:

(b) except in cases governed by Section 62-5-431 relating to benefits from the VA, one examiner, who must be a physician or nurse practitioner, or, at the discretion of the court, may be a physician assistant, , to examine the alleged incapacitated individual and file a notarized report setting forth his evaluation of the condition of the alleged incapacitated individual in accordance with the provisions set forth in Section 62-5-403D. Unless the guardian ad litem or the alleged incapacitated individual objects, if a physician's or nurse practitioner's notarized report, or, at the discretion of the court, may be a physician assistant, is filed with the petition and served upon the alleged incapacitated individual and all interested parties with the petition, then the court may appoint that physician or nurse practitioner, or, at the discretion of the court, may be a physician assistant, as the examiner. Upon the court's own motion or upon request of the initial examiner, the alleged incapacitated individual, or his guardian ad litem, the court may appoint a second examiner, who must be a physician, physician assistant, nurse practitioner, nurse, social worker, or psychologist. No appointment of examiners is required when the basis for the petition is that the individual is confined, detained, or missing.

Amend the bill further, SECTION 16, by striking Section 62-5-422(B)(11) and inserting:

(11) pay a reasonable fee to the conservator, special conservator, guardian ad litem, attorney, examiner, or physician, physician assistant, or nurse practitioner for services rendered;

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

Senator DEVINE spoke on the amendment.

Senator DEVINE moved to lay the amendment on the table.

The question being to lay the amendment on the table.

Senator MARTIN objected to further consideration of the Bill.

OBJECTION

H. 4248 -- Reps. Rose and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-4-50, RELATING TO THE SALE OF BEER, ALE, PORTER, OR WINE TO UNDERAGED PERSONS, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE; AND BY AMENDING SECTION 61-6-4080, RELATING TO THE SALE OF ALCOHOLIC LIQUORS TO AN UNDERAGED PERSON, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE.

Senator CASH objected to consideration of the Bill.

OBJECTION

H. 4304 -- Reps. Connell, Mitchell, Yow, Murphy, Elliott, Robbins, Collins, Pope and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-75-30 SO AS TO PERMIT PARENTAL AND FILIAL CONSORTIUM CLAIMS.

Senator TURNER objected to consideration of the Bill.

OBJECTION

H. 4563 -- Reps. Bernstein, J.L. Johnson and Clyburn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-11-345 SO AS TO CLARIFY THE POWER OF SPECIAL PURPOSE DISTRICTS TO OWN, ACQUIRE, PURCHASE, HOLD, USE, LEASE, CONVEY, SELL, TRANSFER, OR OTHERWISE DISPOSE OF PROPERTY IN FURTHERANCE OF CERTAIN FUNCTIONS, TO PROVIDE THESE POWERS ARE IN ADDITION TO POWERS AND AUTHORIZATIONS PREVIOUSLY VESTED IN SUCH DISTRICTS, AND DEFINE NECESSARY TERMINOLOGY.

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

H. 4611 -- Reps. Hixon, Pope, Chapman, Taylor, Hardee, Brewer, Robbins, Gatch and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-11-785 SO AS TO PROHIBIT THE UNLAWFUL REMOVAL OR DESTRUCTION OF ELECTRONIC COLLARS OR OTHER ELECTRONIC DEVICES PLACED ON DOGS BY THEIR OWNERS AND TO PROVIDE PENALTIES.

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

H. 4617 -- Reps. Hixon, Davis, M.M. Smith, Bannister, Pope, Wooten, Haddon, Brewer, Burns, Thayer, Kirby, Oremus, Hager, Hyde, Sessions, Carter, McDaniel, Magnuson, Hayes, W. Newton, Bauer, Trantham, J.L. Johnson, Henegan, Guffey, Chapman, Leber, Kilmartin, Robbins, Felder, Jefferson, Caskey, Ligon and Vaughan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-230, RELATING TO SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A SCHEDULE III CONTROLLED SUBSTANCE, WITH EXCEPTIONS; AND BY ADDING SECTION 44-53-372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES.

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

H. 4754 -- Reps. Sandifer and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 57, TITLE 40 SO AS TO OUTLINE REQUIREMENTS FOR PROVIDERS OF PRELICENSING AND CONTINUING EDUCATION COURSES FOR REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS; BY ADDING SECTION 40-57-725 SO AS TO ESTABLISH ADMINISTRATIVE CITATIONS AND PENALTIES AND APPEALS; AND BY AMENDING CHAPTER 57, TITLE 40, RELATING TO REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS, SO AS TO, AMONG OTHER THINGS, DEFINE TERMS, MAKE CONFORMING CHANGES, DEFINE THE USE OF APPLICATION FEES, OUTLINE THE PROCEDURE FOR A LICENSE CLASSIFICATION CHANGE, ALLOW FOR RECIPROCAL AGREEMENTS WITH OTHER JURISDICTIONS, PROHIBIT BAD FAITH AGREEMENTS, REDUCE THE AMOUNT OF REQUIRED CLASSROOM INSTRUCTION FOR BROKERS-IN-CHARGE, PROHIBIT ENGAGING IN, REPRESENTING OTHERS IN, OR ASSISTING OTHERS IN THE PRACTICE OF WHOLESALING, REGULATE TEAM

MARKETING, AND ADDRESS LICENSING AFTER REVOCATION.

Senators GUSTAFSON and SHEALY objected to consideration of the Bill.

OBJECTION

H. 4817 -- Reps. West and G.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-17-500, RELATING TO THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO MINORS WITHOUT PROOF OF AGE AND THE LOCATION OF VENDING MACHINES, SO AS TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS AND TO REQUIRE INDIVIDUALS SEEKING TO PURCHASE TOBACCO PRODUCTS OR ALTERNATIVE NICOTINE PRODUCTS TO PRESENT PROOF OF AGE UPON DEMAND, AND TO ALLOW THE PURCHASE OF TOBACCO PRODUCTS AND ALTERNATIVE NICOTINE PRODUCTS FROM VENDING MACHINES IN CERTAIN ESTABLISHMENTS.

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

H. 4820 -- Reps. Forrest, Hixon, Hayes, Chumley, Burns, Haddon, Magnuson, Chapman, McDaniel and Gibson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-580, RELATING TO THE SEASON FOR HUNTING AND TAKING MALE WILD TURKEYS, BAG LIMITS, TAKING FEMALE WILD TURKEYS, AND ANNUAL REPORTING, SO AS TO ADJUST THE HUNTING AND LIMIT FOR TAKING MALE WILD TURKEYS; AND TO PROVIDE A SUNSET PROVISION.

Senator ALEXANDER objected to consideration of the Bill.

OBJECTION

H. 4825 -- Reps. Hewitt, Murphy, W. Newton, Brewer, Gatch, Robbins, Kirby, Mitchell, Crawford, Yow, Bailey, Pope, Guest, Hartnett, West, Oremus, Leber, Williams, Jefferson, Gilliard, Schuessler, Landing, Bustos, Calhoon, Gilliam, Gibson, M.M. Smith, B. Newton and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-910, RELATING TO OFFENSES INVOLVING KIDNAPPING, SO AS TO INCLUDE UNLAWFULLY LURING ANOTHER PERSON, TO PROVIDE FOR A SENTENCING ENHANCEMENT WHEN THE

VICTIM IS A MINOR, TO SPECIFICALLY PROVIDE FOR PUNISHMENT FOR ATTEMPTED KIDNAPPING OFFENSES, AND TO DEFINE THE TERM "MINOR".

Senator MASSEY objected to consideration of the Bill.

OBJECTION

H. 4867 -- Reps. Lawson, Hayes, G.M. Smith, Moss, Hiott, Blackwell, B.L. Cox, Caskey, M.M. Smith, Hart, Sandifer, J.E. Johnson, Brittain and Bauer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-23-45 SO AS TO REQUIRE ALL 911 TELECOMMUNICATORS WHO PROVIDE DISPATCH FOR EMERGENCY MEDICAL CONDITIONS TO BE TRAINED IN HIGH-QUALITY TELECOMMUNICATOR CARDIOPULMONARY RESUSCITATION (T-CPR).

Senator MASSEY objected to consideration of the Bill.

OBJECTION

H. 4086 -- Reps. Sandifer, Nutt, Chapman and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-59-35 SO AS TO PROVIDE THAT THE WORK OF CERTAIN LICENSEES OF THE RESIDENTIAL BUILDERS COMMISSION THAT COMPLIES WITH APPLICABLE REGULATIONS OF THE COMMISSION MUST BE DEEMED TO SATISFY CERTAIN IMPLIED WARRANTIES; BY ADDING SECTION 40-59-40 SO AS TO PROVIDE IMPLIED WARRANTIES INCLUDE ONLY THOSE PERFORMANCE STANDARDS VIOLATIONS IDENTIFIED BY A HOMEOWNER WITHIN TWELVE MONTHS AFTER SUBSTANTIAL COMPLETION; BY AMENDING SECTION 40-59-10, RELATING TO COMPOSITION OF THE COMMISSION, SO AS TO REVISE ITS COMPOSITION; BY AMENDING SECTION 40-59-20, RELATING TO DEFINITIONS APPLICABLE TO THE COMMISSION AND ITS LICENSEES, SO AS TO REVISE VARIOUS DEFINITIONS, INCLUDING THE RENAMING OF SPECIALTY CONTRACTORS AS RESIDENTIAL TRADE CONTRACTORS; BY AMENDING SECTION 40-59-25, RELATING TO ROOFING CONTRACT CANCELLATIONS FOR INSURANCE COVERAGE DENIALS, SO AS TO EXPAND THE APPLICABILITY OF THESE PROVISIONS; BY AMENDING SECTION 40-59-30, RELATING TO THE REQUIREMENT OF LICENSURE TO ENGAGE IN RESIDENTIAL BUILDING AND RESIDENTIAL SPECIALTY CONTRACTING, SO AS TO MAKE

CONFORMING CHANGES AND PROVIDE PENALTIES FOR VIOLATIONS; BY AMENDING SECTION 40-59-50, RELATING TO THE ROSTER OF LICENSEES OF THE COMMISSION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-80, RELATING TO INVESTIGATIONS OF COMPLAINTS, SO AS TO PROVIDE LICENSEES OR REGISTRANTS MAY BE PRESENT FOR INSPECTIONS CONDUCTED PURSUANT TO AN INVESTIGATION, AND TO PROVIDE UNDERLYING COMPLAINTS THAT PROMPT AN INVESTIGATION MUST BE DISMISSED IF THE COMPLAINANT UNJUSTIFIABLY REFUSES TO COOPERATE WITH THIS REQUIREMENT; BY AMENDING SECTION 40-59-105, RELATING TO ADMINISTRATIVE CITATIONS AND PENALTIES, SO AS TO REVISE THE BASES FOR WHICH REFERRALS OF VIOLATIONS TO THE COMMISSION ARE MADE; BY AMENDING SECTION 40-59-110, RELATING TO REVOCATION, SUSPENSION, OR RESTRICTION OF A LICENSE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-140, RELATING TO DENIALS OF LICENSURE OR REGISTRATION BASED ON THE PAST CRIMINAL RECORD OF THE APPLICANT, SO AS TO MAKE THE DENIALS DISCRETIONARY WITH THE COMMISSION AND TO PROVIDE THAT ALL NEW APPLICANTS SHALL PROVIDE CERTAIN CRIMINAL BACKGROUND REPORTS; BY AMENDING SECTION 40-59-220, RELATING TO LICENSES AND CERTIFICATES OF REGISTRATION, SO AS TO MAKE CONFORMING CHANGES, TO REVISE CRITERIA FOR LICENSURE, AND TO REVISE REQUIREMENTS FOR HOMEOWNER CLAIMS FOR LOSS, AMONG OTHER THINGS; BY AMENDING SECTION 40-59-230, RELATING TO LICENSURE RENEWALS AND CONTINUING EDUCATION REQUIREMENTS, SO AS TO MAKE THE EXAMINATION REQUIREMENT FOR CERTAIN INACTIVE LICENSEES DISCRETIONARY WITH THE COMMISSION, TO PROVIDE THE CONTINUING EDUCATION PROGRAMS MUST BE ADMINISTERED BY THE HOME BUILDERS ASSOCIATION OF SOUTH CAROLINA, AND TO PROVIDE A TIERED SYSTEM FOR RESIDENTIAL BUILDER LICENSES; BY AMENDING SECTION 40-59-240, RELATING TO THE CLASSIFICATIONS OF RESIDENTIAL SPECIALTY CONTRACTORS, SO AS TO MAKE CONFORMING CHANGES, TO REMOVE THE LIMITATION ON THE NUMBER OF CLASSIFICATIONS FOR WHICH THE COMMISSION MAY ISSUE

REGISTRATIONS, AND TO INCREASE THE THRESHOLD COSTS OF AN UNDERTAKING THAT REQUIRES AN EXECUTED BOND WITH A SURETY IN AN AMOUNT APPROVED BY THE COMMISSION; BY AMENDING SECTION 40-59-250, RELATING TO CREDIT REPORTS REQUIRED FOR LICENSURE, SO AS TO MAKE CONFORMING CHANGES, AND TO MAKE PROOF OF NET WORTH AN AVAILABLE ALTERNATIVE TO A CREDIT REPORT; BY AMENDING SECTION 40-59-260, RELATING TO EXCEPTIONS FOR PROJECTS BY THE PROPERTY OWNER FOR PERSONAL USE, EXEMPTION DISCLOSURE STATEMENTS, AND CERTAIN NOTICES FILED WITH THE REGISTER OF DEEDS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-270, RELATING TO THE APPLICABILITY OF CHAPTER 49, TITLE 40, TO LICENSEES OF THE CONTRACTOR'S LICENSING BOARD, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-300, RELATING TO CONSTRUCTION OF LOW-INCOME HOUSING USING VOLUNTEER LABOR BY CERTAIN ELEEMOSYNARY ORGANIZATIONS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-400, RELATING TO DEFINITIONS CONCERNING CERTIFICATES OF AUTHORIZATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-410, RELATING TO RESIDENTIAL BUSINESS CERTIFICATES OF AUTHORIZATION, SO AS TO MAKE CONFORMING CHANGES, AMONG OTHER THINGS; BY AMENDING SECTION 40-59-530, RELATING TO EXCEPTIONS FROM PROVISIONS CONCERNING THE LICENSURE OF HOME INSPECTORS, SO AS TO MAKE CONFORMING CHANGES, AMONG OTHER THINGS; BY AMENDING SECTION 40-59-580, RELATING TO REMEDIES AVAILABLE TO THE COMMISSION FOR VIOLATIONS OF PROVISIONS CONCERNING THE LICENSURE OF HOME INSPECTORS, SO AS TO REMOVE CIVIL PENALTIES FROM THE AVAILABLE REMEDIES; BY AMENDING SECTION 40-59-600, RELATING TO CRIMINAL PENALTIES FOR PERSONS UNDERTAKING THE BUSINESS OF HOME INSPECTION WITHOUT LICENSURE OR EXEMPTION, SO AS TO REMOVE TIERED PENALTIES; BY AMENDING SECTION 40-59-820, RELATING TO DEFINITIONS IN THE NOTICE AND OPPORTUNITY TO CURE THE CONSTRUCTION DWELLING DEFECTS ACT, SO AS TO REVISE VARIOUS DEFINITIONS; BY

AMENDING SECTION 40-59-830, RELATING TO STAYS OF ACTIONS BROUGHT UNDER THE NOTICE AND OPPORTUNITY TO CURE THE CONSTRUCTION DWELLING DEFECTS ACT UNTIL THE CLAIMANT COMPLIES WITH THE PROVISIONS OF THE ACT, SO AS TO PROVIDE THE CLAIMANT'S UNJUSTIFIED FAILURE TO COMPLY WITH THE REQUIREMENTS OF THE ACT UNDER CIRCUMSTANCES THAT MAKE COMPLIANCE WITH THE CERTAIN PROVISIONS OF CHAPTER 59, TITLE 40, IMPOSSIBLE SHALL REQUIRE THE COURT TO DISMISS THE ACTION WITH PREJUDICE; AND BY REPEALING SECTION 40-59-560 RELATING TO INSPECTION REPORTS AND FORMS.

Senators GUSTAFSON and SHEALY objected to consideration of the Bill.

OBJECTION

H. 5042 -- Reps. B.L. Cox, J.L. Johnson, Murphy, Sessions, Cobb-Hunter, Kirby, Brewer, Garvin, Henegan, M.M. Smith, Jefferson, Rivers, McDaniel, Davis, Haddon, King, Gilliard, Stavrinakis, Bauer, West, Wetmore, T. Moore, Thigpen, Chapman, Schuessler, Pope, Guffey, Dillard, W. Jones, Pendarvis, G.M. Smith, Weeks, Wheeler, Williams, S. Jones, J. Moore, O'Neal, B. Newton, Neese, Lawson, Atkinson, Hayes, W. Newton, Bannister, Caskey, Hyde, J.E. Johnson, Hiott, Brittain, Hartnett, Mitchell, Yow, Gagnon, Carter, Guest, Gatch, Crawford, Ott, Rutherford, Leber, Hixon, Herbkersman, Anderson, Bailey, Elliott, Gilliam, Calhoon, Wooten, Forrest, Pedalino, Jordan, Bustos, Bamberg, Bernstein, Clyburn, Hosey, Henderson-Myers, Howard, Vaughan, Beach, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 10-1-185 SO AS TO ESTABLISH ON THE GROUNDS OF THE STATE HOUSE A ROBERT SMALLS MONUMENT, CREATE A COMMISSION TO DETERMINE THE DESIGN AND LOCATION OF THE MONUMENT, PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION, AND SUNSET THE COMMISSION AT A DATE CERTAIN.

Senator TALLEY objected to consideration of the Bill.

Motion Adopted

On motion of Senator MASSEY, under Rule 32A, the Senate agreed to vary the order of the day.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Chester County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Michael H. Lifsey, 168 York Street, Chester, SC 29706-1487 *VICE* Angela Boyd

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Jason Thomas Wall, 180 Magnolia Street, Spartanburg, SC 29306-2359

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Kenneth Sanders, 619 Whitestone Road, Spartanburg, SC 29302-5322

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Timothy Jerome Hall, 145 Westmeath Dr., Moore, SC 29369-9023

Initial Appointment, Edgefield County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Gladys Mason, P. O. Box 23, Trenton, SC 29847-0023

Reappointment, Kershaw County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Roderick Todd, P. O. Box 1528, Camden, SC 29021-8528

Reappointment, Kershaw County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

James Davis, P.O. Box 1528, Camden, SC 29021-8528

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Roneeka Allyce Bailey, 208 Gadsden Street, Columbia, SC 29201-4214

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Keith Sherlin, 1305 North Blackstock Road, Landrum, SC 29356-9117

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 11:00 A.M.

Motion Adopted

On motion of Senator TEDDER, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators CROMER, ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSEN, CASH, CLIMER, CORBIN, DAVIS, DEVINE, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, LOFTIS, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, REICHENBACH, RICE, SABB, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TEDDER, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Emily Crim Shuler of West Columbia, S.C. Emily was an active member of Broadacres Baptist Church where she was one of the founding members of the Super Seniors monthly program. She was an outstanding seamstress and an excellent cook who had a passion for helping seniors. Emily enjoyed visiting shut-ins, writing cards, hosting fellowships and making quilts. Emily was a loving sister and devoted grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senators CROMER, ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSEN, CASH, CLIMER, CORBIN, DAVIS, DEVINE, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, LOFTIS, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, REICHENBACH, RICE, SABB, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TEDDER, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Michael Don Wise of Orangeburg, S.C. Don was a graduate of Airport High School and earned a BS degree from the University of South Carolina. He retired from UPS after thirty-three years of service where he was inducted into the Circle of Honor. Don enjoyed hunting, fishing, flying radio-controlled airplanes, reading and listening to old gospel music. Don was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 6:45 P.M., on motion of Senator TEDDER, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Wednesday, May 8, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

I Corinthians 13:13

Paul concludes his love poem with this marvelous verse: "And now, faith, hope, and love abide, these three, and the greatest of these is love."

Bow with me, if you will: Holy and ever-loving God, how marvelously do Your blessings rain down upon us, like the renewing showers falling across the woodlands, marshes and grain fields of South Carolina. And those very same gifts renew us and warm our hearts just as the sun itself embraces the coastal regions and our very backyards. So, we thank You for Your many gifts, of course, dear Lord. And at this point of this legislative year, we pause to thank you, O God, for each of these dedicated women and men in this Senate who labor on behalf of all of our citizens here in South Carolina. Allow each of these servants to know that our faith, hope, and yes, even our love, embrace them all. All this we truly pray in Your loving name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Cromer	Davis	Devine
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Michael	Kimbrell	Loftis
Massey	McElveen	Peeler
Reichenbach	Rice	Senn
Setzler	Stephens	Talley

Tedder	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR
State of South Carolina Office of the Governor

May 8, 2024

Mr. President and Members of the Senate:

I am transmitting herewith notice of my intent to withdraw my nomination of Ms. Michelle Parisi for appointment to the South Carolina Panel for Dietetics.

Respectfully,

Henry Dargan McMaster

Withdrawal of Statewide Appointment

On motion of Senator VERDIN, the Senate acceded to the Governor's request and the Clerk was directed to return the appointment to the Governor.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2023, and to expire May 30, 2025

Dietician, Community or Public Health:

Michelle Parisi, 229 Sassafras Drive, Easley, SC 29642-8264 *VICE* Rebecca Wrenn

MESSAGE FROM THE GOVERNOR
State of South Carolina Office of the Governor

May 8, 2024

Mr. President and Members of the Senate:

I am transmitting herewith notice of my intent to withdraw my nomination of Mrs. Rebecca Morrison for appointment to the State Board of Nursing.

Respectfully,
Henry Dargan McMaster

Withdrawal of Statewide Appointment

On motion of Senator VERDIN, the Senate acceded to the Governor's request and the Clerk was directed to return the appointment to the Governor.

Statewide Appointment

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2022, and to expire December 31, 2026

2nd Congressional District, Registered Nurse:

Rebecca Morrison, 6009 Hampton Leas Lane, Columbia, SC 29209-1954

Leave of Absence

On motion of Senator MASSEY, at 11:05 A.M., Senator SHEALY was granted a leave of absence until 3:30 P.M.

Leave of Absence

On motion of Senator TALLEY, at 11:05 A.M., Senator MARTIN was granted a leave of absence until 1:00 P.M.

Leave of Absence

On motion of Senator GOLDFINCH, at 11:52 A.M., Senator GAMBRELL was granted a leave of absence until 1:45 P.M.

Leave of Absence

On motion of Senator FANNING, at 11:52 A.M., Senator SABB was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SETZLER, at 5:00 P.M., Senator HUTTO was granted a leave of absence until 6:00 P.M.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

WEDNESDAY, MAY 8, 2024

Expression of Personal Interest

Senator SENN rose for an Expression of Personal Interest.

Remarks by Senator SENN

Colleagues, I just wanted to bring something to your attention that you may not know. I know a lot of you probably have searched definitions and things and you come up with Wikipedia. You might think that is some legitimate source but you need to know that it is not. In fact, you can't even use Wikipedia as a citation if you're trying to do a thesis or trying to do any type of paper.

I'm bringing this to your attention to tell you something sort of funny, but sort of not. Anybody can go on your own Wikipedia page and put things that are just crazy or not true and make you look like a fool. So that when people look up, for instance, the Senator from wherever it can have all sorts of stuff on there that is just simply not true. I am telling you this because the other day I happened to look at my own Wikipedia page and there is a certain someone who maybe works across the hall who has actually manipulated it five different times. I looked at it and I looked like a terrible person. So, you may want to just go ahead and take a look and every now and then search your Wikipedia pages, because like I said everybody should know what is on there so that your constituents are not Googling you and getting bad information. I just thought you needed to know.

On motion of Senator FANNING, with unanimous consent, the remarks of Senator SENN were ordered printed in the Journal.

RECALLED AND ADOPTED

S. 1282 -- Senator Verdin: A SENATE RESOLUTION TO RESOLVE FOR THE CONTINUED EXAMINATION AND IMPLEMENTATION OF BEST PRACTICES TOWARD RECOVERY FROM THE OPIOID CRISIS THROUGH STRENGTHENING THE PATIENT AND HEALTH CARE PROVIDER RELATIONSHIP AND MAKING NEW POTENTIAL TREATMENTS AVAILABLE UPON FDA APPROVAL TO SOUTH CAROLINIANS.

Senator VERDIN asked unanimous consent to make a motion to recall the Resolution from the Committee on Medical Affairs.

The Resolution was recalled from the Committee on Medical Affairs.

Senator VERDIN asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator VERDIN, the Resolution was adopted.

RECALLED, READ THE SECOND TIME

H. 5179 -- Reps. T. Moore and Hyde: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF EDUCATION TO NAME THE CONVERSE SCHOOL BUS MAINTENANCE SHOP IN SPARTANBURG COUNTY THE "DAVID T. BREWINGTON SCHOOL BUS MAINTENANCE CENTER", AND TO DIRECT THE DEPARTMENT TO INSTALL APPROPRIATE SIGNAGE CONTAINING THE WORDS "DAVID T. BREWINGTON SCHOOL BUS MAINTENANCE CENTER" AS THE DEPARTMENT CONSIDERS ADVISABLE.

Senator HEMBREE asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

The Resolution was recalled from the Committee on Education and ordered placed on the Calendar for consideration today.

Senator HEMBREE asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the second reading of the Resolution.

On motion of Senator HEMBREE with unanimous consent, the Resolution was read the second time, passed and ordered to a third reading on Thursday, May 9, 2024.

RECALLED

H. 5183 -- Reps. M.M. Smith, West, Hewitt, Chapman, B. Newton, Hiott, Sessions, Pope, Davis, Gagnon, Thayer and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-20, RELATING TO THE DEFINITION OF A CERTIFIED MEDICAL ASSISTANT, SO AS TO REVISE THE REQUIRED QUALIFICATIONS FOR CERTIFICATION; AND BY

AMENDING SECTION 40-47-196, RELATING TO THE DELEGATION OF NURSING TASKS TO UNLICENSED ASSISTIVE PERSONNEL BY CERTAIN MEDICAL PROFESSIONALS, SO AS TO DESIGNATE ADDITIONAL TASKS THAT MAY BE DELEGATED.

On motion of Senator DAVIS, with unanimous consent, the Bill was recalled from the Committee on Medical Affairs and placed on the second reading Calendar.

RECALLED AND ADOPTED

H. 5453 -- Reps. Rose, Rutherford, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B.J. Cox, B.L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A.M. Morgan, T.A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Sandifer, Schuessler, Sessions, G.M. Smith, M.M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO HONOR STAFF AT THE UNIVERSITY OF SOUTH CAROLINA FOR THEIR HARD WORK AND MANY CONTRIBUTIONS MADE TO THE FLAGSHIP UNIVERSITY, TO CONGRATULATE THEM, AND TO DECLARE MAY 14, 2024, AS “USC STAFF DAY” IN THE PALMETTO STATE.

Senator SETZLER asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

The Resolution was recalled from the Committee on Education.

Senator SETZLER asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator SETZLER, the Resolution was adopted and ordered sent to the House.

RECALLED AND ADOPTED

H. 5339 -- Reps. Jefferson, Cobb-Hunter, Murphy, Pedalino, Brewer, Gatch and Robbins: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178 FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 15 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 78 IN DORCHESTER COUNTY "MAYOR CHARLES WILLIAM ACKERMAN HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

Senator GROOMS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator GROOMS, the Resolution was adopted and ordered sent to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1333 -- Senator Verdin: A SENATE RESOLUTION TO CONGRATULATE WARREN CRANE FOR ACHIEVING WALMART'S FIVE MILLION SAFE MILES MILESTONE.
sr-0738km-vc24.docx

The Senate Resolution was adopted.

S. 1334 -- Senator Malloy: A SENATE RESOLUTION TO CONGRATULATE TRAMONT MILES UPON THE OCCASION OF HIS GRADUATION FROM THE UNIVERSITY OF SOUTH CAROLINA.
sr-0733km-vc24.docx
The Senate Resolution was adopted.

S. 1335 -- Senator Garrett: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SARAH FUNKHOUSER, A FIRST GRADE TEACHER AT WOODFIELDS ELEMENTARY SCHOOL IN GREENWOOD SCHOOL DISTRICT 50, AND TO CONGRATULATE HER FOR BEING NAMED THE DISTRICT'S 2024-2025 FIRST-YEAR TEACHER OF THE YEAR.
lc-0612sa-gm24.docx
The Senate Resolution was adopted.

S. 1336 -- Senator Fanning: A SENATE RESOLUTION TO HONOR MRS. DAISY ROGERS MCDUFFIE FOR THE CONTRIBUTIONS SHE HAS MADE TO HER COMMUNITY AND TO CONGRATULATE HER ON THE OCCASION OF HER ONE HUNDRED SECOND BIRTHDAY.
lc-0613sa-jn24.docx
The Senate Resolution was adopted.

S. 1337 -- Senator Garrett: A SENATE RESOLUTION TO RECOGNIZE AND HONOR KIM RODGERS, A MULTILINGUAL LANGUAGE SPECIALIST AT PINECREST ELEMENTARY SCHOOL IN GREENWOOD SCHOOL DISTRICT 50, AND TO CONGRATULATE HER FOR BEING NAMED THE DISTRICT'S 2024-2025 TEACHER OF THE YEAR.
lc-0475vr-gm24.docx
The Senate Resolution was adopted.

S. 1338 -- Senators Devine, Tedder, Jackson and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING ACT 111 OF 2024 RELATING TO THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, AND TO PROVIDE THE

STATUTES CONTAINED IN THAT ACT REVERT TO THE LANGUAGE CONTAINED IN THEM.
lc-0625cm24.docx

Read the first time and referred to the Committee on Judiciary.

S. 1339 -- Senators Alexander, Adams, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Tedder, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE THE NATIONAL CONFERENCE OF STATE LEGISLATURES UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
sr-0548km-vc24.docx

The Senate Resolution was adopted.

S. 1340 -- Senators Young, Setzler, Cromer, Massey, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Davis, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Loftis, Malloy, Martin, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Shealy, Stephens, Talley, Tedder, Turner, Verdin and Williams: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF FREDERICK JOSEPH AUN AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
sr-0736km-vc24.docx

The Senate Resolution was adopted.

S. 1341 -- Senator Tedder: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF FOSTEEN "TINA" WARD HARRIFORD AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
sr-0739km-vc24.docx

The Senate Resolution was adopted.

H. 5520 -- Rep. King: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF OGDEN ROAD IN YORK COUNTY FROM ITS INTERSECTION WITH HECKLE BOULEVARD TO ITS INTERSECTION WITH HARRISON STREET "DAISY ROGERS MCDUFFIE ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS ROAD CONTAINING THESE WORDS.
lc-0621cm-gt24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

Appointments Reported

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2022, and to expire May 31, 2025

Licensed Real Estate Broker:

Damian V. Burris, Broker in Charge, Executive Realty Group, 700 Huger Street, Columbia, SC 29201-3663 *VICE* Ann R. King

Received as information.

Initial appointment, South Carolina Board of Real Estate Appraisers, with the term to commence April 30, 2021, and to expire April 30, 2024

Appraisal Management Company:

Mark Chapman, 197 Green Valley Road, Greenville, SC 29617-7014

Received as information.

Reappointment, South Carolina Board of Real Estate Appraisers, with the term to commence April 30, 2024, and to expire April 30, 2027

Appraisal Management Company:

Mark Chapman, 197 Green Valley Road, Greenville, SC 29617-7014

Received as information.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2021, and to expire May 31, 2024

Licensed or Certified Appraiser:

Hezekiah E. Thompson, 200 Edward Street, Murrells Inlet, SC 29576-6003 *VICE* Michael B. Dodds

Received as information.

Reappointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2024, and to expire May 31, 2027

Licensed or Certified Appraiser:

Hezekiah E. Thompson, 200 Edward Street, Murrells Inlet, SC 29576-6003

Received as information.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2023, and to expire May 31, 2026

Licensed or Certified Appraiser:

Pledger Bishop III, Valbridge Property Advisors, 1250 Fairmont Ave., Mt. Pleasant, SC 29464 *VICE* Christopher Donato

Received as information.

HOUSE CONCURRENCE

S. 1234 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF UNITED STATES HIGHWAY 21 SOUTH IN FAIRFIELD COUNTY FROM THE INTERSECTION OF WEST CHURCH STREET AND LONGTOWN ROAD TO THE RICHLAND COUNTY LINE "DONALD PRIOLEAU SR. ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS STRETCH OF ROAD CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were confirmed to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Agriculture and Natural Resources Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2022, and to expire April 6, 2028

6th Congressional District:

James T. Coker, PO Box 152, Kingstree, SC 29556-0152 *VICE* Mitch Lowrey

On motion of Senator CLIMER, the question was confirmation of James T. Coker.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of James T. Coker was confirmed.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2024, and to expire April 6, 2030

Veterinarian, 3rd Congressional District:

Mark Moore, 210 East Bennett Road, Westminster, SC 29693-3701 *VICE* Karl Wessinger

On motion of Senator CLIMER, the question was confirmation of Mark Moore.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Mark Moore was confirmed.

Having received a favorable report from the Banking and Insurance Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2022, and to expire June 30, 2026

Mortgage Banker:

Carol Addy, 221 Queen Street, Georgetown, SC 29440-3635 *VICE* Charles Henry Stuart

On motion of Senator CROMER, the question was confirmation of Carol Addy.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Carol Addy was confirmed.

Having received a favorable report from the Corrections and Penology Committee, the following appointment was confirmed in open session:

Initial Appointment, Juvenile Parole Board, with the term to commence June 30, 2022, and to expire June 30, 2026

At-Large, Public:

Michael R. Watkins, 100 Ariel Way, Easley, SC 29642-7781 *VICE* Anthony Foster

On motion of Senator MARTIN, the question was confirmation of Michael R. Watkins.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams

Total--36

NAYS

Total--0

ABSTAIN

Young

Total--1

The appointment of Michael R. Watkins was confirmed.

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

Reappointment, Governor's School of Agriculture at John De la Howe School Board of Trustees, with the term to commence April 1, 2023, and to expire April 1, 2028

At-Large:

Hugh Mitchell Bland, 609 Buncombe Street, Edgefield, SC 29824-1016

On motion of Senator HEMBREE, the question was confirmation of Hugh Mitchell Bland.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Hugh Mitchell Bland was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was confirmed in open session:

Reappointment, Director of Department of Public Safety, with the term to commence February 1, 2024, and to expire February 1, 2028

Robert G. Woods IV, Director, South Carolina Department of Public Safety, PO Box 1993, Blythewood, SC 29016-1993

On motion of Senator RANKIN, the question was confirmation of Robert G. Woods IV.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Robert G. Woods IV was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 1, 2022, and to expire June 1, 2026

Audiologist:

Jason P. Wigand, 310 Honey Tree Drive, Lexington, SC 29073-6401

On motion of Senator DAVIS, the question was confirmation of Jason P. Wigand.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Jason P. Wigand was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence May 19, 2023, and to expire May 19, 2029

At-Large, Public:

Beverly L. Black, 3085 Moonlight Drive, Charleston, SC 29414-8048 *VICE* Leo Richardson

On motion of Senator VERDIN, the question was confirmation of Beverly L. Black.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Beverly L. Black was confirmed.

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2021, and to expire December 31, 2025

4th Congressional District, Registered Nurse:

Sallie Beth Todd, 6 Sparrow Point Court, Simpsonville, SC 29680-6643

On motion of Senator VERDIN, the question was confirmation of Sallie Beth Todd.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--36

NAYS

Total--0

ABSTAIN

Setzler

Total--1

The appointment of Sallie Beth Todd was confirmed.

Initial Appointment, South Carolina State Board of Medical Examiners, with the term to commence June 30, 2022, and to expire June 30, 2026

At-Large, Public:

Mary J. Richardson, 8119 Burdell Drive, Columbia, SC 29209-5108 *VICE* Mary Elizabeth Phillips

On motion of Senator VERDIN, the question was confirmation of Mary J. Richardson.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Mary J. Richardson was confirmed.

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 30, 2021, and to expire June 30, 2025

South Carolina Chamber of Commerce recommendation:

Beth F. Montgomery, 14 Hillstone Court, Columbia, SC 29212-8646

On motion of Senator VERDIN, the question was confirmation of Beth F. Montgomery.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Beth F. Montgomery was confirmed.

Reappointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2023, and to expire May 30, 2025

Dietetics Educator:

Elizabeth Weikle MS, RD, LD, 2138 Cavendale Drive, Rock Hill, SC 29732-8303

On motion of Senator VERDIN, the question was confirmation of Elizabeth Weikle MS, RD, LD.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Elizabeth Weikle MS, RD, LD was confirmed.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2022, and to expire December 31, 2026

2nd Congressional District, Registered Nurse:

Frances C. Pagett, 6143 Marthas Glen Road, Columbia, SC 29209-1312 *VICE* Rebecca Morrison

On motion of Senator VERDIN, the question was confirmation of Frances C. Pagett.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey

McLeod	Peeler	Reichenbach
Rice	Senn	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--36

NAYS

Total--0

ABSTAIN

Setzler

Total--1

The appointment of Frances C. Pagett was confirmed.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2023, and to expire May 30, 2025

Dietician, Consulting:

Beth Griffith, 934 Sherwood Circle, Lancaster, SC 29720 *VICE* Edna Cox Rice

On motion of Senator VERDIN, the question was confirmation of Beth Griffith.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler

Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Beth Griffith was confirmed.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2023, and to expire June 9, 2026

Residential Care Administrator:

Edward G. Burton, 103 Stonecrest Road, #29650, Greer, SC 29650-3422

On motion of Senator VERDIN, the question was confirmation of Edward G. Burton.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Edward G. Burton was confirmed.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2022, and to expire June 9, 2025

Hospital Administrator:

Elizabeth A. Schaper, 580 Bethesda Road, Spartanburg, SC 29302-5111

On motion of Senator VERDIN, the question was confirmation of Elizabeth A. Schaper.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Elizabeth A. Schaper was confirmed.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2022, and to expire December 31, 2026

At-Large, Licensed Practical Nurse:

Melissa May-Engel, 1109 Aderly Oak Drive, Irmo, SC 29063-7892 *VICE* Tamara Day

On motion of Senator VERDIN, the question was confirmation of Melissa May-Engel.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--36

NAYS

Total--0

ABSTAIN

Setzler

Total--1

The appointment of Melissa May-Engel was confirmed.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2023, and to expire September 30, 2026

Occupational Therapist:

M. Rebecca T. Coleman, 605 Wando Street, Columbia, SC 29205-3964

On motion of Senator VERDIN, the question was confirmation of M. Rebecca T. Coleman.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of M. Rebecca T. Coleman was confirmed.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2024, and to expire September 30, 2027

Occupational Therapist:

Lesly Wilson James, 135 Garden Brooke Dr., Irmo, SC 29063

On motion of Senator VERDIN, the question was confirmation of Lesly Wilson James.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Lesly Wilson James was confirmed.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2023, and to expire December 31, 2027

1st Congressional District, Registered Nurse:

Bridget A. Enos, 8049 Kittery Ave., North Charleston, SC 29420-8918 *VICE* Kelli Garber

On motion of Senator VERDIN, the question was confirmation of Bridget A. Enos.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--36

NAYS

Total--0

ABSTAIN

Setzler

Total--1

The appointment of Bridget A. Enos was confirmed.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2023, and to expire May 30, 2025

Dietician, Nutritional Services Management:

Amanda Groesbeck, 123 Harmon Street, Lexington, SC 29072-3525 *VICE* Valerie L. Meador

On motion of Senator VERDIN, the question was confirmation of Amanda Groesbeck.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Amanda Groesbeck was confirmed.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence March 30, 2023, and to expire March 30, 2025

Hospital Employee:

Maureen Finger, 1325 Sewanee Avenue, Florence, SC 29501 *VICE* Lynette Y. Leland-Reed

On motion of Senator VERDIN, the question was confirmation of Maureen Finger.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Maureen Finger was confirmed.

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 30, 2024, and to expire June 30, 2028

Audiologist:

Gwendolyn D. Wilson, 2215 Hoffman Dr., NW, Orangeburg, SC 29118

On motion of Senator VERDIN, the question was confirmation of Gwendolyn D. Wilson.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell

Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Gwendolyn D. Wilson was confirmed.

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 2, 2022, and to expire June 2, 2026

South Carolina State Development Board:

Sarah Davis Emory, 621 Crystal Drive, Spartanburg, SC 29302-2716

On motion of Senator VERDIN, the question was confirmation of Sarah Davis Emory.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler

Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Sarah Davis Emory was confirmed.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2024, and to expire June 9, 2027

Residential Care Administrator:

Melissa T. Yetter, 202 Player Way, Simpsonville, SC 29681

On motion of Senator VERDIN, the question was confirmation of Melissa T. Yetter.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Melissa T. Yetter was confirmed.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2023, and to expire June 9, 2026

Nonproprietary Nursing Home Administrator:

William H. Birmingham, Jr., 119 Parkside Dr., Anderson, SC 29621-7651

On motion of Senator VERDIN, the question was confirmation of William H. Birmingham, Jr.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of William H. Birmingham, Jr. was confirmed.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2023, and to expire December 31, 2027

3rd Congressional District, Registered Nurse:

John J. Whitcomb, Chief Academic Nursing Officer and Director Clemson University School of Nursing, 4 Willow Oak Court, Williamston, SC 29697-8700 *VICE* Wilma Kay Swisher

On motion of Senator VERDIN, the question was confirmation of John J. Whitcomb.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--36

NAYS

Total--0

ABSTAIN

Setzler

Total--1

The appointment of John J. Whitcomb was confirmed.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence June 30, 2020, and to expire June 30, 2024

7th Congressional District, Registered Nurse:

Leslie M. Lyerly, 636 Marsh Pond Road, Johnsonville, SC 29555-6617 *VICE* Jonela D. Davis

On motion of Senator VERDIN, the question was confirmation of Leslie M. Lyerly.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--36

NAYS

Total--0

ABSTAIN

Setzler

Total--1

The appointment of Leslie M. Lyerly was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2023, and to expire May 30, 2025

Dietician, Community or Public Health:

Katherine L. Bernard, 307 Magnolia Tree Road, Lexington, SC 29073-6731 *VICE* Rebecca Wrenn

On motion of Senator VERDIN, the question was confirmation of Katherine L. Bernard.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Katherine L. Bernard was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was confirmed in open session:

Reappointment, Chief of the South Carolina Law Enforcement Division, with the term to commence January 31, 2018, and to expire January 31, 2024

Mark A. Keel, 440 Broad River Road, Columbia, SC 29210-4012

On motion of Senator RANKIN, the question was confirmation of Mark A. Keel.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--37

NAYS

Total--0

The appointment of Mark A. Keel was confirmed.

Privilege of the Chamber

On motion of Senator MASSEY, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to the families of the members who are retiring.

Remarks by Senator LOFTIS

Senator LOFTIS rose to make brief remarks regarding his service in the Senate.

Remarks by Senator LOFTIS

Thank you, Mr. PRESIDENT. It is an honor to be with you this morning and the time has come, and the end is near. I started to do a couple of bars of that, but I realized that this group is probably too young to recognize the lyrics to the song. And when they say I did it my way, I don't know if that's the rules of the Senate. Maybe individually I'm there. I was told when I came to the Senate that first week, I would find forty-six members and forty-six different ideas on any given time and how to make political sausage. And although that's not completely 100% accurate, there is some truth in the statement, I believe.

It is a group of individuals and truly it is an honor to be here. It is an honor for any of us to be here. We have what five and a half million, close to it, citizens in South Carolina-- and a privilege to serve in this Body it is, indeed, indeed an honor, has been an honor for me. I stand beneath Senator SETZLER over here who has been here so long. I would have been here longer. I just should have started earlier. But I was one from a non-political family. So I didn't have the opportunity to serve earlier because I had to make a living. I got into the insurance business, started off with zero policyholders and after a few years, it enabled me to leave the agency in the hands of some folks and spend couple of days a week -- three days a week down here in the State House. It is something I wanted to do or had an interest in since I was nine years old. I said that earlier. I never lost interest in it. Why a nine-year-old would listen to presidential speeches, I don't know. But I found an interest in that Senator CAMPSEN and I've never lost it. And I think like many of you, I feel I have a calling to be here, to have been here, and hopefully that I made some positive effort in the discussion that went on and that goes on in this grand Body of the Senate which is an exclusive fraternity. You pride yourself -- we pride ourselves on being the deliberative Body and that's true. And I've been on both sides. I see the benefits of both. Our founding fathers knew what they were doing when, I believe, they set up both houses.

This is definitely the deliberative Body -- the structure of the Senate -- the committees that we're on -- it certainly gives having been in the House -- it gives a better understanding of more of the bodies membership to Bills that go through the process, and then come to this floor. And it is certainly a worthy process. The House says the Senate is a place that Bills go to die. Well, the Senate says, well, they're not artfully drawn and that's why they die. The fact is there is no way, no way with the hundreds of Bills that are introduced every year that you're going to get any significant amount of those passed, but we concentrate on the ones we feel are pertinent to us. And to the people of South Carolina, my family is not with me today. My wife is not here. My children are working -- adult children are working but my wife is at home with a broken foot thanks to 65-pound springer spaniel. Who had his -- her second chance. Let's see, last year she knocked her down and broke her hip. So, this year it is a foot. So, I don't know about that dog. I don't know if it is going to live too long. Interesting enough, the dog walks wide circles around my wife right now. And she doesn't get too close to her. This is my 28th year serving in the State House -- most of the time has been over in the Senate. But I came here in 2019 and I think I understood what I was getting into. I knew that I would not be here long enough to gain the tenure of power that is so evident in the Senate by seniority. But I had hoped that I could make some difference in the actions that were being taken in this Body.

I want to share something with you that's been on my mind, I guess since about 17 or 18 years old. I graduated -- I have been involved in education in some way since 1961. Not always in academics. I was interested in radio broadcasting as a teenager. I was asked by the coach if I would like to be the spokesman for the football games that led me to other activities at the school and it opened the door for me when I got into business several years later -- to be invited into the classroom with visionary teachers who look beyond the classroom that they were teaching -- what the children could expect or should expect when they became adults in the real world. It wasn't just me. It was other people in the business community that they invited into the classroom. That is important. And the questions that are asked from the young people, even down to the fourth grade, mostly spoke to the high schoolers. It was interesting. I spoke to the fourth graders once on insurance, homeowners' insurance. What do fourth graders know about homeowners' insurance? I had the most interesting questions from that group -- more, more interesting, more in depth, than some of the high school students who wanted to know how much insurance cost on a

camaro or a corvette. Students are more attentive than we think they are or give them credit for. But in addition to serving here I served on the school board for almost four years. I left there to run for the House, and I want to leave you with a request. I have a son who is born in 1966. He is the age of many of you in this room, older than some. And when he started to school, South Carolina was on the lower rank of the ladder for academic performance in our education. We're still there today. That frustrates me. It frustrated me all these years. It frustrates me how are we so reluctant to change. And I say this softly. There was a comic strip years ago named Pogo, Senator PEELER might remember that -- or Senator SETZLER. But it was in the funny paper as we called it. It was a comic strip. And it was a lot about satire, a lot of political satire. We have found the enemy and the enemy is us. I think the reluctance to change is challenging but we're in a technology driven society. In 2008, I was advocating broadband for rural South Carolina. Well, 2024 were just now getting it. We had towers at the schools. We had the technology to broadcast at least within a 35 mile radius. It had all been mapped out. But it didn't happen. We didn't do it. It would not have been as good as we can do today, because of fiber -- I understand that, but it would have been a start. Right now, there are a lot of schools doing internships, not so much the four-year colleges, but the technical schools. When youngsters learn application, they understand the problem a lot better in class. I might have been a journalist if I knew how to diagram sentences. That never made any sense to me. They never could tell me a logical reason for doing that. But hands on learning, if they understand the application -- they understand the problem. We need more internships. One of the things we tried to do in this Body a couple of years ago -- I hope when I leave -- I won't be here -- but I hope the members here, and across the hall -- members and the Education Committees can get this done -- but open enrollment, there are -- I know three counties in the State, Horry county, I understand Charleston county and Greenville county have open enrollment. What that does allows a student to attend any school in that district if there is a seat open. If there is a seat not open, then they don't go there. I bore a lot of you as a grandpop I do that because, yes, I am proud of my grandchildren, but this one in particular wanted to be in robotics. The school that she was assigned to did not have robotics and the school was a failing school. My grandson is now 28 years old. He went to that school. It was a failing school in the middle school when he was there. This year Greenville County decided to make some changes in that school. A lot of it was because I think it was -- there are a lot of Hispanic students there, but I guess that's an excuse because

there is an elementary school in the district that has 60% Hispanic students that have the new letters reading program. They're among the top schools in the State because of their advancement in the read willing program. So, it can be done. Years ago, in the 70s -- in the 60s -- 70s -- we were lower on the rung of the ladder as I have said, and we're there today. We were worse off today though because Mississippi is ahead of us. We used to say thank God for Mississippi. Now we can say thank God for Mississippi, they've done it and they know how to do it. We have to change our education department, and I hope we'll support our superintendent and the letters program, which is phonics. It is proven to be effective and if we will do science-based learning, South Carolina will advance and supply the skills that are needed in our workplace in South Carolina. So, I hope we'll do that. I hesitate to say this again, bore you again, but what open enrollment did for my grandchild was to get him an almost full scholarship in an engineering school. That's where they are right now. And with the other amenities by having been in the robotics program, and programs like Project Lead the Way, which is a pathway project to engineering -- but they have other programs, too. If we would do that, we would have the skilled work force that we need in South Carolina.

So, as I leave, I hope we will take a serious look at that, Senator. I know you've been advocating for education for all your tenure here, but times are changing. The world is changing. We are doing things differently. We learn a little differently than we did in the past because of technology. So, let's step up and do that. Whatever happened, I know you'll recognize this phrase, whatever happened to the slogan a mind is a terrible thing to waste. It is not for one skin color; it is for all of us. The mind is a terrible thing to waste. And I hate to see, and this has happened in our family, a student with an IQ of 20 something points higher than the average college student drops out of school in the eleventh grade. If they see it they can do it. They finish school, not by GED, but they went to school virtually and finished school virtually. Let's help our children. Don't waste the minds out there that are eligible and can perform it. I'm proud of this State. I'm a native of this State. Let's make ourselves proud. Let's make our children proud and our State proud. Thank you. It has been an honor, an honor, very much an honor, to serve in this Body. It is an elite Body. It is different than the House. I don't grudge you for that, although the House says as I said that the Senate is a place where Bills go to die. No, they go to where they're perfected. Senator, I would agree with you. So, thank you very much. It is an honor to have been here.

On motion of Senator PEELER, with unanimous consent, the remarks of Senator LOFTIS were ordered printed in the Journal.

MOTION TO VARY THE ORDER OF THE DAY ADOPTED

On motion of Senator MASSEY, under Rule 32A, the Senate agreed to vary the order of the day and proceed directly to the uncontested Second Reading Calendar.

RECESS

At 12:59 P.M., on motion of Senator MASSEY, the Senate receded from business until 1:45 P.M.

At 1:53 P.M., the Senate resumed.

ACTING PRESIDENT PRESIDES

Senator LOFTIS assumed the Chair.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

PRESIDENT PRESIDES

At 1:58 P.M., the PRESIDENT assumed the Chair.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

AMENDED, HOUSE BILL RETURNED

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE EFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN

CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY proposed the following amendment (SEDU-4957.DB0021S), which was adopted:

Amend the bill, as and if amended, SECTION 4, by striking Section 59-158-40~~(1)~~(A) and inserting:

~~(B)(1)~~(A)(1) An institution of higher learning may prohibit an intercollegiate athlete from using his name, image, or likeness for compensation if the proposed use of his name, image, or likeness conflicts with institutional values as defined by the institution of higher learning.

(2) An intercollegiate athlete may not earn compensation for the use of his name, image, or likeness for the endorsement of tobacco, alcohol, illegal substances or activities, banned athletic substances, or gambling including, but not limited to, sports betting.

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 26; Nays 16

AYES

Alexander	Bennett	Davis
Devine	Fanning	Gambrell
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	Malloy	Matthews
McElveen	McLeod	Rankin
Senn	Setzler	Stephens
Talley	Tedder	Turner
Williams	Young	

Total--26

NAYS

Adams	Campsen	Cash
Climer	Corbin	Garrett
Grooms	*Johnson, Michael*	Kimbrell
Loftis	Martin	Massey
Peeler	Reichenbach	Rice
Verdin		

Total--16

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3682 -- Reps. Murphy, Wetmore, Bailey, Rose, Crawford, Brewer, Taylor, Hardee, Wooten, Pope, McDaniel, Hewitt, Bauer, Yow, J.E. Johnson, Willis, Ligon, Lawson, Robbins, Schuessler, Guest, Henegan, Williams, M.M. Smith and Vaughan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 47-1-140, RELATING TO THE CARE OF ANIMALS AFTER THE ARREST OF THE OWNER, SO AS TO REMOVE PROVISIONS REGARDING A LIEN ON THE SEIZED ANIMAL; BY AMENDING SECTION 47-1-145, RELATING TO CUSTODY AND CARE OF ANIMALS AFTER THE ARREST OF THE OWNER, SO AS TO OUTLINE HEARING PROCEDURES FOR ORDERING THE COST OF CARE OF THE SEIZED ANIMALS; AND BY AMENDING SECTION 47-1-170, RELATING TO PENALTIES FOR ANIMAL CRUELTY, SO AS TO MAKE CONFORMING CHANGES.

COMMITTEE AMENDMENT WITHDRAWN
HOUSE BILL RETURNED

H. 5118 -- Reps. G.M. Smith, West, Davis, Hager, Hewitt, Kirby, Long, M.M. Smith, B. Newton, Pendarvis, Sandifer, Hiott, Landing, Crawford, Brittain, Lawson, Williams, Whitmire, Jefferson, Bustos, Hartnett, Carter, Blackwell, Neese, W. Newton, Bradley, Erickson, Murphy, Brewer, Yow, Mitchell, Connell, Jordan, Thayer, Elliott, Wooten, Pedalino, Bailey, T. Moore, McGinnis, Gatch, Ligon, Gagnon, Hardee, B.L. Cox, Chapman, Leber, Anderson, Bannister, Calhoon, Felder, Hixon, Lowe, Taylor, Thigpen, Willis and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA TEN-YEAR ENERGY TRANSFORMATION ACT"; BY AMENDING SECTION 58-3-20, RELATING TO THE MEMBERSHIP, ELECTION, AND QUALIFICATIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO CHANGE THE NUMBER OF COMMISSIONERS FROM SEVEN TO THREE TO BE ELECTED BY THE GENERAL ASSEMBLY FROM THE STATE AT LARGE; BY AMENDING SECTION 58-3-140, RELATING TO THE PUBLIC SERVICE COMMISSION'S POWERS TO REGULATE PUBLIC UTILITIES, SO AS TO ESTABLISH CONSIDERATIONS AND STATE POLICY FOR THE COMMISSION'S DECISION-MAKING PROCESS, TO ESTABLISH A SCHEDULE FOR CERTAIN TESTIMONY AND

DISCOVERY IN CONTESTED PROCEEDINGS, TO PERMIT ELECTRICAL UTILITY CUSTOMERS TO ADDRESS THE COMMISSION AS PUBLIC WITNESSES, AND TO ESTABLISH REQUIREMENTS FOR AN INDEPENDENT THIRD-PARTY CONSULTANT HIRED BY THE COMMISSION; BY AMENDING SECTION 58-3-250, RELATING TO SERVICE OF ORDERS AND DECISIONS ON PARTIES, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS REPRESENTATION OF PUBLIC INTEREST BEFORE THE COMMISSION, SO AS TO ESTABLISH ITS CONSIDERATIONS FOR PUBLIC INTEREST; BY ADDING SECTION 58-4-150 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO PREPARE A COMPREHENSIVE STATE ENERGY ASSESSMENT AND ACTION PLAN AND TO ESTABLISH REQUIREMENTS FOR THIS PLAN; BY ADDING CHAPTER 38 TO TITLE 58 SO AS TO ESTABLISH THE SOUTH CAROLINA ENERGY POLICY INSTITUTE; BY ADDING SECTION 58-33-195 SO AS TO ENCOURAGE DOMINION ENERGY, THE PUBLIC SERVICE AUTHORITY, DUKE ENERGY CAROLINAS, AND DUKE ENERGY PROGRESS TO EVALUATE CERTAIN ELECTRICAL GENERATION FACILITIES AND PROVIDE FOR CONSIDERATIONS RELATED TO THESE FACILITIES; BY ADDING SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN ELECTRICAL GENERATION AND TRANSMISSION FACILITIES WITH INVESTOR-OWNED ELECTRIC UTILITIES, AND TO PROVIDE REQUIREMENTS FOR JOINT OWNERSHIP; BY AMENDING SECTION 58-27-650, RELATING TO REASSIGNMENT OF ELECTRIC SUPPLIERS' SERVICE AREAS, SO AS TO PERMIT THE COMMISSION TO APPROVE A REQUEST FOR ANY ELECTRIC SUPPLIER TO SERVE ANY TRANSFORMATIONAL ECONOMIC DEVELOPMENT PROJECT CUSTOMER UNDER CERTAIN CONDITIONS; BY AMENDING ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO AS ESTABLISH THE COUNCIL IN THE OFFICE OF REGULATORY STAFF, TO PROVIDE FOR ITS DUTIES AND MEMBERSHIP, AND TO PROVIDE FOR THE COUNCIL'S DIRECTOR; BY AMENDING SECTION 37-6-604, RELATING TO THE CONSUMER ADVOCATE'S INTERVENTION ON MATTERS FILED AT THE COMMISSION, SO AS TO TRANSFER THESE DUTIES TO THE

OFFICE OF REGULATORY STAFF; BY ADDING SECTION 58-33-196 SO AS TO ENCOURAGE CONSIDERATION OF DEPLOYMENT OF NUCLEAR FACILITIES AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 58-37-70 SO AS TO PERMIT A SMALL MODULAR NUCLEAR PILOT PROGRAM AND TO ESTABLISH REQUIREMENTS; BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 58 SO AS TO PROVIDE FOR STATE AGENCY REVIEW OF ENERGY INFRASTRUCTURE PROJECT APPLICATIONS AND TO PROVIDE A SUNSET; BY AMENDING SECTION 58-40-10, RELATING TO THE DEFINITION OF "CUSTOMER-GENERATOR", SO AS TO ESTABLISH CHARACTERISTICS FOR A "CUSTOMER-GENERATOR"; BY AMENDING SECTION 58-41-30, RELATING TO VOLUNTARY RENEWABLE ENERGY PROGRAMS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS AND CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-41-10, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF "ENERGY STORAGE FACILITIES"; BY AMENDING SECTION 58-41-20, RELATING TO PROCEEDINGS FOR ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES AND RELATED PROCESSES, SO AS TO AUTHORIZE COMPETITIVE PROCUREMENT PROGRAMS FOR RENEWABLE ENERGY, CAPACITY, AND STORAGE, TO PERMIT COMPETITIVE PROCUREMENT OF NEW RENEWABLE ENERGY CAPACITY AND ESTABLISH REQUIREMENTS FOR NON-COMPETITIVE PROCUREMENT PROGRAMS, AND TO DELETE LANGUAGE REGARDING THE COMMISSION HIRING THIRD-PARTY EXPERTS FOR THESE PROCEEDINGS; BY ADDING SECTION 58-41-25 SO AS TO PROVIDE FOR A PROCESS FOR COMPETITIVE PROCUREMENT OF RENEWABLE ENERGY FACILITIES; BY AMENDING SECTION 58-33-20, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION "LIKE FACILITY"; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE FOR A LIKE FACILITY, TO ESTABLISH REQUIREMENTS AND CONSIDERATIONS FOR PROPOSED FACILITIES, TO PROVIDE WHAT ACTIONS MAY BE TAKEN WITHOUT PERMISSION FROM THE COMMISSION, AND TECHNICAL CHANGES; BY AMENDING SECTION 58-37-40, RELATING TO INTEGRATED RESOURCES PLANS, SO AS TO ADD CONSIDERATION OF A UTILITY'S TRANSMISSION AND

DISTRIBUTION RESOURCE PLAN, TO ESTABLISH PROCEDURAL REQUIREMENTS AND EVALUATION BY THE COMMISSION, AND REQUIRE PARTIES TO BEAR THEIR OWN COSTS; BY AMENDING SECTION 58-3-260, RELATING TO COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES, SO AS TO MODIFY REQUIREMENTS FOR ALLOWABLE EX PARTE COMMUNICATIONS AND BRIEFINGS, AND TO PERMIT COMMISSION TOURS OF UTILITY PLANTS OR OTHER FACILITIES UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-3-270, RELATING TO EX PARTE COMMUNICATION COMPLAINT PROCEEDINGS AT THE ADMINISTRATIVE LAW COURT, SO AS TO PERMIT AN ORDER TOLLING ANY DEADLINES ON A PROCEEDING SUBJECT TO A COMPLAINT TO THE EXTENT THE PROCEEDING WAS PREJUDICED SO THAT THE COMMISSION COULD NOT CONSIDER THE MATTER IMPARTIALLY; BY ADDING CHAPTER 43 TO TITLE 58 SO AS TO ESTABLISH ECONOMIC DEVELOPMENT RATES FOR ELECTRICAL UTILITIES; BY AMENDING SECTION 58-33-310, RELATING TO AN APPEAL FROM A FINAL ORDER OR DECISION OF THE COMMISSION, SO AS TO REQUIRE A FINAL ORDER ISSUED PURSUANT TO CHAPTER 33, TITLE 58 BE IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT AND TO PROVIDE FOR AN EXPEDITED HEARING; BY AMENDING SECTION 58-33-320, RELATING TO JOINT HEARINGS AND JOINT INVESTIGATIONS, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-4-160 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE ESTABLISHING A THIRD-PARTY ADMINISTRATOR FOR ENERGY EFFICIENCY AND DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO ADD A REFERENCE TO “DEMAND-SIDE MANAGEMENT PROGRAM” AND PROVIDE DEFINITIONS FOR “COST-EFFECTIVE” AND “DEMAND-SIDE MANAGEMENT PILOT PROGRAM”; BY AMENDING SECTION 58-37-20, RELATING TO COMMISSION PROCEDURES ENCOURAGING ENERGY EFFICIENCY PROGRAMS, SO AS TO EXPAND COMMISSION CONSIDERATIONS FOR COST-EFFECTIVE, DEMAND-SIDE MANAGEMENT PROGRAMS, AND REQUIRE EACH INVESTOR-OWNED ELECTRICAL UTILITY TO SUBMIT AN ANNUAL

REPORT TO THE COMMISSION REGARDING ITS DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-37-35 SO AS TO PERMIT PROGRAMS AND CUSTOMER INCENTIVES TO ENCOURAGE OR PROMOTE DEMAND-SIDE MANAGEMENT PROGRAMS FOR CUSTOMER-SITED DISTRIBUTION RESOURCES, AND TO PROVIDE CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-37-50, RELATING TO AGREEMENTS FOR ENERGY EFFICIENCY AND CONSERVATION MEASURES, SO AS TO ESTABLISH CERTAIN TERMS AND RATE RECOVERY FOR AGREEMENTS FOR FINANCING AND INSTALLING ENERGY EFFICIENCY AND CONSERVATION MEASURES, AND FOR APPLICATION TO A RESIDENCE OCCUPIED BEFORE THE MEASURES ARE TAKEN; BY ADDING SECTION 58-31-215 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY, IN CONSULTATION WITH THE DEPARTMENT OF COMMERCE, TO SERVE AS AN ANCHOR SUBSCRIBER OF NATURAL GAS AND PIPELINE CAPACITY FOR THIS STATE, TO ESTABLISH THE "ENERGY INVESTMENT AND ECONOMIC DEVELOPMENT FUND", AND TO PROVIDE FOR RELATED REQUIREMENTS; BY AMENDING SECTION 58-3-70, RELATING TO COMPENSATION OF PUBLIC SERVICE COMMISSION MEMBERS, SO AS TO ESTABLISH SALARIES IN AMOUNTS EQUAL TO NINETY-SEVEN AND ONE-HALF PERCENT OF SUPREME COURT ASSOCIATE JUSTICES.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-5118.BJ0052S), which was withdrawn:

Amend the bill, after the title but before the enacting words, by striking the twenty eighth paragraph and inserting:

Whereas, the South Carolina General Assembly recognizes the strategic importance of investigating in and pursuing fusion energy and advanced nuclear technologies such as small modular reactors and molten salt reactors at this time, understanding that proactive engagement in research and development positions the state to capitalize on future opportunities when SMRs become economically and technologically viable; and

Amend the bill further, by deleting SECTION 2.

Amend the bill further, SECTION 5, by striking Section 58-4-10(B) and inserting:

(B) Unless and until it chooses not to participate, the Office of Regulatory Staff must be considered a party of record in all filings, applications, or proceedings before the commission. The regulatory staff must represent the public interest of South Carolina before the commission as it pertains to the matters below:~~. For purposes of this chapter only, "public interest" means~~

(1) the concerns of the using and consuming public with respect to public utility services, regardless of the class of customer~~.~~;

(2) economic development and job attraction and retention in South Carolina; and

(3) preservation of the ~~of~~ continued investment in and maintenance of utility facilities so as to provide reliable and high quality utility services.

Amend the bill further, SECTION 6, by striking Section 58-4-150(A) and inserting:

(A) To further advance and expand upon Executive Order 2023-18 which established the PowerSC Energy Resources and Economic Development Interagency Working Group, the Office of Regulatory Staff, in consultation with a stakeholder group that includes representatives of consumer, environmental, manufacturing, forestry, and agricultural organizations, natural gas and electrical utilities, the South Carolina Public Service Authority, and other affected state agencies, shall prepare a comprehensive South Carolina energy assessment and action plan, hereinafter referred to as "the plan". This plan must identify recommended actions over a ten-year period to ensure the availability of adequate, reliable, and economical supply of electric power and natural gas to the people and economy of South Carolina. For purposes of this section, natural gas and electrical utilities also includes any investor-owned electrical utility, a public utility as defined in Section 58-5-10, electric cooperatives, and any consolidated political subdivision that owns or operates in this State equipment or facilities for generating, transmitting, delivering, or furnishing electricity, but does not include an entity that furnishes electricity only to itself, its residents, or tenants when such current is not resold or used by others.

Amend the bill further, SECTION 7, by striking Section 58-38-20(7) and inserting:

(7) The EPI shall collaborate across South Carolina in coordination with SC Nexus, Savannah River National Laboratory, energy utility providers, private industry, and workforce development to deliver advice

on policy creation aligned with the state's distinctive needs and opportunities. EPI shall support and collaborate with SC Nexus, a consortium of public and private entities, formed within the South Carolina Department of Commerce concerning power generation, transmission, and storage.

(8) The EPI shall collaborate with the Energy Center at Clemson University to identify research funding opportunities to meet the urgent needs for energy technology innovation in South Carolina, develop curriculum to ensure relevant academic programming for the future jobs and leadership roles in the new energy industry, provide energy-related training programs to meet the increasing demand for skilled workers in the new energy industry, and promote technology innovation, translational research, and rapid technology transfer from research labs to industry.

Amend the bill further, SECTION 8, by striking Section 58-33-195(A)(2) and inserting:

(2) The General Assembly encourages Dominion Energy South Carolina, Inc. and the Public Service Authority to jointly complete evaluations related to the Joint Resource and to use such information as may be necessary from such evaluations to make a filing as soon as practicable with the commission to obtain a certificate pursuant to Article 3 of this chapter. The General Assembly instructs all governmental agencies to provide accelerated consideration of any action required to permit or authorize construction and operation of the facilities subject to this section in preference to all other pending nonemergency applications or requests. The General Assembly finds adding natural gas generation capacity at the retired Canadys coal site would advance the economy and general welfare of the State based on current conditions and information as of the effective date of this Act. However, this subsection does not exempt the entities from complying with the requirements of the Utility Facility Siting and Environmental Protection Act, including the requirement to seek commission approval for a certificate of environmental compatibility and public convenience and necessity nor does this subsection limit the commission's independent decision-making authority. The entities are further encouraged to use existing rights of way for new natural gas lines to the Canadys site to the greatest extent practicable.

Amend the bill further, SECTION 10, by striking Section 13-7-820(5) and inserting:

(5) to engage stakeholders and develop a strategic plan to advance the development of advanced nuclear generation including small modular

reactors, molten salt reactors, fusion energy, and spent nuclear fuel recycling facilities to serve customers in this State in the most economical manner at the earliest reasonable time possible.

Amend the bill further, SECTION 12, by striking Section 58-33-196 and inserting:

Section 58-33-196. Electrical utilities and the Public Service Authority are encouraged to explore the potential for deploying fusion energy and advanced nuclear facilities including, but not limited to, small modular nuclear facilities at suitable sites. Suitable sites may include sites of current nuclear facilities, sites where nuclear facilities have been proposed but not constructed, and other brownfield sites, such as coal-generation sites. Any utility pursuing deployment of such nuclear facilities must provide annual progress reports to the commission and the Public Utilities Review Committee; this report may be in writing or in the form of testimony in an appropriate proceeding. A utility whose rates are regulated by the commission must provide estimates of the cost of the studies including, but not limited to, planning, licensing, and project development to the commission. If the commission finds such estimated costs are reasonable, prudent, and in the public interest, such costs may be recoverable through rates as they are incurred. Nothing in this section relieves an electrical utility of the burden of filing for a certificate under this article and obtaining appropriate approvals from the commission before commencing construction.

Amend the bill further, SECTION 13, by striking Section 58-37-70(B)(1) and inserting:

(1) "Electrical utility" has the same meaning as provided in Section 58-27-10(7).

Amend the bill further, SECTION 13, by striking Section 58-37-70(F)(3) and inserting:

(3) In the event the commission finds cost estimates provided by an electrical utility pursuant to item (2) are reasonable and prudent, the costs may be recoverable through rates, even if an application for a certificate of environmental compatibility and public convenience and necessity have not been filed. However, these costs shall not include a rate of return.

Amend the bill further, SECTION 14, by striking Section 58-37-130 and inserting:

Section 58-37-130. The applicant or any person whose private rights are affected by an agency decision or action on an application for a permit for any energy infrastructure project may appeal that decision or action to the South Carolina Supreme Court. The Supreme Court shall

hear these appeals as a direct appeal in accordance with South Carolina Appellate Court Rule 203. The Court shall provide for an expedited briefing and hearing of the appeal, in preference to all other nonemergency matters on its docket, and decide such appeals on an expedited basis. Any agency decision or action that is subject to a contested case review before the Administrative Law Court, pursuant to Section 1-23-600 et seq., shall be appealable under this section upon issuance of an appealable order by the Administrative Law Court.

Amend the bill further, SECTION 22, by striking Section 58-37-40(B)(1)(j) and inserting:

(j) a report addressing updates to the utility's transmission plan under the utility's open access transmission tariff pursuant to the federal jurisdictional planning process. In this report, the utility shall, when applicable, describe planned transmission improvements specific to siting of new resources expected to impact interconnection constraints or other operations of the systems. The utility shall also describe how it evaluated alternate transmission technologies when developing solutions for identified transmission needs for interconnecting resources. The utility's transmission report must include how the utility evaluates transmission investments, including:

(i) a description of how the utility evaluated a range of transmission solutions, including non-wires alternatives, joint projects with neighboring and other regional utilities, other upgrades to existing facilities, and other best practices. Modeling may consider, as appropriate, grid-enhancing technologies and alternate transmission technologies such as static synchronous compensators, static Volt-Ampere Reactive (VAR) compensators, advanced power flow control devices, transmission switching, synchronous condensers, voltage source converters, advanced conductors, switchable reactors, and tower lifting in a manner consistent with common utility practice;

(ii) a description of how transmission factored into the utility's evaluation of the range of future scenarios included in the fifteen-year time period of the utility's resource plan, including significant continued economic growth and the retirement of the utility's coal generation;

(iii) a discussion of transmission considerations for facilities included in the utility's preferred resource plan for which there are particular sites specified;

(iv) information such that intervenors and stakeholders can pursue participation in local transmission planning collaborative activities which are held pursuant to orders from the Federal Energy Regulatory Commission; and

(v) any other information that the utility believes is relevant to its resource plan or future transmission investments.

Amend the bill further, SECTION 22, by striking Section 58-37-40(C)(1) and inserting:

(C)(1) The commission shall have a proceeding to review each electrical utility subject to subsection (A)(1) and the Public Service Authority's integrated resource plan. As part of the integrated resource plan filing, the commission shall allow intervention by interested parties. The procedural schedule shall include dates for completion of each phase of discovery, including discovery related to the integrated resource plan as filed, direct testimony of the applicant, direct testimony of the Office of Regulatory Staff and other parties and intervenors, and rebuttal testimony of the applicant. Except upon showing exceptional circumstances, all discovery shall be served in time to allow its completion, but not less than ten days prior to the hearing. The commission shall establish a procedural schedule to permit reasonable discovery after an integrated resource plan is filed in order to assist parties in obtaining evidence concerning the integrated resource plan, including the reasonableness and prudence of the plan and alternatives to the plan raised by intervening parties. No later than three hundred days after an electrical utility or the Public Service Authority files an integrated resource plan, the commission shall issue a final order approving, modifying, or denying the plan filed by the electrical utility or the Public Service Authority.

Amend the bill further, SECTION 23, by striking Section 58-3-260(H)(2) and inserting:

(2) conducting a site visit of a utility or Public Service Authority facility under construction or attending educational tours of utility or Public Service Authority plants or other facilities provided:

(a) the Executive Director of the Office of Regulatory Staff or his designee also attends the site visit or educational tour;

(b) a summary of the discussion is produced and posted on the commission's website, along with copies of any written materials utilized, referenced, or distributed; and

(c) each party, person, commission, and commission employee who participated in the site visit or educational tour, within forty-eight hours of the site visit or educational tour, files a certification with the Executive Director of the Office of Regulatory Staff that no commitment, predetermination, or prediction of any commissioner's action as to any ultimate or penultimate issue or any commission employee's opinion or recommendation as to any ultimate or penultimate

issue in any proceeding was requested by any person or party, nor any commitment, predetermination, or prediction was given by any commissioner or commission employee as to any commission action or commission employee opinion or recommendation on any ultimate or penultimate issue.

Amend the bill further, SECTION 26, by striking Sections 58-33-310 and 58-33-320 and inserting:

Section 58-33-310. Any party may appeal, in accordance with Section 1-23-380, from all or any portion of any final order or decision of the commission, including conditions of the certificate required by a state agency under Section 58-33-160 as provided by Section 58-27-2310. ~~Any appeals may be called up for trial out of their order by either party.~~ The commission shall issue all orders on rehearing or reconsideration within thirty days of the date the petition is filed. Any final order on the merits issued pursuant to this chapter shall be immediately appealable to the Supreme Court of South Carolina in accordance with South Carolina Appellate Court Rule 203. The commission must not be a party to an appeal.

Section 58-33-320. Except as expressly set forth in Section 58-33-310, no court of this State shall have jurisdiction to hear or determine any issue, case, or controversy concerning any matter which was or could have been determined in a proceeding before the commission under this chapter or to stop or delay the construction, operation, or maintenance of a major utility facility, except to enforce compliance with this chapter or the provisions of a certificate issued hereunder, and any such action shall be brought only by the Office of Regulatory Staff. Provided, however, nothing herein contained shall be construed to abrogate or suspend the right of any individual or corporation not a party to maintain any action which he might otherwise have been entitled.

Amend the bill further, SECTION 33, by striking Section 58-31-215(C) and inserting:

(C) There is hereby established the "Energy Investment and Economic Development Fund" to be held in an operating account by the Public Service Authority to further the provisions of this section and other energy investment needs. Subject to the approval of the Joint Bond Review Committee, the Energy Investment and Economic Development Fund may be funded by the amount required to be paid to the State pursuant to Section 58-31-110 less the annual costs billed by the Office of Regulatory Staff and the South Carolina Public Service Commission. The South Carolina Department of Commerce shall report, at least once annually and no later than September first, to the Joint Bond Review

Committee as to the level and need for funding to advance the provisions of this section. If sufficient funding is allocated to the Energy Investment and Economic Development Fund, the Public Service Authority may execute a binding precedent agreement on behalf of the State pursuant to this section, provided such action is approved by the Joint Bond Review Committee. In no event shall the costs associated with serving as an anchor affect the rates and charges for electric or water service for the Public Service Authority's customers.

Amend the bill further, SECTION 34.A., by adding:

Section 58-3-60(A) of the S.C. Code is amended to read:

(A) The commission is authorized and empowered to employ: a chief clerk and deputy clerk; a commission attorney and assistant commission attorneys; hearing officers; hearing reporters; and such other professional, administrative, technical, and clerical personnel as the commission determines to be necessary in the proper discharge of the commission's duties and responsibilities as provided by law. The chairman must organize and direct the work of the commission staff. The chief clerk shall receive a salary in an amount equal to ninety percent of the salary fixed for commission members, unless disapproved by the Public Utilities Review Committee. The salaries of the chairman, the commissioners, and the chief clerk shall not be construed as limiting the maximum salary which may be paid to other employees of the Public Service Commission. The commission staff shall not appear as a party in commission proceedings and shall not offer testimony on issues before the commission.

Amend the bill further, by striking SECTION 34.B and inserting:

B.This section is effective beginning with the fiscal year immediately following the next Public Service Commission election after the effective date of this act.

Amend the bill further, SECTION 35, by striking Section 58-41-50(B)(1) and inserting:

(B)(1) An electrical utility may file a proposed agreement regarding co-located resources between the utility and a customer or multiple customers with an electric load in excess of 25 megawatts for the commission's consideration. The proposed agreement must contain at least one of the following requirements:

(a) co-location of electric generation or storage on the customer's property provides bulk system benefits for all customers and benefits for the host customer;

(b) co-location of renewable electric generation resources on the customer's property provides bulk system benefits for all customers and

the renewable attributes associated with such generation can be allocated to the host customer;

(c) co-location of electric generation on the customer's property would result in permitting and siting efficiencies to enable electric generation to come online earlier than otherwise could occur; or

(d) co-location of electric generation resources on the customer's property could be utilized as resiliency resources to serve the electric grid in times of need.

Amend the bill further, SECTION 35, by deleting Section 58-41-50(B)(2)(a).

Amend the bill further, SECTION 35, by striking Section 58-41-50(C)(1) and inserting:

(1) the proposed program was voluntarily agreed upon by the electrical utility and the customer or multiple customers,

Amend the bill further, SECTION 35, by striking Section 58-41-50(D) and inserting:

(D) For purposes of this section, "co-located" or "co-location" includes electric generation, storage, renewables, and associated facilities on a customer's site as well as any location where the connection to the electrical utility enables resilient power supply to support the development of power supply to meet the customer's needs. An agreement regarding co-location may also include potential co-ownership of the electric generation and associate facilities by the electrical utility and the customer. A customer participating in a co-location or co-ownership agreement shall not be considered an electrical utility.

Amend the bill further, by striking SECTION 37 and inserting:

SECTION 37. (A) To foster economic development and future jobs in this State resulting from the supply-chains associated with the same while supporting the significant and growing energy and capacity needs of the State, enhance grid resiliency, and maintain reliability, the General Assembly finds that the State of South Carolina should take steps necessary to encourage the development of a diverse mix of long-lead, clean generation resources that may include advanced small modular reactors, biomass as defined in Section 12-63-20(B)(2) of the S.C. Code, hydrogen-capable resources, fusion energy and the Carolina Long Bay Project, and should preserve the option of efficiency development of such long-lead resources with timely actions to establish or maintain eligibility for or capture available tax or other financial incentives or address operational needs.

(B) For an electrical utility to capture available tax or other financial or operational incentives for South Carolina ratepayers in a timely manner, the commission may find that actions by an electrical utility in pursuit of the directives in Section 58-37-35(A) are in the public interest, provided that the commission determines that such proposed actions are in the public interest and reasonably balance economic development and industry retention benefits, capacity expansion benefits, resource adequacy and diversification, emissions reduction levels, and potential risks, costs, and benefits to ratepayers and otherwise comply with all other legal requirements applicable to the electrical utility's proposed action. For the South Carolina Public Service Authority, the Office of Regulatory Staff and the Public Service Authority's board of directors shall apply the same principles described in this subsection in evaluating and approving actions proposed by the management of the Public Service Authority to achieve the objectives of this section.

Amend the bill further, by deleting SECTION 39.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 33, Title 58 of the S.C. Code is amended by adding:

Section 58-33-200. For any construction project with a project budget of at least five hundred million dollars and in order to maintain the financial integrity of significant expenditures affecting ratepayers, the Office of Regulatory Staff shall retain an independent construction analyst who shall monitor the construction project on a regular basis and who shall provide to the Office of Regulatory Staff, the Public Service Commission, the Public Utilities Review Committee, and the Joint Bond Review Committee regular reports as to the status of the construction efforts as needed, but at least on a quarterly basis.

Renumber sections to conform.

Amend title to conform.

On motion of Senator RANKIN, with unanimous consent, the amendment was withdrawn.

The question then being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--40

NAYS

Corbin	Martin

Total--2

The Bill was read the third time and ordered returned to the House with amendments.

AMENDED, HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4386 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-13-647 SO AS TO PROHIBIT THE TAKING, HARMING, OR KILLING OF ROBUST REDHORSE.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN proposed the following amendment (SFGF-4386.BC0003S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Article 3, Chapter 5, Title 50 of the S.C. Code is amended by adding:

Section 50-5-400. (A) For the privilege of taking blue crabs by trap for a commercial purpose in the waters of this State, an individual must obtain a limited commercial blue crab license, a commercial saltwater fishing license, and a commercial equipment license for traps.

(B) The cost of a limited commercial blue crab license is one hundred dollars for residents and five hundred dollars for nonresidents.

(C) The following individuals are eligible to obtain a limited commercial blue crab license:

(1) an individual who possessed a valid commercial equipment license for traps during the 2023-2024 license year and who has verifiable documentation of at least five hundred pounds of commercial blue crab landings during the first six months of the 2023-2024 license year, the entirety of the 2022-2023 license year, or the entirety of the 2021-2022 license year;

(2) an individual who is selected via an applicant lottery pursuant to subsection (D); or

(3) an individual who receives a valid limited commercial blue crab license via transfer pursuant to subsection (E).

(D) If the total number of limited commercial blue crab licenses issued by the department in a license year is below one hundred, then the department may award additional licenses, not to exceed one hundred total limited commercial blue crab licenses, via an applicant lottery.

(E) A limited commercial blue crab license may be transferred by the licensee to another individual after providing information relating to the transfer as required by the department. An individual is limited to one commercial blue crab license and a licensee must not receive a transfer of another limited commercial blue crab license.

(F) The maximum number of traps used for taking blue crab, inclusive of peeler traps, that may be licensed to:

(1) an individual who obtains a limited commercial blue crab license under subsection (C)(1) is the greater of two hundred traps and the highest number of traps licensed by the individual in the three previous license years;

(2) an individual who receives a limited commercial blue crab license via transfer is the greater of two hundred traps and the average number of traps licensed by a holder of the transferred limited commercial blue crab license in the three previous license years; or

(3) an individual who is selected via lottery is two hundred traps.

(G) If the 2024-2025 license year or 2023-2024 license year is used to determine the highest number of traps that may be licensed under

subsection (F), then only the first six months of the 2023-2024 license year must be used in the determination.

(H) A limited commercial blue crab license must be renewed annually. Prior to every fourth license year, a licensee must have verifiable documentation of at least four thousand pounds of commercial blue crab landings in at least one of the three previous license years. If a licensee does not meet the documented landings threshold, then the licensee's limited commercial blue crab license must not be renewed by the department.

SECTION 2. Section 50-5-350(B) of the S.C. Code is amended to read:

(B) Licenses and permits, other than a limited commercial blue crab license, are not transferable; however, any licensed commercial saltwater fisherman may operate any licensed commercial equipment with written permission of the owner except:

(1) channel nets; and

(2) any commercial equipment licensed at the resident fee when the nonresident fee is greater if the operator is a nonresident.

SECTION 3. Section 50-5-325(A) of the S.C. Code is amended to read:

(A) Commercial equipment, excluding vessels, used in the salt waters of this State and in fisheries for anadromous and catadromous species in any waters of this State must be licensed by the department. The owner and operator are responsible for obtaining a license:

(1) to use a trawl or trawls, and the cost is one hundred twenty-five dollars for residents and three hundred dollars for nonresidents;

(2) to use traps~~,~~ other than traps for taking blue crab, and the cost is twenty-five dollars ~~per~~ for fifty traps and one dollar for each trap thereafter for residents, and one hundred twenty-five dollars ~~per~~ for fifty traps and five dollars for each trap thereafter for nonresidents;

(3) to use traps for taking blue crab, and the cost is two dollars for each trap for residents and ten dollars for each trap for nonresidents;

~~(3)~~(4) to use a channel net for taking shrimp, and the cost is two hundred fifty dollars for each net;

~~(4)~~(5) to use a gill net for taking shad, herring, or sturgeon, and the cost is ten dollars per one hundred net yards or a fraction thereof for residents and fifty dollars per one hundred net yards or a fraction thereof for nonresidents, and to use any other gill net or haul seine the cost is ten dollars per one hundred net feet or a fraction thereof for residents and fifty dollars per one hundred net feet or a fraction thereof for nonresidents;

~~(5)~~(6) to use hand-held equipment to take shellfish, including tongs, rakes, and forks, at no cost;

~~(6)~~(7) to use a drag dredge, and the cost is seventy-five dollars for residents and three hundred seventy-five dollars for nonresidents;

~~(7)~~(8) to use other mechanically operated or boat assisted equipment, other than equipment used to set or retrieve licensed equipment, and the cost is one hundred twenty-five dollars for residents and six hundred twenty-five dollars for nonresidents;

~~(8)~~(9) to use trotlines with baits or hooks, and the cost is ten dollars for residents and fifty dollars for nonresidents for each line having not more than fifty baits or hooks per line;

~~(9)~~(10) to use any other commercial equipment, and the cost is ten dollars for each type for residents and fifty dollars per type for nonresidents.

SECTION 4. Section 50-5-360(B) of the S.C. Code is amended to read:

(B) In order to engage in shedding peeler crabs, a person or entity must first be a licensed wholesale seafood dealer, ~~and~~ must be licensed for peeler crabs, and the person's or entity's business premises must be capable of peeler shedding operations. The fee for a resident peeler crab license is an additional seventy-five dollars, and the fee for a nonresident license is an additional three hundred seventy-five dollars. Persons holding this license and engaged in shedding peeler crabs are authorized to receive, possess, and sell peeler crabs regardless of size. The department may inspect the business premises of a person or entity applying for a peeler crab license and of a peeler crab licensee to ensure the applicant's or licensee's business premises are capable of peeler shedding operations.

SECTION 5. Section 50-5-545 of the S.C. Code is amended to read:

Section 50-5-545. (A) Except as provided in this section, ~~from June 1 through March 14,~~ a trap used for taking blue crab ~~used~~ for commercial purposes from June 1 through March 14, or for recreational purposes year round, must have at least two unobstructed, circular escape vents (rings) which must be two and three-eighths inches or greater in inside diameter and located on vertical surfaces. At least one vent (ring) must be in the upper chamber. All vents (rings) must be within two inches of the horizontal partition or the base of the trap.

(B) A trap used for taking blue crab constructed of a single chamber must have at least one two and three-eighths inch or larger inside diameter escape vent (ring) located on a vertical surface within two inches of the base of the trap. Peeler traps are exempt year round.

(C) A trap used for taking blue crab, other than peeler traps, must be constructed of wire with a minimum mesh size of one and one-half inches, have throats or entrances located only on a vertical surface, and have a maximum dimension of twenty-four inches by twenty-four inches by twenty-four inches or a volume of eight cubic feet.

SECTION 6. Article 13, Chapter 5, Title 50 of the S.C. Code is amended by adding:

Section 50-5-1345. (A) The department must promulgate regulations establishing criteria for the designation of closed seasons and closed or partially closed areas for the taking of blue crabs by trap. In accordance with the established criteria, the department may designate closed seasons and closed or partially closed areas for the taking of blue crabs by trap upon at least forty-five days' public notice.

(B) A trap that is in the waters of this State during a closed season or in a closed or partially closed area may be confiscated by the department or by an agent of the department.

(C) It is unlawful to take or attempt to take blue crabs by trap during a closed season or in a closed or partially closed area. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than two hundred dollars nor more than five hundred dollars.

(D) Nothing in this section limits the authority of the department under Section 50-5-32.

SECTION 7. Article 13, Chapter 5, Title 50 of the S.C. Code is amended by adding:

Section 50-5-1302. (A) For the purposes of this section, "day" means sunrise on one day to sunrise on the following day.

(B) It is unlawful for a person to take or possess for recreational purposes more than one bushel of blue crabs in any one day, not to exceed two bushels in any one day on any boat.

(C) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars and not more than five hundred dollars.

SECTION 8. Section 50-5-330(A) of the S.C. Code is amended to read:

(A) A person may fish or use the following in the salt waters of this State solely for recreational purposes without being commercially licensed:

(1) shrimp seines;

(2) hand-operated tongs, rakes except bull rakes, and forks except seed forks, used to harvest shellfish;

(3) hook and line or rod and reel;

(4) minnow traps, drop nets, and dip nets;

(5) cast nets; however, the use must comply with all other provisions of law;

(6) no more than two crab traps without a recreational crab trap endorsement;

(7) no more than five crab traps with a recreational crab trap endorsement;

~~(7)~~(8) no more than two trotlines with a cumulative total of not more than fifty hooks or baits;

~~(8)~~(9) no more than ten bush or pole lines with single hooks or baits.

SECTION 9. Section 50-9-540 of the S.C. Code is amended by adding:

(E) For the privilege of fishing more than two and up to five crab traps recreationally, a recreational saltwater license holder must purchase an annual enhanced recreational crab trap endorsement at a cost of five dollars.

SECTION 10.Section 50-5-555 of the S.C. Code is amended by adding:

(G) The department may impose a civil penalty of up to one hundred dollars for each trap in violation of this section for a first offense, up to three hundred dollars for a second offense, and up to five hundred dollars for a third or subsequent offense.

SECTION 11.Article 6, Chapter 13, Title 50 of the S.C. Code is amended by adding:

Section 50-13-647. It is unlawful to take, harm, or kill robust redhorse (moxostoma robustum) from public waters. Any robust redhorse taken must be returned immediately to the water from which it was taken. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars for a first offense and not more than one thousand dollars for each subsequent offense.

SECTION 12. Upon approval of this act by the Governor, a moratorium on the issuance of new commercial equipment licenses to use traps for the taking of blue crab takes effect, at which time the department must not issue any new commercial equipment licenses to use traps for the taking of blue crab. This moratorium expires on June 15, 2025. Commercial equipment licenses to use traps for the taking of blue crab in effect for the 2023-2024 license year are extended and do not expire until June 30, 2025.

SECTION 13. Sections 4, 6, 11, and 12 of this act take effect upon approval by the Governor. All other sections take effect on July 1, 2025.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

COMMITTEE AMENDMENT ADOPTED AMENDED, HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4087 -- Reps. G.M. Smith, West, Kirby, Ballentine, Robbins, Hewitt, M.M. Smith, Davis, Hiott, Long, Hager, Ott, Weeks, Dillard, W. Jones, Brewer, Hartnett and Murphy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3410, RELATING TO CORPORATE INCOME TAX CREDIT FOR CORPORATE HEADQUARTERS, SO AS TO PROVIDE CHANGES TO STAFFING REQUIREMENTS AND CERTAIN TIMING; BY AMENDING SECTION 12-6-3460, RELATING TO THE RECYCLING FACILITY TAX CREDIT DEFINITIONS, SO AS TO LOWER THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED RECYCLING FACILITY AND TO INCLUDE CERTAIN PRODUCTS TO THE DEFINITION OF "POSTCONSUMER WASTE MATERIAL"; BY AMENDING SECTIONS 12-10-20; 12-10-30, 12-10-40, 12-10-45, 12-10-50, 12-10-60, AND 12-10-80, ALL RELATING TO THE ENTERPRISE ZONE ACT OF 1995, SO AS TO ALLOW REMOTE EMPLOYEES WORKING IN SOUTH CAROLINA TO BE INCLUDED IN CERTAIN JOB CREATION REQUIREMENTS AND TO CREATE A NEW PROVISION TO INCENTIVIZE CERTAIN COMPANIES; AND BY AMENDING SECTION 12-10-95, RELATING TO THE ENTERPRISE ZONE ACT CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO PROVIDE WHO IS ELIGIBLE FOR THE CREDIT AND THE AMOUNT OF THE CREDIT ALLOWED.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (LC-4087.DG0014S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 12-6-3460(A)(3) and inserting:

(3) "Qualified recycling facility" means a facility certified as a qualified recycling facility by a duly authorized representative of the department which includes all real and personal property incorporated into or associated with the facility located or to be located within this State that will be used by the taxpayer to manufacture or fabricate products for sale composed of at least fifty percent postconsumer waste material by weight or by volume. The minimum level of investment for a qualified recycling facility must be at least ~~three~~ one hundred fifty

million dollars incurred by the end of the fifth calendar year after the year in which the taxpayer begins construction or operation of the facility.

Amend the bill further, SECTION 3, by striking Section 12-10-30(20) and inserting:

(20) "Remote employee" is a full-time employee who is a resident of this State, North Carolina, or Georgia who is subject to withholding pursuant to Chapter 8 who is hired to fill a job for the project and who works either completely or partially from a home office or other residence within or without this State.

Amend the bill further, SECTION 3, by striking Section 12-10-60 and inserting:

Section 12-10-60. ~~(A)~~ The council may enter into a revitalization agreement with each qualifying business with respect to the project. The terms and provisions of each revitalization agreement must be determined by negotiations between the council and the qualifying business. The decision to enter into a revitalization agreement with a qualifying business is solely within the discretion of the council based on the appropriateness of the negotiated incentives to the project and the determination that approval of the project is in the best interests of the State. The revitalization agreement must set a date by which the qualifying business shall have ~~completed the project~~ met the required investment and employment levels. ~~Within three months of the completion date~~After meeting the thresholds, the qualifying business shall document the actual costs of the project in a manner acceptable to the council. A business is allowed to count jobs filled by remote employees towards the minimum employment levels. While remote employees count towards a business's minimum employment levels, a business may claim job development credits on a remote employee only to the extent the remote employee was subject to withholdings pursuant to Chapter 8. A business which pays withholdings on a remote employee in South Carolina and some other state can only claim job development credits to the extent of the South Carolina withholdings.

~~(B) If a qualifying business that entered into a revitalization agreement before January 1, 1997, receives council approval to amend its revitalization agreement to increase its minimum job requirement, the law in effect on the date of the amendment determines the amount of job development credit a qualifying business may claim pursuant to Section 12-10-80 for additional jobs created after the date of the amendment. This subsection does not apply to a business whose application for job~~

~~development fees or credits pursuant to Section 12-10-81 has been approved by council before the effective date of this act.~~

Amend the bill further, by striking SECTIONS 5 and 6 and inserting:
SECTION X. Section 12-36-2120(79) of the S.C. Code is amended to read:

(79)(A)(1) original or replacement computers, computer equipment, and computer hardware and software purchases used within a datacenter; and

(2) electricity used by a datacenter and eligible business property to be located and used at the datacenter. This subsubitem does not apply to sales of electricity for any other purpose, and such sales are subject to the tax, including, but not limited to, electricity used in administrative offices, supervisory offices, parking lots, storage warehouses, maintenance shops, safety control, comfort air conditioning, elevators used in carrying personnel, cafeterias, canteens, first aid rooms, supply rooms, water coolers, drink boxes, unit heaters and waste house lights.

(B) As used in this section:

(1) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(2) "Computer equipment" means original or replacement servers, routers, switches, power units, network devices, hard drives, processors, memory modules, motherboards, racks, other computer hardware and components, cabling, cooling apparatus, and related or ancillary equipment, machinery, and components, the primary purpose of which is to store, retrieve, aggregate, search, organize, process, analyze, or transfer data or any combination of these, or to support related computer engineering or computer science research. This also includes equipment cooling systems for managing the performance of the datacenter property, including mechanical and electrical equipment, hardware for distributed and mainframe computers and servers, data storage devices, network connectivity equipment, and peripheral components and systems.

(3) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(4) "Concurrently maintainable" means capable of having any capacity component or distribution element serviced or repaired on a planned basis without interrupting or impeding the performance of the computer equipment.

(5) "Datacenter" means a new or existing facility ~~at a single location~~or an array of facilities in a single county in South Carolina, including its contracted tenants, owners, operators, and other entities with an ownership or financial interest thereto:

(i) that provides infrastructure for hosting or data processing services and that has power and cooling systems that are created and maintained to be concurrently maintainable and to include redundant capacity components and multiple distribution paths serving the computer equipment at the facility. Although the facility must have multiple distribution paths serving the computer equipment, a single distribution path may serve the computer equipment at any one time;

(ii)(a) where a taxpayer invests at least fifty million dollars in real or personal property or both over a five year period; or

(b) where one or more taxpayers invests a minimum aggregate capital investment of at least seventy-five million dollars in real or personal property or both over a five year period;

(iii) where ~~a taxpayer creates and maintains~~one or more taxpayers create at least twenty-five full-time jobs over a five-year period at the ~~facility~~ datacenter with an average cash compensation level of one hundred fifty percent of the per capita income of the State or of the county in which the ~~facility~~ datacenter is located, whichever is lower, according to the most recently published data available at the time the ~~facility~~ datacenter is certified by the Department of Commerce;

(iv) where the jobs created pursuant to subitem (B)(5)(iii) are maintained for three consecutive years after a ~~facility~~ datacenter with the minimum capital investment and number of jobs has been certified by the Department of Commerce; and

(v) which is certified by the Department of Commerce pursuant to subitem (D)(1) under such policies and procedures as promulgated by the Department of Commerce.

(6) "Eligible business property" means property used for the generation, transformation, transmission, distribution, or management of electricity, including exterior substations and other business personal property used for these purposes.

(7) "Multiple distribution paths" means a series of distribution paths configured to ensure that failure on one distribution path does not interrupt or impede other distribution paths.

(8) "Redundant capacity components" means components beyond those required to support the computer equipment.

(C)(1) To qualify for the exemption allowed by this item, a taxpayer, and the ~~facility~~ datacenter in the case of a seventy-five million

dollar investment made by more than one taxpayer, shall notify the Department of Revenue and Department of Commerce, in writing, of ~~its~~ a datacenter taxpayer's intention to claim the exemption. For purposes of meeting the requirements of subitems (B)(5)(ii) and (B)(5)(iii) , capital investment and job creation begin accruing once the ~~taxpayer~~ datacenter notifies each department. Also, the five-year period begins upon notification.

(2) Once the ~~taxpayer~~ datacenter collectively meets the requirements of subitem (B)(5), or at the end of the five-year period, the ~~taxpayer~~ datacenter shall notify the Department of Revenue, in writing, whether it has or has not met the requirements of subitem (B)(5). The ~~taxpayer~~ datacenter shall provide the proof the department determines necessary to determine that the requirements have been met.

(D)(1) Upon notifying each department of its intention to claim the exemption pursuant to subitem (C)(1), and upon certification by the Department of Commerce, the ~~taxpayer~~ datacenter may claim the exemption on eligible purchases at any time during the period provided in Section 12-54-85(F), including the time period prior to subitem (B)(5)(iv) being satisfied.

(2) For purposes of this section, the running of the periods of limitations for assessment of taxes provided in Section 12-54-85 is suspended for:

(i) the time period beginning with notice to each department pursuant to subitem (C)(1) and ending with notice to the Department of Revenue pursuant to subitem (C)(2); and

(ii) during the three year job maintenance requirement pursuant to subitem (B)(5)(iv).

(E) Any subsequent purchase of or investment in computer equipment, computer hardware and software, and computers, including to replace originally deployed computer equipment or to implement future expansions, likewise shall qualify for the exemption provided in this subitem, regardless of when the ~~taxpayer~~ datacenter makes the investments.

(F)(1) If a ~~taxpayer~~ datacenter receives the exemption for purchases but fails to meet the requirements of subitem (B)(5) at the end of the five-year period, the department may assess any state or local sales or use tax due on items purchased.

(2) If a ~~taxpayer~~ datacenter meets the requirements of subitem (B)(5), but subsequently fails to maintain the number of full-time jobs with the required compensation level at the ~~facility~~datacenter, as previously required pursuant to subitem (B)(5)(iii), the taxpayer is:

(i) not allowed the exemption for items described in subitem (A)(1) until the ~~taxpayer~~ datacenter meets the previous qualifying jobs requirements pursuant to subitem (B)(5)(iii); and

(ii) allowed the exemption for electricity pursuant to subitem (A)(2), but the exemption only applies to a percentage of the sale price, calculated by dividing the number of qualifying jobs by twenty-five.

(G) This subitem only applies to a datacenter that is certified by the Department of Commerce pursuant to subitem (D)(1) prior to January 1, 2032. However, this item shall continue to apply to a ~~taxpayer~~ datacenter that is certified by December 31, 2031, for an additional ten year period. Upon the end of the ten year period, this subitem is repealed;

SECTION 6. This act takes effect upon approval by the Governor and first applies to income tax years beginning after 2023, except that SECTION 3 first applies to income tax years beginning after 2020.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senators ALEXANDER, RANKIN and HUTTO proposed the following amendment (SR-4087.JG0017S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 12-6-1120 of the S.C. Code is amended by adding:

(11) For taxable years beginning on or after January 1, 2023, and prior to January 1, 2029, there shall be subtracted from taxable income any grant or subgrant pursuant to the Broadband Equity, Access, and Deployment Program established pursuant to 47 U.S.C. 1702, or the American Rescue Plan Act of 2021, Public Law 117-2, received for the purpose of making investments in broadband infrastructure but only to the extent that such grant or subgrant is included in the corporation's taxable income, as defined under the Internal Revenue Code of 1986.

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

Senators M. JOHNSON, WILLIAMS and MALLOY proposed the following amendment (SR-4087.KM0024S), which was adopted:

Amend the bill, as and if amended, SECTION 5, by striking Section 12-36-2120(79)(B)(5)(ii)(a) and (b) and inserting:

(ii)(a) where a taxpayer invests at least ~~fifty~~ seventy five million dollars in real or personal property, or both, in a Tier 2, 3, or 4 county and has a fully executed fee in lieu of taxes agreement on or before June 30, 2025 ~~over a five year period~~; or

(b) where one or more taxpayers invests ~~a minimum aggregate capital investment of~~ at least ~~seventy five~~three hundred million dollars in real or personal property, or both, in a Tier 1 county and has a fully executed fee in lieu of taxes agreement on or before June 30, 2024 ~~over a five year period~~;

Amend the bill further, SECTION 5, by striking Section 12-36-2120(79)(C)(1) and inserting:

(C)(1) To qualify for the exemption allowed by this item, a taxpayer, and the ~~facility~~ datacenter~~in the case of a seventy five million dollar investment made by more than one taxpayer~~, shall notify the Department of Revenue and Department of Commerce, in writing, of ~~its~~ a datacenter taxpayer's intention to claim the exemption. For purposes of meeting the requirements of subitems (B)(5)(i), (ii), and ~~(B)(5)~~(iii), capital investment and job creation begin accruing once the ~~taxpayer~~ datacenter notifies each department. Also, the five-year period begins upon notification.

Amend the bill further, SECTION 5, by striking Section 12-36-2120(79)(G) and inserting:

(G) This subitem only applies to a datacenter that is certified by the Department of Commerce pursuant to subitem (D)(1) ~~prior to January 1, 2032~~. However, this item shall continue to apply to a ~~taxpayer~~ datacenter that is located in a Tier 1 county and has a fully executed fee in lieu of taxes agreement on or before June 30, 2024 or that is located in a Tier 2, 3, or 4 county and has a fully executed fee in lieu of taxes agreement on or before June 30, 2025~~is certified by December 31, 2031~~, for an additional ten year period. Upon the end of the ten year period, this subitem is repealed;

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

Senators MASSEY, CAMPSEN, DAVIS and GARRETT proposed the following amendment (SR-4087.KM0025S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Beginning on July 1, 2025 and ending on July 1, 2026, political subdivisions are prohibited from offering new economic incentives intended to induce a datacenter to locate or to expand operations in this State that require the expenditure of public funds, the transfer of anything of value, that reduce the rate or alter the method of taxation of the datacenter, or that otherwise impact the political subdivision fiscally. This prohibition does not prohibit political subdivisions from honoring incentives for potential or existing datacenters agreed to prior to July 1, 2025.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator M. JOHNSON proposed the following amendment (SR-4087.KM0028S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 6 and inserting:

SECTION 6. This act takes effect upon approval by the Governor and first applies to income tax years beginning after 2023, except that SECTION 3 first applies to income tax years beginning after 2020. The amendments to SECTION 5, as contained in this act, do not apply to any datacenter existing as of May 8, 2024.

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

AMENDED, HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3988 -- Reps. Davis, M.M. Smith, B.J. Cox, Pedalino, Forrest, Wheeler, Kirby and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTS THAT CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84,

RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO LOWER THE VACCINATION RECIPIENT AGE TO TWELVE YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST-ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE "JOINT PHARMACIST ACCESS COMMITTEE" AND MAKE OTHER CONFORMING CHANGES; AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN proposed the following amendment (SR-3988.JG0021S), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by deleting Section 40-43-30(73)(f).

Amend the bill further, SECTION 5, by striking Section 40-43-190(A) and inserting:

As used in this section:

(1) "gene therapy" means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms;

(2) "vaccine" means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases; and

(3) "novel vaccine" means a vaccine which has obtained Emergency Use Authorization by the U.S. Food and Drug Administration (FDA), or which has otherwise not been approved by the FDA, or which has been approved for use by the FDA for less than 5

years. The term "novel vaccine" does not include vaccines for which the contents have only been modified by antigenic subtype to address the most prevalent strain of virus including, but not limited to, the yearly influenza vaccine.

(B)(1) Upon recommendation of the Joint Pharmacist Administered Vaccines Committee, the Board of Medical Examiners shall determine whether a specific vaccine is appropriate for administration by a pharmacist without a written order or prescription of a practitioner pursuant to this section. If a vaccine is approved, the Board of Medical Examiners shall issue a written protocol for the administration of vaccines by pharmacists without an order or prescription of a practitioner.

Amend the bill further, SECTION 5, by striking Section 40-43-190(B) and inserting:

~~(B)~~(C) The written protocol must provide that:

(1) A pharmacist seeking authorization to administer a vaccine approved pursuant to this section shall successfully complete a course of training accredited by the Accreditation Council for Pharmacy Education or a similar health authority or professional body approved by the Board of Pharmacy and the Board of Medical Examiners. Training must comply with current Centers for Disease Control guidelines and must include study materials, hands-on training, and techniques for administering vaccines and must provide instruction and experiential training in the following content areas:

(a) mechanisms of action for vaccines, contraindications, drug interactions, and monitoring after vaccine administration;

(b) standards for adult vaccination practices;

(c) basic immunology and vaccine protection;

(d) vaccine-preventable diseases;

(e) recommended vaccination schedules;

(f) vaccine storage management;

(g) biohazard waste disposal and sterile techniques;

(h) informed consent;

(i) physiology and techniques for vaccine administration;

(j) prevaccine and postvaccine assessment and counseling;

(k) vaccination record management;

(l) management of adverse events, including identification, appropriate response, emergency procedures, documentation, and reporting;

(m) understanding of vaccine coverage by federal, state, and local entities;

(n) needle stick management.

(2) A pharmacist administering vaccinations without an order or prescription of a practitioner pursuant to this section shall:

(a) obtain the ~~signed written~~informed consent of the person being vaccinated or that person's guardian;

(b) maintain a copy of the vaccine administration in that person's record and provide a copy to the person or the person's guardian;

(c) notify that person's designated physician or primary care provider of a vaccine administered;

(d) report administration of all vaccinations to the South Carolina Immunization Registry in compliance with regulations established by the Department of Health and Environmental Control as the department may require; provided, however, that the phase-in schedule provided in Regulation 61-120 for reporting vaccinations does not apply to vaccinations administered pursuant to this section;

(e) maintain a current copy of the written protocol at each location at which a vaccination is administered pursuant to this section.

(3) ~~A pharmacist may not delegate the administration of vaccines to a pharmacy technician or certified pharmacy technician.~~ For purposes of this section, "informed consent" means a written document that is signed and dated by an individual; or if the individual is a minor, by a parent or legal guardian; or if the individual is incapacitated or without sufficient mental capacity, by a designated health care agent pursuant to a health care power of attorney, that at a minimum includes:

(a) an explanation of the vaccine or treatment that is written in language that is understandable to the average lay person;

(b) a description of the potential risks and benefits resulting from vaccine or treatment, along with a realistic description of the most likely outcome;

(c) a statement acknowledging risks associated with the vaccine or treatment if the vaccine or treatment is an indemnified product as defined in Section 44-1-55(A)(7);

(d) language that clearly indicates that the individual agrees to the administration of the vaccine or treatment, that the individual has had time to thoughtfully and voluntarily accept or decline the vaccine or treatment free from coercion: and

(e) if the vaccine or treatment is an investigational medical product or is made available through an Emergency Use Authorization by the Federal Food and Drug Administration, a statement acknowledging its investigational nature and the civil liability protections afforded it by law.

(4) A pharmacy intern or pharmacy technician may administer vaccinations under the direct supervision~~, as defined in Section 40-43-84(C),~~ of a pharmacist who has completed vaccination training as required by item (1) if the pharmacy intern or pharmacy technician:

(a) is certified through a basic life support or CPR provider-level course that is ~~jointly~~ approved by the Board of Medical Examiners and the Board of Pharmacy~~;Joint Pharmacy Access Committee~~ and completes a practical training program that is approved by the Accreditation Council for Pharmacy Education (ACPE) which includes, at a minimum, hands-on injection technique and the recognition and treatment of emergency reactions to vaccines; and

(b) ~~completes this course of training described in item (1).~~if a pharmacy technician, the pharmacy technician must be:

(i) state-certified; or

(ii) nonstate-certified but administered vaccinations and received training pursuant to the federal Public Readiness and Emergency Preparedness (PREP) Act prior to the effective date of this section and registers with the Board of Pharmacy as an authorized vaccination provider.

(5) A pharmacist or pharmacy technician administering vaccinations shall, as part of the current continuing education requirements ~~pursuant to Section 40-43-130~~, complete no less than one hour of continuing education each license year regarding administration of vaccinations.

~~(C)~~

Renumber sections to conform.

Amend title to conform.

On motion of Senator MARTIN, with unanimous consent, the amendment was withdrawn.

Senator MARTIN proposed the following amendment (SR-3988.JG0024S), which was adopted:

Amend the bill, as and if amended, SECTION 5, by striking Section 40-43-190(B)(2)(a) and inserting:

(a) obtain the ~~signed written~~informed consent of the person being vaccinated or that person's guardian;

Amend the bill further, SECTION 5, by striking Section 40-43-190(B)(3) and inserting:

(3) ~~A pharmacist may not delegate the administration of vaccines to a pharmacy technician or certified pharmacy technician.~~ For purposes of

this section, "informed consent" means a written document that is signed and dated by an individual; or if the individual is a minor, by a parent or legal guardian; or if the individual is incapacitated or without sufficient mental capacity, by a designated health care agent pursuant to a health care power of attorney, that at a minimum includes:

(a) an explanation of the vaccine or treatment that is written in language that is understandable to the average lay person;

(b) a description of the potential risks and benefits resulting from vaccine or treatment, along with a realistic description of the most likely outcome;

(c) a statement acknowledging risks associated with the vaccine or treatment if the vaccine or treatment is an indemnified product as defined in Section 44-1-55(A)(7);

(d) language that clearly indicates that the individual agrees to the administration of the vaccine or treatment, that the individual has had time to thoughtfully and voluntarily accept or decline the vaccine or treatment free from coercion: and

(e) if the vaccine or treatment is an investigational medical product or is made available through an Emergency Use Authorization by the Federal Food and Drug Administration, a statement acknowledging its investigational nature and the civil liability protections afforded it by law.

(4) A pharmacy intern or pharmacy technician may administer vaccinations under the direct supervision~~, as defined in Section 40-43-84(C),~~ of a pharmacist who has completed vaccination training as required by item (1) if the pharmacy intern or pharmacy technician:

(a) is certified through a basic life support or CPR provider-level course that is ~~jointly~~ approved by the Board of Medical Examiners and the Board of Pharmacy~~;Joint Pharmacy Access Committee~~ and completes a practical training program that is approved by the Accreditation Council for Pharmacy Education (ACPE) which includes, at a minimum, hands-on injection technique and the recognition and treatment of emergency reactions to vaccines; and

(b) ~~completes this course of training described in item (1).~~if a pharmacy technician, the pharmacy technician must be:

(i) state-certified; or

(ii) nonstate-certified but administered vaccinations and received training pursuant to the federal Public Readiness and Emergency Preparedness (PREP) Act prior to the effective date of this section and registers with the Board of Pharmacy as an authorized vaccination provider.

(5) A pharmacist or pharmacy technician administering vaccinations shall, as part of the current continuing education requirements ~~pursuant to Section 40-43-130~~, complete no less than one hour of continuing education each license year regarding administration of vaccinations.

Amend the bill further, SECTION 5, by striking Section 40-43-190(D), (E), and (F) and inserting:

(C) Informed consent must be documented in accordance with the written protocol ~~for vaccine administration~~ issued pursuant to this section.

(D) All records required by this section must be maintained in the pharmacy for a period of at least ten years from the date of the last vaccination or dispensing for adults and at least thirteen years from the date of the last vaccination or dispensing for minors.

(E) All documentation, records, and copies required by this section may be stored electronically.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn

Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

CARRIED OVER

H. 3501 -- Rep. W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-102-140, RELATING TO PROHIBITED ACTS OF ATHLETE AGENTS, SO AS TO PROVIDE CERTIFIED ATHLETE AGENTS MAY PAY CERTAIN EXPENSES INCURRED BEFORE THE SIGNING OF AGENCY CONTRACTS BY STUDENT ATHLETES, FAMILY MEMBERS OF STUDENT ATHLETES, AND INDIVIDUALS OR CLASSES OF INDIVIDUALS AUTHORIZED TO RECEIVE SUCH PAYMENTS.

On motion of Senator MALLOY, the Bill was carried over.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4843 -- Reps. Bailey, Brittain, Guest, J.E. Johnson, Sandifer and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-39-148 SO AS TO AUTHORIZE BUSINESSES WITH A DECK, DOCK, OR OTHER STRUCTURE LOCATED IN A CRITICAL AREA TO USE THE STRUCTURE FOR PURPOSES DIRECTLY RELATED TO THE OPERATION OF THE BUSINESS WITH LOCAL ZONING APPROVAL.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 5235 -- Reps. Bannister and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 43-7-465, RELATING TO INSURERS PROVIDING COVERAGE TO PERSONS RECEIVING MEDICAID, SO AS TO COMPORT WITH THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2022.

H. 5236 -- Reps. Bannister and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-6-50, RELATING TO RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES OR A SUCCESSOR AGENCY, SO AS TO MAKE CERTAIN CHANGES CONCERNING MEDICAID CLAIMS PROCESSING CONTRACTS.

The Senate proceeded to a consideration of the Bill.

The question then being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4436 -- Reps. Wooten, Ballentine, Long, Erickson, Caskey, Calhoon, Wetmore, Taylor, Forrest, Hiott, Davis, Pope, Herbkersman, M.M. Smith, Robbins, Lawson, Burns, Chumley, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-1538, RELATING TO EMERGENCY SCENE MANAGEMENT, SO AS TO PROVIDE DRIVERS ARE RESPONSIBLE FOR MAINTAINING VEHICLE CONTROL IN CERTAIN EMERGENCY CIRCUMSTANCES TO AVOID INTERFERING WITH THE OPERATION OF AUTHORIZED EMERGENCY VEHICLES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4832 -- Reps. Hardee, Sandifer, Anderson, Ligon and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PAID FAMILY LEAVE INSURANCE ACT" BY ADDING CHAPTER 103 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH FAMILY LEAVE BENEFITS, OUTLINE REQUIREMENTS OF FAMILY LEAVE INSURANCE POLICIES, AND TO PROVIDE EXCLUSIONS, AMONG OTHER THINGS.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 5008 -- Rep. W. Newton: A BILL TO ADOPT REVISED CODE VOLUME 17A OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL

PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2024.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3220 -- Reps. W. Newton, Carter, Mitchell, Haddon, Pope, Chumley and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 6 TO CHAPTER 15, TITLE 63 SO AS TO ENACT THE "UNIFORM CHILD ABDUCTION PREVENTION ACT", TO PROVIDE A LEGAL MECHANISM TO PROTECT CHILDREN FROM CREDIBLE RISKS OF ABDUCTION RELATED TO LEGAL CUSTODY OR VISITATION, AND FOR OTHER PURPOSES.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3776 -- Reps. Bannister, Bamberg, Caskey, Collins, Connell, Elliott, Garvin, Gatch, Guest, Hager, Hart, Henderson-Myers, Hyde, J.E. Johnson, Jordan, McCabe, McCravy, Mitchell, Pope, Robbins, Rose, Rutherford, Stavrinakis, T. Moore, Tedder, W. Newton, Weeks, Wetmore and Wheeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING SECTION 14-5-130 RELATING TO JUDGES ABSENTING THEMSELVES FROM THE STATE.

RECOMMITTED

S. 620 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-51-50, RELATING TO SALES OF PROPERTY BY A COUNTY RESULTING FROM DELINQUENT TAXES, SO AS TO ALLOW AN ELECTRONIC SALE AND TO PROVIDE FOR THE PROCEDURES OF AN ELECTRONIC SALE; AND BY AMENDING SECTION 12-51-60, RELATING TO PAYMENT BY THE SUCCESSFUL BIDDER IN A TAX SALE, SO AS TO PROVIDE FOR THE DISTRIBUTION OF PROCEEDS DERIVED FROM AN ELECTRONIC TAX SALE.

On motion of Senator DAVIS, the Bill was recommitted to Committee on Finance.

RECOMMITTED

S. 99 -- Senators Campsen and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-70, RELATING TO JUDICIAL CANDIDATES SEEKING PLEDGES FROM MEMBERS OF THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT PLEDGES FOR JUDICIAL CANDIDATES MAY NOT BE DIRECTLY OR INDIRECTLY SOUGHT OR GIVEN UNTIL TWELVE DAYS AFTER THE INITIAL RELEASE OF THE REPORT CONCERNING NOMINEES TO MEMBERS OF THE GENERAL ASSEMBLY; AND BY AMENDING SECTION 2-19-80, RELATING TO THE NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT A PERIOD OF AT LEAST TWENTY-TWO DAYS MUST ELAPSE BETWEEN THE DATE OF THE JUDICIAL MERIT SELECTION COMMISSION'S INITIAL REPORT OF NOMINATIONS TO THE GENERAL ASSEMBLY AND THE DATE THE GENERAL ASSEMBLY CONDUCTS THE ELECTION FOR THESE JUDGESHIPS.

On motion of Senator CAMPSEN, the Bill was recommitted to Committee on Judiciary.

RECOMMITTED

S. 890 -- Senators Tedder and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-440, RELATING TO DISCHARGING FIREARMS AT OR INTO DWELLINGS, STRUCTURES, ENCLOSURES, VEHICLES, OR EQUIPMENT, AND PENALTIES, SO AS TO PROVIDE IT IS UNLAWFUL TO KNOWINGLY DISCHARGE FIREARMS AT OR IN THE DIRECTION OF ONE OR MORE INDIVIDUALS, AND PROVIDE A PENALTY.

On motion of Senator TEDDER, the Bill was recommitted to Committee on Judiciary.

RECOMMITTED

H. 4029 -- Reps. Dillard, Hyde, Bailey, Brittain, Weeks and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.

On motion of Senator MALLOY, the Bill was recommitted to Committee on Labor, Commerce and Industry.

READ THE SECOND TIME

H. 3865 -- Reps. Hiott, Collins, Rutherford, Carter and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

The Senate proceeded to a consideration of the Bill.

Senator M. JOHNSON explained the Bill.

The question being the second reading of the Bill.

Motion Adopted

Senator M. JOHNSON asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4601 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-4100, RELATING TO PREVENTING ESCAPE OF MATERIALS LOADED ON VEHICLES AND CLEANING THE HIGHWAYS OF ESCAPED SUBSTANCES OR CARGO, SO AS TO INCORPORATE THE PROVISIONS OF SECTION 56-5-4110 TO CLARIFY THE EXCEPTIONS FOR TRANSPORTATION OF CERTAIN FARM PRODUCTS AND MATERIALS; AND BY REPEALING SECTION 56-5-4110 RELATING TO THE REQUIREMENTS THAT LOADS AND COVERS MUST BE FIRMLY ATTACHED.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

Motion Adopted

Senator MALLOY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3424 -- Reps. T. Moore, Carter, McCravy, Lawson, Beach, Pope, Nutt, Oremus, Vaughan, Long, Haddon, Burns, Chumley, Kilmartin, Cromer, O'Neal, Yow, Gilliam, W. Newton, Guest, Schuessler, Moss, Magnuson, Harris, Pace, Brittain, Bailey, Robbins, Sessions, Ligon, Felder, B.L. Cox, Guffey, Bradley, Murphy, Brewer, Connell, Hiott, Mitchell, Hager, Erickson, B.J. Cox, Blackwell, Wooten, Ballentine, Hyde, Wheeler, Calhoon, M.M. Smith, Davis, B. Newton, Elliott, Forrest, Willis, Hixon, Taylor, J.E. Johnson, Chapman and Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-5-190 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT IT IS UNLAWFUL FOR AN OPERATOR TO MAKE A PORNOGRAPHIC WEBSITE AVAILABLE TO PERSONS UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL CREATE CERTAIN PROCEDURES, AND TO PROVIDE FOR A PRIVATE RIGHT OF ACTION.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian

Hembree	Hutto	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Senn	Setzler
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 5245 -- Reps. G.M. Smith, Erickson, Bradley and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-50, RELATING TO CHARTER SCHOOL ADMISSIONS, SO AS TO PROVIDE CHARTER SCHOOLS MAY GIVE ENROLLMENT PREFERENCE TO CHILDREN OF ACTIVE DUTY MILITARY SERVICEMEMBERS IN THIS STATE IF THEIR ENROLLMENT DOES NOT CONSTITUTE MORE THAN TWENTY PERCENT OF THE OVERALL ENROLLMENT, AND TO REVISE EXISTING ENROLLMENT PREFERENCE PROVISIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (SEDU-5245.KG0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-40-50(8)(a), (b), (c), (d), and (e) and inserting:

(a) not limit or deny admission or show preference in admission decisions to any individual or group of individuals, except in the case of an application to create a single gender charter school, in which case

gender may be the only reason to show preference or deny admission to the school or as allowed by subitems (b) and (c)~~;~~.

(b) A charter school must give preference to students enrolled in the public charter school the previous year.

(c) A charter school may give enrollment ~~priority~~preference to any of the following by enrolling the student without requiring participation in a lottery when a lottery is otherwise required under this chapter:

(i) a sibling of a pupil currently enrolled and attending, or who, within the last six years, attended the school for at least one complete academic year~~.~~;

~~A public charter school shall give enrollment preference to students enrolled in the public charter school the previous school year. An enrollment preference for a returning studentsstudent allows the student to enroll in the charter school without being subject to participation in excludes those students from entering into a lottery. A charter school also may give enrollment preference to no more than twenty percent of its total enrollment to children of active duty military servicemembers residing or stationed in this State. A charter school also may give priority to enrollment preference to no more than twenty percent of its total enrollment to children of a charter school employee and children of the charter committee, if priority enrollment for children of employees and of the charter committee does not constitute more than twenty percent of the enrollment of the charter school.~~;

(ii) a child or children of any employee of the charter school or member of the charter school committee, provided that the number of students eligible for this preference may not exceed twenty percent of the school's total enrollment;

(iii) dependents of active-duty members of the military residing or stationed in this State, limited to not more than twenty percent of the school's total enrollment except for schools meeting the provisions of Section 59-40-50(B)(8)(f). Dependents of active-duty military members are subject to the enrollment provisions of Section 59-63-33.

(d) A student eligible for multiple enrollment preferences may be enrolled based on only one of the preferences, at the charter school's discretion. A student eligible for an enrollment preference that is denied the enrollment preference because the charter school has exceeded the number of enrollment preferences allowed must be permitted to participate in any enrollment lottery held by the school for the year the enrollment preference is denied.

(e) In the case of a charter school designated as an Alternative Education Campus, pursuant to Section 59-40-111, mission-aligned preference may be given to educationally disadvantaged students as specifically defined in their charter and charter contract approved by their sponsor and as allowed by ESSA.

(f) In addition, a charter school located on a federal military installation or base where the appropriate authorities have made buildings, facilities, and grounds on the installation or base available for use by the charter school as its principal location also may give enrollment ~~priority~~preference to otherwise eligible students who are dependents of military personnel living in military housing on the base or installation or who are currently stationed at the base or installation not to exceed fifty percent of the total enrollment of the charter school. This ~~priority~~preference is in addition to the other ~~priorities~~preferences provided by this item, but no child may be counted more than once for purposes of determining the percentage makeup of each ~~priority~~preference;

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Motion Adopted

Senator HEMBREE asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4189 -- Rep. Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES

TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-20, RELATING TO LICENSING AND FEES, SO AS TO AMEND MEETING REQUIREMENTS, REMOVE A CERTIFICATION FEE AND OUTLINE HOW TO MAKE PROPER PAYMENTS TO THE DEPARTMENT; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND, SO AS TO CHANGE THE ALLOWED TRANSFER OF COLLECTED TAXES FROM TWENTY PERCENT TO FORTY PERCENT; AND BY AMENDING 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (LC-4189.PH0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 38-90-10(1) and inserting:

(1) “Alien <u>or foreign</u> captive insurance company” means <u>an insurance company or protected cell, or its equivalent, of</u> an insurance company formed to write insurance business for its parents and affiliates and

licensed pursuant to the laws of an alien or foreign jurisdiction which imposes statutory or regulatory standards in a form acceptable to the director on companies transacting the business of insurance in such jurisdiction, but may not include a corporation controlled by an alien adversary.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 38-90-10 of the S.C. Code is amended by adding:

(34) "Alien adversary" means any alien government or nongovernment person determined by the United States Secretary of Commerce to have engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or the security and safety of United States citizens.

(35) "Corporation controlled by an alien adversary" means a legal entity engaged in commerce that:

(a) is wholly owned by an alien adversary;

(b) has an alien adversary as a dominant shareholder, directly or indirectly;

(c) is wholly owned by a citizen of an alien adversary; or

(d) has one or a number of citizens of an alien adversary whose cumulative ownership is as a dominant shareholder.

(36) "Dominant shareholder" means the single owner of ten percent or more of a legal entity engaged in commerce's stock, securities, or other indicia of ownership; or multiple owners of twenty percent or more of a legal entity engaged in commerce's stock, securities, or other indicia of ownership.

Amend the bill further, SECTION 2, by striking Section 38-90-20(G)(1)(d) and inserting:

(d) The non-U.S. currency may only be the currency of the country in which the owner or insured of the captive insurance company or protected cell is located and may not be the currency of an alien adversary.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Motion Adopted

Senator MALLOY asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 4869 -- Reps. Sandifer, Hardee, Ligon and Jefferson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200, RELATING TO CONDITIONS FOR ALLOWING REINSURANCE CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY AMENDING SECTION 38-13-10, RELATING TO INSURER EXAMINATIONS, SO AS TO PROVIDE SUCH EXAMINATIONS ARE FINANCIAL EXAMINATIONS, TO APPLY THE PROVISIONS TO HEALTH MAINTENANCE ORGANIZATIONS AND OTHER LICENSEES OF THE DEPARTMENT, TO PROVIDE MARKET CONDUCT EXAMINATIONS, AND TO REMOVE OBSOLETE PROVISIONS, AMONG OTHER THINGS; BY AMENDING SECTION 38-13-70, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DIRECTOR OR HIS DESIGNEES MAY CONDUCT INVESTIGATIONS, TO PROVIDE FOR THE CONFIDENTIALITY OF INVESTIGATIONS, AND TO PROVIDE FINAL ORDERS DISCIPLINING LICENSEES ARE PUBLIC INFORMATION, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-57-130, RELATING TO INSURANCE TRADE PRACTICES, SO AS TO PROVIDE REVISED EXEMPTIONS FROM PROVISIONS PROHIBITING MISREPRESENTATIONS, SPECIAL INDUCEMENTS, AND REBATES IN INSURANCE CONTRACTS.

The Senate proceeded to a consideration of the Bill.

Senator HARPOOTLIAN proposed the following amendment (SR-4869.JG0006S), which was withdrawn:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 38-1-20(22) of the S.C. Code is amended to read:

(22) "Exempt commercial policies" means policies for commercial insureds as may be provided for in regulation issued by the director. Exempt commercial policies include all property and casualty coverages except for insurance related to credit transactions written through financial institutions. Exempt commercial policies do not include liquor liability policies or general liability insurance policies with a liquor liability endorsement that are required to be maintained by a person licensed or permitted to sell alcoholic beverages for on-premises consumption pursuant to Sections 61-2-145 or Section 61-4-1515(10).

Renumber sections to conform.

Amend title to conform.

On motion of Senator M. JOHNSON, with unanimous consent, the amendment was withdrawn.

Senator CROMER proposed the following amendment (LC-4869.PH0007S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 38-71-2330(A)(1) of the S.C. Code is amended to read:

(A) A pharmacy service administrative organization must:

(1) ~~act as a fiduciary to a pharmacy and~~ perform its duties to a pharmacy exercising good faith and fair dealing;

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3278 -- Reps. West, Ligon and Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 40-60-30, 40-60-31, AND 40-60-33, ALL RELATING TO REAL ESTATE APPRAISER LICENSURE REQUIREMENTS, SO AS TO MODIFY EXEMPTIONS, REVISE AND PROVIDE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS; AND TO REVISE REQUIREMENTS AND QUALIFICATIONS FOR LICENSED MASS APPRAISERS; BY AMENDING SECTION 40-60-34, RELATING TO REQUIREMENTS RELATING TO APPRENTICE APPRAISERS AND APPRAISERS SUPERVISING

APPRENTICES, SO AS TO REVISE REQUIREMENTS; BY AMENDING SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE REPORTING REQUIREMENTS UPON LICENSEES; BY ADDING SECTION 40-60-36 SO AS TO IMPOSE REPORTING REQUIREMENTS UPON PROVIDERS; BY AMENDING SECTION 40-60-37, RELATING TO RECIPROCAL APPLICATIONS FROM APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; BY AMENDING SECTION 40-60-40, RELATING TO REQUIRED APPRAISER CONTACT INFORMATION, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; BY AMENDING SECTION 40-60-320, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF APPRAISAL PANEL; BY AMENDING SECTION 40-60-330, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; BY AMENDING SECTION 40-60-360, RELATING TO PROMULGATION OF REGULATIONS, SO AS TO SPECIFY REQUIRED REGULATIONS; BY AMENDING SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND BY AMENDING SECTION 40-60-450, RELATING TO COMPENSATION, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian

Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 5246 -- Reps. Wetmore, Brittain, M.M. Smith, Stavrinakis, Hartnett, Leber, Gilliard, Bustos, Pendarvis, Jefferson, Landing and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-612 SO AS TO PROVIDE THAT THE BLACK SKIMMER IS THE OFFICIAL SEABIRD OF THE STATE.

The Senate proceeded to a consideration of the Bill.

Senators GOLDFINCH and JACKSON proposed the following amendment (SR-5246.JG0002S), which was adopted:

Amend the bill, by striking all after the title but before the enacting words and inserting:

Whereas, the first known eastern brown pelican was described in 1789 at the Charleston Harbor; and

Whereas, the brown pelican is one of the largest birds found on the east coast and is known for its long bill and underlying throat pouch; and

Whereas, eastern brown pelicans are the only pelicans in the world that are not entirely white. The front of a Brown Pelican’s head is white, but its feathers fade to dark brown. During breeding season, the bird swaps white for a vibrant yellowish gold and exchanges dark brown for a silver-grey; and

Whereas, in 1970, the eastern brown pelican was listed as endangered under the federal Endangered Species Act, when populations plummeted to less than one hundred; and

Whereas, unlike most birds that warm their eggs with the skin of their breasts, pelicans incubate their eggs with the skin of their feet, standing on them and holding the eggs under the webbing of their feet. Widespread use of a pesticide known as DDT caused the chemical to leak into the food chain and caused the eastern brown pelican's eggs to have thinner shells, which caused them to break during incubation, leading to the populations decline; and

Whereas, the United States' ban of DDT in 1972 and the Brown Pelican Recovery Plan of 1979 helped the brown pelican population recover, and the brown pelican is no longer considered endangered; and

Whereas, designating the brown pelican as the state seabird of South Carolina will highlight the importance of preserving and enhancing the habitat of this species and other seabirds along our coastline and serve as a symbol of our commitment to environmental stewardship and wildlife conservation; and

Whereas, eastern brown pelicans and other similar South Carolina coastal birds add to the unique and beautiful character of South Carolina, increasing quality of life. Now, therefore,

Amend the bill further, SECTION 1, by striking Section 1-1-612 and inserting:

Section 1-1-612. The eastern brown pelican is the official seabird of the State.

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3313 -- Rep. Jordan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 30-5-10, RELATING TO THE PERFORMANCE OF THE DUTIES OF A REGISTER OF DEEDS, SO AS TO ADD FLORENCE COUNTY TO THE COUNTIES EXEMPT FROM THE REQUIREMENT THAT THESE DUTIES BE PERFORMED BY THE CLERK OF COURT; AND BY AMENDING SECTION 30-5-12, RELATING TO THE APPOINTMENT OF THE REGISTER OF DEEDS FOR CERTAIN COUNTIES, SO AS TO ADD FLORENCE COUNTY TO THE COUNTIES WHERE THE GOVERNING BODY OF THE COUNTY APPOINTS THE REGISTER OF DEEDS.

The Senate proceeded to a consideration of the Bill.

Senator M. JOHNSON explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3734 -- Reps. B. Newton, Cobb-Hunter and Felder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 5-15-10, RELATING TO THE CONDUCT OF MUNICIPAL PRIMARY, GENERAL, AND SPECIAL ELECTIONS, SO AS TO REQUIRE THAT ALL SUCH MUNICIPAL ELECTIONS BE CONDUCTED USING THE VOTING SYSTEM APPROVED AND ADOPTED BY THE STATE ELECTION COMMISSION; BY AMENDING SECTION 5-15-40, RELATING TO TERMS OF OFFICE OF MAYOR AND COUNCILMEN, SO AS TO PROVIDE THAT THE TERMS OF THE MAYOR AND COUNCILMEN COMMENCE THE MONDAY FOLLOWING CERTIFICATION OF THE ELECTION

RESULTS; BY AMENDING SECTION 5-15-50, RELATING TO ESTABLISHMENT OF MUNICIPAL WARD LINES AND TIME FOR MUNICIPAL GENERAL AND SPECIAL ELECTIONS, SO AS TO, AMONG OTHER THINGS, REQUIRE THAT MUNICIPAL GENERAL ELECTIONS BE HELD ON ONE OF CERTAIN ENUMERATED DATES, PROHIBIT THE TERMS OF INCUMBENT COUNCIL MEMBERS FROM BEING EXTENDED WHEN A NEW TIME FOR MUNICIPAL GENERAL ELECTIONS IS ESTABLISHED, AND REQUIRE MUNICIPAL SPECIAL ELECTIONS SCHEDULED TO OCCUR WITHIN CERTAIN TIME FRAMES OF THE MUNICIPALITY'S GENERAL ELECTION TO BE HELD AT THE SAME TIME AS THE GENERAL ELECTION; BY AMENDING SECTION 5-15-100, RELATING TO FUNCTIONS, POWERS, AND DUTIES OF MUNICIPAL ELECTION COMMISSIONS, SO AS TO EXTEND THE TIME FRAME BY WHICH A MUNICIPAL ELECTION COMMISSION MUST MEET AND DECLARE THE RESULTS FOLLOWING AN ELECTION; BY AMENDING SECTION 5-15-120, RELATING TO VOTE COUNTING IN MUNICIPAL ELECTIONS, SO AS TO CHANGE THE TIME WHEN NEWLY ELECTED OFFICERS MAY BE QUALIFIED AND THEIR TERMS COMMENCE TO THE MONDAY AFTER CERTIFICATION OF THE ELECTION RESULTS; AND BY AMENDING SECTION 5-15-145, RELATING TO TRANSFER OF AUTHORITY TO CONDUCT MUNICIPAL ELECTIONS TO COUNTY ELECTION COMMISSIONS, SO AS TO REQUIRE COUNTY ELECTION COMMISSIONS TO CONDUCT MUNICIPAL ELECTIONS FOR MUNICIPALITIES THAT ELECT TO TRANSFER AUTHORITY.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN proposed the following amendment (SFGF-3734.BC0033S), which was carried over:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Chapter 15, Title 5 of the S.C. Code is amended by adding:

Section 5-15-45. (A) Notwithstanding Section 5-15-40, if the unexpired four-year term of a mayor or member of council began following a general election held:

(1) in 2020, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 8, 2025, or November 4, 2025, as applicable;

(2) in 2021, or February 2022 due to a delayed October 2021 General Election, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 8, 2025, or November 4, 2025, as applicable;

(3) in 2022, other than a general election delayed from October 2021 until February 2022, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 6, 2027, or November 2, 2027, as applicable;

(4) in 2023, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 6, 2027, or November 2, 2027, as applicable; or

(5) in 2024, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 3, 2029, or November 6, 2029, as applicable.

(B) Notwithstanding Section 5-15-40, if the current unexpired two-year term of a mayor or member of council began following a general election held:

(1) in 2022 or 2023, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 8, 2025, or November 4, 2025, as applicable; or

(2) in 2024, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 6, 2027, or November 2, 2027, as applicable.

SECTION 2. Section 5-15-50 of the S.C. Code is amended to read:

Section 5-15-50. (A) Each municipal governing body may by ordinance establish municipal ward lines and the time for general and special elections within the municipality in accordance with the provisions of this section. Public notice of the elections shall be given at least sixty days prior to such elections.

(B) The time for general elections within a municipality must be established in odd-numbered years as follows:

(1) on the first Tuesday after the first Monday in April; or

(2) on the first Tuesday after the first Monday in November.

(C) If the first Tuesday after the first Monday in November of odd-numbered years is the time for general elections in a municipality on or after the effective date of this section, then the municipal governing body must not establish a different time for its general elections.

(D) If within ninety days of the effective date of this section, a municipal governing body fails to establish by ordinance a time for its general elections as provided in subsection (B), then the time for the general elections within that municipality is the first Tuesday after the first Monday in November in odd-numbered years.

SECTION 3. Section 5-15-100 of the S.C. Code is amended to read:

Section 5-15-100. (A) The municipal election commission shall ~~be vested with the functions, powers and duties of Municipal Supervisors of Registration if no such supervisors have been appointed pursuant to § 7-5-640, and shall also~~ have the functions, powers and duties of commissioners of election, as set forth in ~~§~~Section 7-5-10 and other provisions of Title 7. The municipal election commission shall ~~insure~~ensure proper books of registration are provided for each ward or precinct, shall prepare and distribute ballots and election materials, appoint managers of election for each polling place and otherwise supervise and conduct all municipal, special and general elections. The managers shall ~~certify~~ provide the unofficial results ~~of the election~~ to the commission within one day. ~~and the~~ The commission shall ~~declare~~certify the results not later than three days following the election.

(B) Nominees in a party primary or party convention and nominees by petition shall be certified to the municipal election commission within the time specified herein and when so certified, the commission shall place the names of such nominees upon the ballots.

SECTION 4. Section 5-15-120 of the S.C. Code is amended to read:

Section 5-15-120. (A) Immediately upon the closing of the polls at any municipal election, the managers shall count publicly the votes cast and make a statement of the whole number of votes cast in such election together with the number of votes cast for each candidate for mayor and councilman and transmit this information to the municipal election commission. In partisan elections the person securing the highest number of votes for mayor shall be declared elected and the councilmen shall be selected by the following methods:

~~(a)~~(1) When all councilmen are to be elected at large, the persons receiving the highest number of votes in number equal to the number to be chosen shall be declared elected.

~~(b)~~(2) When the councilmen are to be elected from each ward and are required to be residents of that ward, the person receiving the highest number of votes in that ward shall be declared elected.

~~(c)~~(3) When some councilmen are to be elected from each ward and required to be residents of that ward and the remainder of the councilmen to be elected at large, those persons receiving the highest number of votes

in each ward shall be declared elected and those persons running at large who receive the highest number of votes in number equal to the number to be chosen at large shall be declared elected.

~~(d)~~(4) When all councilmen are to be elected at large, but required to reside in a particular ward, the person receiving the highest number of votes for the seat to be filled shall be declared elected.

~~(e)~~(5) When all councilmen are to be elected at large, but some are required to be residents of particular wards and other councilmen may not be so required, the person receiving the highest number of votes for the seat to be filled shall be declared elected.

(B) ~~Newly elected officers shall not be qualified until at least forty-eight hours after the closing of the polls and in the case a contest is finally filed the incumbents shall hold over until the contest is finally determined.~~A municipal governing body may by ordinance determine when the terms of its newly elected officers begin, provided the terms must begin no earlier than forty-eight hours after the certification of the election results and no later than eighty days after the day of the election. If a municipality does not have an ordinance determining when the terms of its newly elected officers begin, then the terms of the newly elected officers in the municipality begin at the first regular meeting of its council in the month following the election.

(C) A candidate who is declared elected by certification of the election results has the right to take the oath of office and to perform the duties of the office pending the outcome of an appeal unless a court of competent jurisdiction directs otherwise.

SECTION 5. Section 5-15-130 of the S.C. Code is amended to read:

Section 5-15-130. (A) ~~Within forty-eight hours after the closing of the polls, any~~A candidate may contest the result of the election ~~as reported by the managers~~ by filing a written notice of such contest together with a concise statement of the grounds therefor with the Municipal Election Commission not later than noon on the Monday following the certification of the results. If the deadline falls on a legal holiday, then the time for filing a written notice extends to noon on the next day that is not a legal holiday. ~~Within forty-eight hours after the filing of such notice, the~~The Municipal Election Commission shall, after due notice to the parties concerned, conduct a hearing on the contest~~,~~ on the Thursday following the deadline for filing the contest. The commission must decide the issues raised, file its report together with all recorded testimony and exhibits with the clerk of court of the county in which the municipality is situated, notify the parties concerned of the

decisions made, and when the decision invalidates the election the council shall order a new election as to the parties concerned.

(B) Neither the mayor nor any member of council shall be eligible to pass on the issues arising in any contest in which he is a party.

SECTION 6. Section 5-15-140 of the S.C. Code is amended to read:

Section 5-15-140. Within ten days after notice of the decision of the municipal election commission, any party aggrieved thereby may appeal from such decision to the court of common pleas. Notice of appeal shall be served on the opposing parties or their attorneys and filed in the office of the clerk of court within ten days. ~~The notice of appeal shall act as a stay of further proceedings pending the appeal.~~Appeals shall be granted first priority of consideration by the court.

SECTION 7. Section 5-15-145 of the S.C. Code is amended to read:

Section 5-15-145. (A) ~~Municipalities are~~A municipality is authorized to transfer authority for conducting municipal elections to the county board of voter registration and elections ~~commission~~. County boards of voter registration and elections ~~commissions are authorized to~~shall conduct municipal elections for municipalities that elect to transfer authority for conducting municipal elections pursuant to the provisions of this section.

(B) As a condition of the transfer of authority to conduct elections pursuant to this section, the governing bodies of the municipality and the county must agree to the terms of the transfer and enact ordinances embodying the terms of that agreement. The municipal ordinance must state what authority is being transferred and the county ordinance must accept the authority being transferred.

(C) When the total responsibility for the conduct of a municipal election is transferred to a county ~~election commission~~board of voter registration and elections, pursuant to the provisions of this section, the municipal election commission is abolished.

(D) If the municipality, by ordinance transfers a portion of the responsibilities for the conduct of a municipal election to a county ~~election commission~~board of voter registration and elections, the municipality shall not abolish the municipal election commission.

(E) A municipality which by ordinance transfers authority for conducting municipal elections to the county ~~election commission~~board of voter registration and elections under this section may by ordinance set the filing dates for municipal offices, and the date by which candidates must be certified to the appropriate authority to be placed on the ballot, to run concurrently with the filing dates set by law for countywide and less than countywide offices or other filing dates as may

be mutually agreed upon between the municipality and the county ~~election commission~~board of voter registration and elections.

SECTION 8. Section 7-3-20(D)(19) of the S.C. Code is amended to read:

(19) establish methods of auditing election results, which may include risk-limiting audits, hand-count audits, results verification through independent third-party vendors that specialize in election auditing, ballot reconciliation, or any other method deemed appropriate by the executive director. Election result audits must be conducted in all statewide elections after the election concludes, but prior to certification by the State Board of Canvassers, and may be performed following any other election held in the State at the discretion of the executive director. A hand-count audit must be conducted publicly. Once completed, audit reports must be published on the commission's website.

SECTION 9. Section 7-13-1160 of the S.C. Code is amended to read:

Section 7-13-1160. ~~Within twenty-four hours of the completion of the canvassing and counting of ballots, the persons in charge of each such election in each county shall notify the State Election Commission of the unofficial results of such election in each such county; provided, however, that failure to comply with the provisions of this section shall not invalidate the votes cast therein~~ The unofficial election results returned by the managers to the county boards of voter registration and elections must be reported continuously and without undue delay in the manner prescribed by the State Election Commission.

SECTION 10. Section 7-15-420(D) and (E) of the S.C. Code is amended to read:

(D) Beginning no earlier than 7:00 a.m. on election day, the absentee ballots may be tabulated, ~~including any absentee ballots received on election day before the polls are closed~~ and the tabulated data collected from those ballots and from the ballots cast during the early voting period may be loaded into the election management system. If any absentee ballot is challenged, the return-addressed envelope must not be opened, but must be put aside and the procedure set forth in Section 7-13-830 must be utilized; but the absentee voter must be given reasonable notice of the challenged ballot.

(E) Results of the early voting period and absentee ballot tabulation must not be publicly reported until after the polls are closed. An election official, election worker, candidate, or watcher who intentionally violates the prohibition contained in this subsection is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years.

SECTION 11. This act takes effect upon approval by the Governor except that the revisions to Sections 5-15-45 and 5-15-50 take effect July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

On motion of Senator CAMPSEN, with unanimous consent, the amendment was carried over.

The question being the second reading of the Bill.

Motion Adopted

Senator CAMPSEN asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 3748 -- Reps. Caskey, Wooten, Wetmore, Hartnett, Erickson, W. Newton, Pope, Robbins, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-11-680, RELATING TO THE UNLAWFUL ALTERATION OR REMOVAL OF BOUNDARY LANDMARKS, SO AS TO CLARIFY THAT THE SECTION PROHIBITS MOVING, ALTERING, DESTROYING, OR REMOVING GEODETIC CONTROL MONUMENTS OR CERTAIN LAND SURVEYING MONUMENTS, TO UPDATE THE PENALTIES FOR VIOLATIONS OF THIS SECTION, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (SJ-3748.PB0013S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-11-680(B)(1) and inserting:

(B)(1) ~~If any~~It is unlawful for a person ~~shall~~ to knowingly, ~~wilfully, maliciously or fraudulently~~with wilful, malicious, or fraudulent intent, move ~~cut, fell~~, alter, destroy, or remove any certain ~~boundary tree or other allowed landmark~~geodetic control monuments or property corner monuments~~,~~. Proof that a geodetic control device or property corner monument was unintentionally removed, altered, destroyed, or otherwise tampered with is prima facie evidence of non-criminal intent of the acting party. A ~~such~~ person ~~so offending shall be~~ who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, shall be fined not exceeding one hundred dollars or imprisoned not exceeding thirty days.

Renumber sections to conform.

Amend title to conform.

The amendment was carried over and subsequently withdrawn.

Senators MALLOY and M. JOHNSON proposed the following amendment (SJ-3748.PB0014S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-11-680(B)(1) and inserting:

(B)(1) ~~If any~~It is unlawful for a person ~~shall~~ to ~~knowingly, wilfully,~~ maliciously or fraudulently move ~~cut, fell~~, alter, destroy, or remove any certain ~~boundary tree or other allowed landmark~~geodetic control monuments or property corner monuments~~,~~. Proof that a geodetic control device or property corner monument was unintentionally removed, altered, destroyed, or otherwise tampered with is prima facie evidence of non-criminal intent of the acting party. A ~~such~~ person ~~so offending shall be~~ who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, shall be fined not exceeding one hundred dollars or imprisoned not exceeding thirty days, and may be required by the court to make restitution. For the purpose of this section, "restitution" means payment for specific damages and economic losses and expenses sustained by a crime victim resulting from an offender's criminal conduct. Restitution orders do not limit any civil claims a crime victim may file. If the amount of restitution exceeds the magistrates court's limitation on ordering restitution as provided in Section 22-3-550, the court of general sessions has concurrent jurisdiction with the magistrates court and the case may be transferred to the court of general sessions.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Stephens	Talley

Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 3934 -- Rep. Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-29-1625, RELATING TO FEDERAL DEFENSE FACILITIES DEFINITIONS, SO AS TO ADD FORT GORDON TO THE DEFINITION OF "FEDERAL MILITARY INSTALLATIONS".

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-3934.PB0007S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 6-29-1625(A) and inserting:

(A) For purposes of this article and for the allocation of Base Protection Plan appropriations from the Department of Veterans' Affairs' Military Enhancement Fund, "federal military installations" includes Fort Jackson, Shaw Air Force Base, McEntire ~~Air Force~~Joint National Guard Base, Joint Base Charleston ~~Air Force Base~~, Beaufort Marine Corps Air Station, Beaufort Naval Hospital, Parris Island Marine Recruit Depot, Fort Eisenhower, U.S. Coast Guard Sector Charleston, North Auxiliary Airfield, and Charleston Naval Weapons Station.

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4187 -- Reps. J.E. Johnson, W. Newton, Robbins, Haddon, Mitchell, Yow, Chapman, Gagnon, Ligon, O'Neal, B. Newton, Sessions, Felder, Blackwell, Oremus and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO DEFINE NECESSARY TERMS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF FELONY ORGANIZED RETAIL CRIME AND FELONY ORGANIZED RETAIL CRIME OF

AN AGGRAVATED NATURE, AND TO PROVIDE GRADUATED PENALTIES FOR THE OFFENSES.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

Motion Adopted

Senator HUTTO asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 4234 -- Reps. W. Newton, Bernstein and Mitchell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-5-101, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "SUPPORTS AND ASSISTANCE"; BY AMENDING SECTION 62-5-103, RELATING TO FACILITY OF PAYMENT OR DELIVERY, SO AS TO CLARIFY THE NATURE OF THE FIFTEEN THOUSAND DOLLAR THRESHOLD; BY AMENDING SECTION 62-5-106, RELATING TO DUTIES OF GUARDIANS AD LITEM, SO AS TO INCREASE THE LENGTH OF TIME THE GUARDIAN AD LITEM HAS TO SUBMIT HIS REPORT PRIOR TO THE HEARING; BY AMENDING SECTION 62-5-108, RELATING TO EMERGENCY AND TEMPORARY ORDERS AND HEARINGS, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTIONS 62-5-303, 62-5-303A, 62-5-303B, 62-5-303C, AND 62-5-303D, ALL RELATING TO THE PROCEDURE FOR COURT APPOINTMENT OF A GUARDIAN, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTION 62-5-307, RELATING TO INFORMAL REQUESTS FOR RELIEF, SO AS TO CLARIFY THE WARD'S ABILITY TO SUBMIT CERTAIN REQUESTS TO THE COURT; BY AMENDING SECTION 62-5-401, RELATING TO VENUES, SO AS TO CLARIFY, AMONG OTHER THINGS, THAT, IN THE CASE OF MINOR CONSERVATORSHIPS, PROPER VENUE IS THE COUNTY IN WHICH THE MINOR

RESIDES OR OWNS PROPERTY; BY AMENDING SECTION 62-5-403A, RELATING TO SERVICE OF SUMMONS AND PETITIONS, SO AS TO INCLUDE CERTAIN OTHER AFFIDAVITS AND REPORTS AMONG THOSE THAT MUST BE FILED WITH THE PETITION; BY AMENDING SECTION 62-5-403B, RELATING TO THE APPOINTMENT OF COUNSEL AND GUARDIANS, SO AS TO APPOINT NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, NURSES, AND PSYCHOLOGISTS TO SERVE AS EXAMINERS UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 62-5-403C, RELATING TO HEARINGS AND WAIVERS, SO AS TO REVISE, AMONG OTHER THINGS, CERTAIN PROCEDURES IF NO PARTY REQUESTS A HEARING OR IF THE ALLEGED INCAPACITATED INDIVIDUAL WAIVES HIS RIGHT TO A HEARING; BY AMENDING SECTION 62-5-405, RELATING TO PROTECTIVE ARRANGEMENTS, SO AS TO REVISE CERTAIN ACTS THAT MAY BE PERFORMED BY CONSERVATORS AND SPECIAL CONSERVATORS; BY AMENDING SECTION 62-5-422, RELATING TO POWERS OF CONSERVATORS IN ADMINISTRATION, SO AS TO MAKE CONFORMING CHANGES REGARDING THE PAYMENT OF CERTAIN FEES; BY AMENDING SECTION 62-5-426, RELATING TO CLAIMS AGAINST PROTECTED PERSONS, SO AS TO REQUIRE, AMONG OTHER THINGS, THAT THE CLAIMANT ALSO MUST FILE A WRITTEN STATEMENT OF THE CLAIM WITH THE PROBATE COURT IN WHICH THE CONSERVATORSHIP IS UNDER ADMINISTRATION; BY AMENDING SECTION 62-5-428, RELATING TO ACTIONS FOR REQUESTS SUBSEQUENT TO THE APPOINTMENT, SO AS TO, AMONG OTHER THINGS, REVISE CERTAIN ACTIONS THAT THE COURT MAY TAKE AFTER THE TIME FOR RESPONSE TO THE PETITION HAS ELAPSED TO ALL PARTIES SERVED; BY AMENDING SECTION 62-5-433, RELATING TO DEFINITIONS AND PROCEDURES FOR SETTLEMENT OF CLAIMS IN FAVOR OF OR AGAINST MINORS OR INCAPACITATED PERSONS, SO AS TO, AMONG OTHER THINGS, DEFINE “GUARDIAN AD LITEM”; BY AMENDING SECTION 62-5-715, RELATING TO CONFIRMATIONS OF GUARDIANSHIPS OR CONSERVATORSHIPS TRANSFERRED FROM OTHER STATES, SO AS TO ALLOW THE COURT MORE DISCRETION AS TO THE TYPE OF DOCUMENTS IT MAY REQUIRE IN THE TRANSFER OF A GUARDIANSHIP OR CONSERVATORSHIP FROM ANOTHER

JURISDICTION; AND BY AMENDING SECTION 62-5-716, RELATING TO THE REGISTRATION OF ORDERS FROM ANOTHER STATE, SO AS TO, AMONG OTHER THINGS, ACKNOWLEDGE THAT IN CERTAIN OTHER JURISDICTIONS, A GUARDIAN MAY ALSO HOLD THE SAME POWERS AS A CONSERVATOR.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN proposed the following amendment (SR-4234.JG0005S), which was withdrawn:

Amend the bill, as and if amended, SECTION 4, by striking Section 62-5-108(A)(1)(a) and inserting:

(a) If emergency relief is ~~required to protect the welfare of an alleged incapacitated individual~~requested, the moving party must present evidence of the emergency and of the individual's incapacity to the court's satisfaction including, but not limited to, an affidavit from a physician or nurse practitioner, or at the discretion of the court, or a physician assistant who has performed an examination within thirty days prior to the filing of the action~~,~~. Additionally, the moving party shall file a motion for the appointment of counsel if counsel has not been retained for an alleged incapacitated individual, and a motion for the appointment of a ~~proposed qualified individual to serve as~~ guardian ad litem.

Amend the bill further, SECTION 4, by striking Section 62-5-108(B)(2)(a) and inserting:

(a) If temporary relief is ~~required to protect the welfare of an alleged incapacitated individual, in addition to the requirements set forth above in subsection (B)(2)~~requested, the moving party shall present evidence of the need for temporary relief and of incapacity, including without limitation, an affidavit from a physician or nurse practitioner, or, at the discretion of the court, or a physician assistant who has performed an examination within the previous forty-five days ~~prior to the filing of the action, a motion for the appointment of counsel if counsel has not been retained, and a motion for appointment of a proposed qualified individual to serve as guardian ad litem~~.

Amend the bill further, SECTION 6, by striking Section 62-5-303A(A)(3) and inserting:

(3) any affidavits or physician's or nurse practitioner's reports, or, at the discretion of the court, the report of a physician assistant ~~-~~filed with the petition.

Amend the bill further, SECTION 7, by striking Section 62-5-303B(b) and inserting:

(b) one examiner, who must be a physician or nurse practitioner, or, at the discretion of the court, may be a physician assistant~~,~~ to examine the alleged incapacitated individual and file a notarized report setting forth his evaluation of the condition of the alleged incapacitated individual in accordance with the provisions set forth in Section 62-5-303D. Unless the guardian ad litem or the alleged incapacitated individual objects, if a physician's or nurse practitioner's notarized report or, at the discretion of the court, or the report of a physician assistant is filed with the petition and served upon the alleged incapacitated individual and all interested parties with the petition, then the court may appoint such physician as the examiner. Upon the court's own motion or upon request of the initial examiner, the alleged incapacitated individual, or his guardian ad litem, the court may appoint a second examiner, who must be a physician, physician assistant, nurse, nurse practitioner, social worker, or psychologist.

Amend the bill further, SECTION 12, by striking Section 62-5-403A(3) and inserting:

(3) any affidavits or physicians' or nurse practitioners' reports, at the discretion of the court, the report of a physician assistant, ~~-~~filed with the petition.

Amend the bill further, SECTION 13, by striking Section 62-5-403B(b) and inserting:

(b) except in cases governed by Section 62-5-431 relating to benefits from the VA, one examiner, who must be a physician or nurse practitioner, or, at the discretion of the court, may be a physician assistant, ~~,–~~to examine the alleged incapacitated individual and file a notarized report setting forth his evaluation of the condition of the alleged incapacitated individual in accordance with the provisions set forth in Section 62-5-403D. Unless the guardian ad litem or the alleged incapacitated individual objects, if a physician's or nurse practitioner's notarized report, or, at the discretion of the court, may be a physician assistant, ~~–~~is filed with the petition and served upon the alleged incapacitated individual and all interested parties with the petition, then the court may appoint that physician or nurse practitioner, or, at the discretion of the court, may be a physician assistant, ~~-~~as the examiner. Upon the court's own motion or upon request of the initial examiner, the alleged incapacitated individual, or his guardian ad litem, the court may appoint a second examiner, who must be a physician, physician assistant, nurse practitioner, nurse, social worker, or psychologist. No appointment of examiners is required when the basis for the petition is that the individual is confined, detained, or missing.

Amend the bill further, SECTION 16, by striking Section 62-5-422(B)(11) and inserting:

(11) pay a reasonable fee to the conservator, special conservator, guardian ad litem, attorney, examiner, ~~or~~ physician, physician assistant, or nurse practitioner ~~-~~for services rendered;

Renumber sections to conform.

Amend title to conform.

On motion of Senator MARTIN, with unanimous consent, the amendment was withdrawn.

Senator MARTIN proposed the following amendment (SR-4234.JG0013S), which was adopted:

Amend the bill, as and if amended, SECTION 4, by striking Section 62-5-108(A)(1)(a) and inserting:

(a) If emergency relief is ~~required to protect the welfare of an alleged incapacitated individual~~requested, the moving party must present evidence of the emergency and of the individual's incapacity to the court's satisfaction including, but not limited to, an affidavit from a physician or nurse practitioner, or at the discretion of the court, a physician assistant, or psychologist, who has performed an examination within thirty days prior to the filing of the action~~,~~. Additionally, the moving party shall file a motion for the appointment of counsel if counsel has not been retained for an alleged incapacitated individual, and a motion for the appointment of a ~~proposed qualified individual to serve as~~ guardian ad litem.

Amend the bill further, SECTION 4, by striking Section 62-5-108(B)(2)(a) and inserting:

(a) If temporary relief is ~~required to protect the welfare of an alleged incapacitated individual, in addition to the requirements set forth above in subsection (B)(2)~~requested, the moving party shall present evidence of the need for temporary relief and of incapacity, including without limitation, an affidavit from a physician or nurse practitioner, or, at the discretion of the court, a physician assistant, or psychologist, who has performed an examination within the previous forty-five days ~~prior to the filing of the action, a motion for the appointment of counsel if counsel has not been retained, and a motion for appointment of a proposed qualified individual to serve as guardian ad litem~~.

Amend the bill further, SECTION 6, by striking Section 62-5-303A(A)(3) and inserting:

(3) any affidavits or physician's or nurse practitioner's reports, or, at the discretion of the court, the report of a physician assistant, or psychologist filed with the petition.

Amend the bill further, SECTION 7, by striking Section 62-5-303B(b) and inserting:

(b) one examiner, who must be a physician or nurse practitioner, or, at the discretion of the court, may be a physician assistant, or psychologist, to examine the alleged incapacitated individual and file a notarized report setting forth his evaluation of the condition of the alleged incapacitated individual in accordance with the provisions set forth in Section 62-5-303D. Unless the guardian ad litem or the alleged incapacitated individual objects, if a physician's or nurse practitioner's notarized report or, at the discretion of the court, or the report of a physician assistant, or psychologist is filed with the petition and served upon the alleged incapacitated individual and all interested parties with the petition, then the court may appoint such physician as the examiner. Upon the court's own motion or upon request of the initial examiner, the alleged incapacitated individual, or his guardian ad litem, the court may appoint a second examiner, who must be a physician, physician assistant, nurse, nurse practitioner, social worker, or psychologist.

Amend the bill further, SECTION 12, by striking Section 62-5-403A(3) and inserting:

(3) any affidavits or physicians' or nurse practitioners' reports, at the discretion of the court, the report of a physician assistant, or psychologist, filed with the petition.

Amend the bill further, SECTION 13, by striking Section 62-5-403B(b) and inserting:

(b) except in cases governed by Section 62-5-431 relating to benefits from the VA, one examiner, who must be a physician or nurse practitioner, or, at the discretion of the court, may be a physician assistant, or psychologist, to examine the alleged incapacitated individual and file a notarized report setting forth his evaluation of the condition of the alleged incapacitated individual in accordance with the provisions set forth in Section 62-5-403D. Unless the guardian ad litem or the alleged incapacitated individual objects, if a physician's or nurse practitioner's notarized report, or, at the discretion of the court, may be a physician assistant, or psychologist, is filed with the petition and served upon the alleged incapacitated individual and all interested parties with the petition, then the court may appoint that physician or nurse practitioner, or, at the discretion of the court, may be a physician assistant, or psychologist, as the examiner. Upon the court's own motion

or upon request of the initial examiner, the alleged incapacitated individual, or his guardian ad litem, the court may appoint a second examiner, who must be a physician, physician assistant, nurse practitioner, nurse, social worker, or psychologist. No appointment of examiners is required when the basis for the petition is that the individual is confined, detained, or missing.

Amend the bill further, SECTION 16, by striking Section 62-5-422(B)(11) and inserting:

(11) pay a reasonable fee to the conservator, special conservator, guardian ad litem, attorney, examiner, ~~or~~ physician, physician assistant, nurse practitioner, or psychologist for services rendered;

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Senator YOUNG proposed the following amendment (SR-4234.JG0010S), which was adopted:

Amend the bill, adding appropriately numbered SECTIONS to read:

SECTION X. Section 62-6-401 of the S.C. Code is amended to read:

Section 62-6-401. (A) In addition to such other methods for registering and titling titled personal property as permitted in Title 50 and Title 56, any owner of a vehicle, mobile home, watercraft, outboard motor or any similar personal property for which legal titles are issued and administered by the Department of Motor Vehicles or Department of Natural Resources may establish a Transfer on Death (TOD) designation upon any such title or registration, subject to the provisions of this section, for the purposes set forth herein.

(B) A TOD designation on any titled personal property shall pass, upon the death of all owners of such titled personal property, to the TOD beneficiary or beneficiaries pursuant to this section and is effective by reason of this statute and such transfer is not testamentary or subject to Articles 1 through 4 (estate administration).

(C) A beneficiary of a TOD designation on any titled personal property has no ownership of the titled personal property during the lifetime of the owner or owners of such titled personal property.

(D) The following rules shall apply to titled personal property owned by one owner with TOD designation:

(1) On the death of an owner who is the sole owner of titled personal property with a TOD designation, the titled personal property belongs to the surviving beneficiary or beneficiaries named in the TOD designation. If two or more beneficiaries survive, the titled personal property must be titled to them in undivided equal shares, and there is no right of survivorship in the event of a later death of a beneficiary, unless such beneficiaries shall thereafter change the titling during their lifetimes to reflect such a right of survivorship.

(2) If no beneficiary named on the TOD designation survives upon the death of the owner, then the titled personal property belongs to the estate of the owner.

(3) Any sole owner who utilizes a TOD designation on titled personal property may revoke or modify the TOD designation at any time during the owner's life without the consent of any beneficiary listed on a TOD designation.

(E) The following rules shall apply to titled personal property owned by two or more owners with a TOD designation:

(1) Only multiple owners who own titled personal property with right of survivorship shall be entitled to utilize a TOD designation to transfer property pursuant to this section and a TOD designation for multiple owners who own titled personal property without such right of survivorship shall be ineffective.

(2) On the death of one owner among multiple owners with right of survivorship the titled personal property belongs to the surviving owner or owners. If two or more owners survive, the titled personal property belongs to the surviving owners in undivided equal shares and the right of survivorship continues between the surviving parties.

(3) On the death of the last surviving owner among multiple owners with right of survivorship, the titled personal property belongs to the surviving beneficiary or beneficiaries named in a TOD designation. If two or more beneficiaries survive, the titled personal property belongs to them in undivided equal shares, and there is no right of survivorship in the event of a later death of a beneficiary, unless such beneficiaries shall thereafter change the titling to reflect such a right of survivorship during their lifetimes. If no beneficiary named in the TOD designation is living on the date of the last surviving owner's death, the titled personal property belongs to the estate of the last surviving owner.

(4) When multiple owners own titled personal property, all of such multiple owners, or the survivors among them, must act together to establish such TOD designation or to thereafter revoke or modify such

TOD designation, but the consent of any beneficiary selected in such TOD designation must not be required.

(F) An owner or multiple owners of a vehicle, mobile home, or any other similar vehicle or property for which the Department of Motor Vehicles issues and administers titles shall apply to the Department of Motor Vehicles for such TOD designation pursuant to the terms of this section pursuant to the rules and standards of the department.

(G) An owner or multiple owners of a watercraft, outboard motor, or any other similar watercraft or property for which the Department of Natural Resources issues and administers titles shall apply to the Department of Natural Resources for such TOD designation pursuant to the terms of this section pursuant to the rules and standards of the department.

(H) The Department of Motor Vehicles or the Department of Natural Resources, as appropriate, upon request, shall retitle the appropriate titled personal property with a TOD designation, to:

(1) The beneficiary or beneficiaries named in the TOD designation, if proof of death is presented to the appropriate department showing that the beneficiary or beneficiaries survived all owners of the titled personal property.

(2) The personal representative of a deceased party, if proof of death is presented to the appropriate department showing that the deceased party was the last survivor of all other owners named on the title to the titled personal property and there shall be no surviving beneficiaries named in any TOD designation.

(3) To such party or parties in accordance with a court order directing the retitling of such titled personal property.

(I) For purposes of this section, ownership of titled personal property using "OR" with two or more multiple owners shall indicate "joint tenants with right of survivorship", while ownership using "AND" with two or more multiple owners shall indicate ownership "tenants in common". Only sole owners and multiple owners holding title to titled personal property with such right of survivorship (e.g., "OR" titling between multiple owners) are eligible to utilize the TOD procedures described in this statute.

SECTION X. Section 50-23-60(A) of the S.C. Code is amended to read:

(A) Every person who acquires a watercraft or outboard motor required to be titled under this chapter shall apply to the department within thirty days of the date of acquisition for a certificate of title for the watercraft or outboard motor accompanied by the required fee and on forms required by the department. The application must be signed by

the person who acquires the watercraft or outboard motor and shall contain:

(1) the applicant's name, domiciled address including the county, date of birth, and the county where the watercraft is principally located, state issued identification number, and state of issue;

(2) for watercraft, a description of the watercraft, including its make, model, model year, length, the principal material used in construction, hull number, and the manufacturer's engine serial number if an inboard; for an outboard motor, its make, model, model year, or year of manufacture, and horsepower, and manufacturer's serial number;

(3) the date of acquisition by the applicant, the name and address of the person from whom the watercraft or outboard motor was acquired, and the names and addresses of persons having a security interest in the order of their priority;

(4) a bill of sale; ~~and~~

(5) further information reasonably required by the department to enable it to determine whether the owner is entitled to a certificate of title and the existence or nonexistence of security interests in the watercraft or outboard motor;

(6) when a Transfer of Death (TOD) beneficiary is designated, each TOD beneficiary's name, domiciled address including the county, date of birth, state-issued identification number, and state of issue; and

(7) in the case of one or more TOD beneficiaries receiving the title and registration to a watercraft or outboard motor, a bill of sale shall not be required for the department to issue a title, but such TOD beneficiaries shall establish the death of all owners of the watercraft or outboard motor.

SECTION X. Section 50-23-70 of the S.C. Code is amended by adding:

(F) The fee to establish, modify, or revoke a Transfer of Death designation upon a certificate of title for watercraft or outboard motor is ten dollars.

SECTION X. Section 50-23-90(a) of the S.C. Code is amended to read:

(a) Each certificate of title issued by the department shall contain:

(1) the date issued;

(2) the name and address of the owner;

(3) the names and addresses of any lienholders, in the order of priority as shown on the application or, if the application is based on a certificate of title, as shown on the certificate;

(4) the title number assigned to the watercraft or outboard motor;

(5) a description of the watercraft or outboard motor including its make, model, model year, or year of manufacture, horsepower,

registration number, and manufacturer's serial number or, hull number assigned to the watercraft by the department, length, and the principal material used in construction;

(6) on the reverse side of the certificate, spaces for assignment of title by the owner or by the dealer and for a warranty that the signer is the owner and that there are no mortgages, liens, or encumbrances on the watercraft or outboard motor except as are noted on the face of the certificate of title; ~~and~~

(7) information of whether Transfer of Death beneficiary designations have been filed with the department; and

(8) any other data the department prescribes.

SECTION X. Section 50-23-130(a) of the S.C. Code is amended to read:

(a) If the ownership of a watercraft or outboard motor is transferred by operation of law, such as by inheritance, Transfer on Death, devise or bequest, order in bankruptcy, insolvency, replevin, or execution sale, or satisfaction of mechanic's lien, or repossession upon default in performance of the terms of a security agreement, the transferee shall, except as provided in subsection (b), promptly mail or deliver to the department the last certificate of title, if available, or the manufacturer's or importer's statement of origin, or, if that is not possible, satisfactory proof of the transfer of ownership, and his application for a new certificate of title accompanied by the required fee, and upon the appropriate form or forms prescribed and furnished by the department.

SECTION X. Section 56-19-290 of the S.C. Code is amended to read:

(1) the date issued;

(2) the name and address of the owner;

(3) the names and addresses of any lienholders, in the order of priority as shown on the application, and dates of the liens, or if the application is based on a certificate of title, as shown on the certificate;

(4) the title number assigned to the vehicle;

(5) a description of the vehicle including, so far as the following data exists: its make, model, vehicle identification number, odometer reading at the time of application, and type of body;

(6) the names of any Transfer on Death beneficiary established upon such title pursuant to Section 62-6-401; and

(7) any other data the department prescribes.

SECTION X. Section 56-19-420(A) of the S.C. Code is amended to read:

(A) The Department of Motor Vehicles shall charge fifteen dollars for:

(1) the issuance of a certificate of title;

(2) the transfer of a certificate of title; ~~or~~

(3) the issuance of a duplicate certificate of title; or

(4) the establishment, modification, or revocation of Transfer on Death beneficiaries pursuant to Section 62-6-401.

SECTION X. Section 62-6-101 of the S.C. Code is amended to read:

(1) "Account" means a contract of deposit between a depositor and a financial institution, and includes a checking account, savings account, certificate of deposit, share account, and other like arrangements.

(2) "Agent" means a person authorized to make account transactions for a party.

(3) "Beneficiary" means a person named as one to whom sums on deposit in an account are payable on request after the death of all parties or for whom a party is named as the trustee; or, as it relates to titled personal property, any party named as one to whom a title shall be reregistered and retitled on request after the death of all owners of titled personal property.

(4) "Financial institution" means any organization authorized to do business under state or federal laws relating to financial institutions, and includes a bank, trust company, savings bank, building and loan association, savings and loan company or association, and credit union.

(5) "Multiple-party account" means an account payable on request to one or more of two or more parties, whether or not a right of survivorship is mentioned including, but not limited to, joint accounts or POD accounts.

(6) "Net contribution of a party" means the sum of all deposits to an account made by or for the party, less all payments from the account made to or for the party which have not been paid to or applied to the use of another party and a proportionate share of any charges deducted from the account, plus a proportionate share of any interest or dividends earned, whether or not included in the current balance. The term includes deposit life insurance proceeds added to the account by reason of death of the party whose net contribution is in question.

(7) "Party" means a person who, by the terms of an account, has a present right, subject to request, to payment from the account other than as a beneficiary or agent.

(8) "Payment" of sums on deposit includes withdrawal, payment to a party, or third person pursuant to a check or other request, and a pledge of sums on deposit by a party, or a set-off, reduction, or other disposition of all or part of an account pursuant to a pledge.

(9) "Proof of death" includes a death certificate or record or report which is prima facie proof of death under Section 62-1-507.

(10) "POD designation" means the designation of: (i) a beneficiary in an account payable on request to one party during the party's lifetime and on the party's death to one or more beneficiaries, or to one or more parties during their lifetimes and on death of all of them to one or more beneficiaries, or (ii) a beneficiary in an account in the name of one or more parties as trustee for one or more beneficiaries if the relationship is established by the terms of the account and there is no subject of the trust other than the sums on deposit in the account, whether or not payment to the beneficiary is mentioned.

(11) "Receive" as it relates to notice to a financial institution, means receipt in the office or branch office of the financial institution in which the account is established, but if the terms of the account require notice at a particular place, in the place required.

(12) "Request" means a request for payment complying with all terms of the account, including special requirements concerning necessary signatures and regulations of the financial institution. However, for purposes of this subpart, if terms of the account condition payment on advance notice, a request for payment is treated as immediately effective and a notice of intent to withdraw is treated as a request for payment.

(13) "Sums on deposit" means the balance payable on an account including interest and dividends earned, whether or not included in the current balance, and any deposit life insurance proceeds added to the account by reason of the death of a party.

(14) "Terms of the account" includes the deposit agreement and other terms and conditions, including the form, of the contract of deposit.

(15) "Owner" as it relates to titled personal property, means one or more parties with titled personal property registered and titled in such parties' respective name or names.

(16) "Transfer on Death" or "TOD" means the designation of a beneficiary named on titled personal property for purposes of reregistering and retitling such titled personal property in such beneficiary's or beneficiaries' name or names upon the death of the last surviving owner of such titled personal property.

(17) "Titled personal property" means any vehicle, mobile home, watercraft, outboard motor, or any other similar personal property for which the Department of Motor Vehicles or Department of Natural Resources issues and administers legal titles.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 4248 -- Reps. Rose and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-4-50, RELATING TO THE SALE OF BEER, ALE, PORTER, OR WINE TO UNDERAGED PERSONS, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE; AND BY AMENDING SECTION 61-6-4080, RELATING TO THE SALE OF ALCOHOLIC LIQUORS

TO AN UNDERAGED PERSON, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY proposed the following amendment (SJ-4248.MF0005S), which was withdrawn:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X. The General Assembly finds and declares that:

(A) The State has a substantial interest in regulating beverages containing alcohol, including alcoholic liquor, beer, ale, porter, wine, and other similar malt or fermented beverages as defined and licensed for retail sale pursuant to Sections 61-4-10 and 61-6-20, collectively referenced as "beverages containing alcohol" in these legislative findings, of the S.C. Code; the activities of manufacturers, importers, wholesalers, and retailers; the safe delivery of beverages containing alcohol to the state's consumers; and the influences that affect the consumption levels of beverages containing alcohol by the people of the State.

(B) The State has a substantial interest in exercising its police powers to promote the public health, safety, and welfare of the State by regulating the business of retail sales and delivery of beverages containing alcohol in the manner and to the extent allowed by law to promote and preserve public health and safety through legitimate, nonprotectionistic measures, which include regulating and controlling transactions in this State involving beverages containing alcohol and the means and manner in which licensed retailers and third parties may deliver beverages containing alcohol to the state's qualifying consumers.

(C) Selling and delivering beverages containing alcohol from retailers outside the State directly to residents of this State poses a serious threat to the state's efforts to prevent underage drinking, to state revenue collections, and to the public health and safety of the state's residents.

(D) By this act, the General Assembly intends to promote the public health, safety, and welfare of residents of this State with laws intended to strictly regulate beverages containing alcohol by preserving and promoting a robust, stable system of distribution of beverages containing alcohol to the public, that does not provide for economic protectionism. Excessive use of beverages containing alcohol has wide ranging deleterious health effects, including death. The General Assembly acknowledges that, according to the United States Centers for Disease Control, during the period from 2011-2015 an average of 1,679 of this

state's residents suffered alcohol-attributed deaths due to excessive alcohol use and the rate of binge drinking in this State is ranked among the highest in the nation. The General Assembly acknowledges that, according to the National Highway Traffic Safety Administration, this State had 285 alcohol-impaired driving fatalities in 2019, which accounted for twenty-eight percent of the total traffic fatalities in the State. Attributed deaths due to alcohol-impaired driving in this State is ranked among the highest in the nation.

(E) This act has been enacted pursuant to the authority granted to the State by the Twenty-first Amendment to the Constitution of the United States, the powers reserved to the states under the Tenth Amendment to the United States Constitution, and the inherent powers of the State under the Constitution of the State of South Carolina, 1895, and the statutes promulgated thereunder. It is the intent of the General Assembly that this act does all of the following:

(1) further regulate and control transactions in this State as to beverages containing alcohol under the control and supervision of the Department of Revenue;

(2) strictly regulate transactions involving beverages containing alcohol by fostering moderation and responsibility in the use and consumption of beverages containing alcohol;

(3) promote and assure the public's interest in fair and efficient distribution and quality control of beverages containing alcohol in this State;

(4) promote orderly marketing of beverages containing alcohol;

(5) prevent unfair business practices, discrimination, and undue control of one segment of the alcoholic beverage industry by any other segment;

(6) foster vigorous and healthy competition in the alcoholic beverage industry, protect the interests of consumers against fraud and misleading practices in the sale of beverages containing alcohol, and avoid problems associated with indiscriminate price cutting and excessive advertising of beverages containing alcohol;

(7) provide for an orderly system of public revenues by facilitating the collection and accountability of state and local excise taxes;

(8) facilitate the collection of state and local revenue;

(9) maintain trade stability and provide for the continuation of control and orderly processing by the State over the regulation of retail locations licensed to sell beverages containing alcohol and the process of selling and delivering beverages containing alcohol to the state's consumers;

(10) ensure that the Department of Revenue and State Law Enforcement Division are able to monitor licensed operations through onsite inspections to confirm compliance with state law and that any beverages containing alcohol shipped into, distributed, and sold throughout this State:

(a) have registered for sale in this State with the Department of Revenue, as prescribed by law;

(b) are not subject to a government-mandated or supplier-initiated recall;

(c) are not counterfeit;

(d) are labeled in conformance with applicable laws, rules, and regulations;

(e) can be inspected and tested by the Department of Revenue or the State Law Enforcement Division; and

(f) are not prohibited by this State;

(11) promote and maintain a sound, stable, and viable three tier system of distribution of beverages containing alcohol to the public; and

(12) ensure that statutes and regulations relating to beverages containing alcohol exist to serve the interests of the State of South Carolina and its citizens, rather than to serve or protect the interests of market participants by adopting protectionistic measures with no demonstrable connection to the state's legitimate interests in regulating beverages containing alcohol.

SECTION X. Section 61-2-170 of the S.C. Code is amended to read:

Section 61-2-170. Except as otherwise provided for in Section 61-4-45 and Section 61-6-1570, ~~The~~ the department may not generate license fees to be deposited in the general fund of the State through the issuance of licenses or permits for on or off premises consumption which authorize alcoholic liquors, beer, or wine to be sold on a drive-through or curb service basis.

SECTION X. Article 1, Chapter 4, Title 61 of the S.C. Code is amended by adding:

Section 61-4-45. (A) The department may issue a license or permit allowing a retailer to offer curbside delivery or pickup through curbside service of beer or wine if the retailer:

(1) has a clearly designated curbside area abutting or adjacent to or in close proximity to its business;

(2) requires a customer to provide a valid government-issued identification at the time of pickup;

(3) prohibits the use of curbside delivery or curbside pickup service by an intoxicated person or a person under the age of twenty-one; and

(4) requires the employee delivering sealed containers of beer or wine to a customer's vehicle to be eighteen years or older and to undergo training to sell beer and wine as provided by the Department of Alcohol and Other Drug Abuse Services or as administered by the retailer or a Department of Alcohol and Other Drug Abuse Services-approved training program.

(B) This section may not be interpreted to authorize:

(1) the curbside delivery or pickup through curbside service of open containers of beer or wine;

(2) the delivery of beer or wine beyond the premises authorized in subsection (A)(1), including delivery through a third-party delivery service or the retailer;

(3) the drive-through pickup of beer or wine; or

(4) the curbside delivery or pick up through curbside service of containers of beer or wine that, at the time of delivery or service to a customer's vehicle, are chilled.

(C) As used in this section, "retailer" means a person or entity licensed under this title as a retailer authorized to sell beer, ale, porter, and wine in sealed containers for off-premises consumption or on-premises consumption and does not include a manufacturer or any other person or entity licensed to manufacture beer and wine.

Amend the bill further, by adding appropriately numbered SECTIONS to read:

SECTION X. Article 1, Chapter 4, Title 61 of the S.C. Code is amended by adding:

Section 61-4-280. (A) As used in this section:

(1) "Customer" means an individual who is at least twenty-one years of age and who purchases products from a licensed retail dealer through the use of the Internet, mobile applications, or other similar technology.

(2) "Delivery" means local delivery of beer or wine made by a retail dealer or delivery service employees or independent contractors. Delivery by a retail dealer or delivery service must be made on the same day the beer and wine are collected from the retail dealer and may not be interstate or further hired, including to a common carrier.

(3) "Delivery service" means a third party that delivers items from a retail dealer to consumers for personal consumption and not for resale, using employees or independent contractors to facilitate the delivery. A "delivery service" also may facilitate delivery through technology services that connect customers with retail dealers through the use of the Internet, mobile applications, and other similar technology.

(4) "Recipient" means an individual who:

(a) is at least twenty-one years of age;

(b) produces valid government-issued identification and a signature when so prompted by the retail dealer or delivery service employee or independent contractor;

(c) is physically present at the address designated by the customer; and

(d) is receiving the intended delivery from the delivery service or retail dealer.

(5) "Retail dealer" means a person or entity licensed under this title as a retailer authorized to sell beer, ale, porter, and wine in sealed containers for off-premises consumption or on-premises consumption and does not include a manufacturer or any other person or entity licensed to manufacture beer or wine.

(6) "Sealed container" means a vessel containing beer or wine, which has not been opened, tampered with, uncapped, or unsealed subsequent to its original filling and airtight sealing by the manufacturer, importer, or retail dealer.

(7) "Third party" means any individual, partnership, association, company, limited liability company, corporation, or other entity or group who is licensed to do business in this State, regardless of the state of residency, that has a contractual relationship with at least one licensed retail dealer, and who is not an employee of the retail dealer.

(B) Notwithstanding any other provision of law, a retail dealer may hire a delivery service to deliver sealed packages of beer and wine for personal consumption and a retail dealer may itself deliver sealed packages of beer and wine for personal consumption. Delivery shall not occur on the premises of any church, school, or playground, as those terms are defined in Section 61-6-120, within any residence hall or dormitory on a college or university campus in this State, or within the premises of licensed on-premises retailers, excluding hotels. For purposes of determining whether the area for the delivery of beer and wine is permissible, the Department of Revenue shall make available the addresses of active licensed on-premises retailers upon which the delivery service or retail dealer may reasonably rely in furtherance of prohibiting such delivery.

(C) The delivery service or retail dealer must apply to the department for a biennial license which authorizes the delivery of beer and wine that has been purchased from a retailer through the three-tier distribution chain set forth in Sections 61-4-735 and 61-4-940. The department shall grant the license if the applicant:

(1) pays a nonrefundable, four-hundred-dollar license fee;

(2) is at least twenty-one years of age;

(3) affirms whether the applicant or any officer or director, as may be required to be disclosed in the license application, has been involved in the sale of alcoholic liquors, beer, or wine in this or another state and whether he has had a license or permit suspended or revoked;

(4) except for applicants that are publicly traded companies or subsidiaries of the same, provides a criminal history background check conducted by the State Law Enforcement Division at the time of application. The background check must prove that the individual has not been convicted of any crime involving the sale or distribution of beer, wine, or alcoholic liquors within the last eight years and has not been convicted of any felony within the last ten years; and

(5) maintains a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the amount of at least one million dollars for the biennial period for which it is permitted.

(D) Nothing in this section shall be construed to require a company that only provides technology services to a retail dealer to obtain a delivery service license if the company does not employ or contract with delivery drivers, but merely provides software or an application that connects consumers and licensed retail dealers.

(E) A person with ownership or financial interest in a delivery service licensee may not hold or maintain concurrent ownership or financial interest in beer or wine business operations on the manufacturer tier-one, or tier-two wholesaler operations, except as provided in Section 61-4-735(D) or Section 61-4-940(D).

(F) Each individual who delivers beer and wine for a retail dealer or delivery service must be at least twenty-one years of age, must not have a felony conviction within the last ten years, as confirmed by a background check conducted by the delivery service prior to being hired, and must undergo training to deliver beer and wine as provided or approved by the Department of Alcohol and Other Drug Abuse Services and as administered by the retail dealer, delivery service, or a Department of Alcohol and Other Drug Abuse Services approved training program.

(G) A licensed retail dealer may market, receive, and process orders for beer and wine products under this section using electronic means owned, operated, and maintained by a third party, provided that:

(1) the retail dealer maintains ultimate control and responsibility over the sales transaction and transfer of physical possession of the beer and wine to the delivery service employee or independent contractor;

(2) the retail dealer retains the sole discretion to determine whether to accept and complete a sales transaction or reject it;

(3) the retail dealer retains the independence to determine which beer and wine are made available for ordering through electronic means, which beer and wine are made available for delivery to the recipient at the address designated by the customer, and to independently set the price of such products;

(4) the sales transaction takes place between the customer and the retail dealer, and the retail dealer appears as the merchant of record;

(5) any credit or debit card information provided by a customer to the third party for the purpose of transacting a purchase with a retail dealer is automatically directed to the retail dealer such that the retail dealer appears as the merchant of record at the time of purchase and on the receipt;

(6) the retail dealer, or an employee of the retail dealer, processes by the licensed premises that accepts the order, all payments initiated by a customer that is transacting a purchase with the retail dealer; and

(7) the beer and wine are in the possession of the retail dealer prior to the retail dealer's processing of payment for such products.

(H) Licensed retail dealers or third parties shall maintain records of beer and wine sales delivered by third parties for a period of three years. The records must document the chain of custody of the beer and wine sold by retail dealers and delivered by third parties and shall include the retail dealer's name, deliverer's name, recipient's name, date of birth, type and number of identification presented, delivery address and signature. Upon request, the records must be made available to the department, within a reasonable period of time, in the manner prescribed by the department.

(I) The retail dealer or delivery service shall assemble, package, and fulfill each order for delivery at the licensed premises of the retail dealer from inventory located at such licensed premises and shall not retrieve inventory from any other of the retail dealer's locations or of any other person or entity, including another retail dealer.

(J) All beer, ale, porter, and wine that leave the licensed premises of the retail dealer for delivery:

(1) shall remain in the possession of the retail dealer or delivery service employee or independent contractor who removed it from the licensed premises for delivery and may not be transferred to any other person until the time of delivery in compliance with this section or the return to the retail dealer's licensed premises the same day removed if delivery is not made; and

(2) shall not be carried with, comingled with, stored with, or transported in any vehicle or other transportation device containing products or goods traveling in interstate commerce.

(K) A retail dealer must not deliver or sell for delivery and a delivery service must not deliver beer or wine to any location or recipient beyond the United States Postal Service five digit ZIP code or a contiguous ZIP code of the selling retail dealer's licensed premises.

(L) A retail dealer or delivery service licensee may only deliver beer and wine within the time allowed for lawful sales and consumption in the jurisdiction, subject to local option laws in the county for the licensed retail dealer, and as provided in Section 61-4-120. Also, at the time of delivery, a retail dealer or delivery service employee or independent contractor must: (i) use some form of electronic or current state-of-the-art age verification software technology requiring the recipient to provide photographic identification reflecting a date of birth to verify the recipient is at least twenty-one years of age, and must obtain the recipient's signature, or (ii) if the available software technology is not operable at the point of delivery, manually record or document the deliverer's name, the recipient's name, date of birth, type and number of identification presented, and signature before transferring possession of the beer and wine to the intended recipient.

(M) A retail dealer and delivery service shall refuse delivery and return the beer and wine to the retail dealer's licensed premises on the same date of collection and attempted delivery when the recipient is not present or:

(1) is less than twenty-one years of age;

(2) fails to produce valid identification;

(3) appears to be intoxicated; or

(4) the retail dealer or delivery service employee or independent contractor is unable to scan and retain, or manually record or document the recipient's name, date of birth, type of identification presented, and signature.

(N) Each retail dealer or delivery service that delivers beer and wine must monetarily incentivize its employees or independent contractors to return beer and wine to the retail dealer's licensed premises if the delivery is refused by the recipient or pursuant to subsection (M).

(O) A customer order made through a delivery service licensee or directly through a retail dealer shall result in a sale deemed to have been made on the retail dealer's licensed premises.

(P)(1) For violations of this section, and for a violation of any regulation pertaining to beer or wine, the department may, in its

discretion, impose a monetary penalty upon a retail dealer or the holder of a delivery service license in lieu of suspension or revocation. The amount of any penalty imposed must be no less than twenty-five dollars and no more than one thousand dollars. The fine is subject to a hearing as provided in the South Carolina Revenue Procedures Act and the Administrative Procedures Act.

(2) The department in its discretion may suspend payment of a fine or a monetary penalty imposed under this section. Any fines collected pursuant to this section must be credited to the general fund.

(3) If the department imposes a monetary penalty under this section which is not paid or a contested case hearing is not requested within thirty days after demand by the department, the license or licenses may be suspended or revoked by the department.

(4) Penalties provided for in this section are in addition to any fines and penalties imposed by law or by any court of competent jurisdiction for violation of the laws of this State.

(5) In addition to the penalties provided in this subsection, the department may revoke the delivery license of an entity or person failing to comply with any requirements hereof.

SECTION X. Article 5, Chapter 6, Title 61 of the S.C. Code is amended by adding:

Section 61-6-1570. (A) The department may issue a license or permit allowing a retailer to offer curbside delivery or pickup through curbside service of alcoholic liquors if the retailer:

(1) has a clearly designated curbside area abutting or adjacent to or in close proximity to its business;

(2) requires a customer to provide a valid government-issued identification at the time of pick up;

(3) prohibits the use of curbside delivery or pickup service by an intoxicated person or a person under the age of twenty-one; and

(4) requires the employee delivering sealed containers of alcoholic liquors to a customer’s vehicle to be twenty-one years or older.

(5) requires the employee delivering sealed containers of alcoholic liquors to a customer’s vehicle to undergo training to sell alcoholic liquors as provided or approved by the Department of Alcohol and Other Drug Abuse Services and as administered by the retailer or a Department of Alcohol and Other Drug Abuse Services-approved training program.

(B) This section may not be interpreted to authorize:

(1) the curbside delivery or pickup through curbside service of open containers of alcoholic liquors;

(2) the delivery of alcoholic liquors beyond the premises authorized in subsection (A)(1), including delivery through a third-party delivery service or the retailer;

(3) the drive-through pickup of alcoholic liquors; or

(4) the curbside delivery or pick up through curbside service of containers of alcoholic liquors that, at the time of delivery or service to a customer's vehicle, are chilled.

(C) As used in this section, "retailer" means a person or entity licensed under this title as a retailer authorized to sell alcoholic liquors in sealed containers for off-premises consumption and does not include a manufacturer or any other person or entity licensed to manufacture alcoholic liquors.

SECTION X. Article 5, Chapter 6, Title 61 of the S.C. Code is amended by adding:

Section 61-6-1580. As used in this section:

(1) "Customer" means an individual who is at least twenty-one years of age and who purchases products from a licensed retail dealer through the use of the Internet, mobile applications, or other similar technology.

(2) "Delivery" means local delivery of alcoholic liquors made by a retail dealer or delivery service employees or independent contractors. Delivery by a retail dealer or delivery service must be made on the same day the alcoholic liquor is collected from the retail dealer and may not be interstate or further hired, including to a common carrier.

(3) "Delivery service" means a third party that delivers items from a retail dealer to consumers for personal consumption and not for resale using employees or independent contractors to facilitate the delivery. A "delivery service" also may facilitate delivery through technology services that connect customers with retail dealers through the use of the Internet, mobile applications, and other similar technology.

(4) "Recipient" means an individual who:

(a) is at least twenty-one years of age;

(b) produces valid government-issued identification and a signature when so prompted by the retail dealer or delivery service employee or independent contractor;

(c) is physically present at the address designated by the customer; and

(d) is receiving the intended delivery from the delivery service or retail dealer.

(5) "Retail dealer" means a person or entity licensed under this title as a retailer authorized to sell alcoholic liquors in sealed containers for

off-premises consumption and does not include a manufacturer or any other person or entity licensed to manufacture alcoholic liquors.

(6) "Sealed container" means a vessel containing alcoholic liquors, which has not been opened, tampered with, uncapped, or unsealed subsequent to its original filling and airtight sealing by the manufacturer or importer.

(7) "Third party" means any individual, partnership, association, company, limited liability company, corporation, or other entity or group who is licensed to do business in this State, regardless of the state of residency, that has a contractual relationship with at least one licensed retail dealer, and who is not an employee of the retail dealer.

(B) Notwithstanding any other provision of law, a retail dealer may hire a delivery service to deliver sealed packages of alcoholic liquors for personal consumption and a retail dealer may itself deliver sealed packages of alcoholic liquors for personal consumption. Delivery shall not occur on the premises of any church, school, or playground, as those terms are defined in Section 61-6-120, within any residence hall or dormitory on a college or university campus in this State, or within the premises of licensed on-premises retailers, excluding hotels. For purposes of determining whether the area for the delivery of alcoholic liquors is permissible, the Department of Revenue shall make available the addresses of active licensed on-premises retailers upon which the delivery service or retail dealer may reasonably rely in furtherance of prohibiting such delivery.

(C) The delivery service or retail dealer must apply to the department for a biennial license, which authorizes the delivery of alcoholic liquors that have been purchased from a retailer that holds a retail dealer's license as defined in Section 61-6-100(3) and that has purchased the alcoholic liquors from a wholesaler as required by this chapter. The department shall grant the license if the applicant:

(1) pays a nonrefundable, four-hundred-dollar license fee;

(2) is at least twenty-one years of age;

(3) affirms whether the applicant or any officer or director, as may be required to be disclosed in the license application, has been involved in the sale of alcoholic liquors, beer, or wine in this or another state and whether he has had a license or permit suspended or revoked;

(4) except for applicants that are publicly traded companies or subsidiaries of the same, provides a criminal history background check conducted by the State Law Enforcement Division at the time of application. The background check must prove that the individual has not been convicted of any crime involving the sale or distribution of beer,

wine, or alcoholic liquors within the last eight years and has not been convicted of any felony within the last ten years; and

(5) maintains a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the amount of at least one million dollars for the biennial period for which it is permitted.

(D) Nothing in this section shall be construed to require a company that only provides technology services to a retail dealer to obtain a delivery service license if the company does not employ or contract with delivery drivers, but merely provides software or an application that connects consumers and licensed retail dealers.

(E) A person with ownership or financial interest in a delivery service licensee may not hold or maintain concurrent ownership or financial interest in a business operation that holds either a manufacturer's license or a wholesaler's license, except as authorized pursuant to any provision of this chapter.

(F) Each individual who delivers alcoholic liquors for a retail dealer or delivery service must be at least twenty-one years of age, must not have a felony conviction within the last ten years, as confirmed by a background check conducted by the delivery service prior to being hired, and must undergo training to deliver alcoholic liquors as provided or approved by the Department of Alcohol and Other Drug Abuse Services and as administered by the retail dealer, delivery service, or a Department of Alcohol and Other Drug Abuse Services approved training program.

(G)(1) A licensed retail dealer may market, receive, and process orders for alcoholic liquors under this section using electronic means owned, operated, and maintained by a third party, provided that:

(a) the retail dealer maintains ultimate control and responsibility over the sales transaction and transfer of physical possession of the alcoholic liquors to the delivery service employee or independent contractor;

(b) the retail dealer retains the sole discretion to determine whether to accept and complete a sales transaction or reject it;

(c) the retail dealer retains the independence to determine which alcoholic liquors are made available for ordering through electronic means, which alcoholic liquors are made available for delivery to the recipient at the address designated by the customer, and to independently set the price of such products;

(d) the sales transaction takes place between the customer and the retail dealer, and the retail dealer appears as the merchant of record;

(e) any credit or debit card information provided by a customer to the third party for the purpose of transacting a purchase with a retail dealer is automatically directed to the retail dealer such that the retail dealer appears as the merchant of record at the time of purchase and on the receipt;

(f) the retail dealer, or an employee of the retail dealer, processes by the licensed premises that accepts the order, all payments initiated by a customer that is transacting a purchase with the retail dealer; and

(g) the alcoholic liquors are in the possession of the retail dealer prior to the retail dealer's processing of payment for such products.

(H) Licensed retail dealers or third parties shall maintain records of alcoholic liquor sales delivered by third parties for a period of three years. The records must document the chain of custody of the alcoholic liquors sold by retail dealers and delivered by third parties and shall include the retail dealer's name, deliverer's name, recipient's name, date of birth, type and number of identification presented, delivery address, and signature. Upon request, the records must be made available to the department, within a reasonable period of time, in the manner prescribed by the department.

(I) The retail dealer or delivery service shall assemble, package, and fulfill each order for delivery at the licensed premises of the retail dealer from inventory located at such licensed premises and shall not retrieve inventory from any other of the retail dealer's locations or of any other person or entity, including another retail dealer.

(J) All alcoholic liquors that leave the licensed premises of the retail dealer for delivery:

(1) shall remain in the possession of the retail dealer or delivery service employee or independent contractor who removed it from the licensed premises for delivery and may not be transferred to any other person until the time of delivery in compliance with this section or the return to the retail dealer's licensed premises the same day removed if delivery is not made; and

(2) shall not be carried with, comingled with, stored with, or transported in any vehicle or other transportation device containing products or goods traveling in interstate commerce.

(K) A retail dealer must not deliver or sell for delivery and a delivery service must not deliver alcoholic liquors to any location or recipient beyond the United States Postal Service five-digit ZIP code or a contiguous ZIP code of the selling retail dealer's licensed premises.

(L) A retail dealer or delivery service licensee may only deliver alcoholic liquors within the time allowed for lawful sales and

consumption in the jurisdiction, subject to local option laws in the county for the licensed retail dealer, and as provided in Section 61-6-1500 and Article VIII-A of the Constitution of the State of South Carolina. Also, at the time of delivery, a retail dealer or delivery service employee or independent contractor must: (i) use some form of electronic or current state-of the-art age verification software technology requiring the recipient to provide photographic identification reflecting a date of birth to verify the recipient is at least twenty-one years of age, and must obtain the recipient's signature, or (ii) if the available software technology is not operable at the point of delivery, manually record or document the deliverer's name, the recipient's name, date of birth, type and number of identification presented, and signature before transferring possession of the alcoholic liquors to the intended recipient.

(M) A retail dealer and delivery service shall refuse delivery and return the alcoholic liquors to the retail dealer's licensed premises on the same date of collection and attempted delivery when the recipient is not present or:

(1) is less than twenty-one years of age;

(2) fails to produce valid identification;

(3) appears to be intoxicated; or

(4) the retail dealer or delivery service employee or independent contractor is unable to scan and retain, or manually record or document the recipient's name, date of birth, type of identification presented, and signature.

(N) Each retail dealer or delivery service that delivers alcoholic liquors must monetarily incentivize its employees or independent contractors to return alcoholic liquors to the retail dealer's licensed premises if the delivery is refused by the recipient or pursuant to subsection (M).

(O) A customer order made through a delivery service licensee or directly through a retail dealer shall result in a sale deemed to have been made on the retail dealer's licensed premises.

(P)(1) For violations of this section, and for a violation of any regulation pertaining to alcoholic liquors, the department may, in its discretion, impose a monetary penalty upon a retail dealer or the holder of a delivery service license in lieu of suspension or revocation. The amount of any penalty imposed must be no less than twenty-five dollars and no more than one thousand dollars. The fine is subject to a hearing as provided in the South Carolina Revenue Procedures Act and the Administrative Procedures Act.

(2) The department in its discretion may suspend payment of a fine or a monetary penalty imposed under this section. Any fines collected pursuant to this section must be credited to the general fund.

(3) If the department imposes a monetary penalty under this section which is not paid or a contested case hearing is not requested within thirty days after demand by the department, the license or licenses may be suspended or revoked by the department.

(4) Penalties provided for in this section are in addition to any fines and penalties imposed by law or by any court of competent jurisdiction for violation of the laws of this State.

(5) In addition to the penalties provided in this subsection, the department may revoke the delivery license of an entity or person failing to comply with any requirements hereof.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. If any provision of this act, or its application to any person or circumstance, is determined by a court or other authority of competent jurisdiction to be invalid or unconstitutional, that provision must be stricken and the remaining provisions must be construed in accordance with the intent of the General Assembly to further limit rather than expand commerce in beverages containing alcohol, and with respect to such beverages, the remaining provisions must be construed to enhance strict regulatory control over the taxation, importation, production, distribution, sale, and delivery of beverages containing alcohol through the three-tier regulatory system and the licensing laws imposed by this act.

Amend the bill further, by striking SECTION 3 and inserting:

SECTION 3. This act takes effect one hundred and twenty days after approval by the Governor.

Renumber sections to conform.

Amend title to conform.

On motion of Senator TALLEY, with unanimous consent, the amendment was withdrawn.

Senator CASH proposed the following amendment (SEDU-4248.DB0006S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 61-4-50(D), by adding an item to read:

(4) Conditional discharge may only be granted by the court in accordance with the provisions of this section upon approval of the circuit solicitor or prosecuting officer.

Amend the bill further, SECTION 2, Section 61-6-4080(D), by adding an item to read:

(4) Conditional discharge may only be granted by the court in accordance with the provisions of this section upon approval of the circuit solicitor or prosecuting officer.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator SENN proposed the following amendment (SR-4248.JG0007S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 61-4-50(D)(1) and (2) and inserting:

(1) Whenever any person who has not previously been convicted of any offense under this section, pleads guilty to or is found guilty of a sale in violation of this section, the court, without entering a judgment of guilt and with the consent of the accused, may defer further proceedings and place him on probation upon terms and conditions as it requires provided that one such condition must be that he complete the merchant education program described in subsection (C). Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the terms and conditions, the court shall discharge the person and dismiss the proceedings against him. Discharge and dismissal under this section must be without court adjudication of guilt and is not a conviction for purposes of this section or for purposes of disqualifications or disabilities imposed by law upon conviction of a crime, including the additional penalties imposed for second or subsequent convictions. However, a nonpublic record must be forwarded to and retained by the South Carolina Law Enforcement Division for the purpose of use by the courts in determining whether or not a person has committed a subsequent offense under this section. The South Carolina Law Enforcement Division must produce this record upon subpoena or court order. Discharge and dismissal under this section may occur only once with respect to any person.

(2) Upon the dismissal of the person and discharge of the proceedings against him pursuant to item (1), the person may apply to the court for an order to expunge from all official records, other than the nonpublic records to be retained as provided in item (1), all recordation relating to his arrest, indictment or information, trial, finding of guilt, and dismissal and discharge pursuant to this section. If the court determines, after the hearing, that the person was dismissed and the proceedings against him discharged, it shall enter the order. The effect of the order is to restore the person, in the contemplation of the law, to the status he occupied before the arrest or indictment or information. No person as to whom the order has been entered may be held pursuant to another provision of law to be guilty of perjury or otherwise giving a false statement by reason of his failure to recite or acknowledge the arrest, or indictment or information, or trial in response to an inquiry made of him for any purpose, except when the person is providing sworn statements or giving testimony under oath. A conditional discharge granted pursuant to this section does not preclude a person from availing themselves of subsequent pre-trial diversion options provided by law.

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 12

AYES

Adams	Alexander	Allen
Bennett	Cromer	Davis
Devine	Fanning	Gambrell
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Malloy	Matthews
McElveen	McLeod	Rankin
Senn	Setzler	Stephens

Talley	Tedder	Turner
Williams	Young	

Total--32

NAYS

Campsen	Cash	Climer
Corbin	Garrett	Loftis
Martin	Massey	Peeler
Reichenbach	Rice	Verdin

Total--12

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4304 -- Reps. Connell, Mitchell, Yow, Murphy, Elliott, Robbins, Collins, Pope and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-75-30 SO AS TO PERMIT PARENTAL AND FILIAL CONSORTIUM CLAIMS.

The Senate proceeded to consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-4304.SW0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 15-75-30(A) and (B) and inserting:

(A) An unemancipated minor may maintain a civil action for damages from an intentional or tortious violation of the right to the companionship, aid, society, and services of his parent. Provided that such action shall not include any damages recovered prior thereto by the injured parent.

(B) A parent or legal guardian of an unemancipated minor child may maintain a civil action for damages from an intentional or tortious violation of the right to companionship, aid, society, and services of his unemancipated minor. Provided that such action shall not include any damages recovered prior thereto by the injured unemancipated minor.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 23; Nays 21

AYES

Alexander	Allen	Davis
Devine	Fanning	Goldfinch
Harpootlian	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Malloy
Matthews	McElveen	McLeod
Rankin	Senn	Setzler
Stephens	Talley	Tedder
Williams	Young	

Total--23

NAYS

Adams	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Gambrell	Garrett
Grooms	Gustafson	Hembree
Kimbrell	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Turner	Verdin

Total--21

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 4563 -- Reps. Bernstein, J.L. Johnson and Clyburn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-11-345 SO AS TO CLARIFY THE POWER OF SPECIAL PURPOSE DISTRICTS TO OWN, ACQUIRE, PURCHASE, HOLD, USE, LEASE, CONVEY, SELL, TRANSFER, OR OTHERWISE

DISPOSE OF PROPERTY IN FURTHERANCE OF CERTAIN FUNCTIONS, TO PROVIDE THESE POWERS ARE IN ADDITION TO POWERS AND AUTHORIZATIONS PREVIOUSLY VESTED IN SUCH DISTRICTS, AND DEFINE NECESSARY TERMINOLOGY.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (SJ-4563.PB0001S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Unless the General Assembly amends, reenacts, or otherwise extends Section 6-11-345 in any manner before the passing of three years after the effective date of this act, the provisions of Section 6-11-345, as added by this act, are repealed June 30, 2027.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Stephens	Talley

Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4611 -- Reps. Hixon, Pope, Chapman, Taylor, Hardee, Brewer, Robbins, Gatch and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-11-785 SO AS TO PROHIBIT THE UNLAWFUL REMOVAL OR DESTRUCTION OF ELECTRONIC COLLARS OR OTHER ELECTRONIC DEVICES PLACED ON DOGS BY THEIR OWNERS AND TO PROVIDE PENALTIES.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (SFGF-4611.BC0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by deleting Section 50-11-785(C).

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4617 -- Reps. Hixon, Davis, M.M. Smith, Bannister, Pope, Wooten, Haddon, Brewer, Burns, Thayer, Kirby, Oremus, Hager, Hyde, Sessions, Carter, McDaniel, Magnuson, Hayes, W. Newton, Bauer, Trantham, J.L. Johnson, Henegan, Guffey, Chapman, Leber, Kilmartin, Robbins, Felder, Jefferson, Caskey, Ligon and Vaughan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-230, RELATING TO SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A SCHEDULE III CONTROLLED SUBSTANCE, WITH EXCEPTIONS; AND BY ADDING SECTION 44-53-372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH

EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-4617.MB0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-53-230(c)13 and inserting:

13. Xylazine.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 53, Title 44 of the S.C. Code is amended by adding:

Section 44-53-373. Nothing in this article applies to veterinarians in connection with the practice of their profession and the legitimate use of xylazine within the veterinary practice, including:

(A) the distribution or possession of xylazine by a licensed veterinarian for use in legitimate veterinary practice;

(B) the possession of xylazine pursuant to a valid prescription from a licensed veterinarian; or

(C) the possession of xylazine in an injectable form for use in nonhuman species.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian

Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4754 -- Reps. Sandifer and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 57, TITLE 40 SO AS TO OUTLINE REQUIREMENTS FOR PROVIDERS OF PRELICENSING AND CONTINUING EDUCATION COURSES FOR REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS; BY ADDING SECTION 40-57-725 SO AS TO ESTABLISH ADMINISTRATIVE CITATIONS AND PENALTIES AND APPEALS; AND BY AMENDING CHAPTER 57, TITLE 40, RELATING TO REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS, SO AS TO, AMONG OTHER THINGS, DEFINE TERMS, MAKE CONFORMING CHANGES, DEFINE THE USE OF APPLICATION FEES, OUTLINE THE PROCEDURE FOR A LICENSE CLASSIFICATION CHANGE, ALLOW FOR RECIPROCAL AGREEMENTS WITH OTHER JURISDICTIONS, PROHIBIT BAD FAITH AGREEMENTS, REDUCE THE AMOUNT OF REQUIRED CLASSROOM INSTRUCTION FOR BROKERS-IN-CHARGE, PROHIBIT ENGAGING IN, REPRESENTING OTHERS IN, OR ASSISTING OTHERS IN THE PRACTICE OF WHOLESALING, REGULATE TEAM

MARKETING, AND ADDRESS LICENSING AFTER REVOCATION.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

Motion Adopted

Senator DAVIS asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4817 -- Reps. West and G.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-17-500, RELATING TO THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO MINORS WITHOUT PROOF OF AGE AND THE LOCATION OF VENDING MACHINES, SO AS TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS AND TO REQUIRE INDIVIDUALS SEEKING TO PURCHASE TOBACCO PRODUCTS OR ALTERNATIVE NICOTINE PRODUCTS TO PRESENT PROOF OF AGE UPON DEMAND, AND TO ALLOW THE PURCHASE OF TOBACCO PRODUCTS AND ALTERNATIVE NICOTINE PRODUCTS FROM VENDING MACHINES IN CERTAIN ESTABLISHMENTS.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT WITHDRAWN
AMENDED, READ THE SECOND TIME

H. 4820 -- Reps. Forrest, Hixon, Hayes, Chumley, Burns, Haddon, Magnuson, Chapman, McDaniel and Gibson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-580, RELATING TO THE SEASON FOR HUNTING AND TAKING MALE WILD TURKEYS, BAG LIMITS, TAKING FEMALE WILD TURKEYS, AND ANNUAL REPORTING, SO AS TO ADJUST THE HUNTING AND LIMIT FOR TAKING MALE WILD TURKEYS; AND TO PROVIDE A SUNSET PROVISION.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (SFGF-4820.BC0009S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 50-11-580 of the S.C. Code is amended to read:

Section 50-11-580. (A) The season for the hunting and taking ~~a~~ of legal male wild ~~turkey~~turkeys is April 1 through May 1~~:~~

~~(1) in Game Zones 1 and 2, April 1 through May 10; and~~

~~(2) in Game Zones 3 and 4, March 22 through April 30~~.

(B) The season bag limit for legal male wild turkeys is ~~three~~two statewide for residents and two statewide for nonresidents. The daily bag limit is one, provided that~~:~~

~~(1)~~ only one legal male wild turkey may be taken from April 1 through April 10 ~~from within Game Zones 1 and 2; and~~

~~(2) only one male wild turkey may be taken from March 22 through March 31 from within Game Zones 3 and 4~~.

(C) It is unlawful for a person to take a female wild turkey unless authorized by the department pursuant to Section 50-11-500(3).

(D) The department shall provide an annual report on wild turkey resources in South Carolina to the Chairman of the Senate Fish, Game and Forestry Committee and the Chairman of the House Agriculture and Natural Resources Committee.

SECTION 2. Section 50-11-500 of the S.C. Code is amended by adding:

(10) It is unlawful for a person to hunt, kill, or possess a male wild turkey with a beard less than six inches long and a tail fan that is not fully developed.

SECTION 3. Section 50-11-500 of the S.C. Code is amended by adding:

(11) It is unlawful for a person to hunt or stalk a wild turkey while holding or using for hunter concealment a tail fan, a partial or full decoy with a tail fan, or a tail fan mounted to a firearm.

SECTION 4. Section 50-11-590 of the S.C. Code is amended to read:

Section 50-11-590. (A) The Saturday and Sunday preceding April 1 ~~the start of a game zone turkey season~~and the Saturday and Sunday following May 1 is declared to be a "Youth Turkey Hunting Weekend" ~~within the game zone~~ for youth turkey hunters under eighteen years of age.

(B) A license or tag requirement is waived for a youth turkey hunter during a Youth Turkey Hunting Weekend.

(C) The total bag limit ~~during Youth Turkey Hunting Weekend~~for the two Youth Turkey Hunting Weekends combined is one legal male wild turkey ~~for the weekend~~ that shall count toward the season bag limit. A turkey harvest must be reported to the electronic harvest reporting system pursuant to the provisions of Section 50-11-546.

(D) Youth turkey hunters who have not completed the hunter education program pursuant to Section 50-9-310, and who hunt during a Youth Turkey Hunting Weekend, must be accompanied by an adult who is at least twenty-one years of age. An adult may not harvest or attempt to harvest turkeys during a Youth Turkey Hunting Weekend but is permitted to call turkeys for a youth turkey hunter.

SECTION 5. Section 50-9-640 of the S.C. Code is amended to read:

Section 50-9-640. (A) For the privilege of hunting wild turkey, in addition to the required hunting license and big game permit, a person must possess a wild turkey tag issued in the person's name. The fee for a:

(1) resident is ~~five~~ twenty-five dollars for ~~three~~ two tags, one dollar of which may be retained by the license sales vendor; and

(2) nonresident is one hundred twenty-five dollars for two tags, one dollar of which may be retained by the license sales vendor.

(B) There is no cost for wild turkey tags for persons under the age of sixteen, lifetime licensees, and gratis licensees upon request to the department.

SECTION 6. This act is repealed on May 11, 2028, and the text amended by this act shall revert to the language contained in the South Carolina Code of Laws as of January 1, 2024.

SECTION 7. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

On motion of Senator CAMPSEN, with unanimous consent, the amendment was withdrawn.

Senators CAMPSEN, McELVEEN, YOUNG and GOLDFINCH proposed the following amendment (SFGF-4820.BC0016S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 50-11-580 of the S.C. Code is amended to read:

Section 50-11-580. (A) The season for the hunting and taking ~~a~~ of legal male wild ~~turkey~~turkeys is April 5 through May 5~~:~~

~~(1) in Game Zones 1 and 2, April 1 through May 10; and~~

~~(2) in Game Zones 3 and 4, March 22 through April 30~~.

(B) The season bag limit for legal male wild turkeys is ~~three~~two statewide for residents and two statewide for nonresidents. The daily bag limit is one, provided that~~:~~

~~(1)~~ only one legal male wild turkey may be taken ~~from April 1 through~~prior to April 10~~ from within Game Zones 1 and 2; and~~

~~(2) only one male wild turkey may be taken from March 22 through March 31 from within Game Zones 3 and 4~~.

(C) It is unlawful for a person to take a female wild turkey unless authorized by the department pursuant to Section 50-11-500(3).

(D) The department shall provide an annual report on wild turkey resources in South Carolina to the Chairman of the Senate Fish, Game and Forestry Committee and the Chairman of the House Agriculture and Natural Resources Committee, to include an itemized list of expenditures from the revenues generated from the sale of resident and nonresident wild turkey tags.

SECTION 2. Section 50-11-500 of the S.C. Code is amended by adding:

(10) It is unlawful for a person to hunt, kill, or possess a male wild turkey with a beard less than six inches long and a tail fan that is not fully developed.

SECTION 3. Section 50-11-500 of the S.C. Code is amended by adding:

(11) It is unlawful for a person to stalk a wild turkey while behind a decoy or tail fan. Tail fans include those made of real or synthetic feathers or an image or likeness of a tail fan applied to any material.

SECTION 4. Section 50-11-590 of the S.C. Code is amended to read:

Section 50-11-590. (A) The Saturday and Sunday preceding April 5 ~~the start of a game zone turkey season~~and the Saturday and Sunday following May 5 is declared to be a "Youth Turkey Hunting Weekend" ~~within the game zone~~ for youth turkey hunters under eighteen years of age.

(B) A license or tag requirement is waived for a youth turkey hunter during a Youth Turkey Hunting Weekend.

(C) The total bag limit ~~during Youth Turkey Hunting Weekend~~for the two Youth Turkey Hunting Weekends combined is one legal male wild turkey ~~for the weekend~~ that shall count toward the season bag limit. A youth turkey hunter who has reached the season bag limit on or prior to May 5 must not harvest or attempt to harvest a turkey during the Youth Turkey Hunting Weekend following May 5 but is permitted to call turkeys for another youth turkey hunter. A turkey harvest must be reported to the electronic harvest reporting system pursuant to the provisions of Section 50-11-546.

(D) Youth turkey hunters who have not completed the hunter education program pursuant to Section 50-9-310, and who hunt during a

Youth Turkey Hunting Weekend, must be accompanied by an adult who is at least twenty-one years of age. An adult ~~may~~ must not harvest or attempt to harvest ~~turkeys~~ a turkey during a Youth Turkey Hunting Weekend but is permitted to call turkeys for a youth turkey hunter.

SECTION 5. Section 50-9-640 of the S.C. Code is amended to read:

Section 50-9-640. (A) For the privilege of hunting wild turkey, in addition to the required hunting license and big game permit, a person must possess a wild turkey tag issued in the person's name. The fee for a:

(1) resident is ~~five~~ twenty-five dollars for ~~three~~ two tags, one dollar of which may be retained by the license sales vendor; ~~and~~

(2) nonresident is one hundred twenty-five dollars for two tags, one dollar of which may be retained by the license sales vendor.

(B) There is no cost for wild turkey tags for persons under the age of sixteen, lifetime licensees, and gratis licensees upon request to the department.

SECTION 6. The amendments contained in SECTIONS 1 and 4 of this act are repealed on May 11, 2028, and the text of these SECTIONS shall revert back to the language contained in the South Carolina Code of Laws as of January 1, 2024.

SECTION 7. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Motion Adopted

Senator CAMPSEN asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4825 -- Reps. Hewitt, Murphy, W. Newton, Brewer, Gatch, Robbins, Kirby, Mitchell, Crawford, Yow, Bailey, Pope, Guest, Hartnett, West, Oremus, Leber, Williams, Jefferson, Gilliard, Schuessler, Landing, Bustos, Calhoon, Gilliam, Gibson, M.M. Smith, B. Newton and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-910, RELATING TO OFFENSES INVOLVING KIDNAPPING, SO AS TO INCLUDE UNLAWFULLY LURING ANOTHER PERSON, TO PROVIDE FOR A SENTENCING ENHANCEMENT WHEN THE VICTIM IS A MINOR, TO SPECIFICALLY PROVIDE FOR PUNISHMENT FOR ATTEMPTED KIDNAPPING OFFENSES, AND TO DEFINE THE TERM "MINOR".

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-4825.SW0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-3-910(A), (B), and (C) and inserting:

Whoever shall unlawfully seize, confine, inveigle, ~~,~~ decoy, kidnap, abduct or carry away any other person by any means whatsoever without authority of law, except when a minor is seized or taken by his parent, is guilty of a felony and, upon conviction, must be imprisoned for a period not to exceed thirty years ~~unless sentenced for murder as provided in Section 16-3-20~~.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 5, Title 63 of the S.C. Code is amended by adding:

Section 63-5-90. (A) As used in this section, the term:

(1) "Child" means a person under sixteen years of age.

(2) "Conveyance" means any motor vehicle as defined in Section 56-1-10, ship, vessel, railroad car, trailer, aircraft, or sleeping car.

(3) "Dwelling" means a building or conveyance of any kind, either temporary or permanent, mobile or immobile, which has a roof over it and is designed to be occupied by persons lodging together, including the surrounding area.

(4) "Structure" means a building of any kind, either temporary or permanent, which has a roof over it, including the surrounding area.

(B) Unless the circumstances reasonably indicate that the child is in need of assistance, a person eighteen years of age or older who lures, entices, or attempts to lure or entice a child into a conveyance, dwelling, or structure without the consent, express or implied, of the child's parent or legal guardian is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.

(C) Mistake of age is not a defense to prosecution pursuant to the provisions of this section. However, it is an affirmative defense to prosecution pursuant to the provisions of this section if the:

(1) person lured, enticed, or attempted to lure or entice, the child into the conveyance, dwelling, or structure for a lawful purpose; or

(2) person's actions were otherwise reasonable under the circumstances, and he did not have the intent to harm the health, safety, or welfare of the child.

(D) The penalties provided in this section are in addition to other penalties as provided by law for kidnapping or any other offense, as warranted. The offense of luring a child is not intended to be a lesser included offense of kidnapping or any other offense.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin

Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

H. 4867 -- Reps. Lawson, Hayes, G.M. Smith, Moss, Hiott, Blackwell, B.L. Cox, Caskey, M.M. Smith, Hart, Sandifer, J.E. Johnson, Brittain and Bauer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-23-45 SO AS TO REQUIRE ALL 911 TELECOMMUNICATORS WHO PROVIDE DISPATCH FOR EMERGENCY MEDICAL CONDITIONS TO BE TRAINED IN HIGH-QUALITY TELECOMMUNICATOR CARDIOPULMONARY RESUSCITATION (T-CPR).

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-4867.SW0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 23-23-45(D) and inserting:

(D) Neither telecommunicators that provide dispatch for emergency medical conditions who have completed the training specified in subsection (A) nor the State or the agency, political subdivision, or governmental entity employing such telecommunicators shall be liable for any civil damages for any personal injury arising from the provision of CPR instructions to 911 callers except acts or omissions amounting to gross negligence, recklessness, or willful, wanton, or intentional misconduct. Any civil cause of action for damages arising from the provision of T-CPR instructions and brought against the State, an

agency, a political subdivision, or a governmental entity and its employee acting within the scope of his official duty must be brought pursuant to the South Carolina Tort Claims Act, Chapter 78, Title 15.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

RECOMMITTED

H. 4874 -- Reps. Hixon, Chapman and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 17 TO TITLE 50 SO AS TO REGULATE CAPTIVE WILDLIFE BY DEFINING TERMS, OUTLINING THE PERMITTING PROCESS, LISTING EXCEPTIONS, AND PROVIDING PENALTIES FOR VIOLATIONS, AMONG OTHER THINGS; BY AMENDING SECTION 50-16-40, RELATING TO EXCEPTIONS TO THE PERMIT REQUIREMENT FOR WILDLIFE IMPORTED FOR EXHIBITION PURPOSES, SO AS TO LIMIT THE EXCEPTIONS; AND BY REPEALING SECTION 50-11-1180 RELATING TO THE AUTHORITY OF THE DEPARTMENT TO ISSUE PERMITS TO COLLECT PROTECTED WILDLIFE FOR SCIENTIFIC OR PROPAGATING PURPOSES.

On motion of Senator DAVIS, the Bill was recommitted to Committee on Fish, Game and Forestry.

AMENDED, READ THE SECOND TIME

H. 5042 -- Reps. B.L. Cox, J.L. Johnson, Murphy, Sessions, Cobb-Hunter, Kirby, Brewer, Garvin, Henegan, M.M. Smith, Jefferson, Rivers, McDaniel, Davis, Haddon, King, Gilliard, Stavrinakis, Bauer, West, Wetmore, T. Moore, Thigpen, Chapman, Schuessler, Pope, Guffey, Dillard, W. Jones, Pendarvis, G.M. Smith, Weeks, Wheeler, Williams, S. Jones, J. Moore, O'Neal, B. Newton, Neese, Lawson, Atkinson, Hayes, W. Newton, Bannister, Caskey, Hyde, J.E. Johnson, Hiott, Brittain, Hartnett, Mitchell, Yow, Gagnon, Carter, Guest, Gatch, Crawford, Ott, Rutherford, Leber, Hixon, Herbkersman, Anderson, Bailey, Elliott, Gilliam, Calhoon, Wooten, Forrest, Pedalino, Jordan, Bustos, Bamberg, Bernstein, Clyburn, Hosey, Henderson-Myers, Howard, Vaughan, Beach, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 10-1-185 SO AS TO ESTABLISH ON THE GROUNDS OF THE STATE HOUSE A ROBERT SMALLS MONUMENT, CREATE A COMMISSION TO DETERMINE THE DESIGN AND LOCATION OF THE MONUMENT, PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION, AND SUNSET THE COMMISSION AT A DATE CERTAIN.

The Senate proceeded to a consideration of the Bill.

Senator ALEXANDER proposed the following amendment (SR-5042.KM0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 10-1-185(C)(1) and inserting:

(1) the director of the Department of Administration or his designee, to serve as chairman of the commission;

Amend the bill further, SECTION 1, by striking Section 10-1-185(D) and inserting:

(D) The commission shall consult with the South Carolina Department of Archives and History to determine and confirm the historical accuracy of the monument's engravings.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 5154 -- Reps. West and Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-5-1030, RELATING TO CIVIL PENALTIES, SO AS TO PROVIDE A GAS UTILITY WHICH VIOLATES SECTION 58-5-1020 OR A REGULATION UNDER ARTICLE 9 OF CHAPTER 5, TITLE 58 IS SUBJECT TO A CIVIL PENALTY NOT MORE THAN THE CIVIL PENALTY PROVIDED BY 49 U.S.C. SECTION 60122 AND 49 C.F.R. 190.233.

The Senate proceeded to a consideration of the Bill.

Senator RANKIN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Senn	Setzler

Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 5458 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING AMBULATORY SURGICAL FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5264, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to a consideration of the Resolution.

Senator VERDIN explained the Resolution.

The question being the second reading of the Resolution.

Motion Adopted

On motion of Senator VERDIN, with unanimous consent, to be taken up at the end of the third reading calendar.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning

Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 5459 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO MINIMUM STANDARDS FOR LICENSING HOSPITALS AND INSTITUTIONAL GENERAL INFIRMARIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5265, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to a consideration of the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 5183 -- Reps. M.M. Smith, West, Hewitt, Chapman, B. Newton, Hiott, Sessions, Pope, Davis, Gagnon, Thayer and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-20, RELATING TO THE DEFINITION OF A CERTIFIED MEDICAL ASSISTANT, SO AS TO REVISE THE REQUIRED QUALIFICATIONS FOR CERTIFICATION; AND BY AMENDING SECTION 40-47-196, RELATING TO THE DELEGATION OF NURSING TASKS TO UNLICENSED ASSISTIVE PERSONNEL BY CERTAIN MEDICAL PROFESSIONALS, SO AS TO DESIGNATE ADDITIONAL TASKS THAT MAY BE DELEGATED.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

H. 5183--Ordered to a Third Reading

On motion of Senator DAVIS, H. 5183 was ordered to receive a third reading on Thursday, May 9, 2024.

RECOMMITTED

S. 634 -- Senators Kimbrell, Rice, Climer, Loftis, Corbin, M. Johnson, Peeler, Turner, Grooms, Adams, Gustafson, Verdin and Garrett: A SENATE RESOLUTION TO EXPRESS THE SENSE OF THE SENATE THAT PUBLIC FUNDS SHOULD NOT BE DEDICATED TO ECONOMIC DEVELOPMENT PROJECTS THAT BENEFIT A CORPORATION THAT IS ACTIVELY ENGAGED IN PROMOTING

ENVIRONMENTAL, SOCIAL, OR POLITICAL GOALS, OBJECTIVES, OR OUTCOMES.

On motion of Senator KIMBRELL, the Resolution was recommitted to Committee on Finance.

ADOPTED

H. 3392 -- Rep. M.M. Smith: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 17 AND MELROSE DRIVE IN CHARLESTON COUNTY "DEPUTY SHERIFF JEREMY CHRISTOPHER LADUE MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

S. 1314 -- Senators Senn and Campsen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE ROUNDABOUT AT FORT JOHNSON ROAD AND HARBOR VIEW ROAD IN CHARLESTON COUNTY "INEZ BROWN CROUCH ROUNDABOUT" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

H. 4040 -- Reps. Gilliard and Stavrinakis: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GARDEN STREET FROM ITS INTERSECTION WITH HOFF AVENUE TO ITS INTERSECTION WITH HUNTLEY DRIVE IN THE CITY OF CHARLESTON IN CHARLESTON COUNTY "BILL SHARPE WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4806 -- Reps. Rivers and Gilliard: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF THE SEA ISLAND PARKWAY IN BEAUFORT COUNTY FROM ITS INTERSECTION WITH CHOWAN CREEK BLUFF TO ITS INTERSECTION WITH COWEN CREEK BRIDGE "MONTFORD POINT MARINES WAY"

AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4904 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE BROAD RIVER ALONG SOUTH CAROLINA HIGHWAYS 49 AND 9 IN UNION COUNTY "1ST LT. ROY D. BRATTON MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS DESIGNATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4905 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED AT THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 9 AND SOUTH CAROLINA HIGHWAY 49 IN UNION COUNTY "PFC FRANKLIN LEROY BARBER BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4906 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE LOCKHART CANAL ON SOUTH CAROLINA HIGHWAYS 49 AND 9 "SP5 WALTER 'BUBBA' BRANNON MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 5378 -- Reps. Thigpen, Howard, Garvin, Bernstein, Bauer, McDaniel and Rutherford: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF UNITED STATES HIGHWAY 21 (WILSON BOULEVARD) FROM STATE ROAD S-910 (PLUMBERS ROAD) TO ITS INTERSECTION WITH STATE ROAD S-130 (SHARPE ROAD) IN RICHLAND COUNTY "JAMES AND BARBARA MCLAWHORN BOULEVARD" AND ERECT APPROPRIATE

SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

H. 4552 -- Reps. Pendarvis, Clyburn, Henegan, M.M. Smith, B.L. Cox, Robbins, Brewer, King, Wheeler, Henderson-Myers, Erickson, Stavrinakis, Weeks, Davis, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS.

On motion of Senator PEELER, the Bill was carried over.

HOUSE AMENDMENTS AMENDED

RETURNED TO THE HOUSE WITH AMENDMENTS

S. 142 -- Senators Shealy, Gustafson, Goldfinch, Hutto, Jackson, Campsen, McLeod, Setzler and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-2010, RELATING TO THE DEFINITION OF "SEX TRAFFICKING", SO AS TO EXPAND THE DEFINITION TO INCLUDE SEXUAL EXPLOITATION OF A MINOR AND PROMOTING OR PARTICIPATING IN PROSTITUTION OF A MINOR; AND BY AMENDING SECTION 16-3-2020, RELATING TO TRAFFICKING IN PERSONS, PENALTIES, MINOR VICTIMS AND DEFENSES, SO AS TO PROVIDE THAT A SEX TRAFFICKING VICTIM MAY RAISE DURESS AND COERCION AS AN AFFIRMATIVE DEFENSE TO NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM MAY NOT BE CONVICTED FOR NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, AND TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM CANNOT BE FOUND IN VIOLATION OF OR BE THE SUBJECT OF A DELINQUENCY PETITION IF THE MINOR'S CONDUCT WAS A DIRECT RESULT OF OR INCIDENTAL TO OR RELATED TO TRAFFICKING; AND

SO AS TO PROVIDE THAT THE PROVISIONS IN THIS ACT ARE RETROACTIVE.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

Senator HEMBREE proposed the following amendment (SEDU-142.DB0022S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 16-3-2020(F) and (G) and inserting:

(F) In a prosecution or adjudication of a person who is a victim of trafficking in persons, it is an affirmative defense that he was under duress or coerced into committing the offenses for which he is subject to prosecution or adjudication, if the offenses were committed as a direct result of, or ~~incidental or related to,~~interrelated to trafficking. A victim of trafficking in persons convicted or adjudicated delinquent of a violation of this article, ~~or~~ prostitution, or any other nonviolent misdemeanor or class F felony ~~-~~offenses may motion the court to ~~vacate the conviction and~~ expunge the record of the conviction or adjudication for a nonviolent misdemeanor or class F felony offense committed as a direct result of, or interrelated to trafficking. The court may grant the motion on a finding by a preponderance of evidence that the person's participation in the offense was a direct result of ~~being a victim.~~ or interrelated to being a victim of trafficking. The court may consider any prior rulings made by a court on the petitioners use of the affirmative defense provided in this section. An alleged victim of trafficking who files a motion to expunge the record pursuant to this subsection must file reasonable notice of the motion with the original prosecuting agency for the underlying offense and reasonable notice must be given or attempted to be given to any victims pursuant to the Victim's Bill of Rights. For purposes of this subsection, nonviolent misdemeanor offense or class F felony means all offenses listed in Section 16-1-20(A)(6)(7)(8) and (9).

(G) If the victim was a minor under the age of eighteen at the time of the offense, the victim of trafficking in persons may not be prosecuted in court ~~pursuant~~ or adjudicated delinquent for a violation of this article, ~~or~~ a prostitution offense, or for any other nonviolent misdemeanor or class F felony offense if it is determined after investigation that the victim committed the offense as a direct result of, or interrelated

toincidental or related to, trafficking. For purposes of this subsection, nonviolent misdemeanor offense or class F felony means all offenses listed in Section 16-1-20(A)(6)(7)(8) and (9). A person under the age of eighteen who is a victim of trafficking in persons in violation of this title shall not be found in violation of or be the subject of a delinquency petition if it is determined after investigation that the victim's conduct was a direct result of, or incidental or related to, However, if the victim is still under the age of eighteen, the victim must be referred by law enforcement or the prosecuting agency to the Department of Social Services in accordance with Sections 63-7-20, 63-7-310, 63-7-630, 63-7-980 and 63-11-2400. The Department must assess the referral and proceed according to the provisions in Title 63.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The amendment was adopted.

Senators SHEALY and HUTTO proposed the following amendment (SR-142.JG0024S), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X. Article 1, Chapter 25, Title 16 of the S.C. Code is amended by adding:

Section 16-25-130. (A) For the purposes of this section:

(1) "Address" means the residential street address, school address, or work address of an individual, as specified on the application for a program participant under this section.

(2) "Address confidentiality program" or "program" means the address confidentiality program established by this section.

(3) "Application assistant" means an employee of an agency or nonprofit organization who provides counseling, referral, shelter, or other specialized services to victims of domestic violence, dating violence, human trafficking, sexual offenses, stalking, or harassment and who has been designated by the Attorney General to assist persons with applications to participate in the address confidentiality program.

(4) "Designated address" means the address assigned to a program participant by the Attorney General pursuant to this section.

(5) "Domestic violence" means any act that is described in Chapter 25, Title 16.

(6) "Human trafficking" has the same meaning as provided in Article 19, Chapter 3, Title 16.

(7) "Mailing address" means an address that is recognized for delivery by the United States Postal Service.

(8) "Program participant" means a person certified by the Attorney General to participate in the program.

(9) "Sexual offense" means any act that is described in Articles 7 and 8 of Chapter 3, Title 16.

(10) "Stalking" has the same meaning as provided in Article 17, Chapter 3, Title 16.

(11) "Harassment" has the same meaning as provided in Article 17, Chapter 3, Title 16.

(B) The address confidentiality program is established to protect victims of domestic violence, human trafficking, stalking, harassment, or sexual offenses by authorizing the use of designated addresses for such victims. The program is administered by the Attorney General under the following application and certification procedures:

(1) Upon the recommendation of an application assistant, the following persons may apply to the Attorney General for assignation of a designated address:

(a) an individual;

(b) a parent, guardian, custodian, legal counsel, or other appropriate adult acting on behalf of a minor; or

(c) a guardian acting on behalf of an incapacitated person.

(2) The Attorney General may approve an application only if it is filed with the Office of the Attorney General in the manner established and on a form prescribed by the Attorney General. A completed application must contain:

(a) the application's preparation date, the applicant's signature, and the signature and victim service provider number of the application assistant who assisted the applicant in applying to be a program participant;

(b) a designation of the Attorney General as agent for the purposes of service of process and for receipt of first-class, certified or registered mail;

(c) the mailing address where the applicant may be contacted by the Attorney General or his designee and the telephone number or numbers at which the applicant may be called by the Attorney General or his designee; and

(d) one or more addresses or mailing addresses that the applicant requests be concealed, if disclosure may jeopardize the applicant's safety or increase the risk of violence to the applicant or members of the applicant's household.

(3) Upon receipt of a properly completed application, the Attorney General may certify the applicant as a program participant. A program participant is certified for four years following the date of initial certification unless the certification is withdrawn or invalidated before that date. The Attorney General shall send notification of lapsing certification and a reapplication form to a program participant at least four weeks prior to the expiration of the program participant's certification.

(4) The Attorney General shall forward first-class, certified, or registered mail to the appropriate program participants.

(5)(a) An applicant may not file an application knowing that it:

(i) contains false or incorrect information; or

(ii) falsely claims that disclosure of the address or mailing address listed in the application threatens the safety of the applicant, the applicant's children, or the minor or incapacitated person on whose behalf the application is made.

(b) An application assistant may not assist or participate in the filing of an application that the application assistant knows:

(i) contains false or incorrect information; or

(ii) falsely claims that disclosure of the address or mailing address listed in the application threatens the safety of the applicant, the applicant's children, or the minor or incapacitated person on whose behalf the application is made.

(C) Certification for the program may be canceled if one or more of the following conditions apply:

(1) a program participant obtains a name change, unless the program participant provides the Attorney General with documentation of a legal name change within thirty business days of the name change;

(2) there is a change in a program participant's residential street address from the address listed on the application, unless the program participant provides the Attorney General with notice of the change in such manner as the Attorney General provides; or

(3) the applicant or program participant files an application knowing that it:

(a) contains false or incorrect information; or

(b) falsely claims that disclosure of the address or mailing address listed in the application threatens the safety of the applicant, the applicant's children, or the minor or incapacitated person on whose behalf the application is made.

(D) Notwithstanding the provisions of subsection (E), state and local government agencies and the courts shall accept and use only the designated address as the program participant's address upon demonstration of a program participant's certification in the program.

(E) As the Attorney General determines appropriate, he may make a program participant's address or mailing address available for use by granting an exemption to:

(1) a law enforcement agency, a commissioner or other chief administrator of a state or local government agency, or the commissioner's or administrator's designee, if:

(a) the agency has a bona fide statutory, administrative, or law enforcement need for the program participant's address or mailing

address such that the agency is unable to fulfill its statutory duties and obligations without the address or mailing address; and

(b) the program participant's address or mailing address will be used only for those statutory, administrative, or law enforcement purposes and otherwise will be kept under seal and excluded from public inspection; or

(2) a person identified in a court order, if the Attorney General receives a court order that specifically orders the disclosure of a particular program participant's address and mailing address and the reasons stated for the disclosure.

(F) A program participant's application and supporting materials, and the program's state email account, are not public record pursuant to Chapter 4, Title 30, the Freedom of Information Act, and must be kept confidential by the Attorney General.

(G) The Attorney General, his employees, application assistance agencies designated under this section, and the employees or volunteers of such agencies shall not be liable for any injury, loss, or damage resulting from any act or omission under this section, except if the injury, loss, or damage is caused by an act or omission pursuant to this section that is criminal, grossly negligent, intentional, or willful. The State asserts this immunity under Section 15-78-20.

(H) This section does not create, and shall not be construed to create, a new cause of action or substantive legal right against the State or an officer or employee thereof.

(I) A participant in the address confidentiality program may not be mailed an absentee ballot unless the participant has requested an absentee ballot pursuant to Section 7-15-330. The participant's absentee ballot must be the same ballot used in the precinct assigned to the participant's residential street address. The request for an absentee ballot submitted by the participant is not a public record pursuant to Chapter 4, Title 30, the Freedom of Information Act, and must be kept confidential by the county board of voter registration and elections to which the request was made.

SECTION X. Article 16, Chapter 3, Title 16 of the S.C. Code is amended by adding:

Section 16-3-1656. (A) In order to ensure the safety of adult and child victims of domestic violence, dating violence, human trafficking, stalking, harassment, or sexual offenses and their families, a nonprofit victim assistance organization whose mission is, at least in part, to end domestic violence, dating violence, human trafficking, stalking, harassment, or sexual offenses and whose core services include

counseling and other services to victims of domestic violence, dating violence, human trafficking, stalking, harassment, or sexual offenses shall protect the confidentiality and privacy of persons receiving services.

(B) Except as provided in this section, a nonprofit victim assistance organization whose mission is, at least in part, to end domestic violence, dating violence, human trafficking, stalking, harassment, or sexual offenses and whose core services include counseling and other services to victims of domestic violence, dating violence, human trafficking, stalking, harassment, or sexual offenses must not:

(1) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

(2) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person about whom information is sought; or in the case of an unemancipated minor, of the minor and the minor's parent or legal guardian; or in the case of an incapacitated person, of the legally appointed guardian of the incapacitated person. However, consent for release may not be given by the abuser or alleged abuser of the minor or incapacitated person, or the abuser or alleged abuser of the other parent of the minor. If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.

(C) If release of information protected by this section is compelled by statutory mandate or court order, the organization providing services shall:

(1) make reasonable attempts to provide notice to persons affected by the disclosure of information; and

(2) take steps necessary to protect the privacy and safety of the persons affected by the release of the information.

(D) A nonprofit victim assistance organization providing services of domestic violence, dating violence, human trafficking, stalking, harassment, or sexual offenses may share:

(1) non-personally identifying data in the aggregate regarding services to their clients and non-personally identifying demographic information in order to comply with federal, state, tribal, or territorial reporting, evaluation, or data collection requirements;

(2) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order or restraining order enforcement purposes; and

(3) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

(E) In no circumstance may a nonprofit victim assistance organization whose mission is, at least in part, to end domestic violence, dating violence, human trafficking, stalking, harassment, or sexual offenses and whose core services include counseling or other services to victims of domestic violence, dating violence, human trafficking, stalking, harassment, or sexual offenses require a person to provide a consent to release personally identifying information as a condition of eligibility for the services provided.

(F) Nothing in this section prohibits reporting by individuals who are mandated reporters under Sections 43-35-25 or 63-7-310.

SECTION X. Chapter 11, Title 19 of the S.C. Code is amended by adding:

Section 19-11-110. (A) For purposes of this section:

(1) "Advocate" means an employee, agent, or volunteer of a nonprofit victim assistance organization whose mission is, at least in part, to end domestic violence, dating violence, human trafficking, stalking, harassment, or sexual offenses and whose core services include shelter, counseling, or other services to victims of domestic violence, dating violence, human trafficking, stalking, harassment, or sexual offenses.

(2) "Client" means a person who consults a nonprofit victim assistance organization whose mission is, at least in part, to end domestic violence, dating violence, human trafficking, stalking, harassment, or sexual offenses and whose core services include counseling or other services to victims of domestic violence, dating violence, human trafficking, stalking, harassment, or sexual offenses for the purpose of obtaining, on behalf of that person or someone else, advice, counseling, or other services concerning mental, physical, emotional, or other injuries, whether the client seeks or receives services within the criminal justice system, and whether a civil or criminal action arises as a result of the allegations.

(B) In any trial or inquiry in any suit, action, or proceeding in any court or before any person having, by law or consent of the parties, authority to examine witnesses or hear evidence, unless otherwise required by law, an advocate may not, without informed, written, and reasonably time-limited consent of the victim:

(1) be examined as to any communication made to the advocate by a client;

(2) disclose personally identifying information; or

(3) divulge records kept during the course of providing shelter, counseling, or other services to the client.

(C) This privilege belongs to the client and may not be waived, except by express consent. The privilege continues even if the client is unreachable. Consent may not be implied because the client is a party to a civil proceeding. The privilege terminates upon the death of the client.

SECTION 4. SECTION 1, SECTION 2, and SECTION 3 of this act take effect upon approval by the Governor. The remaining SECTIONS of this act take effect on July 1, 2025.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 124 -- Senators Hembree, Turner and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-18-1115 SO AS TO ESTABLISH A PILOT PROGRAM THAT WILL PERMIT PUBLIC SCHOOL DISTRICTS TO HIRE NONCERTIFIED TEACHERS IN A RATIO UP TO TEN PERCENT OF ITS ENTIRE TEACHING STAFF, TO PROVIDE ACADEMIC, EVALUATION, AND EXPERIENCE REQUIREMENTS, TO FURTHER PROVIDE FOR ANNUAL PROGRAM REPORTING AND NONCERTIFIED TEACHER REGISTRATION AND CLEARANCE REQUIREMENTS.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

Senator HEMBREE proposed the following amendment (SEDU-124.KG0007S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Article 11, Chapter 18, Title 59 of the S.C. Code is amended by adding:

Section 59-18-1115. (A) The Department of Education is directed to establish a pilot program by May 1, 2024, that will permit a school that has received an overall rating of “Excellent”, “Below Average”, or “Unsatisfactory” on its annual report card for at least two consecutive years, or is located in a critical geographic area as defined in Section 59-26-20(j), to hire noncertified teachers in a ratio of up to ten percent of its

entire teaching staff. To effect the establishment of the pilot program and to ensure the program participants are prepared, the State Board of Education, through the Department of Education, shall approve guidelines that at a minimum include the following:

(1) a noncertified teacher must possess a suitable baccalaureate or graduate degree for the position he is hired to teach and must have at least five years of relevant workplace experience;

(2) procedures are provided for requiring noncertified teachers to participate in the evaluation process pursuant to Section 59-26-30(B)(4) and (5);

(3) initial and ongoing training and support requirements; and

(4) a noncertified teacher must demonstrate enrollment in a certification program within three years of employment, including any state approved alternative or traditional route program.

(B) Participation in the pilot program is optional, and the decision to participate rests solely with the Department of Education and the school principal, upon approval of the district superintendent. Participating schools and districts are encouraged to collaborate on recruitment, training, and implementation of the pilot program and to assist the Department of Education with establishing best practices.

(C) The Department of Education shall establish a separate code in the professional coding system to capture noncertified teachers and shall continue to report this information on school report cards.

(D) Beginning November 1, 2025, the Department of Education shall submit an annual report that includes recommendations for improving, expanding, or continuing the pilot program to the General Assembly. At the end of the five-year pilot program, the annual status report shall include a recommendation regarding continuance of the program.

(E)(1) The Department of Education shall establish procedures for the registration and clearance of all noncertified teachers working in any public school pursuant to this section. Teachers shall submit the required documentation and fees to the Department of Education, which shall include, but are not limited to:

(a) a completed registration form;

(b) any associated fee;

(c) transcripts, which shall be subject to review; and

(d) FBI, South Carolina Law Enforcement Division, and National Association of State Directors of Teacher Education and Certification Clearinghouse checks.

(2) An individual whose South Carolina educator certificate has been suspended or revoked shall not be employed as a noncertified

teacher. If a noncertified teacher commits an offense covered by the Code of Conduct as promulgated by the State Board of Education, then the State Board of Education is authorized to revoke the non-certified teacher's registration.

SECTION 2. Nothing contained in this section may be construed to repeal, replace, or preclude application of any other statute.

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 305 -- Senators Young, M. Johnson, Kimbrell, Turner, Fanning, Climer, Stephens, Rankin, Loftis, Garrett, Matthews, Adams, Gustafson and Sabb: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THAT AN INDIVIDUAL'S PRIOR WORK EXPERIENCE MAY BE AWARDED ON AN INITIAL TEACHING CERTIFICATE IF THE PRIOR EXPERIENCE IS IN OR RELATED TO THE CONTENT FIELD OF THE CERTIFICATE, AND TO PROVIDE THAT EXISTING CERTIFICATE HOLDERS MAY ALSO RECEIVE THE SAME CREDIT FOR PRIOR WORK EXPERIENCE.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

Senator HEMBREE proposed the following amendment (SEDU-305.KG0024S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Chapter 25, Title 59 of the S.C. Code is amended by adding:

Section 59-25-60. (A) When reviewing an application by an individual for an educator certificate, the State Department of Education shall award years of experience on the educator certificate for occupational experience in, or related to, the content field of the certificate for which the individual qualifies. One year of experience credit may be awarded for every two years of full-time relevant work experience completed by the individual. Years of experience shall be awarded solely for the purpose of advancement on the teacher salary schedule. To be eligible for years of experience on the educator certificate, the individual must complete and submit a verification of relevant work experience form developed by the State Department of Education with the application for an educator certificate.

(B) Individuals that entered the teaching profession prior to July 1, 2023, with occupational experience in, or related to, the content field of their teaching certificate may complete and submit the verification of relevant work experience form to the State Department of Education to have additional years of experience added to their certificate for the purposes of advancing on the teacher salary schedule. If additional years of experience are awarded, the eligible individual is entitled to have their pay adjusted for the current school year to reflect the new experience step on the employing district's salary schedule. However, the individual is not entitled to retroactive pay for the increased years of experience during prior years of teaching or for any purpose other than advancement on the teacher salary schedule.

(C) Nothing in this section alters any existing requirements for receiving an educator certificate. Individuals with the work experience identified in subsection (A) must still meet all other existing requirements in order to receive an educator certificate.

(D) Nothing in this section shall be interpreted as allowing additional years of experience to be awarded for purposes other than advancement on the teacher salary schedule. Years of experience awarded pursuant to this section for relevant work experience are not considered service credit for the purposes of the state retirement or state health plans administered by PEBA.

SECTION 2. The State Department of Education shall make available the work experience verification form described in this act no later than ninety days after the approval by the Governor.

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 314 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-157-10 SO AS TO PROVIDE CHAPTER DEFINITIONS; BY ADDING SECTION 59-157-30 SO AS TO REQUIRE CERTAIN PERMANENT IMPROVEMENT PROJECTS OVER THRESHOLD AMOUNTS FOR HIGHER INSTITUTIONS TO BE SUBMITTED FOR REVIEW TO THE COMMISSION ON HIGHER EDUCATION AND JOINT BOND REVIEW COMMITTEE AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY FOR APPROVAL AFTER FULL ARCHITECTURE AND ENGINEERING DESIGN WORK IS COMPLETED BUT PRIOR TO THE EXECUTION OF A CONSTRUCTION CONTRACT, TO ALLOW THE CHAIRMAN OF JOINT BOND REVIEW COMMITTEE TO REQUEST A REVIEW AND COMMENT ON ANY OTHER PERMANENT IMPROVEMENT PROJECT; BY ADDING SECTION 59-157-40 SO AS TO EXEMPT CERTAIN HIGHER EDUCATION PERMANENT IMPROVEMENT PROJECTS FROM THE REQUIREMENTS OF SECTION 2-47-50 AND TO REQUIRE THE GOVERNING BOARDS TO REPORT ANNUALLY TO THE COMMISSION ON HIGHER EDUCATION, THE JOINT BOND REVIEW COMMITTEE, AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY OF ALL PROJECTS APPROVED; BY ADDING SECTION 59-157-50 SO AS TO REQUIRE THE BOARD OF TRUSTEES TO PROVIDE ON AN

ANNUAL BASIS A REPORT OF PROPERTY ACQUIRED AND ANY CAPITAL PROJECTS THAT ARE EXEMPT BY OPERATION OF SECTION 59-157-40.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

Senator HEMBREE proposed the following amendment (SEDU-314.DB0019S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 2-47-30 of the S.C. Code is amended to read:

Section 2-47-30. ~~The committee is specifically charged with, but not limited to, the following responsibilities:~~

~~(1) to review, prior to approval by the State Fiscal Accountability Authority, the establishment of any permanent improvement project and the source of funds for any such project not previously authorized specifically by the General Assembly;~~

~~(2) to study the amount and nature of existing general obligation and institutional bond obligations and the capability of the State to fulfill such obligations based on current and projected revenues;~~

~~(3) to recommend priorities of future bond issuance based on the social and economic needs of the State;~~

~~(4) to recommend prudent limitations of bond obligations related to present and future revenue estimates;~~

~~(5) to consult with independent bond counsel and other nonlegislative authorities on such matters and with fiscal officials of other states to gain in-depth knowledge of capital management and assist in the formulation of short- and long-term recommendations for the General Assembly;~~

~~(6) to carry out all of the above assigned responsibilities in consultation and cooperation with the executive branch of government and the authority;~~

~~(7) to report its findings and recommendations to the General Assembly annually or more frequently if deemed advisable by the committee.~~

The committee is charged with responsibilities, without limitation, to:

(1) review, prior to any implementation by any agency the establishment of and the source of funds for any permanent improvement project not specifically authorized by the General Assembly;

(2) study the amount and nature of existing general obligation and institutional bond obligations, and the capability of the State to fulfill such obligations based on current and projected revenues;

(3) recommend priorities of future bond issuance based on the social and economic needs of the State;

(4) recommend prudent limitations of bond obligations related to present and future revenue estimates;

(5) consult with independent counsel, advisors, and other authorities and fiscal officials to develop a body of knowledge that promotes prudent and efficient administration and management of capital assets and investments, and assist in the formulation of short- and long-term recommendations for consideration by the General Assembly;

(6) carry out all of the above assigned responsibilities in consultation and cooperation with the executive branch of government; and

(7) report its findings and recommendations to the General Assembly on such matters and at such times as are appropriate and advisable.

SECTION 2. Section 2-47-35 of the S.C. Code is amended to read:

Section 2-47-35. No project authorized in whole or in part for capital improvement bond funding under the provisions of Act 1377 of 1968, as amended, may be implemented until funds have beencan be made available and until the Joint Bond Review Committee, in consultation with the authority, has established priorities for the funding of the projects. The Joint Bond Review Committee shall must report its priorities to the members of the General Assembly within thirty days of the establishment of the funding priorities.

SECTION 3. Section 2-47-40 of the S.C. Code is amended to read:

Section 2-47-40. (A) To assist the authority and the Joint Bond Review Committee in carrying out their respective responsibilities, any Any agency or institution requesting or receiving funds from any source for use in the financing of to fund any permanent improvement project, as must provide, at a minimum, shall provide to the authority, and in such form and at such times as the authority, after review by Department of Administration and the committee, may prescribe:

(1) a complete description of the proposed project;

(2) a statement of justification for the proposed project;

(3) a statement of the purposes and intended uses of the proposed project;

(4) the estimated total cost of the proposed project;

(5) an estimate of the additional future annual operating costs associated with the proposed project;

(6) a statement of the expected impact of the proposed project on the five-year operating plan of the agency or institution proposing the project;

(7) a proposed plan of funding for ~~financing~~ the project, specifically identifying funds proposed from sources other than capital improvement bond authorizations; and

(8) the ~~specification of the~~ priority of each project among those proposed.

(B) All institutions of higher learning must ~~shall~~ submit to the Commission on Higher Education ~~permanent improvement~~ project proposal and justification statements for any permanent improvement project requiring review by the full committee pursuant to Section 2-47-52. The ~~to the authority, through the Commission on Higher Education, which shall forward all such statements and all supporting documentation received to the authority together with its~~ comments and recommendations~~.~~ ~~The recommendations~~ of the Commission on Higher Education must be made~~, among other things, shall include all of the permanent improvement projects requested by the several institutions listed~~ in accordance with higher education mission and goals as prescribed ~~the order of priority deemed appropriate~~ by Section 59-103-15, ~~the Commission on Higher Education~~ without regard to the sources of funds proposed for the funding~~financing~~ of the projects requested.

A~~The authority shall forward a~~ copy of each project proposal and justification statement, supporting documentation, and ~~supporting documentation received together with the authority's recommendations on such projects to the committee for its review and action. The~~ any recommendations of the Commission on Higher Education must~~shall~~ be provided ~~included in the materials forwarded~~ to the committee ~~by the authority~~.

(C) No provision in this section or elsewhere in this chapter, is to ~~shall~~ be construed to limit in any manner the prerogatives of the committee and the General Assembly with regard to recommending or authorizing permanent improvement projects and the funding such projects may require.

SECTION 4. Section 2-47-50 of the S.C. Code is amended to read:

Section 2-47-50. (A) Each ~~The authority shall establish formally each~~ permanent improvement project must be formally established in accordance with the provisions of this chapter before actions of any kind may be undertaken in any way to ~~sort which~~ implement the project. No

~~in any way may be undertaken and no~~ expenditure of any funds for any services or for any other project purpose may be contracted for, delivered, or otherwise provided prior to the date of the formal action ~~of the authority~~ to establish the project. ~~shall be approved. State agencies and institutions may advertise and interview for project architectural and engineering services for a pending project so long as the architectural and engineering contract is not awarded until after a state project number is assigned.~~ Following review by~~After~~ the committee, requests for ~~has reviewed the form to be used to request the~~ establishment of permanent improvement projects ~~and has reviewed the time schedule for considering such requests as proposed by the authority, requests to establish permanent improvement projects shall~~ must be made in such form and at such times as the ~~authority~~Department of Administration may require.

(B) Any proposal to fund~~finance~~ all or any part of any project using any funds not previously authorized by the General Assembly specifically for the project, or otherwise ~~by the General Assembly or~~ using any funds not previously approved for the project, must ~~by the authority and reviewed by the committee shall~~ be referred to the committee for review prior to any approval required by the provisions of this chapter~~authority~~.

(C) Any proposed revision of the scope or ~~of~~ the budget of an established permanent improvement project deemed ~~by the authority~~ to be substantial must ~~shall~~ be referred to the committee for its review prior to any final action implementing the revision. The ~~by the authority. In making their determinations regarding changes in project scope, the authority, and the committee shall utilize the~~ permanent improvement project proposal, ~~and~~ justification statements, and ~~together with~~ any supporting documentation, considered at the time the project was originally authorized or established ~~originally~~ must be utilized in making determinations regarding changes in project scope. Any proposal to increase the budget of a previously approved project using any funds not previously approved for the project must~~by the authority and reviewed by the committee shall~~ in all cases be deemed to be a substantial revision of a project budget and must~~which shall~~ be referred to the committee for review pursuant to the provisions of Section 2-47-52. The committee must~~shall~~ be advised promptly of all actions taken to ~~by the authority which~~ approve revisions in the scope ~~of~~ or the budget of any previously established permanent improvement project not deemed to be substantial ~~by the authority~~.

(D) For purposes of this chapter, a ~~with regard to all institutions of higher learning,~~ permanent improvement or a permanent improvement project is any improvement meeting the definition of a capital improvement under generally accepted accounting principles, including without limitation~~defined as~~:

(1) acquisition of land~~, regardless of cost, with staff level review of the committee and the State Fiscal Accountability Authority, up to two hundred fifty thousand dollars~~;

(2) acquisition, as opposed to the construction, of buildings or other structures~~, regardless of cost, with staff level review of the committee and the State Fiscal Accountability Authority, up to two hundred fifty thousand dollars~~;

(3) ~~work on existing facilities for any given project including their renovation, repair, maintenance, alteration, or demolition in those instances in which the total cost of all work involved is one million dollars or more;~~

~~(4) architectural and engineering and other types of planning and design work, regardless of cost, which is intended to result in a permanent improvement project. Master plans and feasibility studies are not permanent improvement projects and are not to be included;~~

~~(5)~~ capital lease purchase of any~~a~~ facility acquisition or construction ~~in which the total cost is one million dollars or more~~;

(4) new construction;

(5) work on existing facilities including their renovation, repair, maintenance, alteration, or demolition;

(6) architectural and engineering and other types of planning and design work that is intended to result in a permanent improvement project; excluding, however, master plans and feasibility studies;

(7)~~(6)~~ equipment that either becomes a permanent fixture of a facility or does not become permanent but is included in the construction contract ~~shall be included as a part of a project in which the total cost is one million dollars or more~~; and

(8)~~(7)~~ any project ~~new construction of a facility that exceeds a total cost of five hundred thousand dollars.~~

~~(E) Any permanent improvement project that meets the above definition must become a project, regardless of the source of funds. However, an institution of higher learning that has been~~ authorized ~~or~~ by the General Assembly including without limitation any project funded by appropriated capital improvement bond funds, capital reserve funds, ~~or~~ state appropriated funds, or state infrastructure bond funds ~~by the~~

~~General Assembly for capital improvements shall process a permanent improvement project, regardless of the amount~~.

(E) Any capital improvement that meets the above definition must be established as a permanent improvement project in accordance with the provisions of this chapter, regardless of the source of funds.

~~(F) For purposes of establishing permanent improvement projects, Clemson University Public Service Activities (Clemson-PSA) and South Carolina State University Public Service Activities (SC State-PSA) are subject to the provisions of this chapter.~~

~~SECTION 5. The repeal or amendment by this act of any law, whether temporary, permanent, civil, or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.~~

SECTION 5. Chapter 47, Title 2 of the S.C. Code is amended by adding:

Section 2-47-52. (A) For purposes of this chapter, except as provided in Section 2-47-52(B), permanent improvement projects are subject to review by the committee where the costs of the permanent improvements exceed one hundred thousand dollars; provided, however, that acquisitions of land, buildings or other structures, and capital lease purchases of facility acquisitions or construction as defined in items (1), (2), and (3) of Section 2-47-50(D) are subject to review by the committee regardless of cost.

(B) For purposes of this chapter, permanent improvement projects proposed by public universities of higher learning as defined in Section 59-103-5, including their related public service activities, are subject to review by the committee where the costs of the permanent improvements exceed five million dollars for research universities as identified in Section 11-51-30(5) or two million five hundred thousand dollars for all other public institutions of higher learning; provided, however, that acquisitions of land, buildings or other structures, and capital lease purchases of facility acquisitions or construction as defined in items (1),

(2), and (3) of Section 2-47-50(D) are subject to review by the committee regardless of cost.

(C) State agencies and institutions may advertise, interview, and engage the services of professional firms for architectural, engineering, planning, and design work as defined in item (6) of Section 2-47-50(D) to inform the project estimate prior to the review of the committee; provided, however, that the costs of such engagements do not exceed five million dollars for research universities as identified in Section 11-51-30(5), two million five hundred thousand dollars for all other public institutions of higher learning, or one hundred thousand dollars for all other agencies subject to the provisions of this chapter.

(D) Notwithstanding any other provision of this section, the committee may establish reporting and other requirements, and may authorize review of permanent improvement projects by committee staff, at such levels as the committee may determine are appropriate.

(E) Where the funding for a proposed permanent improvement project includes proceeds from the issuance of bonds or other indebtedness, including any obligation for an agency or institution to make payments pursuant to a lease or other agreement securing indebtedness in connection with or on behalf of the permanent improvement project, approval of the permanent improvement project is the responsibility of the Department of Administration, and approval of the issuance of bonds, where required pursuant to the applicable bond enabling act, or other indebtedness in accordance with the provisions of this subsection, is the responsibility of the State Fiscal Accountability Authority.

SECTION 6. Section 2-47-55 of the S.C. Code is amended to read:

Section 2-47-55. ~~(A) All state agencies responsible for providing and maintaining physical facilities are required to submit a Comprehensive Permanent Improvement Plan (CPIP) to the Joint Bond Review Committee and the authority. The CPIP must include all of the agency's permanent improvement projects anticipated and proposed over the next five years beginning with the fiscal year starting July first after submission. The purpose of the CPIP process is to provide the authority and the committee with an outline of each agency's permanent improvement activities for the next five years. Agencies must submit a CPIP to the committee and the authority on or before a date to be determined by the committee and the authority. The CPIP for each higher education agency, including the technical colleges, must be submitted through the Commission on Higher Education which must review the CPIP and provide its recommendations to the authority and the committee. The authority and the committee must approve the CPIP after~~

~~submission and may develop policies and procedures to implement and accomplish the purposes of this section.~~

~~(B) The State shall define a permanent improvement only in terms of capital improvements, as defined by generally accepted accounting principles, for reporting purposes to the State.~~

All state agencies responsible for providing and maintaining physical facilities are required to submit a Comprehensive Permanent Improvement Plan to the committee. The plan must include all of the permanent improvement projects proposed and anticipated by the agency over the next five years beginning with the fiscal year starting July first after submission. The purpose of this planning process is to develop a comprehensive statewide plan reflecting permanent improvements proposed and anticipated by each agency for the next five years. Agencies must submit a plan to the committee through the Department of Administration on or before a date to be determined by the Department of Administration. The plan for each higher education agency, including the technical colleges, must also be submitted to the Commission on Higher Education which must review the plan and provide its recommendations to the committee. The committee must review the plan after submission and may develop policies and procedures to implement and accomplish the purposes of this section.

SECTION 7. Section 2-47-56 of the S.C. Code is amended to read:

Section 2-47-56. ~~Each state agency and institution may accept gifts-in-kind for architectural and engineering services and construction of a value less than two hundred fifty thousand dollars with the approval of the Commission of Higher Education or its designated staff, the director of the department, and the Joint Bond Review Committee or its designated staff. No other approvals or procedural requirements, including the provisions of Section 11-35-10, may be imposed on the acceptance of such gifts.~~

For purposes of this chapter, the term "source of funds" includes without limitation gifts, gifts-in-kind, and donations; and when used as a financial resource to defray any cost of a permanent improvement project, the amount of the source of funds from such gifts, gifts-in-kind, and donations is the value of the gift, gift-in-kind, or donation. Each state agency and institution may accept gifts-in-kind for architectural and engineering services and construction following review by the committee or its designated staff in accordance with the provisions of Section 2-47-52. Such gifts are exempt from the provisions of Section 11-35-10.

SECTION 8. The repeal or amendment by this act of any law, whether temporary, permanent, civil, or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 9. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 408 -- Senators Shealy and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-75-250, RELATING TO ISSUANCE OF LICENSE, DISPLAY, AND RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT; AND BY AMENDING SECTION 40-75-540, RELATING TO REGULATIONS FOR CONTINUING EDUCATION AND LICENSE RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator SHEALY explained the House amendments.

Senator SHEALY proposed the following amendment (SR-408.JG0027S), which was adopted:

Amend the bill, after the title but before the enacting words, by deleting page 1, lines 19-41; page 2, lines 1-36; page 3, lines 1-36; page 4, lines 1-36; and page 5, lines 1-30.

Amend the bill further, by deleting SECTIONS 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23.A, 23.B, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37.A, 37.B, 38, 39, 40, 41, 42, 43, 44, and 45.

Renumber sections to conform.

Amend title to conform.

Senator SHEALY explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens

Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 610 -- Senators Cromer, Shealy and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PROFESSIONAL COUNSELING COMPACT ACT" BY ADDING ARTICLE 6 TO CHAPTER 75, TITLE 40 SO AS TO PROVIDE THE PURPOSE, FUNCTIONS, OPERATIONS, AND DEFINITIONS FOR THE COMPACT.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator DAVIS explained the House amendments.

Senator DAVIS proposed the following amendment (LC-610.HA0007S), which was adopted:

Amend the bill, as and if amended, by striking the Whereas Clauses and all after the enacting words and inserting:

SECTION 1. This act may be cited as the "Professional Counseling Compact Act".

SECTION 2. Chapter 75, Title 40 of the S.C. Code is amended by adding:

Article 6
Professional Counseling Compact

Section 40-75-910. (A) The purpose of this compact is to facilitate interstate practice of licensed professional counselors with the goal of improving public access to professional counseling services. The practice of professional counseling occurs in the state where the client is located at the time of the counseling services. The compact preserves the regulatory authority of the states to protect public health and safety through the current system of state licensure.

(B) This compact is designed to achieve the following objectives:

(1) increase public access to professional counseling services by providing for the mutual recognition of other member-state licenses;

(2) enhance the states' ability to protect the public's health and safety;

(3) encourage the cooperation of member states in regulating multistate practice for licensed professional counselors;

(4) support spouses of relocating active duty military personnel;

(5) enhance the exchange of licensure, investigative, and disciplinary information among member states;

(6) allow for the use of telehealth technology to facilitate increased access to professional counseling services;

(7) support the uniformity of professional counseling licensure requirements throughout the states to promote public safety and public health benefits;

(8) invest all member states with the authority to hold a licensed professional counselor accountable for meeting all state practice laws in the state in which the client is located at the time of care is rendered through the mutual recognition of member-state licenses;

(9) eliminate the necessity for licenses in multiple states; and

(10) provide opportunities for interstate practice by licensed professional counselors who meet uniform licensure requirements.

Section 40-75-920. As used in this compact, and except as otherwise provided, the following definitions shall apply:

(1) "Active-duty military" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active-duty orders pursuant to 10 U.S.C. Chapters 1209 and 1211.

(2) "Adverse action" means any administrative, civil, equitable, or criminal action permitted by a state's laws which is imposed by a licensing board or other authority against a licensed professional counselor, including actions against an individual's license or privilege to practice such as revocation, suspension, probation, monitoring of the licensee, limitation on the licensee's practice, or any other encumbrance

on licensure affecting a licensed professional counselor's authorization to practice, including issuance of a cease and desist action.

(3) "Alternative program" means a nondisciplinary monitoring or practice remediation process approved by a professional counseling licensing board to address impaired practitioners.

(4) "Continuing competence/education" means a requirement, as a condition of license renewal, to provide evidence of participation in, and/or completion of, educational and professional activities relevant to practice or area of work.

(5) "Counseling compact commission or commission" means the national administrative body whose membership consists of all states that have enacted the compact.

(6) "Current significant investigative information" means:

(a) investigative information that a licensing board, after a preliminary inquiry that includes notification and an opportunity for the licensed professional counselor to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction; or

(b) investigative information that indicates that the licensed professional counselor represents an immediate threat to public health and safety regardless of whether the licensed professional counselor has been notified and had the opportunity to respond.

(7) "Data system" means a repository of information about licensees including, but not limited to, continuing education, examination, licensure, investigative, privilege to practice, and adverse action information.

(8) "Encumbered license" means a license in which an adverse action restricts the practice of licensed professional counseling by the licensee and said adverse action has been reported to the National Practitioners Data Bank (NPDB).

(9) "Encumbrance" means a revocation of, suspension of, or any limitation on, the full and unrestricted practice of licensed professional counseling by a licensing board.

(10) "Executive committee" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them, by the commission.

(11) "Home state" means the member state that is the licensee's primary state of residence.

(12) "Impaired practitioner" means an individual who has conditions that may impair their ability to practice as a licensed professional counselor without some type of intervention and may

include, but are not limited to, alcohol and drug dependence, mental health impairment, and neurological or physical impairments.

(13) "Investigative information" means information, records, and documents received or generated by a professional counseling licensing board pursuant to an investigation.

(14) "Jurisprudence requirement" if required by a member state, means the assessment of an individual's knowledge of the laws and rules governing the practice of professional counseling in the state.

(15) "Licensed professional counselor" means a counselor licensed by a member state regardless of the title used by that state, to independently assess, diagnose, and treat behavioral health conditions.

(16) "Licensee" means an individual who currently holds an authorization from the state to practice as a licensed professional counselor.

(17) "Licensing board" means the agency of a state, or equivalent, that is responsible for the licensing and regulation of licensed professional counselors.

(18) "Member state" means a state that has enacted the compact.

(19) "Privilege to practice" means a legal authorization, which is equivalent to a license, permitting the practice of professional counseling in a remote state.

(20) "Professional counseling" means the assessment, diagnosis, and treatment of behavioral health conditions by a licensed professional counselor.

(21) "Remote state" means a member state other than the home state, where a licensee is exercising or seeking to exercise the privilege to practice.

(22) "Rule" means a regulation promulgated by the commission that has the force of law.

(23) "Single-state license" means a licensed professional counselor license issued by a member state that authorizes practice only within the issuing state and does not include a privilege to practice in any other member state.

(24) "State" means any state, commonwealth, district, or territory of the United States of America that regulates the practice of professional counseling.

(25) "Telehealth" means the application of telecommunication technology to deliver professional counseling services remotely to assess, diagnose, and treat behavioral health conditions.

(26) "Unencumbered license" means a license that authorizes a licensed professional counselor to engage in the full and unrestricted practice of professional counseling.

Section 40-75-930. (A) To participate in the compact, a state must currently:

(1) license and regulate licensed professional counselors;

(2) require licensees to pass a nationally recognized exam approved by the commission;

(3) require licensees to have a sixty semester hours (or ninety quarter hours) master's degree in counseling or sixty semester hours (or ninety quarter hours) of graduate course work including the following topic areas:

(a) professional counseling orientation and ethical practice;

(b) social and cultural diversity;

(c) human growth and development;

(d) career development;

(e) counseling and helping relationships;

(f) group counseling and group work;

(g) diagnosis and treatment; assessment, and testing;

(h) research and program evaluation; and

(i) other areas as determined by the commission;

(4) require licensees to complete a supervised postgraduate professional experience as defined by the commission; and

(5) have a mechanism in place for receiving and investigating complaints about licensees.

(B) A member state shall:

(1) participate fully in the commission's data system, including using the commission's unique identifier as defined in rules;

(2) notify the commission, in compliance with the terms of the compact and rules, of any adverse action or the availability of investigative information regarding a licensee;

(3) implement or utilize procedures for considering the criminal history records of applicants for an initial privilege to practice. These procedures shall include the submission of fingerprints or other biometric based information by applicants for the purpose of obtaining an applicant's criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records;

(a) a member state must fully implement a criminal background check requirement, within a time frame established by rule, by receiving

the results of the Federal Bureau of Investigation record search and shall use the results in making licensure decisions;

(b) communication between a member state, the commission and among member states regarding the verification of eligibility for licensure through the compact shall not include any information received from the Federal Bureau of Investigation relating to a federal criminal records check performed by a member state under Public Law 92-544;

(4) comply with the rules of the commission;

(5) require an applicant to obtain or retain a license in the home state and meet the home state's qualifications for licensure or renewal of licensure, as well as all other applicable state laws;

(6) grant the privilege to practice to a licensee holding a valid unencumbered license in another member state in accordance with the terms of the compact and rules; and

(7) provide for the attendance of the state's commissioner to the counseling compact commission meetings.

(C) Member states may charge a fee for granting the privilege to practice.

(D) Individuals not residing in a member state shall continue to be able to apply for a member state's single-state license as provided under the laws of each member state. However, the single-state license granted to these individuals shall not be recognized as granting a privilege to practice professional counseling in any other member state.

(E) Nothing in this compact shall affect the requirements established by a member state for the issuance of a single-state license.

(F) A license issued to a licensed professional counselor by a home state to a resident in that state shall be recognized by each member state as authorizing a licensed professional counselor to practice professional counseling, under a privilege to practice, in each member state.

Section 40-75-940. (A) To exercise the privilege to practice under the terms and provisions of the compact, the licensee shall:

(1) hold a license in the home state;

(2) have a valid United States social security number or national practitioner identifier;

(3) be eligible for a privilege to practice in any member state in accordance with subsections (D), (G), and (H);

(4) have not had any encumbrance or restriction against any license or privilege to practice within the previous two years;

(5) notify the commission that the licensee is seeking the privilege to practice within a remote state;

(6) pay any applicable fees, including any state fee, for the privilege to practice;

(7) meet any continuing competence/education requirements established by the home state;

(8) meet any jurisprudence requirements established by the remote state in which the licensee is seeking a privilege to practice; and

(9) report to the commission any adverse action, encumbrance, or restriction on a license taken by any nonmember state within thirty days from the date the action is taken.

(B) The privilege to practice is valid until the expiration date of the home-state license. The licensee must comply with the requirements of subsection (A) to maintain the privilege to practice in the remote state.

(C) A licensee providing professional counseling in a remote state under the privilege to practice shall adhere to the laws and regulations of the remote state.

(D) A licensee providing professional counseling services in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's privilege to practice in the remote state for a specific period of time, impose fines, and/or take any other necessary actions to protect the health and safety of its citizens. The licensee may be ineligible for a privilege to practice in any member state until the specific time for removal has passed and all fines are paid.

(E) If a home-state license is encumbered, the licensee shall lose the privilege to practice in any remote state until the following occur:

(1) the home-state license is no longer encumbered; and

(2) have not had any encumbrance or restriction against any license or privilege to practice within the previous two years.

(F) Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of subsection (A) to obtain a privilege to practice in any remote state.

(G) If a licensee's privilege to practice in any remote state is removed, the individual may lose the privilege to practice in all other remote states until the following occur:

(1) the specific period of time for which the privilege to practice was removed has ended;

(2) all fines have been paid; and

(3) have not had any encumbrance or restriction against any license or privilege to practice within the previous two years.

(H) Once the requirements of subsection (G) have been met, the licensee must meet the requirements in subsection (A) to obtain a privilege to practice in a remote state.

Section 40-75-950. (A) A licensed professional counselor may hold a home-state license, which allows for a privilege to practice in other member states, in only one member state at a time.

(B) If a licensed professional counselor changes primary state of residence by moving between two member states:

(1) The licensed professional counselor shall file an application for obtaining a new home-state license based on a privilege to practice, pay all applicable fees, and notify the current and new home state in accordance with applicable rules adopted by the commission.

(2) Upon receipt of an application for obtaining a new home-state license by virtue of a privilege to practice, the new home state shall verify that the licensed professional counselor meets the pertinent criteria outlined in Section 40-75-940 via the data system, without need for primary source verification except for:

(a) a Federal Bureau of Investigation fingerprint based criminal background check if not previously performed or updated pursuant to applicable rules adopted by the commission in accordance with Public Law 92-544;

(b) other criminal background check as required by the new home state; and

(c) completion of any requisite jurisprudence requirements of the new home state.

(3) The former home-state shall convert the former home-state license into a privilege to practice once the new home state has activated the new home-state license in accordance with applicable rules adopted by the commission.

(4) Notwithstanding any other provision of this compact, if the licensed professional counselor cannot meet the criteria in Section 40-75-940, the new home state may apply its requirements for issuing a new single-state license.

(5) The licensed professional counselor shall pay all applicable fees to the new home state in order to be issued a new home-state license.

(C) If a licensed professional counselor changes primary state of residence by moving from a member state to a nonmember state, or from a nonmember state to a member state, the state criteria shall apply for issuance of a single-state license in the new state.

(D) Nothing in this compact shall interfere with a licensee's ability to hold a single-state license in multiple states, however for the purposes of this compact, a licensee shall have only one home state license.

(E) Nothing in this compact shall affect the requirements established by a member state for the issuance of a single-state license.

Section 40-75-960. Active duty military personnel, or their spouse, shall designate a home state where the individual has a current license in good standing. The individual may retain the home state designation during the period the service member is on active duty. Subsequent to designating a home state, the individual shall only change their home state through application for licensure in the new state, or through the process outlined in Section 40-75-950.

Section 40-75-970. (A) Member states shall recognize the right of a licensed professional counselor, licensed by a home state in accordance with Section 40-75-930 and under rules promulgated by the commission, to practice professional counseling in any member state via telehealth under a privilege to practice as provided in the compact and rules promulgated by the commission.

(B) A licensee providing professional counseling services in a remote state under the privilege to practice shall adhere to the laws and regulations of the remote state.

Section 40-75-980. (A) In addition to the other powers conferred by state law, a remote state shall have the authority, in accordance with existing state due process law, to:

(1) take adverse action against a licensed professional counselor's privilege to practice within that member state;

(2) issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board in a member state for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the witnesses or evidence are located; and

(3) only the home state shall have the power to take adverse action against a licensed professional counselor's license issued by the home state.

(B) For purposes of taking adverse action, the home state shall give the same priority and effect to reported conduct received from a member

state as it would if the conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action.

(C) The home state shall complete any pending investigations of a licensed professional counselor who changes primary state of residence during the course of the investigations. The home state shall also have the authority to take appropriate action and shall promptly report the conclusions of the investigations to the administrator of the data system. The administrator of the coordinated licensure information system shall promptly notify the new home state of any adverse actions.

(D) A member state, if otherwise permitted by state law, may recover from the affected licensed professional counselor the costs of investigations and dispositions of cases resulting from any adverse action taken against that licensed professional counselor.

(E) A member state may take adverse action based on the factual findings of the remote state, provided that the member state follows its own procedures for taking the adverse action.

(F) Joint investigations:

(1) In addition to the authority granted to a member state by its respective professional counseling practice act or other applicable state law, any member state may participate with other member states in joint investigations of licensees.

(2) Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

(G) If adverse action is taken by the home state against the license of a licensed professional counselor, the licensed professional counselor's privilege to practice in all other member states shall be deactivated until all encumbrances have been removed from the state license. All home state disciplinary orders that impose adverse action against the license of a licensed professional counselor shall include a statement that the licensed professional counselor's privilege to practice is deactivated in all member states during the pendency of the order.

(H) If a member state takes adverse action, it shall promptly notify the administrator of the data system. The administrator of the data system shall promptly notify the home state of any adverse actions by remote states.

(I) Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action.

Section 40-75-990. (A) The compact member states hereby create and establish a joint public agency known as the Counseling Compact Commission:

(1) The commission is an instrumentality of the compact states.

(2) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

(3) Nothing in this compact shall be construed to be a waiver of sovereign immunity.

(B) Membership, voting, and meetings:

(1) Each member state shall have and be limited to one delegate selected by that member state's licensing board.

(2) The delegate shall be either:

(a) a current member of the licensing board at the time of appointment, who is a licensed professional counselor or public member; or

(b) an administrator of the licensing board.

(3) Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed.

(4) The member-state licensing board shall fill any vacancy occurring on the commission within sixty days.

(5) Each delegate shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission.

(6) A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

(7) The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

(8) The commission shall by rule establish a term of office for delegates and may by rule establish term limits.

(C) The commission shall have the following powers and duties:

(1) establish the fiscal year of the commission;

(2) establish bylaws;

(3) maintain its financial records in accordance with the bylaws;

(4) meet and take such actions as are consistent with the provisions of this compact and the bylaws;

(5) promulgate rules which shall be binding to the extent and in the manner provided for in the compact;

(6) bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state licensing board to sue or be sued under applicable law shall not be affected;

(7) purchase and maintain insurance and bonds;

(8) borrow, accept, or contract for services of personnel including, but not limited to, employees of a member state;

(9) hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

(10) accept any and all appropriate donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of the same; provided that at all times the commission shall avoid any appearance of impropriety and/or conflict of interest;

(11) lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve or use, any property, real, personal, or mixed; provided that at all times the commission shall avoid any appearance of impropriety;

(12) sell convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;

(13) establish a budget and make expenditures;

(14) borrow money;

(15) appoint committees, including standing committees composed of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

(16) provide and receive information from, and cooperate with, law enforcement agencies;

(17) establish and elect an executive committee; and

(18) perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of professional counseling licensure and practice.

(D) The executive committee:

(1) The executive committee shall have the power to act on behalf of the commission according to the terms of this compact.

(2) The executive committee shall be composed of up to eleven members:

(a) seven voting members who are elected by the commission from the current membership of the commission;

(b) up to four ex officio, nonvoting members from four recognized national professional counselor organizations; and

(c) The ex officio members will be selected by their respective organizations.

(3) The commission may remove any member of the executive committee as provided in the bylaws.

(4) The executive committee shall meet at least annually.

(5) The executive committee shall have the following duties and responsibilities:

(a) Recommend to the entire commission changes to the rules or bylaws, changes to this compact legislation, fees paid by compact member states such as annual dues, and any commission compact fee charged to licensees for the privilege to practice;

(b) Ensure compact administration services are appropriately provided, contractual or otherwise;

(c) prepare and recommend the budget;

(d) maintain financial records on behalf of the commission;

(e) monitor compact compliance of member states and provide compliance reports to the commission;

(f) establish additional committees as necessary; and

(g) other duties as provided in the rules or bylaws.

(E) Meetings of the commission:

(1) All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in Section 40-75-1010.

(2) The commission or the executive committee or other committees of the commission may convene in a closed, nonpublic meeting if the commission or executive committee or other committees of the commission must discuss:

(a) noncompliance of a member state with its obligations under the compact;

(b) the employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;

(c) current, threatened, or reasonably anticipated litigation;

(d) negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

(e) accusing any person of a crime or formally censuring any person;

(f) disclosure of trade secrets or commercial or financial information that is privileged or confidential;

(g) disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(h) disclosure of investigative records compiled for law enforcement purposes;

(i) disclosure of information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or

(j) matters specifically exempted from disclosure by federal or member state statute.

(3) If a meeting, or portion of a meeting, is closed pursuant to this provision, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

(4) The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

(F) Financing of the commission:

(1) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(2) The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

(3) The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states.

(4) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

(5) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

(G) Qualified immunity, defense, and indemnification:

(1) The members, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit and/or liability for any damage, loss, injury, or liability caused by the intentional or wilful or wanton misconduct of that person.

(2) The commission shall defend any member, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or wilful or wanton misconduct.

(3) The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties,

or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or wilful or wanton misconduct of that person.

Section 40-75-1000. (A) The commission shall provide for the development, maintenance, operation, and utilization of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.

(B) Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission, including:

(1) identifying information;

(2) licensure data;

(3) adverse actions against a license or privilege to practice;

(4) nonconfidential information related to alternative program participation;

(5) any denial of application for licensure, and the reason for such denial;

(6) current significant investigative information; and

(7) other information that may facilitate the administration of this compact, as determined by the rules of the commission.

(C) Investigative information pertaining to a licensee in any member state will only be available to other member states.

(D) The commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action information pertaining to a licensee in any member state will be available to any other member state.

(E) Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

(F) Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.

Section 40-75-1010. (A) The commission shall promulgate reasonable rules in order to effectively and efficiently achieve the purpose of the compact. Notwithstanding the foregoing, in the event the commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of the compact, or the powers granted hereunder, then such an action by the commission shall be invalid and have no force or effect.

(B) The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

(C) If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

(D) Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

(E) Prior to promulgation and adoption of a final rule or rules by the commission, and at least thirty days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rulemaking:

(1) on the website of the commission or other publicly accessible platform; and

(2) on the website of each member-state professional counseling licensing board or other publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

(F) The notice of proposed rulemaking shall include:

(1) the proposed time, date, and location of the meeting in which the rule will be considered and voted upon;

(2) the text of the proposed rule or amendment and the reason for the proposed rule;

(3) a request for comments on the proposed rule from any interested person; and

(4) the manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

(G) Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments, which shall be made available to the public.

(H) The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

(1) at least twenty-five persons;

(2) a state or federal governmental subdivision or agency; or

(3) an association having at least twenty-five members.

(I) If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing. If the hearing is held via electronic means, the

commission shall publish the mechanism for access to the electronic hearing.

(1) All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than five business days before the scheduled date of the hearing.

(2) Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

(3) All hearings will be recorded. A copy of the recording will be made available on request.

(4) Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

(J) Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

(K) If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

(L) The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

(M) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

(1) meet an imminent threat to public health, safety, or welfare;

(2) prevent a loss of commission or member-state funds;

(3) meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or

(4) protect public health and safety.

(N) The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject

to challenge by any person for a period of thirty days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

Section 40-75-1020. (A) Oversight:

(1) The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

(2) All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities, or actions of the commission.

(3) The commission shall be entitled to receive service of process in any such proceeding and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission shall render a judgment or order void as to the commission, this compact, or promulgated rules.

(B) Default, technical assistance, and termination:

(1) If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

(a) provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default and/or any other action to be taken by the commission; and

(b) provide remedial training and specific technical assistance regarding the default.

(C) If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges, and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(D) Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission

to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

(E) A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(F) The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

(G) The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

(H) Dispute resolution:

(1) Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

(2) The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

(I) Enforcement:

(1) The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

(2) By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

(3) The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

Section 40-75-1030. (A) The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state. The provisions, which become effective at that time, shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and

exercise rulemaking powers necessary to the implementation and administration of the compact.

(B) Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

(C) Any member state may withdraw from this compact by enacting a statute repealing the same.

(1) A member state's withdrawal shall not take effect until six months after enactment of the repealing statute.

(2) Withdrawal shall not affect the continuing requirement of the withdrawing state's professional counseling licensing board to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

(D) Nothing contained in this compact shall be construed to invalidate or prevent any professional counseling licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

(E) This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

Section 40-75-1040. This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any member state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any member state, the compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

Section 40-75-1050. (A) A licensee providing professional counseling services in a remote state under the privilege to practice shall adhere to the laws and regulations, including scope of practice, of the remote state.

(B) Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with the compact.

(C) Any laws in a member state in conflict with the compact are superseded to the extent of the conflict.

(D) Any lawful actions of the commission, including all rules and bylaws properly promulgated by the commission, are binding upon the member states.

(E) All permissible agreements between the commission and the member states are binding in accordance with their terms.

(F) In the event any provision of the compact exceeds the constitutional limits imposed on the legislature of any member state, the provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

SECTION 3. Section 40-75-220 of the S.C. Code is amended to read:

Section 40-75-220. (A) To be licensed by the board as a professional counselor, marriage and family therapist, or addiction counselor, an individual must:

(1) pay the appropriate fees and pass an examination approved by the board;

(2) complete forms prescribed by the board; and

(3) complete the following educational requirements:

(a) for licensed professional counselor or marriage and family therapist, successfully complete a minimum of a master's degree or higher degree program and have been awarded a graduate degree as provided in regulation, provided all course work, including any additional core coursework, must be taken at a college or university accredited by a national educational accrediting body, or one that follows similar educational standards and by the Commission on the Colleges of the Southern Association of Colleges and Schools, one of its transferring regional associations, the Association of Theological Schools in the United States and Canada, or a post-degree program accredited by the Commission on Accreditation for Marriage and Family Therapy Education, or a regionally accredited institution of higher learning subsequent to receiving the graduate degree; or

(b) for licensed addiction counselor, successfully complete a minimum of a master's degree or higher degree program and have been awarded a graduate degree as provided in regulation, provided all course work, including any additional core coursework, must be taken at a college or university accredited by a national educational accrediting body, or one that follows similar standards and the Commission on the Colleges of the Southern Association of Colleges and Schools, one of its transferring regional associations, the Association of Theological Schools in the United States and Canada, the National Addiction Studies

Accreditation Commission, other board-approved educational institution, or a regionally accredited institution of higher learning.

(B) In In addition to other requirements established by law, a person applying to be a licensed professional counselor, as defined in Section 40-75-20(13), must undergo a state criminal records check, supported by fingerprints, by the South Carolina Law Enforcement Division and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of these criminal records checks must be reported to the department. The South Carolina Law Enforcement Division and the Federal Bureau of Investigation are authorized to retain the fingerprints for identification and certification purposes and for notification of the department regarding criminal charges. Cost of conducting a criminal history background check must be borne by the applicant. The department shall keep information received pursuant to this section confidential, except that information relied upon in denying licensure may be disclosed to the board as may be necessary to support the administrative action. The results of these criminal record checks must not be shared outside the department.

(C) In addition to other requirements established by law, a licensed professional counselor applying to enter the compact via a privilege to practice must undergo a state criminal records check, supported by fingerprints, by the South Carolina Law Enforcement Division, and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of these criminal records checks must be reported to the department. The South Carolina Law Enforcement Division and the Federal Bureau of Investigation are authorized to retain the fingerprints for identification and certification purposes and for notification of the department regarding criminal charges. Cost of conducting a criminal history background check must be borne by the applicant. The department shall keep information received pursuant to this section confidential, except that information relied upon in denying licensure may be disclosed to the board as may be necessary to support the administrative action. The results of these criminal record checks must not be shared outside the department.

SECTION 4. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 962 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-71-2330, RELATING TO DUTIES OF PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS, SO AS TO REMOVE THE REQUIREMENT THAT PHARMACY SERVICE

ADMINISTRATIVE ORGANIZATIONS MUST ACT AS FIDUCIARIES TO PHARMACIES.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator CROMER explained the House amendments.

Senator CROMER proposed the following amendment (SR-962.KM0003S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 38-71-2330(A)(1) of the S.C. Code is amended to read:

(1) ~~act as a fiduciary to a pharmacy and~~ perform its duties to a pharmacy exercising good faith and fair dealing;

SECTION 2. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn

Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 8, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 862 -- Senators Shealy and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-30, RELATING TO CAREGIVER REQUIREMENTS, SO AS TO PROVIDE FOR EDUCATIONAL AND PRE-SERVICE TRAINING REQUIREMENTS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 862 -- Senators Shealy and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-30, RELATING TO CAREGIVER REQUIREMENTS, SO AS TO PROVIDE FOR EDUCATIONAL AND PRE-SERVICE TRAINING REQUIREMENTS.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator YOUNG explained the House amendments.

Senator SHEALY proposed the following amendment (SR-862.JG0006S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 63-13-30 of the S.C. Code is amended to read:

Section 63-13-30. (A) A caregiver who begins employment in a licensed or approved childcare center in South Carolina after June 30, 1994, must have at least a high school diploma ~~or~~, General Educational Development (GED), Certificate of Completion, or a South Carolina High School Employability Credential ~~and at least six months' experience as a caregiver in a licensed or approved childcare facility. If a caregiver does not meet the experience requirements, the caregiver must be directly supervised for six months by a staff person with at least one year experience as a caregiver in a licensed or approved childcare facility~~. Within ~~six three months~~ five days of being employed, a caregiver must ~~have six clock hours of training in child growth and development and early childhood education or shall continue to be under the direct supervision of a caregiver who has at least one year of experience as a caregiver in a licensed or approved childcare facility~~complete fifteen hours of health and safety service provider training. The caregiver shall be directly supervised by a staff person with at least one year experience as a caregiver in a licensed or approved childcare facility until such time as the caregiver has completed the required health and safety service provider training, provided the caregiver is also in compliance with Section 63-13-40 relating to required background checks.

(B) A caregiver who has ~~two years'~~ a high school diploma, General Educational Development (GED), Certificate of Completion, or a South Carolina High School Employability Credential and at least six months' experience as a caregiver in a licensed or approved facility and is employed as of July 1, 1994, in a licensed or approved childcare center in South Carolina is exempt from the ~~high school diploma and General Educational Development (GED)~~ requirements of subsection (A).

SECTION 2. This act takes effect five business days after approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 8, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES

AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION,

APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL

JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator MASSEY explained the House amendments.

Senator MASSEY proposed the following amendment (SJ-1046.PB0093S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 2-19-10 of the S.C. Code is amended to read:

Section 2-19-10. (A) Whenever an election is to be held by the General Assembly in Joint Session, for members of the judiciary, a Judicial Merit Selection Commission, composed of ~~ten~~ twelve members, shall be appointed, in the manner prescribed by this section, to consider the qualifications of the candidates. The Judicial Merit Selection Commission shall meet at least once annually and at other times as may be designated by the chairman. The commission, at its first meeting and then annually, shall elect a chairman and a vice chairman who shall serve for a term of one year and until their successors are elected and qualified, and adopt rules necessary to the purposes of the commission. These rules shall address, among other things:

(1) the confidentiality of records and other information received concerning candidates for judicial office;

(2) the conduct of proceedings before the commission;

(3) receipt of public statements in support of or in opposition to any of the candidates;

(4) procedures to review the qualifications of retired judges for continued judicial service;

(5) contacting incumbent judges regarding their desire to seek re-election;

(6) prohibition against candidates communicating with individual members of the commission concerning the qualifications of candidates unless specifically authorized by the commission~~.~~; and

(7) format and use of anonymous surveys by the commission.

~~A member may succeed himself as chairman or vice chairman. Six~~Seven members of the commission constitute a quorum at all meetings.

(B) Notwithstanding any other provision of law, the Judicial Merit Selection Commission shall consist of the following individuals:

(1) ~~five~~ four members appointed by the Speaker of the House of Representatives. ~~and of these appointments:~~

~~(a) three members must be serving members of the General Assembly; and~~

~~(b) two members must be selected from the general public;~~

(2) ~~three members,~~ two members appointed by the Chairman of the Senate Judiciary Committee and two members appointed by the President of the Senate~~, who must be serving members of the Senate~~; and

(3) ~~two~~ four members~~,~~ appointed by the ~~President of the Senate, who must be selected from the general public~~Governor, and of these appointments:

(a) one member must be a lawyer with substantial experience in the area of criminal law;

(b) one member must be a lawyer with substantial experience in the area of civil law;

(c) one member must be a lawyer with substantial experience in the area of family law; and

(d) one member must be a retired judge from the Supreme Court, court of appeals, circuit court, or family court who is not serving in an active retired status.

(C) In making appointments to the commission, the Governor must consider race, gender, national origin, and other demographic factors ~~should be considered~~ to ensure nondiscrimination to the greatest extent possible as to all segments of the population of the State.

(D)(1) The term of office of a member of the commission who is appointed by the Governor ~~not a member of the General Assembly~~ shall be for four years subject to a right of removal at any time by the ~~person appointing him~~Governor~~, and until his successor is appointed and qualifies. A member of the commission who is a serving member of the General Assembly shall serve for the term of office to which he has been elected.~~Members of the commission shall serve for a term of no more than four years and may not serve successive terms. A member may be reappointed to the commission after rotating off the commission for at

least four years. However, the term of a member of the Senate or the House of Representatives who ceases to serve as a member of the General Assembly shall terminate upon the end of his service in the General Assembly creating a vacancy that must be filled pursuant to subsection (E).

(2) The legislative members may be removed from the commission for incapacity, misconduct, or neglect of duty by a resolution adopted by their respective chamber. In order to be considered, any such resolution must be proposed by at least ten members and requires the affirmative vote of a majority of the membership in the appropriate chamber.

(E) A vacancy on the Judicial Merit Selection Commission must be filled for the remainder of the unexpired term in the same manner as provided for the original selection. A member appointed to fill a vacancy may serve a full term after the expiration of the unexpired term to which he was appointed.

(F) No member of the commission shall receive any compensation for commission services, except those set by law for travel, board, and lodging expenses incurred in the performance of commission duties.

(G) No member of the Judicial Merit Selection Commission is eligible for nomination and appointment as a judge or justice of the state court system or administrative law judge division while serving on the commission and for a period of one year thereafter. If a candidate is a family member of a member of the commission, the member must resign. For the purposes of this subsection, "family member" means a spouse, parent, brother, sister, child, step-child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, or grandchild.

SECTION 2. Section 2-19-30(E) of the S.C. Code is amended to read:

(E) A candidate may withdraw at any ~~stage of the proceedings and in this event no further inquiry or consideration of his candidacy shall be made~~ time prior to the public hearing or after the draft report is issued to members of the General Assembly. ~~All materials concerning that candidate including his report, transcript, application, materials, and other information gathered during the commission's investigation must be kept confidential and destroyed as soon as possible after the candidate's written notification to the commission of his withdrawal.~~ The

information concerning a withdrawn candidate also shall be exempt from disclosure pursuant to Chapter 4 of Title 30.

SECTION 3. Section 2-19-30 of the S.C. Code is amended by adding:

(F) All of the commission's public hearings shall be live streamed except for the portions of the hearings conducted in executive session.

SECTION 4. Section 2-19-70(C), (D), and (E) of the S.C. Code is amended to read:

(C) No ~~candidate for judicial office~~person may seek directly or indirectly the pledge of a member of the General Assembly's vote or, directly or indirectly, contact a member of the General Assembly regarding screening for the judicial office until the qualifications of all candidates for that office have been determined by the Judicial Merit Selection Commission and the commission has formally released its report as to the qualifications of all candidates for the vacancy to the General Assembly. No member of the General Assembly may offer his pledge to any person until the qualifications of all candidates for that office have been determined by the Judicial Merit Selection Commission and until the commission has formally released its report as to the qualifications of its nominees to the General Assembly. The formal release of the report of qualifications shall occur no earlier than ~~forty-eight hours~~twelve days after the nominees have been initially released to members of the General Assembly. For purposes of this section, indirectly seeking a pledge means the candidate, or someone acting on behalf of and at the request of the candidate, requesting a person to contact a member of the General Assembly on behalf of the candidate before nominations for that office are formally made by the commission. Prior to the formal release of the report as to the qualifications of judicial candidates, a person may not request that a member of the General Assembly, nor may a member of the General Assembly offer to, act on behalf of a candidate in furtherance of the candidate's candidacy in any capacity including, but not limited to, acting as a vote counter for a candidate. The prohibitions of this section do not extend to an announcement of candidacy by ~~the candidate~~a person and statements by the candidate detailing the candidate's qualifications.

(D) No member of the General Assembly may trade anything of value, including pledges to vote for legislation or for other candidates now or in the future, in exchange for another member's pledge to vote for a candidate for judicial office or as an inducement for a candidate to withdraw.

(E) Violations of this section may be considered by the merit selection commission when it considers the candidate's qualifications and until the time set for election of candidates. Violations of this section by members of the General Assembly shall be reported by the commission to the House or Senate Ethics Committee, as may be applicable. Violations of this section by nonlegislative commission members shall be reported by the commission to the State Ethics Commission. A violation of this section is a misdemeanor and, upon conviction, the violator must be fined not more than one thousand dollars or imprisoned not more than ninety days. Cases tried under this section may not be transferred from general sessions court pursuant to Section 22-3-545.

SECTION 5. Section 2-19-80(A) of the S.C. Code is amended to read:

(A) The commission shall make nominations to the General Assembly of candidates and their qualifications for election to the Supreme Court, court of appeals, circuit court, family court, and the administrative law judge division. It shall review the qualifications of all applicants for a judicial office and select therefrom and submit to the General Assembly the names and qualifications of ~~the three~~not more than six candidates whom it considers best qualified for the judicial office under consideration. If fewer than ~~three~~ six persons apply to fill a vacancy or if the commission concludes there are fewer than ~~three~~ six candidates qualified for a vacancy, it shall submit to the General Assembly only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than ~~three~~ six names.

SECTION 6. Section 2-19-80(D) of the S.C. Code is amended to read:

(D) The commission shall accompany its nominations to the General Assembly with reports or recommendations as to the qualifications of particular candidates and the particular reasons a candidate or candidates were not found qualified.

SECTION 7. Section 2-19-80(E) of the S.C. Code is amended to read:

(E) A period of at least ~~two weeks~~twenty-two days must elapse between the date of the commission's nominations to the General Assembly and the date the General Assembly conducts the election for these judgeships.

SECTION 8. Section 2-19-90 of the S.C. Code is amended to read:

Section 2-19-90. (A) The General Assembly shall meet in joint session for the election of judges. The date and time for the joint session shall be set by concurrent resolution upon the recommendation of the Judicial

Merit Selection Commission. The Chairman of the Judicial Merit Selection Commission shall announce the commission's nominees for each judicial race, and no further nominating or seconding speeches shall be allowed by members of the General Assembly.

(B) In order to be elected, a candidate must receive a majority of the vote of the members of the ~~General Assembly~~Senate and a majority vote of the members of the House of Representatives voting in joint session.

(C) If no candidate receives the requisite vote necessary for election on the first ballot, the General Assembly shall proceed to a vote on a second ballot. The three candidates receiving the most votes on the first ballot shall be the only candidates on the second ballot. If no candidate receives the requisite vote necessary for election on the second ballot, the General Assembly shall carry over the election for that judicial seat. The General Assembly shall reconvene in seven days to complete the elections that were carried over.

SECTION 9. Section 2-19-20(C) of the S.C. Code is amended to read:

(C) The Judicial Merit Selection Commission shall announce and publicize vacancies and forthcoming vacancies in the administrative law judge division, on the family court, circuit court, court of appeals, and Supreme Court. A person who desires to be considered for nomination as justice or judge may make application to the commission. ~~No person may concurrently seek more than one judicial vacancy.~~ The commission shall announce the names of those persons who have applied.

SECTION 10. Section 2-19-40 of the S.C. Code is repealed.

SECTION 11. (A) The initial terms for members of the Judicial Merit Selection Commission appointed pursuant to this act shall be as follows:

(1) One member appointed by the President of the Senate and one member appointed by the Chairman of the Senate Judiciary Committee shall serve an initial term of two years.

(2) Two members appointed by the Speaker of the House of Representatives shall serve an initial term of two years.

(3) Two members appointed by the Governor shall serve an initial term of two years.

(B) Members of the Judicial Merit Selection Commission serving on the effective date of this act who have served more than four years on the commission are not eligible for appointment to the commission pursuant to the provisions of this act except for the current chairman and vice chairman who can serve a two-year term but then may not serve a successive term.

SECTION 12. This act takes effect July 1, 2024.

Renumber sections to conform.
Amend title to conform.

Senator MASSEY explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Senators ALEXANDER and MALLOY proposed the following amendment (SR-1046.KM0092S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 2-1-180 of the S.C. Code is amended to read:

Section 2-1-180. (A) The regular annual session of the General Assembly shall adjourn sine die each year not later than five o'clock p.m. on the second Thursday in May. The regular annual session of the General Assembly can be extended:

__ ~~(a)~~(1) ~~if the House of Representatives fails to give a third reading to the annual general appropriations bill by March thirty-first, the date of sine die adjournment is extended by one statewide day for each statewide day after March thirty-first that the House of Representatives fails to give the bill third reading~~ if the general appropriations bill or Capital Reserve Fund resolution is not completed by the sine die adjournment date, the President of the Senate and the Speaker of the House of Representatives may call their respective bodies into session at any time after the date of sine die adjournment and until the first Thursday in June to complete those matters; ~~or~~

__ ~~(b)~~(2) if a forecast reduction is submitted by the Board of Economic Advisors pursuant to Section 11-9-880 after April tenth for the next fiscal year, the adjournment date for the General Assembly may be extended up to two weeks with the agreement of the Speaker of the House and the President of the Senate; or

~~(c)~~(3) if a concurrent resolution is adopted by a two-thirds vote of both the Senate and House of Representatives not later than five o'clock p.m. on the second Thursday in May. During the time between five o'clock p.m. on the second Thursday in May and the extended sine die adjournment date, as set forth herein, no legislation or other business may be considered ~~except the general appropriations bill and~~ any matters approved for consideration by a concurrent resolution adopted by two-thirds vote in both houses.

(B) The running of the one-hundred twenty day legislative review period for promulgated regulations submitted to the General Assembly for review pursuant to the Administrative Procedures Act is tolled beginning at five o'clock on the second Thursday in May each year until noon on the second Tuesday of January the following year.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 1005 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1320, RELATING TO MOTOR RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROVIDE THAT A BOAT, WATERCRAFT, OR OTHER TYPE OF VESSEL POWERED BY AN OUTDRIVE OR INBOARD MOTOR HAVING AN ENGINE AUTOMOTIVE HORSEPOWER RATING IN EXCESS OF TWO HUNDRED HORSEPOWER IS PERMITTED AND THAT PERSONAL WATERCRAFT MAY NOT EXCEED ONE HUNDRED NINETY HORSEPOWER; AND BY AMENDING SECTION 50-25-1350, RELATING TO WATER SKIING AND TOWING RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROHIBIT THE OPERATION OF PERSONAL WATERCRAFT, SPECIALTY PROPCRAFT, OR VESSELS IN EXCESS OF IDLE SPEED WITHIN ONE HUNDRED FEET OF A WHARF, DOCK, BULKHEAD, OR PIER OR WITHIN FIFTY FEET OF A MOORED OR ANCHORED VESSEL OR PERSON IN THE WATER.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator CAMPSEN explained the House amendments.

Senator CAMPSEN proposed the following amendment (SR-1005.KM0003S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 50-25-1320(3) and (4) of the S.C. Code is amended to read:

(3) No boat, watercraft, or any other type of vessel powered by an outdrive or inboard motor having an engine automotive horsepower rating in excess of ~~one hundred ninety~~two hundred horsepower is permitted. This restriction does not apply to towboats which have been

approved by the American Waterski Association or any Coast Guard approved boat commonly referred to as an inboard boat designed by the manufacturer for towing water skiers with the motor or engine located near the midpoint of the boat between the bow and stern, propeller driven by a single rod drive shaft extending through the hull with the propeller located under the boat in front of a rudder. V-Drive towboats will not be permissible.

(4) Personal watercraft may not exceed one hundred ninety horsepower.

~~(4)~~(5) There is no minimum or maximum restriction on length of boats, watercraft, or any other type of vessel. Boats, watercraft, and other vessels operated for law enforcement, emergency medical services, or dam maintenance and repair are exempted from the restrictions in items (1) and (3) of this section.

SECTION 2. Section 50-25-1350 of the S.C. Code is amended to read:

Section 50-25-1350. On Lake William C. Bowen it is unlawful to:

(1) ~~waterski or tow rafts, discs, or other similar floating devices within three hundred feet of any bridge or within one hundred feet of public dock facilities of the Spartanburg Water System~~operate a personal watercraft, specialty propcraft, or vessel in excess of idle speed within one hundred feet of a wharf, dock, bulkhead, or pier or within fifty feet of a moored or anchored vessel or person in the water;

(2) waterski and tow rafts, discs, or other similar floating devices upstream and west of the Interstate Highway 26 bridge which crosses over Lake William C. Bowen;

(3) pull more than two ~~skiers~~persons at one time from any boat or to waterski while carrying one or more persons piggyback;

(4) operate any boat, watercraft, or any other type of a vessel between midnight and one hour before sunrise.

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE

PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator YOUNG explained the House amendments.

Senator YOUNG proposed the following amendment (SR-1031.JG0008S), which was adopted:

Amend the bill, as and if amended, by striking page 1, lines 18-41; page 2, lines 1-36; page 3, lines 1-36; page 4, lines 1-36; and page 5, lines 1-28.

Amend the bill further by striking all after the enacting words and inserting:

SECTION 1. Chapter 11, Title 35 of the S.C. Code is amended to read:

CHAPTER 11

South Carolina ~~Anti-Money Laundering~~Uniform Money Services Act

Article 1

General Provisions

Section 35-11-100. This chapter may be cited as the "South Carolina ~~Anti-Money Laundering~~ Uniform Money Services Act".

Section 35-11-105. As used in this chapter:

(1) "Acting in concert" means persons knowingly acting together with a common goal of jointly acquiring control of a licensee whether or not pursuant to an express agreement.

~~(1)~~(2) "Applicant" means a person that files an application for a license pursuant to this act.

~~(2)~~(3) "Authorized delegate" means a person a licensee designates to provide money services on behalf of the licensee.

~~(3) "Bank" means an institution organized under federal or state law which:~~

~~(a) accepts demand deposits or deposits that the depositor may use for payment to third parties and which engages in the business of making commercial loans; or~~

~~(b) engages in credit card operations and maintains only one office that accepts deposits, does not accept demand deposits or deposits that the depositor may use for payments to third parties, does not accept a~~

~~savings or time deposit less than one hundred thousand dollars, and does not engage in the business of making commercial loans.~~

(4) "Average daily money transmission liability" means the amount of the licensee's outstanding money transmission obligations in this State at the end of each day in a given period of time, added together, and divided by the total number of days in the given period of time. For purposes of calculating average daily money transmission liability under this chapter for any licensee required to do so, the given period of time must be the quarters ending March thirty-first, June thirtieth, September thirtieth, and December thirty-first.

(5) "Bank Secrecy Act" means the Bank Secrecy Act, 31 U.S.C. Section 5311, et seq., and its implementing regulations, as amended and recodified from time to time.

(6) "Closed loop stored value" means stored value that is redeemable by the issuer only for goods or services provided by the issuer or its affiliate or franchisees of the issuer or its affiliate, except to the extent required by applicable law to be redeemable in cash for its cash value.

~~(4)~~(7) "Commissioner" means the South Carolina Attorney General.

~~(5)~~(8)(a) "Control" means:

~~(a)~~(i) ~~ownership of, or~~ the power to vote, directly or indirectly, at least twenty-five percent of ~~a class of voting securities~~ the outstanding voting shares or voting interests of a licensee or person in control of a licensee;

~~(b)~~(ii) the power to elect or appoint a majority of key individuals or executive officers, managers, directors, trustees, or other persons exercising managerial authority of a licensee or person in control of a licensee; or

~~(c)~~(iii) the power to exercise directly or indirectly, a controlling influence over the management or policies of a licensee or person in control of a licensee.

(b)(i) A person is presumed to exercise a controlling influence when the person holds the power to vote, directly or indirectly, at least ten percent of the outstanding voting shares or voting interests of a licensee or person in control of a licensee.

(ii) A person presumed to exercise a controlling influence as defined by this subitem can rebut the presumption of control if the person is a passive investor.

(c) For purposes of determining the percentage of a person controlled by any other person, the person's interest must be aggregated with the interest of any other immediate family member, including the person's spouse, parents, children, siblings, mothers- and fathers-in-law,

sons- and daughters-in-law, brothers- and sisters-in-law, and any other person who shares such person's home.

~~(6)~~(9) "Currency exchange" means receipt of revenues from the exchange of money of one government for money of another government.

(10) "Eligible rating" means a credit rating of any of the three highest rating categories provided by an eligible rating service, whereby each category may include rating modifiers such as "plus" or "minus" for S&P, or the equivalent for any other eligible rating service. Long-term credit ratings are considered to be eligible if the rating is equal to A- or higher by S&P, or the equivalent from any other eligible rating service. Short-term credit ratings are deemed eligible if the rating is equal to or higher than A-2 or SP-2 by S&P, or the equivalent from any other eligible rating service. In the event that ratings differ among eligible rating services, the highest rating shall apply when determining whether a security bears an eligible rating.

(11) "Eligible rating service" means any Nationally Recognized Statistical Rating Organization (NRSRO) as defined by the U.S. Securities and Exchange Commission, and any other organization designated by the Commissioner by rule or order.

~~(7)~~(12) "Executive officer" means a president, chairperson of the executive committee, chief financial officer, responsible individual, or other individual who performs similar functions.

(13) "Federally insured depository financial institution" means a bank, credit union, savings and loan association, trust company, savings association, savings bank, industrial bank, or industrial loan company organized under the laws of the United States or any state of the United States, when such bank, credit union, savings and loan association, trust company, savings association, savings bank, industrial bank, or industrial loan company has federally insured deposits.

(14) "In this State" means at a physical location within this State for a transaction requested in person. For a transaction requested electronically or by phone, the provider of the money transmission may determine if the person requesting the transaction is "in this State" by relying on other information provided by the person regarding the location of the individual's residential address or a business entity's principal place of business or other physical address location, and any records associated with the person that the provider of money transmission may have that indicate such location including, but not limited, to an address associated with an account.

(15) "Individual" means a natural person.

(16) "Key individual" means any individual ultimately responsible for establishing or directing policies and procedures of the licensee, such as an executive officer, manager, director, or trustee.

~~(8)~~(17) "Licensee" means a person licensed pursuant to this act.

(18) "Material litigation" means litigation, that according to United States generally accepted accounting principles, is significant to a person's financial health and would be required to be disclosed in the person's annual audited financial statements, report to shareholders, or similar records.

~~(9)~~(19) "Monetary value" means a medium of exchange, whether or not redeemable in money.

~~(10)~~(20) "Money" means a medium of exchange that is authorized or adopted by the United States or a foreign government. The term includes a monetary unit of account established by an intergovernmental organization or by agreement between two or more governments.

~~(11)~~(21) "Money services" means money transmission or currency exchange.

~~(12)~~(22)(a) "Money transmission" means any of the following:

(i) selling or issuing payment instruments to a person located in this State~~,~~;

(ii) selling or issuing stored value to a person located in this State~~,~~; or

(iii) receiving money ~~or monetary value~~ for transmission in this State.

(b) The term does not include the provision solely of delivery, online or telecommunications services, or network access.

(23) "MSB accredited state" means a state agency that is accredited by the Conference of State Bank Supervisors and Money Transmitter Regulators Association for money transmission licensing and supervision.

(24) "Multistate licensing process" means any agreement entered into by and among state regulators relating to coordinated processing of applications for money transmission licenses, applications for the acquisition of control of a licensee, control determinations, or notice and information requirements for a change of key individuals.

(25) "NMLS" means the Nationwide Multistate Licensing System and Registry developed by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators and owned and operated by the State Regulatory Registry, LLC, or any successor or affiliated entity, for the licensing and registration of persons in financial services industries.

~~(13)~~(26) "Outstanding money transmission obligation"~~, with respect to a payment instrument, means issued or sold by or for the licensee and reported as sold but not yet paid by or for the licensee~~ is established and extinguished in accordance with applicable state law and means:

(a) any payment instrument or stored value issued or sold by the licensee to a person located in the United States or reported as sold by an authorized delegate of the licensee to a person that is located in the United States that has not yet been paid or refunded by or for the licensee, or escheated in accordance with applicable abandoned property laws; or

(b) any money received for transmission by the licensee or an authorized delegate in the United States from a person located in the United States that has not been received by the payee or refunded to the sender or escheated in accordance with applicable abandoned property laws.

(c) For purposes of this subsection, "in the United States" includes, to the extent applicable, a person in any state, territory, or possession of the United States; the District of Columbia; the Commonwealth of Puerto Rico; or a U.S. military installation that is located in a foreign country.

(27) "Passive investor" means a person that:

(a) does not have the power to elect a majority of key individuals or executive officers, managers, directors, trustees, or other persons exercising managerial authority of a person in control of a licensee;

(b) is not employed by and does not have any managerial duties of the licensee or person in control of a licensee;

(c) does not have the power to exercise, directly or indirectly, a controlling influence over the management or policies of a licensee or person in control of a licensee; and

(d) either:

(i) attests to subitems (a), (b), and (c), in a form and in a medium prescribed by the Commissioner; or

(ii) commits to the passivity characteristics of subitems (a), (b), and (c), in a written document.

~~(14)~~(28) "Payment instrument" means a written or electronic check, draft, money order, traveler's check, or other written or electronic instrument for the transmission or payment of money or monetary value, whether or not negotiable. The term does not include ~~a credit card voucher, letter of credit, or instrument that is redeemable by the issuer in goods or services.~~ stored value or any instrument that (A) is redeemable

by the issuer only for goods or services provided by the issuer or its affiliate or franchisees of the issuer or its affiliate, except to the extent required by applicable law to be redeemable in cash for its cash value; or (B) not sold to the public but issued and distributed as part of a loyalty, rewards, or promotional program.

(29) "Payroll processing services" means delivering wages or salaries on behalf of employers to employees or facilitating the payment of payroll taxes to state and federal agencies, making payments relating to employee benefit plans, making distributions of other authorized deductions from wages or salaries, transmitting other funds on behalf of an employer in connection with transactions related to employees, an employer performing payroll processing services on its own behalf or on behalf of its affiliate, or a professional employment organization subject to regulation under other applicable state law.

~~(15)~~(30) "Person" means an individual, corporation, ~~business trust, estate,~~ trust, general partnership, limited partnership, limited-liability company, association, joint ~~venture~~stock corporation, ~~government, governmental subdivision, agency or instrumentality, public corporation, or another legal or commercial entity~~ or other corporate entity identified by the Commissioner.

~~(16)~~(31) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

~~(17)~~(32) ~~"Responsible individual" means an individual who is employed by a licensee and has principal managerial authority over the provision of money services by the licensee in this State.~~ "Receiving money for transmission" or "money received for transmission" means receiving money or monetary value in the United States for transmission within or outside the United States by electronic or other means.

~~(18)~~(33) "State" means a state, ~~of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or a~~ territory, or ~~insular~~ possession ~~subject to the jurisdiction~~ of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

~~(19)~~(34) "Stored value" means monetary value ~~that is evidenced by an electronic record.~~representing a claim against the issuer evidenced by an electronic or digital record, and that is intended and accepted for use as a means of redemption for money or monetary value, or payment for goods or services. The term includes, but is not limited to, "prepaid access" as defined by 31 C.F.R. Section 1010.100, as amended or

recodified from time to time. Notwithstanding the foregoing, the term "stored value" does not include a payment instrument or closed loop stored value, or stored value not sold to the public but issued and distributed as part of a loyalty, rewards, or promotional program.

(35) "Tangible net worth" means the aggregate assets of a licensee excluding all intangible assets, less liabilities, as determined in accordance with United States generally accepted accounting principles.

~~(20)~~(36) "Unsafe or unsound practice" means a practice or conduct by a person licensed to engage in money transmission or an authorized delegate of such a person, which creates the likelihood of material loss, insolvency, or dissipation of the licensee's assets, or otherwise materially prejudices the interests of its customers.

Section 35-11-110. (A) This chapter does not apply to:

(1) the United States or a department, agency, or instrumentality ~~of the United States~~thereof, or its agent;

(2) money transmission by the United States Postal Service or by ~~a contractor on behalf~~ an agent of the United States Postal Service;

(3) a state, county, city, or ~~another~~ any other governmental agency or governmental subdivision or instrumentality of a state, or its agent;

(4) ~~a bank, bank holding company, office of an international banking corporation, branch of a foreign bank, corporation organized pursuant to the Bank Service Corporation Act, 12 U.S.C. Section 1861-1867 (Supp. V 1999), or corporation organized under the Edge Act, 12 U.S.C. Section 611-633 (1994 & Supp. V 1999), under the laws of a state or the United States if it does not issue, sell, or provide payment instruments or stored value through an authorized delegate who is not such a person~~a federally insured depository financial institution, bank holding company, office of an international banking corporation, foreign bank that establishes a federal branch pursuant to the International Bank Act, 12 U.S.C. Section 3102, as amended or recodified from time to time, corporation organized pursuant to the Bank Service Corporation Act, 12 U.S.C. Sections 1861-1867, as amended or recodified from time to time, or corporation organized under the Edge Act, 12 U.S.C. Sections 611-633, as amended or recodified from time to time;

(5) electronic funds transfer of governmental benefits for a federal, state, county, or governmental agency by a contractor on behalf of the United States or a department, agency, or instrumentality ~~of the United States~~thereof, or on behalf of a state or governmental subdivision, agency, or instrumentality ~~of a state~~thereof;

(6) a board of trade designated as a contract market under the federal Commodity Exchange Act, 7 U.S.C. Section 1-25 ~~(1994)~~ as amended or

recodified from time to time, or a person that, in the ordinary course of business, provides clearance and settlement services for a board of trade to the extent of its operation as or for a board of trade;

(7) a registered futures commission merchant under the federal commodities laws to the extent of its operation as a futures commission merchant;

~~(8) a person who provides clearance or settlement services pursuant to a registration as a clearing agency or an exemption from that registration granted under the federal securities laws to the extent of its operation as a provider of clearance or settlement services;~~

~~(9)~~(8) an operator of a payment system to the extent that it provides processing, clearing, or settlement services, between or among persons ~~excluded~~ exempted by this section, in connection with wire transfers, credit card transactions, debit card transactions, stored-value transactions, automated clearing house transfers, or similar funds transfers;

~~(10)~~(9) a person registered as a securities broker-dealer under federal or state securities laws to the extent of his operation as a securities broker-dealer; ~~or~~

~~(11)~~(10) ~~a credit union regulated and insured by the National Credit Union Association.~~an individual employed by a licensee, authorized delegate, or any person exempted from the licensing requirements of this chapter when acting within the scope of employment and under the supervision of the licensee, authorized delegate, or exempted person as an employee and not as an independent contractor;

(11) a person expressly appointed as a third-party service provider to, or agent of, an entity exempt under Section 35-11-110 (A)(4), solely to the extent that:

(a) such service provider or agent is engaging in money transmission on behalf of and pursuant to a written agreement with the exempt entity that sets forth the specific functions that the service provider or agent is to perform; and

(b) the exempt entity assumes all risk of loss and all legal responsibility for satisfying the outstanding money transmission obligations owed to purchasers and holders of the outstanding money transmission obligations upon receipt of the purchaser's or holder's money or monetary value by the service provider or agent;

(12) a person appointed as an agent of a payee to collect and process

a payment from a payor to the payee for goods or services, other than money transmission itself, provided to the payor by the payee, provided that:

(a) there exists a written agreement between the payee and the agent directing the agent to collect and process payments from payors on the payee's behalf;

(b) the payee holds the agent out to the public as accepting payments for goods or services on the payee's behalf; and

(c) payment for the goods and services is treated as received by the payee upon receipt by the agent so that the payor's obligation is extinguished and there is no risk of loss to the payor if the agent fails to remit the funds to the payee;

(13) a person that acts as an intermediary by processing payments between an entity that has directly incurred an outstanding money transmission obligation to a sender, and the sender's designated recipient, provided that the entity:

(a) is properly licensed or exempt from licensing requirements under this chapter;

(b) provides a receipt, electronic record, or other written confirmation to the sender identifying the entity as the provider of money transmission in the transaction; and

(c) bears sole responsibility to satisfy the outstanding money transmission obligation to the sender, including the obligation to make the sender whole in connection with any failure to transmit the funds to the sender's designated recipient; or

(14) a person exempt by regulation or order if the Commissioner finds such exemption to be in the public interest and that the regulation of such person is not necessary for the purposes of this chapter.

(15) payroll processing services.

(B) The Commissioner may require that a person claiming to be exempt from licensing pursuant to this section provide information and documentation to the Commissioner demonstrating that it qualifies for any claimed exemption.

Article 2

Money Transmission Licenses

Section 35-11-200. (A) A person may not engage in the business of money transmission or advertise, solicit, or hold himself out as providing money transmission unless the person is:

(1) licensed under this ~~chapter or approved to engage in money transmission pursuant to Section 35-11-210~~article;

(2) an authorized delegate of a person licensed pursuant to this article; or

(3) ~~an authorized delegate of a person approved to engage in money transmission pursuant to Section 35-11-210~~exempted under Section 35-11-110.

(B) A license issued pursuant to this chapter is not transferable or assignable.

Section 35-11-205. (A) ~~In this section, "material litigation" means litigation that according to generally accepted accounting principles is significant to an applicant's or a licensee's financial health and would be required to be disclosed in the applicant's or licensee's annual audited financial statements, report to shareholders, or similar records.~~

~~(B)~~ A person applying for a license pursuant to this article shall do so in a form and in a medium prescribed by the ~~commissioner~~Commissioner. Each form must contain content as set forth by regulation, order, instruction, or procedure of the Commissioner and may be changed or updated by the Commissioner in accordance with applicable law in order to carry out the purposes of this chapter and maintain consistency with NMLS licensing standards and practices. The application must state or contain:

(1) the legal name, residential and business addresses of the applicant, and any fictitious or trade name used by the applicant in conducting its business;

(2) a list of any criminal convictions of the applicant and any material litigation in which the applicant has been involved in the ten-year period next preceding the submission of the application;

(3) a description of any money services previously provided by the applicant and the money services that the applicant seeks to provide in this State;

(4) a list of the applicant's proposed authorized delegates and the locations in this State where the applicant and the applicant's authorized delegates propose to engage in money transmission or provide other money services;

(5) a list of other states in which the applicant is licensed to engage in money transmission or provide other money services and any license revocations, suspensions, or other disciplinary action taken against the applicant in another state;

(6) information concerning a bankruptcy or receivership proceeding affecting the licensee or a person in control of a licensee;

(7) a sample form of contract for authorized delegates, if applicable~~, and~~;

(8) a sample form of payment instrument ~~or instrument upon which stored value is recorded~~, if applicable;

~~(8)~~(9) the name and address of any ~~bank~~ federally insured depository financial institution through which the ~~applicant's payment instruments and stored value will be paid~~applicant plans to conduct money transmission; and

~~(9) a description of the source of money and credit to be used by the applicant to provide money services; and~~

(10) other information the commissioner reasonably requires with respect to the applicant.

~~(C)~~(B) If an applicant is a corporation, limited liability company, partnership, or other legal entity, the applicant also shall provide:

(1) the date of the applicant's incorporation or formation and state or country of incorporation or formation;

(2) if applicable, a certificate of good standing from this State and the state or country in which the applicant is incorporated or formed;

(3) a brief description of the structure or organization of the applicant, including a parent entity or subsidiary of the applicant, and whether a parent entity or subsidiary is publicly traded;

(4) the legal name, a fictitious or trade name, all business and residential addresses, and the employment, in the ten-year period next preceding the submission of the application of each executive officer, manager, director, or person who has control of the applicant;

(5) a list of criminal convictions and material litigation in which an executive officer, a manager, director, or person in control of, the applicant has been involved in the ten-year period next preceding the submission of the application;

(6) a copy of the applicant's audited financial statements for the most recent fiscal year and, if available, for the two-year period next preceding the submission of the application or, if determined to be acceptable to the Commissioner, certified unaudited financial statements for the most recent fiscal year or other period acceptable to the Commissioner;

(7) a ~~copy of the applicant's unconsolidated financial statements for the current fiscal year, whether audited or not, and, if available, for the two-year period next preceding the submission of the application~~certified copy of unaudited financial statements of the applicant for the most recent fiscal quarter;

(8) if the applicant is publicly traded, a copy of the most recent

report filed with the United States Securities and Exchange Commission pursuant to Section 13 of the federal Securities Exchange Act of 1934, 15 U.S.C. Section 78m ~~(1994 & Supp. V 1999)~~as amended or recodified from time to time;

(9) if the applicant is a wholly owned subsidiary of a:

(a) corporation publicly traded in the United States, a copy of audited financial statements for the parent corporation for the most recent fiscal year or a copy of the parent corporation's most recent report filed pursuant to Section 13 of the federal Securities Exchange Act of 1934, 15 U.S.C. Section 78m ~~(1994 & Supp. V 1999)~~as amended or recodified from time to time; or

(b) corporation publicly traded outside the United States, a copy of similar documentation filed with the regulator of the parent corporation's domicile outside the United States;

(10) ~~if the applicant has a registered agent in this State,~~ the name and address of the applicant's registered agent in this State; and

(11) other information the ~~commissioner~~ Commissioner reasonably requires with respect to the applicant.

~~(D)~~(C) A nonrefundable application fee of one thousand five hundred dollars and a license fee of ~~seven hundred fifty~~one thousand six hundred dollars must accompany an application for a license pursuant to this article. The license fee must be refunded if the application is denied.

~~(E)~~(D) The ~~commissioner~~ Commissioner may waive one or more requirements of subsections ~~(B)~~(A) and ~~(C)~~(B) or permit an applicant to submit other information in lieu of the required information.

Section 35-11-210. (A) ~~A person who is licensed to engage in money transmission in at least one other state, with the approval of the commissioner and in accordance with this section, may engage in money transmission and currency exchange in this State without being licensed pursuant to Section 35-11-205 if the:~~

~~(1) state in which the person is licensed has enacted the Uniform Money Services Act or the commissioner determines that the money transmission laws of that state are substantially similar to those imposed by the law of this State;~~

~~(2) person submits to, and in the form required by, the commissioner:~~

~~(a) in a record, an application for approval to engage in money transmission and currency exchange in this State without being licensed pursuant to Section 35-11-205;~~

~~(b) a nonrefundable fee of one thousand dollars; and~~

~~(c) a certification of license history in the other state.~~

~~(B) When an application for approval pursuant this section is complete, the commissioner shall promptly notify the applicant in a record, of the date on which the request was determined to be complete and:~~

~~(1) the commissioner shall approve or deny the request within one hundred twenty days after that date; or~~

~~(2) if the request is not approved or denied within one hundred twenty days after that date the:~~

~~(a) request is approved; and~~

~~(b) approval takes effect as of the first business day after expiration of the one hundred twenty-day period.~~

~~(C) A person who engages in money transmission and currency exchange in this State pursuant to this section shall comply with the requirements of, and is subject to the sanctions provided in this chapter, as if the person were licensed pursuant to Section 35-11-220.~~ Any individual in control of a licensee or applicant, any individual that seeks to acquire control of a licensee, and each key individual shall furnish to the Commissioner through NMLS the following items:

(1) the individual's fingerprints for submission to the Federal Bureau of Investigation and the Commissioner for purposes of a national criminal history background check unless the person currently resides outside of the United States and has resided outside of the United States for the last ten years; and

(2) personal history and experience in a form and in a medium prescribed by the Commissioner, to obtain the following:

(a) an independent credit report from a consumer reporting agency unless the individual does not have a Social Security number, in which case, this requirement must be waived;

(b) information related to any criminal convictions or pending charges; and

(c) information related to any regulatory or administrative action and any civil litigation involving claims of fraud, misrepresentation, conversion, mismanagement of funds, breach of fiduciary duty, or breach of contract.

(B) If the individual has resided outside of the United States at any time in the last ten years, the individual also shall provide an investigative background report prepared by an independent search firm that meets the following requirements:

(1) at a minimum, the search firm shall:

(a) demonstrate that it has sufficient knowledge, resources, and employs accepted and reasonable methodologies to conduct the research of the background report; and

(b) not be affiliated with or have an interest with the individual it is researching;

(2) at a minimum, the investigative background report must be written in the English language and must contain the following:

(a) if available in the individual's current jurisdiction of residency, a comprehensive credit report, or any equivalent information obtained or generated by the independent search firm to accomplish such report, including a search of the court data in the countries, provinces, states, cities, towns, and contiguous areas where the individual resided and worked;

(b) criminal records information for the past ten years including, but not limited to, felonies, misdemeanors, or similar convictions for violations of law in the countries, provinces, states, cities, towns, and contiguous areas where the individual resided and worked;

(c) employment history;

(d) media history, including an electronic search of national and local publications, wire services, and business applications; and

(e) financial services-related regulatory history including, but not limited to, money transmission, securities, banking, insurance, and mortgage-related industries.

Section 35-11-215. (A) ~~Except as otherwise provided in subsection (B),~~An applicant for a money transmission license must provide, and a licensee at all times must maintain, security consisting of a surety bond, letter of credit, or other similar security in a form acceptable to the ~~commissioner~~ Commissioner~~in the amount of fifty thousand dollars plus ten thousand dollars for each location, not exceeding a total addition of two hundred fifty thousand dollars, must accompany an application for a license~~.

(B) ~~Security must be in a form satisfactory to the commissioner and payable to the State for the benefit of a claimant against the licensee to secure the faithful performance of the obligations of the licensee with respect to money transmission.~~The amount of the required security must be:

(1) the greater of one hundred thousand dollars or an amount equal to one hundred percent of the licensee's average daily money

transmission liability in this State calculated for the most recently completed three-month period, up to a maximum of five hundred thousand dollars; or

(2) in the event that the licensee's tangible net worth exceeds ten percent of total assets, the licensee shall maintain a surety bond of one hundred thousand dollars.

(C) ~~The aggregate liability on a surety bond may not exceed the principal sum of the bond. A claimant against a licensee may maintain an action on the bond, or the commissioner may maintain an action on behalf of the claimant.~~ A licensee that maintains a bond in the maximum amount provided for in Section 35-11-215(B)(1) or (2) may not be required to calculate its average daily money transmission liability for purposes of this section.

(D) ~~A surety bond must cover claims for so long as the commissioner specifies, but for at least five years after the licensee ceases to provide money services in this State. However, the commissioner may permit the amount of security to be reduced or eliminated before the expiration of that time to the extent the amount of the licensee's payment instruments or stored value obligations outstanding in this State is reduced. The commissioner may permit a licensee to substitute another form of security acceptable to the commissioner for the security effective at the time the licensee ceases to provide money services in this State.~~A licensee may exceed the maximum required bond amount pursuant to Section 35-11-605(A)(5).

~~(E) In lieu of the security prescribed in this section, an applicant for a license or a licensee may provide security in a form prescribed by the commissioner.~~

~~(F) The commissioner may increase the amount of security required to a maximum of one million dollars if the financial condition of a licensee so requires, as evidenced by reduction of net worth, financial losses, or other relevant criteria.~~

Section 35-11-220. (A) When an application for an original license is filed and considered complete pursuant to this article, the ~~commissioner~~ Commissioner shall investigate the applicant's financial condition and responsibility, financial and business experience, character, and general fitness. The ~~commissioner~~ Commissioner may conduct an on-site investigation of the applicant, the reasonable cost of which the applicant must pay. The ~~commissioner~~ Commissioner shall issue a license to an applicant pursuant to this article if the ~~commissioner~~ Commissioner finds that all of the following conditions have been fulfilled:

(1) the applicant has complied with Sections 35-11-205, 35-11-215, and 35-11-230; and

(2) the financial condition and responsibility, financial and business experience, competence, character, and general fitness of the applicant; and the competence, experience, character, and general fitness of the executive officers, managers, directors, and persons in control of the applicant indicate that it is in the interest of the public to permit the applicant to engage in money transmission.

(B) When an application for an original license pursuant to this article is complete, the ~~commissioner~~ Commissioner promptly shall notify the applicant in a record of the date on which the application was determined to be complete and:

(1) the ~~commissioner~~ Commissioner shall approve or deny the application within one hundred twenty days after that date; or

(2) if the application is not approved or denied within one hundred twenty days after that date the:

(a) application is considered approved; and

(b) ~~commissioner~~ Commissioner shall issue the license pursuant to this article, to take effect as of the first business day after expiration of the one hundred twenty-day period.

(C) The ~~commissioner~~ Commissioner may for good cause extend the application period.

(D) A determination by the Commissioner that an application is complete and is accepted for processing means only that the application, on its face, appears to include all of the items, including the Criminal Background Check response from the FBI, and addresses all of the matters that are required, and is not an assessment of the substance of the application or of the sufficiency of the information provided.

(E) The Commissioner shall issue a formal written notice of the denial of a license application. The Commissioner shall set forth in the notice of denial the specific reasons for the denial of the application. An applicant whose application is denied by the ~~commissioner~~ Commissioner pursuant to this ~~article~~ section may ~~appeal~~request a hearing, within thirty days after receipt of the written notice of the denial~~, from the denial and request a hearing~~ pursuant to Section 35-11-710.

(F) The initial license term begins on the day the application is approved. The license expires on December thirty-first of the year in which the license term began, unless the initial license date is between November first and December thirty-first, in which instance the initial license term runs through December thirty-first of the following year.

Section 35-11-225. (A) A ~~person licensed pursuant to this article shall pay an annual renewal fee of seven hundred fifty dollars no later than thirty days before the anniversary of the issuance of the license or, if the last day is not a business day, on the next business day.~~license issued under this chapter must be renewed annually.

(1) An annual renewal fee of one thousand six hundred dollars must be paid no more than sixty days before the license expiration.

(2) The renewal term must be for a period of one year and begins on January first of each year after the initial license term and expires on December thirty-first of the year the renewal term begins.

(B) A licensee under this article shall submit a renewal report with the renewal fee, in a form and in a medium prescribed by the ~~commissioner~~Commissioner. The renewal report must state or contain~~:~~

~~(1) a copy of the licensee's most recent audited annual financial statement or, if the licensee is a wholly owned subsidiary of another corporation, the most recent audited consolidated annual financial statement of the parent corporation or the licensee's most recent audited consolidated annual financial statement;~~

~~(2) the number and monetary amount of payment instruments and stored value sold by the licensee in this State which have not been included in a renewal report, and the monetary amount of payment instruments and stored value currently outstanding;~~

~~(3)~~ a description of each material change in information submitted by the licensee in its original license application which has not been reported to the ~~commissioner~~ Commissioner on a required report~~;~~

~~(4) a list of the licensee's permissible investments and a certification that the licensee continues to maintain permissible investments pursuant to the requirements set forth in Sections 35-11-600 and 35-11-605;~~

~~(5) proof that the licensee continues to maintain adequate security as required by Section 35-11-215; and~~

~~(6) a list of the locations in this State where the licensee or an authorized delegate of the licensee engages in money transmission or provides other money services~~.

(C) ~~If a licensee does not file a renewal report or pay its renewal fee by the renewal date or an extension of time granted by the commissioner, the commissioner shall send the licensee a notice of suspension. Unless the licensee files the report and pays the renewal fee before expiration of ten days after the notice is sent, the licensee's license is suspended ten days after the commissioner sends the notice of suspension. The suspension must be lifted if, within twenty days after its license is suspended, the licensee:~~

~~(1) files the report and pays the renewal fee; and~~

~~(2) pays one hundred dollars for each day after suspension that the commissioner did not receive the renewal report and the renewal fee.~~

~~(D)~~ The ~~commissioner~~ Commissioner for good cause may grant an extension of the renewal date.

(D) The Commissioner is authorized and encouraged to utilize NMLS to process license renewals provided that such functionality is consistent with this section.

Section 35-11-230. ~~A person licensed pursuant to this article shall maintain a net worth of at least two hundred fifty thousand dollars determined in accordance with generally accepted accounting principles.~~(A) A licensee under this chapter shall maintain at all times a tangible net worth of the greater of one hundred thousand dollars or three percent of total assets for the first one hundred million dollars, two percent of additional assets for one hundred million dollars to one billion dollars, and one half of one percent of additional assets for over one billion dollars.

(B) Tangible net worth must be demonstrated at initial application by the applicant's most recent audited or unaudited financial statements pursuant to Section 35-11-205(B)(6).

(C) Notwithstanding the foregoing provisions of this section, the Commissioner shall have the authority, for good cause shown, to exempt, in whole or in part, from the requirements of this section any applicant or licensee.

Section 35-11-235. (A) If a licensee does not continue to meet the qualifications or satisfy the requirements that apply to an applicant for a new money transmission license, the Commissioner may suspend or revoke the licensee's license pursuant to Section 35-11-700 or 35-11-710 or other applicable state law for such suspension or revocation.

(B) An applicant for a money transmission license must demonstrate that it meets or will meet, and a money transmission licensee must at all times meet, the requirements in Sections 35-11-215, 35-11-230 and 35-11-600 of this chapter.

Article 3

Currency Exchange Licenses

Section 35-11-300. (A) A person may not engage in currency exchange or advertise, solicit, or hold himself out as providing currency exchange for which the person receives revenues equal or greater than five percent of total revenues unless the person is:

(1) licensed pursuant to this ~~chapter~~article;

(2) licensed for money transmission pursuant to Article 2~~, or approved to engage in money transmission pursuant to Section 35-11-210~~; or

(3) an authorized delegate of a person licensed pursuant to Article 2~~; or~~.

~~(4) an authorized delegate of a person approved to engage in money transmission pursuant to Section 35-11-210.~~

(B) A license issued pursuant to this chapter is not transferable or assignable.

Section 35-11-305. (A) A person applying for a license pursuant to this article shall do so in a form and in a medium prescribed by the ~~commissioner~~Commissioner. The application shall state or contain:

(1) the legal name and residential and business addresses of the applicant, if the applicant is an individual or, if the applicant is not an individual, the name of each partner, executive officer, manager, and director;

(2) the location of the principal office of the applicant;

(3) complete addresses of other locations in this State where the applicant proposes to engage in currency exchange, including all limited stations and mobile locations; and

~~(4) a description of the source of money and credit to be used by the applicant to engage in currency exchange; and~~

~~(5)~~(4) other information the ~~commissioner~~ Commissioner reasonably requires with respect to the applicant, but not more than the ~~commissioner~~ Commissioner may require pursuant to Article 2.

(B) A nonrefundable application fee of one thousand five hundred dollars and a license fee of ~~seven hundred fifty~~one thousand six hundred dollars must accompany an application for a license pursuant to this article. The license fee must be refunded if the application is denied.

(C) The Commissioner may waive one or more requirements of subsection (A) or permit an applicant to submit other information in lieu of the required information.

Section 35-11-310. (A) When a person applies for a license pursuant to this article, the ~~commissioner~~ Commissioner shall investigate the applicant's financial condition and responsibility, financial and business experience, character, and general fitness. The ~~commissioner~~ Commissioner may conduct an on-site investigation of the applicant, the reasonable cost of which the applicant must pay. The ~~commissioner~~

~~-~~Commissioner shall issue a license to an applicant pursuant to this article if the ~~commissioner~~ Commissioner finds that all of the following conditions have been fulfilled:

(1) the applicant has complied with Section 35-11-305; and

(2) the financial condition and responsibility, financial and business experience, competence, character, and general fitness of the applicant; and the competence, experience, character, and general fitness of the executive officers, managers, directors, and persons in control of the applicant indicate that it is in the interest of the public to permit the applicant to engage in currency exchange.

(B) When an application for an original license pursuant to this article is complete, the ~~commissioner~~ Commissioner promptly shall notify the applicant in a record of the date on which the application was determined to be complete and:

(1) the ~~commissioner~~ Commissioner shall approve or deny the application within one hundred twenty days after that date; or

(2) if the application is not approved or denied within one hundred twenty days after that date the:

(a) application is considered approved; and

(b) ~~commissioner~~ Commissioner shall issue the license pursuant to this article, to take effect as of the first business day after expiration of the period.

(C) The ~~commissioner~~ Commissioner may for good cause extend the application period.

(D) The Commissioner shall issue a formal written notice of the denial of a license. The Commissioner shall set forth in the notice of denial the specific reasons for the denial of the application. An applicant whose application is denied a license by the ~~commissioner~~ Commissioner pursuant to this article may ~~appeal~~request a hearing, within thirty days after receipt of the written notice of the denial pursuant to Section 35-11-710~~, from the denial and request a hearing~~.

Section 35-11-315. (A) ~~A person licensed pursuant to this article shall pay a biennial renewal fee of seven hundred fifty dollars no later than thirty days before each biennial anniversary of the issuance of the license or, if the last day is not a business day, on the next business day.~~ All licenses issued pursuant to this article expire on December thirty-first of each year. A person licensed pursuant to this article shall pay a renewal fee of one thousand six hundred dollars on or before December first of each year.

(B) A person licensed pursuant to this article shall submit a renewal report with the renewal fee, in a form and in a medium prescribed by the ~~commissioner~~Commissioner. The renewal report must state or contain a:

(1) description of each material change in information submitted by the licensee in its original license application which has not been reported to the ~~commissioner~~ Commissioner on a required report; and

(2) list of the locations in this State where the licensee or an authorized delegate of the licensee engages in currency exchange, including limited stations and mobile locations.

~~(C) If a licensee does not file a renewal report and pay its renewal fee by the renewal date or an extension of time granted by the commissioner, the commissioner shall send the licensee a notice of suspension. Unless the licensee files the report and pays the renewal fee before expiration of ten days after the notice is sent, the licensee's license is suspended ten days after the commissioner sends the notice of suspension.~~

~~(D)~~(C) The ~~commissioner~~ Commissioner for good cause may grant an extension of the renewal date.

Article 4

Authorized Delegates

Section 35-11-400. (A) In this section, "remit" means to make direct payments of money to a licensee or its representative authorized to receive money or to deposit money in a bank in an account specified by the licensee.

(B) ~~A contract between a licensee and an authorized delegate must require the authorized delegate to operate in full compliance with this chapter. For such contracts initiated on or after the effective date of this act, the licensee shall provide to each authorized delegate information sufficient for compliance with this chapter.~~Before a licensee is authorized to conduct business through an authorized delegate or allows a person to act as the licensee's authorized delegate, the licensee must:

(1) adopt, and update as necessary, written policies and procedures reasonably designed to ensure that the licensee's authorized delegates comply with applicable state and federal law;

(2) enter into a written contract that complies with Section 35-11-400(D); and

(3) conduct a reasonable risk-based background investigation sufficient for the licensee to determine whether the authorized delegate has complied and will likely comply with applicable state and federal law.

(C) ~~An authorized delegate shall remit all money owing to the licensee in accordance with the terms of the contract between the licensee and the~~

~~authorized delegate.~~An authorized delegate must operate in full compliance with this chapter.

(D) ~~If a license is suspended or revoked or a licensee does not renew its license, the commissioner shall notify all authorized delegates of the licensee whose names are in a record filed with the commissioner of the suspension, revocation, or nonrenewal. After notice is sent or publication is made, an authorized delegate shall immediately cease to provide money services as a delegate of the licensee.~~ The written contract required by Section 35-11-400(B) must be signed by the licensee and the authorized delegate and, at a minimum, must:

(1) appoint the person signing the contract as the licensee's authorized delegate with the authority to conduct money transmission on behalf of the licensee;

(2) set forth the nature and scope of the relationship between the licensee and the authorized delegate and the respective rights and responsibilities of the parties;

(3) require the authorized delegate to agree to fully comply with all applicable state and federal laws, rules, and regulations pertaining to money transmission, including this chapter and regulations implementing this chapter, relevant provisions of the Bank Secrecy Act and the USA Patriot Act;

(4) require the authorized delegate to remit and handle money and monetary value in accordance with the terms of the contract between the licensee and the authorized delegate;

(5) impose a trust on money and monetary value net of fees received for money transmission for the benefit of the licensee;

(6) require the authorized delegate to prepare and maintain records as required by this chapter or regulations implementing this chapter, or as reasonably requested by the Commissioner;

(7) acknowledge that the authorized delegate consents to examination or investigation by the Commissioner;

(8) state that the licensee is subject to regulation by the Commissioner and that, as part of that regulation, the Commissioner may suspend or revoke an authorized delegate designation or require the licensee to terminate an authorized delegate designation; and

(9) acknowledge receipt of the written policies and procedures required under Section 35-11-400(B)(1).

(E) ~~An authorized delegate may not provide money services outside the scope of activity permissible under the contract between the authorized delegate and the licensee, except activity in which the authorized delegate is authorized to engage in pursuant to Article 2 of~~

~~this chapter. An authorized delegate of a licensee holds in trust for the benefit of the licensee all money net of fees received from money transmission.~~If the licensee's license is suspended, revoked, surrendered, or expired, the licensee must, within five business days, provide documentation to the Commissioner that the licensee has notified all applicable authorized delegates of the licensee whose names are in a record filed with the Commissioner of the suspension, revocation, surrender, or expiration of a license. Upon suspension, revocation, surrender, or expiration of a license, applicable authorized delegates shall immediately cease to provide money transmission as an authorized delegate of the licensee.

(F) An authorized delegate of a licensee holds in trust for the benefit of the licensee all money net of fees received from money transmission. If any authorized delegate commingles any funds received from money transmission with any other funds or property owned or controlled by the authorized delegate, all commingled funds and other property shall be considered held in trust in favor of the licensee in an amount equal to the amount of money net of fees received from money transmission.

~~(F)~~(G) An authorized delegate may not use a subdelegate to conduct money services on behalf of a licensee.

Section 35-11-405. A person may not provide money services on behalf of a person not licensed pursuant to this chapter or not exempt pursuant to Section 35-11-110. A person that engages in that activity provides money services to the same extent as if the person were a licensee and is jointly and severally liable with the unlicensed or nonexempt person.

Article 5

Examinations, Reports, and Records

Section 35-11-500. (A) The ~~commissioner~~ Commissioner may conduct an ~~annual~~ examination or investigation of a licensee or of any of the licensee's authorized delegates ~~on a forty-five day notice in a record to the licensee~~or otherwise take independent action authorized by this chapter or by a rule or order issued under this chapter as reasonably necessary or appropriate to administer and enforce this chapter, regulations implementing this chapter, and other applicable law, including the Bank Secrecy Act and the USA Patriot Act. The Commissioner may:

(1) conduct an examination either on-site or off-site as the Commissioner may reasonably require;

(2) conduct an examination in conjunction with an examination conducted by representatives of other state agencies or agencies of another state or of the federal government;

(3) accept the examination report of another state agency or an agency of another state or of the federal government, or a report prepared by an independent accounting firm, which on being accepted is considered for all purposes as an official report of the Commissioner; and

(4) summon and examine under oath a key individual or employee of a licensee or authorized delegate and require the person to produce records regarding any matter related to the condition and business of the licensee or authorized delegate.

(B) ~~The commissioner may examine a licensee or its authorized delegate, at any time, without notice, if the commissioner has reason to believe that the licensee or authorized delegate is engaging in an unsafe or unsound practice or has violated or is violating this chapter or a rule adopted or an order issued pursuant to this chapter.~~ A licensee or authorized delegate shall provide, and the Commissioner shall have full and complete access to, all records the Commissioner may reasonably require to conduct a complete examination. The records must be provided at the location and in the format specified by the Commissioner, provided, the Commissioner may utilize multistate record production standards and examination procedures when such standards will reasonably achieve the requirements of this section.

(C) If the ~~commissioner~~ Commissioner concludes that an ~~on-site~~ examination is necessary pursuant to subsection (A), the licensee shall pay the reasonable cost of the examination.

(D) Information obtained during an examination pursuant to this chapter may be disclosed only as provided in Section 35-11-530.

Section 35-11-505. ~~The commissioner may consult and cooperate with other state money services regulators in enforcing and administering this act. They jointly may pursue examinations and take other official action that they are otherwise empowered to take.~~(A) To efficiently and effectively administer and enforce this chapter and to minimize regulatory burden, the Commissioner is authorized and encouraged to participate in multistate supervisory processes established between states and coordinated through the Conference of State Bank Supervisors, Money Transmitter Regulators Association, and affiliates and successors thereof for all licensees that hold licenses in this State and other states. As a participant in multistate supervision, the Commissioner shall:

(1) cooperate, coordinate, and share information with other state and federal regulators in accordance with Section 35-11-530;

(2) enter into written cooperation, coordination, or information-sharing contracts or agreements with organizations the membership of which is made up of state or federal governmental agencies; and

(3) cooperate, coordinate, and share information with organizations the membership of which is made up of state or federal governmental agencies, provided that the organizations agree in writing to maintain the confidentiality and security of the shared information in accordance with Section 35-11-530.

(B) The Commissioner may not waive, and nothing in this section constitutes a waiver of, the Commissioner's authority to conduct an examination or investigation or otherwise take independent action authorized by this chapter, or a rule adopted or order issued under this chapter, to enforce compliance with applicable state or federal law.

(C) A joint examination or investigation, or acceptance of an examination or investigation report, does not waive an examination assessment provided for in this chapter.

Section 35-11-510. (A) A licensee shall file with the ~~commissioner~~ Commissioner within fifteen business days any material changes in information provided in a licensee's application as prescribed by the ~~commissioner~~Commissioner.

(B) ~~A licensee shall file with the commissioner within forty-five days after the end of each fiscal quarter a current list of all authorized delegates, and locations in this State where the licensee or an authorized delegate of the licensee provides money services, including limited stations and mobile locations. The licensee shall state the name and street address of each location and authorized delegate.~~ Each licensee shall submit a report of authorized delegates within forty-five days of the end of the calendar quarter. The Commissioner is authorized and encouraged to utilize NMLS for the submission of the report required by this subsection provided that such functionality is consistent with the requirements of this subsection. The authorized delegate report must include, at a minimum, each authorized delegate's:

(1) company legal name;

(2) taxpayer employer identification number;

(3) principal provider identifier;

(4) physical address;

(5) mailing address;

(6) any business conducted in other states;

(7) any fictitious or trade name;

(8) contact person's name, phone number, and email;

(9) start date as licensee's authorized delegate;

(10) end date acting as licensee's authorized delegate, if applicable; and

(11) any other information the Commissioner reasonably requires with respect to the authorized delegate.

(C) A licensee shall file a report with the ~~commissioner~~ Commissioner within ~~three~~ one business ~~days~~ day after the licensee has reason to know of the occurrence of any of the following events:

(1) the filing of a petition by or against the licensee under the United States Bankruptcy Code, 11 U.S.C. Section 101-110 ~~(1994 & Supp. V 1999)~~as amended or recodified from time to time, for bankruptcy or reorganization;

(2) the filing of a petition by or against the licensee for receivership, the commencement of another judicial or administrative proceeding for its dissolution or reorganization, or the making of a general assignment for the benefit of its creditors; or

(3) the commencement of a proceeding to revoke or suspend its license in a state or country in which the licensee engages in business or is licensed~~;~~.

~~(4) the cancellation or other impairment of the licensee's bond or other security;~~

(D) A licensee shall file a report with the Commissioner within three business days after the licensee has reason to know of the occurrence of any of the following events:

~~(5)~~(1) a charge or conviction of the licensee or of ~~an executive officer, manager, director,~~a key individual or person in control of the licensee for a felony; or

~~(6)~~(2) a charge or conviction of an authorized delegate for a felony.

(E) Each licensee shall submit a report of condition within forty-five days of the end of the calendar quarter, or within any extended time as the Commissioner may prescribe. The report of condition must include:

(1) financial information at the licensee level;

(2) nationwide and state-specific money transmission transaction information in every jurisdiction in the United States where the licensee is licensed to engage in money transmission;

(3) permissible investments report;

(4) transaction destination country reporting for money received for transmission, if applicable, which shall only be included in a report of

condition submitted within forty-five days of the end of the fourth calendar quarter; and

(5) any other information the Commissioner reasonably requires with respect to the licensee. The Commissioner is authorized and encouraged to utilize NMLS for the submission of the report required by this subsection and is authorized to change or update as necessary the requirements of this subsection to carry out the purposes of this chapter and maintain consistency with NMLS reporting.

(F) Each licensee, within ninety days after the end of each fiscal year, or within any extended time as the Commissioner may prescribe, shall file with the Commissioner:

(1) an audited financial statement of the licensee for the fiscal year prepared in accordance with United States generally accepted accounting principles, prepared by an independent certified public accountant or independent public accountant who is satisfactory to the Commissioner, which must include or be accompanied by a certificate of opinion of the independent certified public accountant or independent public accountant that is satisfactory in form and content to the Commissioner. If the certificate or opinion is qualified, the Commissioner may order the licensee to take any action as the Commissioner may find necessary to enable the independent or certified public accountant or independent public accountant to remove the qualification; and

(2) any other information as the Commissioner may reasonably require.

Section 35-11-515. (A) ~~A licensee shall:~~

~~(1) give the commissioner notice in a record of a proposed change of control within fifteen days after learning of the proposed change of control;~~

~~(2) request approval of the acquisition; and~~

~~(3) submit a nonrefundable fee of one thousand dollars with the notice.~~

~~(B) After review of a request for approval pursuant to subsection (A), the commissioner may require the licensee to provide additional information concerning the proposed persons in control of the licensee. The additional information must be limited to the same types required of the licensee or persons in control of the licensee as part of its original license or renewal application.~~

~~(C) The commissioner shall approve a request for change of control pursuant to subsection (A) if, after investigation, the commissioner~~

~~determines that the person or group of persons requesting approval has the competence, experience, character, and general fitness to operate the licensee or person in control of the licensee in a lawful and proper manner and that the public interest will not be jeopardized by the change of control.~~

~~(D) When an application for a change of control pursuant to this article is complete, the commissioner shall notify the licensee in a record of the date on which the request was determined to be complete and:~~

~~(1) the commissioner shall approve or deny the request within one hundred twenty days after that date; or~~

~~(2) if the request is not approved or denied within one hundred twenty days after that date:~~

~~(a) the request is considered approved; and~~

~~(b) the commissioner shall permit the change of control under this section to take effect as of the first business day after expiration of the period.~~

~~(E) The commissioner, by rule of order, may exempt a person from any of the requirements of subsection (A)(2) and (3) if it is in the public interest to do so.~~

~~(F) Subsection (A) does not apply to a public offering of securities.~~

~~(G) Before filing a request for approval to acquire control of a licensee or person in control of a licensee, a person may request in a record a determination from the commissioner as to whether the person would be considered a person in control of a licensee upon consummation of a proposed transaction. If the commissioner determines that the person would not be a person in control of a licensee, the commissioner shall enter an order to that effect and the proposed person and transaction is not subject to the requirements of subsections (A) through (C).~~Any person, or group of persons acting in concert, seeking to acquire control of a licensee shall obtain the written approval of the Commissioner prior to acquiring control. An individual is not deemed to acquire control of a licensee and is not subject to these acquisition of control provisions when that individual becomes a key individual in the ordinary course of business.

(B) A person, or group of persons acting in concert, seeking to acquire control of a licensee, in cooperation with the licensee, shall:

(1) submit an application in a form and in a medium prescribed by the Commissioner; and

(2) submit a nonrefundable fee of one thousand dollars with the request for approval.

(C) Upon request, the Commissioner may permit a licensee or the person, or group of persons acting in concert, to submit some or all information required by the Commissioner pursuant to Section 35-11-515(B)(1) without using NMLS.

(D) The application required by Section 35-11-515(B)(1) must include information required by Section 35-11-210 for any new key individuals that have not previously completed the requirements of Section 35-11-210 for a licensee.

(E) When an application for acquisition of control under this section appears to include all the items and addresses all of the matters that are required, the application must be considered complete and the Commissioner shall promptly notify the applicant in a record of the date on which the application was determined to be complete and:

(1) the Commissioner shall approve or deny the application within sixty days after the completion date; or

(2) if the application is not approved or denied within sixty days after the completion date:

(a) the application is approved;

(b) the person, or group of persons acting in concert, are not prohibited from acquiring control; and

(c) the Commissioner may for good cause extend the application period.

(F) A determination by the Commissioner that an application is complete and is accepted for processing means only that the application, on its face, appears to include all of the items and address all of the matters that are required, and is not an assessment of the substance of the application or of the sufficiency of the information provided.

(G) When an application is filed and considered complete under subsection (E), the Commissioner shall investigate the financial condition and responsibility, financial and business experience, character, and general fitness of the person, or group of persons acting in concert, seeking to acquire control. The Commissioner shall approve an acquisition of control pursuant to this section if the Commissioner finds that all of the following conditions have been fulfilled:

(1) the requirements of subsections (B) and (D) have been met, as applicable; and

(2) the financial condition and responsibility, financial and business experience, competence, character, and general fitness of the person, or group of persons acting in concert, seeking to acquire control; and the competence, experience, character, and general fitness of the key individuals and persons that would be in control of the licensee after the

acquisition of control indicate that it is in the interest of the public to permit the person, or group of persons acting in concert, to control the licensee.

(H) The Commissioner shall issue a formal written notice of the denial of an application to acquire control within thirty days of the decision to deny the application. The Commissioner shall set forth in the notice of denial the specific reasons for the denial of the application. An applicant whose application is denied by the Commissioner under this section may request a hearing within thirty days after receipt of the written notice of the denial pursuant to Section 35-11-710.

(I) The requirements of subsections (A) and (B) do not apply to any of the following:

(1) a person that acts as a proxy for the sole purpose of voting at a designated meeting of the shareholders or holders of voting shares or voting interests of a licensee or a person in control of a licensee;

(2) a person that acquires control of a licensee by devise or descent;

(3) a person that acquires control of a licensee as a personal representative, custodian, guardian, conservator, or trustee, or as an officer appointed by a court of competent jurisdiction or by operation of law;

(4) a person that is exempt under Section 35-11-110(A)(4);

(5) a person that the Commissioner determines is not subject to subsection (A) based on the public interest;

(6) a public offering of securities of a licensee or a person in control of a licensee; or

(7) an internal reorganization of a person in control of the licensee where the ultimate person in control of the licensee remains the same.

(J) Persons in subsection (I)(2), (3), (4), (6), and (7), in cooperation with the licensee, shall notify the Commissioner within fifteen days after the acquisition of control.

(K)(1) The requirements of subsections (A) and (B) do not apply to a person that has complied with and received approval to engage in money transmission under this chapter or was identified as a person in control in a prior application filed with and approved by the Commissioner or by an MSB-accredited state pursuant to a multistate licensing process, provided that:

(a) the person has not had a license revoked or suspended or controlled a licensee that has had a license revoked or suspended while the person was in control of the licensee in the previous five years;

(b) if the person is a licensee, the person is well managed and has received at least a satisfactory rating for compliance at its most recent examination by an MSB-accredited state if such rating was given;

(c) the licensee to be acquired is projected to meet the requirements of Sections 35-11-215, 35-11-230, and 35-11-600 after the acquisition of control is completed, and if the person acquiring control is a licensee, that licensee is also projected to meet the requirements of Sections 35-11-215, 35-11-230, and 35-11-600 after the acquisition of control is completed;

(d) the licensee to be acquired will not implement any material changes to its business plan as a result of the acquisition of control, and if the person acquiring control is a licensee, that licensee also will not implement any material changes to its business plan as a result of the acquisition of control; and

(e) the person provides notice of the acquisition in cooperation with the licensee and attests to subsection (K)(1)(a), (b), (c), and (d) in a form and in a medium prescribed by the Commissioner.

(2) If the notice is not disapproved within thirty days after the date on which the notice was determined to be complete, the notice is deemed approved.

(L) Before filing an application for approval to acquire control of a licensee a person may request in writing a determination from the Commissioner as to whether the person would be considered a person in control of a licensee upon consummation of a proposed transaction. If the Commissioner determines that the person would not be a person in control of a licensee, the proposed person and transaction is not subject to the requirements of subsections (A) and (B).

(M)(1) A licensee adding or replacing any key individual shall:

(a) provide notice in a manner prescribed by the Commissioner within fifteen days after the effective date of the key individual's appointment; and

(b) provide information as required by Section 35-11-210 within forty-five days of the effective date.

(2) Within ninety days of the date on which the notice provided pursuant to item (1) was determined to be complete, the Commissioner may issue a notice of disapproval of a key individual if the competence, experience, character, or integrity of the individual would not be in the best interest of the public or the customers of the licensee to permit the individual to be a key individual of such licensee.

(3) A notice of disapproval must contain a statement of the basis for disapproval and must be sent to the licensee and the disapproved

individual. A licensee may request a hearing regarding a notice of disapproval, within thirty days after receipt of such notice of disapproval pursuant to Section 35-11-710.

(4) If the notice provided pursuant to item (1) is not disapproved within ninety days after the date on which the notice was determined to be complete, the key individual is deemed approved.

Section 35-11-520. (A) A licensee shall maintain the following records for determining its compliance with this ~~act~~ chapter for at least three years:

(1) a record of each ~~payment instrument or stored value~~outstanding money transmission obligation sold;

(2) a general ledger posted at least monthly containing all asset, liability, capital, income, and expense accounts;

(3) bank statements and bank reconciliation records;

(4) records of outstanding ~~payment instruments and stored value~~money transmission obligations;

(5) records of each ~~payment instrument and stored value~~money transmission obligation paid within the three-year period;

(6) a list of the last known names and addresses of all of the licensee's authorized delegates; and

(7) other records the ~~commissioner~~ Commissioner reasonably requires by rule.

(B) The items specified in subsection (A) may be maintained in any form of record.

(C) Records may be maintained outside this State if they are made accessible to the ~~commissioner~~ Commissioner on a seven business-day notice that is sent in a record.

(D) All records maintained by the licensee as required in subsections (A) through (C) are open to inspection by the ~~commissioner~~ Commissioner pursuant to Section 35-11-500.

Section 35-11-525. (A) A licensee and an authorized delegate shall file with the ~~commissioner~~ Commissioner all reports required by federal currency reporting, record keeping, and suspicious transaction reporting requirements as set forth in ~~31 U.S.C. Section 5311 (1994), 31 C.F.R. Section 103 (2000)~~the Bank Secrecy Act and other federal and state laws pertaining to money laundering.

(B) The timely filing of a complete and accurate report required pursuant to subsection (A) with the appropriate federal agency is in compliance with the requirements of subsection (A), unless the ~~commissioner~~ Commissioner notifies the licensee that reports of this

type are not being regularly and comprehensively transmitted by the federal agency to the ~~commissioner~~Commissioner.

Section 35-11-530. (A) ~~Unless otherwise specified in this section, all information filed with the Securities Commissioner shall be available for public inspection pursuant to rules promulgated by the commissioner consistent with state and federal law governing the disclosure of public information.~~ Except as otherwise provided in subsection (B), all information or reports obtained by the Commissioner from an applicant, licensee, or authorized delegate, and all information contained in or related to an examination, investigation, operating report, or condition report prepared by, on behalf of, or for the use of the Commissioner, or financial statements, balance sheets, or authorized delegate information, are confidential and are not subject to disclosure under Section 30-4-10, et seq.

(B) ~~Except for reasonably segregable portions of information and records that by law would routinely be made available to a party other than an agency in litigation with the commissioner, the commissioner shall not publish or make available:~~

~~(1) information contained in reports, summaries, analyses, letters, or memoranda arising out of, in anticipation of, or in connection with an investigation, examination, or inspection of the books and records of a person;~~

~~(2) interagency or intra-agency memoranda or letters, including without limitation:~~

~~(a) records that reflect discussions between or consideration by the commissioner or members of the commissioner's staff, or both, of an action taken or proposed to be taken by the commissioner or by a member of the commissioner's staff; and~~

~~(b) reports, summaries, analyses, conclusions, or any other work product of the commissioner or of attorneys, accountants, analysts, or other members of the commissioner's staff, prepared in the course of an:~~

~~(i) inspection of the books or records of a person whose affairs are regulated by the commissioner; or~~

~~(ii) examination, investigation, or litigation conducted by or on behalf of the commissioner;~~

~~(3) personnel files, medical files, and similar files if disclosure would constitute a clearly unwarranted invasion of personal privacy, including without limitation:~~

~~(a) information concerning all employees of the South Carolina Securities Division and all persons subject to regulation by the division; and~~

~~(b) personal information reported to the commissioner under the division's rules concerning registration about employees of applicants, licensees, or their agents;~~

~~(4)(a) investigatory records compiled for law enforcement purposes to the extent that production of the records would:~~

~~(i) interfere with enforcement proceedings;~~

~~(ii) deprive a person of a right to a fair trial or an impartial adjudication; or~~

~~(iii) disclose the identity of a confidential source;~~

~~(b) the commissioner also may withhold investigatory records that would:~~

~~(i) constitute an unwarranted invasion of personal privacy;~~

~~(ii) disclose investigative techniques and procedures; or~~

~~(iii) endanger the life or physical safety of law enforcement personnel;~~

~~(c) as used in this section, "investigatory records" includes:~~

~~(i) all documents, records, transcripts, correspondence, and related memoranda and work products concerning examinations and other investigations and related litigation as authorized by law that pertain to or may disclose the possible violation by a person of a provision of the statutes or rules administered by the commissioner; and~~

~~(ii) all written communications from or to a person confidentially complaining or otherwise furnishing information about a possible violation, as well as all correspondence and memoranda in connection with the confidential complaint or information;~~

~~(5) information contained in or related to examinations, operating reports, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions, check issuers, money transmitters, money services providers, or money service businesses;~~

~~(6)(a) financial records of an applicant, licensee, or the agent of an applicant or licensee obtained during or as a result of an examination by the commissioner;~~

~~(b) when a record is required to be filed pursuant to this article with the commissioner as part of an application for license, annual renewal, or otherwise, the record, including financial statements prepared by certified public accountants, must be public information unless sections of the information are bound separately and are marked "confidential" by the applicant, licensee, or agent upon filing;~~

~~(c) information pursuant to subitem (b) bound separately and marked "confidential" must be considered nonpublic until ten days after~~

~~the commissioner has given the applicant, licensee, or agent notice that an order will be entered finding the material public information.~~

~~(d) an applicant, licensee, or agent may seek an injunction from the Richland County Circuit Court ordering the commissioner to withhold the information as nonpublic pending a final order from a court of competent jurisdiction if the order of the commissioner pursuant to subitem (c) is appealed under applicable law;~~

~~(7) trade secrets obtained from a person; or~~

~~(8) another record that is required to be closed to the public and is not considered open to public inspection under other law.~~The Commissioner may disclose information not otherwise subject to disclosure under subsection (A) to representatives of state or federal agencies who promise in a record that they will maintain the confidentiality of the information or where the Commissioner finds that the release is reasonably necessary for the protection and interest of the public in accordance with Section 30-4-10, et seq.

~~(C) The commissioner may disclose information not otherwise subject to disclosure pursuant to subsection (A) to representatives of state or federal agencies who promise in a record that they will maintain the confidentiality of the information; or the commissioner finds that the release is reasonably necessary for the protection of the public and in the interests of justice, and the licensee has been given previous notice by the commissioner of the commissioner's intent to release the information.~~

~~(D)~~(C) This section does not prohibit the commissioner from disclosing to the public a list of persons licensed under this chapter or the aggregated financial data concerning those licensees.

(D) Information contained in the records of the Commissioner that is not confidential and may be made available to the public either on the Commissioner's website, upon receipt by the Commissioner of a written request, or in NMLS must include:

(1) the name, business address, telephone number, and unique identifier of a licensee;

(2) the business address of a licensee's registered agent for service;

(3) the name, business address, and telephone number of all authorized delegates;

(4) the terms of or a copy of any bond filed by a licensee, provided that confidential information including, but not limited to, prices and fees for such bond is redacted;

(5) copies of any nonconfidential final orders of the Commissioner relating to any violation of this chapter or regulations implementing this chapter; and

(6) imposition of an administrative fine or penalty under this chapter.

Section 35-11-535. (A) Every licensee shall forward all money received for transmission in accordance with the terms of the agreement between the licensee and the sender unless the licensee has a reasonable belief or a reasonable basis to believe that the sender may be a victim of fraud or that a crime or violation of law, rule, or regulation has occurred, is occurring, or may occur.

(B) If a licensee fails to forward money received for transmission in accordance with this section, the licensee must respond to inquiries by the sender with the reason for the failure unless providing a response would violate a state or federal law, rule, or regulation.

Section 35-11-540. (A) This section does not apply to:

(1) money received for transmission subject to the federal Remittance Rule, 12 C.F.R. Part 1005, Subpart B, as amended or recodified from time to time; or

(2) money received for transmission pursuant to a written agreement between the licensee and payee to process payments for goods or services provided by the payee.

(B) Every licensee shall refund to the sender within ten days of receipt of the sender's written request for a refund of any and all money received for transmission unless any of the following occurs:

(1) the money has been forwarded within ten days of the date on which the money was received for transmission;

(2) instructions have been given committing an equivalent amount of money to the person designated by the sender within ten days of the date on which the money was received for transmission;

(3) the agreement between the licensee and the sender instructs the licensee to forward the money at a time that is beyond ten days of the date on which the money was received for transmission. If funds have not yet been forwarded in accordance with the terms of the agreement between the licensee and the sender, the licensee shall issue a refund in accordance with the other provisions of this section;

(4) the refund is requested for a transaction that the licensee has not completed based on a reasonable belief or a reasonable basis to believe that a crime or violation of law, rule, or regulation has occurred, is occurring, or may occur; or

(5) the refund request does not enable the licensee to:

(a) identify the sender's name and address or telephone number; or

(b) identify the particular transaction to be refunded in the event the sender has multiple transactions outstanding.

Section 35-11-545. (A) This section does not apply to:

(1) money received for transmission subject to the federal Remittance Rule, 12 C.F.R. Part 1005, Subpart B, as amended or recodified from time to time;

(2) money received for transmission that is not primarily for personal, family, or household purposes;

(3) money received for transmission pursuant to a written agreement between the licensee and payee to process payments for goods or services provided by the payee; or

(4) payroll processing services.

(B) For purposes of this article, "receipt" means a paper receipt, electronic record, or other written confirmation. For a transaction conducted in person, the receipt may be provided electronically if the sender requests or agrees to receive an electronic receipt. For a transaction conducted electronically or by phone, a receipt may be provided electronically. All electronic receipts shall be provided in a retainable form.

(C) Every licensee or its authorized delegate shall provide the sender a receipt for money received for transmission.

(1) The receipt must contain the following information, as applicable:

(a) the name of the sender;

(b) the name of the designated recipient;

(c) the date of the transaction;

(d) the unique transaction or identification number;

(e) the name of the licensee, NMLS Unique ID, the licensee's business address, and the licensee's customer service telephone number;

(f) the amount of the transaction in United States dollars;

(g) any fee charged by the licensee to the sender for the transaction; and

(h) any taxes collected by the licensee from the sender for the transaction.

(2) The receipt required by this section shall be in English and in the language principally used by the licensee or authorized delegate to

advertise, solicit, or negotiate, either orally or in writing, for a transaction conducted in person, electronically or by phone, if other than English.

Section 35-11-550. Every licensee or authorized delegate shall include on a receipt or disclose on the licensee's website or mobile application the name and phone number of the South Carolina Office of Attorney General and a statement that the licensee's customers can contact the Commissioner with complaints about the licensee's money transmission services.

Article 6

Permissible Investments

Section 35-11-600. (A) A licensee shall maintain at all times permissible investments that have a market value computed in accordance with generally accepted accounting principles of not less than the aggregate amount of all of its outstanding ~~payment instruments and store-value obligations issued or sold in all states and money transmitted from all states by the licensee~~money transmission obligation.

(B) Except for permissible investments enumerated in Section 35-11-605(A), ~~The commissioner~~the Commissioner, with respect to ~~a~~ any licensee, may, by rule or order, limit the extent to which a ~~type of~~ specific investment maintained by a licensee within a class of permissible investments may be considered a permissible investment, ~~except for money and certificates of deposit issued by a bank. The commissioner by rule may prescribe or by order allow other types of investments that the commissioner determines to have a safety substantially equivalent to other permissible investments~~if the specific investment represents undue risk to customers, not reflected in the market value of the investments.

(C) Permissible investments, even if commingled with other assets of the licensee, are held in trust for the benefit of the purchasers and holders of the licensee's ~~outstanding payment instruments and stored value~~money transmission obligations in the event of ~~bankruptcy or receivership of the licensee~~ insolvency, the filing of a petition by or against the licensee under the United States Bankruptcy Code, 11 U.S.C. Section 101-110, as amended or recodified from time to time, for bankruptcy or reorganization, the filing of a petition by or against the licensee for receivership, the commencement of any other judicial or administrative proceeding for its dissolution or reorganization, or in the event of an action by a creditor against the licensee who is not a beneficiary of this statutory trust. No permissible investments impressed with a trust pursuant to this section may be subject to attachment, levy

of execution, or sequestration by order of any court, except for a beneficiary of this statutory trust.

(D) Upon the establishment of a statutory trust in accordance with subsection (C) or when any funds are drawn on a letter of credit pursuant to Section 35-11-605(A)(4), the Commissioner shall notify the applicable regulator of each state in which the licensee is licensed to engage in money transmission, if any, of the establishment of the trust or the funds drawn on the letter of credit, as applicable. Notice is deemed satisfied if performed pursuant to a multistate agreement or through NMLS. Funds drawn on a letter of credit, and any other permissible investments held in trust for the benefit of the purchasers and holders of the licensee's outstanding money transmission obligations, are deemed held in trust for the benefit of such purchasers and holders on a pro rata and equitable basis in accordance with statutes pursuant to which permissible investments are required to be held in this State, and other states, as applicable. Any statutory trust established hereunder must be terminated upon extinguishment of all of the licensee's outstanding money transmission obligations.

(E) The Commissioner, by regulation or by order, may allow other types of investments that the Commissioner determines are of sufficient liquidity and quality to be a permissible investment. The Commissioner is authorized to participate in efforts with other state regulators to determine that other types of investments are of sufficient liquidity and quality to be a permissible investment.

Section 35-11-605. (A) ~~Except to the extent otherwise limited by the commissioner pursuant to Section 35-11-600, the~~The following investments are permissible pursuant to Section 35-11-600:

(1)~~ cash, a certificate of deposit, or senior debt obligation of an insured depositary institution, as defined in Section 3 of the Federal Deposit Insurance Act, 12 U.S.C. Section 1813 (1994 & Supp. V 1999)~~cash , including demand deposits, savings deposits, and funds in such accounts held for the benefit of the licensee's customers in a federally insured depository financial institution, and cash equivalents including ACH items in transit to the licensee and ACH items or international wires in transit to a payee, cash in transit via armored car, cash in smart safes, cash in licensee-owned locations, debit card or credit card-funded transmission receivables owed by any bank, or money market mutual funds rated "AAA" by S&P, or the equivalent from any eligible rating service;

(2) ~~banker's acceptance or bill of exchange that is eligible for purchase upon endorsement by a member bank of the Federal Reserve~~

~~System and is eligible for purchase by a Federal Reserve Bank~~certificates of deposit or senior debt obligations of an insured depository institution, as defined in Section 3 of the Federal Deposit Insurance Act, 12 U.S.C. Section 1813, as amended or recodified from time to time, or as defined under the federal Credit Union Act, 12 U.S.C. Section 1781, as amended or recodified from time to time;

(3) ~~an investment bearing a rating of one of the three highest grades as defined by a nationally recognized organization that rates securities~~an obligation of the United States or a commission, agency, or instrumentality thereof; an obligation that is guaranteed fully as to principal and interest by the United States; or an obligation of a state or a governmental subdivision, agency, or instrumentality thereof;

(4) ~~an investment security that is an obligation of the United States or a department, agency, or instrumentality of the United States; an investment in an obligation that is guaranteed fully as to principal and interest by the United States; or an investment in an obligation of a State or a governmental subdivision, agency, or instrumentality of a state~~ the full drawable amount of an irrevocable standby letter of credit for which the stated beneficiary is the Commissioner that stipulates that the beneficiary need only draw a sight draft under the letter of credit and present it to obtain funds up to the letter of credit amount within seven days of presentation of the items required by subsection (A)(4)(c).

(a) The letter of credit must:

(i) be issued by a federally insured depository financial institution, a foreign bank that is authorized under federal law to maintain a federal agency or federal branch office in a state or states, or a foreign bank that is authorized under state law to maintain a branch in a state that bears an eligible rating or whose parent company bears an eligible rating and is regulated, supervised, and examined by United States federal or state authorities having regulatory authority over banks, credit unions, and trust companies;

(ii) be irrevocable, unconditional, and indicate that it is not subject to any condition or qualifications outside of the letter of credit;

(iii) not contain reference to any other agreements, documents, or entities, or otherwise provide for any security interest in the licensee; and

(iv) contain an issue date and expiration date, and expressly provide for automatic extension, without a written amendment, for an additional period of one year from the present or each future expiration date, unless the issuer of the letter of credit notifies the Commissioner in writing by certified or registered mail or courier mail or other receipted

means, at least sixty days prior to any expiration date, that the irrevocable letter of credit will not be extended.

(b) In the event of any notice of expiration or nonextension of a letter of credit issued under subsection (A)(4)(a)(iv), the licensee is required to demonstrate to the satisfaction of the Commissioner, fifteen days prior to expiration, that the licensee maintains and will maintain permissible investments in accordance with Section 35-11-600(A) upon the expiration of the letter of credit. If the licensee is not able to do so, the Commissioner may draw on the letter of credit in an amount up to the amount necessary to meet the licensee's requirements to maintain permissible investments in accordance with Section 35-11-600(A). Any such draw must be offset against the licensee's outstanding money transmission obligations. The drawn funds must be held in trust by the Commissioner or the Commissioner's designated agent, to the extent authorized by law, as agent for the benefit of the purchasers and holders of the licensee's outstanding money transmission obligations.

(c) The letter of credit must provide that the issuer of the letter of credit will honor, at sight, a presentation made by the beneficiary to the issuer of the following documents on or prior to the expiration date of the letter of credit:

(i) the original letter of credit, including any amendments; and

(ii) a written statement from the beneficiary stating that any of the following events have occurred:

(A) the filing of a petition by or against the licensee under the United States Bankruptcy Code, 11 U.S.C. Section 101-110, as amended or recodified from time to time, for bankruptcy or reorganization;

(B) the filing of a petition by or against the licensee for receivership, or the commencement of any other judicial or administrative proceeding for its dissolution or reorganization;

(C) the seizure of assets of a licensee by a commissioner pursuant to an emergency order issued in accordance with applicable law, on the basis of an action, violation, or condition that has caused or is likely to cause the insolvency of the licensee; or

(D) the beneficiary has received notice of expiration or nonextension of a letter of credit and the licensee failed to demonstrate to the satisfaction of the beneficiary that the licensee will maintain permissible investments in accordance with Section 35-11-600(A) upon the expiration or nonextension of the letter of credit.

(d) The Commissioner may designate an agent to serve on the Commissioner's behalf as beneficiary to a letter of credit so long as the

agent and letter of credit meet requirements established by the Commissioner. The Commissioner's agent may serve as agent for multiple licensing authorities for a single irrevocable letter of credit if the proceeds of the drawable amount for the purposes of this section are assigned to the Commissioner.

(e) The Commissioner is authorized and encouraged to participate in multistate processes designed to facilitate the issuance and administration of letters of credit including, but not limited to, services provided by the NMLS and State Regulatory Registry, LLC; and

(5) ~~receivables that are payable to a licensee from its authorized delegates, in the ordinary course of business, pursuant to contracts that are not past due or doubtful of collection if the aggregate amount of receivables under this item does not exceed twenty percent of the total permissible investments of a licensee and the licensee does not hold at one time receivables under this item in any one person aggregating more than ten percent of the licensee's total permissible investments; and~~

~~(6) a share or a certificate issued by an open-end management investment company that is registered with the United States Securities and Exchange Commission under the Investment Companies Act of 1940, 15 U.S.C. Section 80a-1-64 (1994 & Supp. V 1999), and whose portfolio is restricted by the management company's investment policy to investments specified in items (1) through (4).~~ one hundred percent of the surety bond or deposit provided for under Section 35-11-215 that exceeds the average daily money transmission liability in this State.

(B) Unless permitted by the Commissioner by regulation or order to exceed the limit as set forth herein, ~~The~~ the following investments are permissible pursuant to Section 35-11-600, but only to the extent specified:

(1) ~~an interest-bearing bill, note, bond, or debenture of a person whose equity shares are traded on a national securities exchange or on a national over-the-counter market, if the aggregate of investments under this item does not exceed twenty percent of the total permissible investments of a licensee and the licensee does not at one time hold investments under this item in any one person aggregating more than ten percent of the licensee's total permissible investments~~receivables that are payable to a licensee from its authorized delegates in the ordinary course of business that are less than seven days old, up to fifty percent of the aggregate value of the licensee's total permissible investments;

(2) ~~a share of a person traded on a national securities exchange or a national over-the-counter market or a share or a certificate issued by an open-end management investment company that is registered with the~~

~~United States Securities and Exchange Commission under the Investment Companies Act of 1940, 15 U.S.C. Section 80a-1-64 (1994 & Supp. V 1999), and whose portfolio is restricted by the management company's investment policy to shares of a person traded on a national securities exchange or a national over-the-counter market, if the aggregate of investments under this item does not exceed twenty percent of the total permissible investments of a licensee and the licensee does not at one time hold investments in any one person aggregating more than ten percent of the licensee's total permissible investments~~of the receivables permissible under item (1), receivables that are payable to a licensee from a single authorized delegate in the ordinary course of business may not exceed ten percent of the aggregate value of the licensee's total permissible investments;

(3) ~~a demand borrowing agreement made to a corporation or a subsidiary of a corporation whose securities are traded on a national securities exchange if the aggregate of the amount of principal and interest outstanding under demand borrowing agreements under this item does not exceed twenty percent of the total permissible investments of a licensee and the licensee does not at one time hold principal and interest outstanding under demand borrowing agreements under this item with any one person aggregating more than ten percent of the licensee's total permissible investments~~the following investments are permissible up to twenty percent for each category and combined up to fifty percent of the aggregate value of the licensee's total permissible investments:

(a) a short-term, up to six months, investment bearing an eligible rating;

(b) commercial paper bearing an eligible rating;

(c) a bill, note, bond, or debenture bearing an eligible rating;

(d) U.S. tri-party repurchase agreements collateralized at one hundred percent or more with U.S. government or agency securities, municipal bonds, or other securities bearing an eligible rating;

(e) money market mutual funds rated less than "AAA" and equal to or higher than "A-" by S&P, or the equivalent from any other eligible rating service; and

(f) a mutual fund or other investment fund composed solely and exclusively of one or more permissible investments listed in subsection (A)(1) through (A)(3); and

(4) ~~another investment the commissioner designates, to the extent specified by the commissioner.~~cash, including demand deposits, savings deposits, and funds in such accounts held for the benefit of the licensee's

customers, at foreign depository institutions are permissible up to ten percent of the aggregate value of the licensee's total permissible investments if the licensee has received a satisfactory rating in its most recent examination and the foreign depository institution:

(a) has an eligible rating;

(b) is registered under the Foreign Account Tax Compliance Act;

(c) is not located in any country subject to sanctions from the Office of Foreign Asset Control; and

(d) is not located in a high-risk or noncooperative jurisdiction as designated by the Financial Action Task Force.

~~(C) The aggregate of investments pursuant to subsection (B) may not exceed fifty percent of the total permissible investments of a licensee calculated pursuant to Section 35-11-600.~~

Article 7

Enforcement

Section 35-11-700. (A) The ~~commissioner~~ Commissioner may suspend or revoke a license or order a licensee to revoke the designation of an authorized delegate if:

(1) the licensee violates this chapter or a ~~rule adopted~~ regulation or an order issued pursuant to this ~~act~~chapter;

(2) the licensee does not cooperate with an examination or investigation by the ~~commissioner~~Commissioner;

(3) the licensee engages in fraud, intentional misrepresentation, or gross negligence;

(4) an authorized delegate is convicted of a violation of a state or federal anti-money laundering statute, or violates a ~~rule adopted~~regulation or an order issued pursuant to this chapter, as a result of the licensee's wilful misconduct or wilful blindness;

(5) the competence, experience, character, or general fitness of the licensee, authorized delegate, person in control of a licensee, or ~~responsible person~~key individual of the licensee or authorized delegate indicates that it is not in the public interest to permit the person to provide money services;

(6) the licensee engages in an unsafe or unsound practice;

(7) the licensee is insolvent, suspends payment of its obligations, or makes a general assignment for the benefit of its creditors; ~~or~~

(8) the licensee does not remove an authorized delegate after the ~~commissioner~~ Commissioner issues and serves upon the licensee a final order including a finding that the authorized delegate has violated this chapter~~.~~; or

(9) the licensee is the subject of a final order, including a denial, suspension, or revocation, by this or any other state or federal financial services regulator, including a state or federal money services regulator, that was entered against the licensee within the past five years.

(B) In determining whether a licensee is engaging in an unsafe or unsound practice, the ~~commissioner~~ Commissioner may consider the size and condition of the licensee's money transmission, the magnitude of the loss, the gravity of the violation of this ~~act~~chapter or a regulation or order issued pursuant to this chapter, and the previous conduct of the person involved.

(C) In determining whether to suspend or revoke a license under subsection (A)(9), the Commissioner may consider if the licensee subject to the final order is currently licensed to conduct business in the jurisdiction where the order was entered.

(D) The Commissioner shall issue a formal written notice of the suspension or revocation. The Commissioner shall set forth in the order the specific reasons for the suspension or revocation. A licensee may request a hearing within thirty days after receipt of the written notice of suspension or revocation pursuant to Section 35-11-710.

Section 35-11-705. (A) The ~~commissioner~~ Commissioner may issue an order suspending or revoking the designation of an authorized delegate, if the ~~commissioner~~ Commissioner finds that the:

(1) authorized delegate violated this chapter or a ~~rule adopted~~regulation or an order issued pursuant to this chapter;

(2) authorized delegate did not cooperate with an examination or investigation by the ~~commissioner~~Commissioner;

(3) authorized delegate engaged in fraud, intentional misrepresentation, or gross negligence;

(4) authorized delegate is convicted of a violation of a state or federal anti-money laundering statute;

(5) competence, experience, character, or general fitness of the authorized delegate or a person in control of the authorized delegate indicates that it is not in the public interest to permit the authorized delegate to provide money services; or

(6) authorized delegate is engaging in an unsafe or unsound practice.

(B) In determining whether an authorized delegate is engaging in an unsafe or unsound practice, the ~~commissioner~~ Commissioner may

consider the size and condition of the authorized delegate's provision of money services, the magnitude of the loss, the gravity of the violation of this chapter or a ~~rule adopted~~regulation or order issued pursuant to this chapter, and the previous conduct of the authorized delegate.

(C) The Commissioner shall issue a formal written notice of the suspension or revocation. The Commissioner shall set forth in the order the specific reasons for the suspension or revocation. An authorized delegate may ~~apply for relief from a suspension or revocation of designation as an authorized delegate according to procedures prescribed by the commissioner~~request a hearing within thirty days after receipt of the written notice of suspension or revocation pursuant to Section 35-11-710.

Section 35-11-710. (A) ~~If the commissioner determines that a violation of this chapter or of a rule adopted or an order issued pursuant to this chapter by a licensee or authorized delegate is likely to cause immediate and irreparable harm to the licensee, its customers, or the public as a result of the violation, or cause insolvency or significant dissipation of assets of the licensee, the commissioner may issue an order requiring the licensee or authorized delegate to cease and desist from the violation. The order becomes effective upon service of it upon the licensee or authorized delegate.~~If the Commissioner determines that a person has engaged, is engaging, or is about to engage in an act, practice, or course of business constituting a violation of this chapter or a regulation or order issued under this chapter, the Commissioner may:

(1) issue an order directing the person to cease and desist from engaging in the act, practice, or course of business or to take other action necessary or appropriate to comply with this chapter;

(2) issue an order against a licensee to cease and desist from providing money services through an authorized delegate that is the subject of a separate order by the Commissioner; or

(3) issue an order under Sections 35-11-220(E), 35-11-235(A), 35-11-310(D), 35-11-515(H), 35-11-515(M), 35-11-700, and 35-11-705.

(B) ~~The commissioner may issue an order against a licensee to cease and desist from providing money services through an authorized delegate that is the subject of a separate order by the commissioner.~~ An order under subsection (A) is effective on the date of issuance. Upon issuance of the order, the Commissioner shall promptly serve each person subject to the order with a copy of the order and a notice that the order has been entered. The order must include a statement of any civil penalty or costs

of investigation the Commissioner will seek, a statement of the reasons for the order, and notice that, within fifteen days after receipt of a request in a record from the person, the matter will be scheduled for a hearing. If a person subject to the order does not request a hearing and none is ordered by the Commissioner within thirty days after the date of service of the order, the order, which may include a civil penalty or costs of the investigation if a civil penalty or costs were sought, becomes final as to that person by operation of law. If a hearing is requested or ordered, the Commissioner, after notice of and opportunity for hearing to each person subject to the order, may modify or vacate the order or extend it until final determination.

(C) ~~An order to cease and desist remains effective and enforceable pending the completion of an administrative proceeding pursuant to Section 35-11-700 or 35-11-705.~~If a hearing is requested or ordered pursuant to subsection (B), a hearing must be held. A final order may not be issued unless the Commissioner makes findings of fact and conclusions of law in a record. The final order may make final, vacate, or modify the order issued under subsection (A).

(D) In a final order under subsection (C), the Commissioner may impose a civil penalty against a person that violates this chapter or a regulation or order issued pursuant to this chapter in an amount not to exceed one thousand dollars per day for each day the violation is outstanding, plus this state's costs and expenses for the investigation and prosecution of the matter, including reasonable attorney fees.

(E) If a petition for judicial review of a final order is not filed in accordance with Section 35-11-830, the Commissioner may file a certified copy of the final order with the clerk of court of competent jurisdiction. The order so filed has the same effect as a judgment of the court and may be recorded, enforced, or satisfied in the same manner as a judgment of the court.

(F) If a person does not comply with an order under this section, the Commissioner may petition a court of competent jurisdiction to enforce the order. The court may not require the Commissioner to post a bond in an action or proceeding under this section. If the court finds, after service and opportunity for hearing, that the person was not in compliance with the order, the court may adjudge the person in civil contempt of the order. The court may impose a further civil penalty against the person for contempt in an amount not less than five hundred dollars but not greater than five thousand dollars for each violation and may grant any other relief the court determines is just and proper in the circumstances.

(G) A hearing in an administrative proceeding under this chapter must be conducted in public unless the Commissioner, for good cause consistent with this chapter, determines that the hearing will not be so conducted.

Section 35-11-715. The ~~commissioner~~ Commissioner may enter into a consent order at any time with a person to resolve a matter arising pursuant to this chapter or a ~~rule adopted~~regulation or order issued pursuant to this chapter. A consent order must be signed by the person to whom it is issued or by the person's authorized representative, and must indicate agreement with the terms contained in the order. A consent order may provide that it does not constitute an admission by a person that this chapter or a ~~rule adopted~~regulation or an order issued pursuant to this chapter has been violated.

Section 35-11-720. ~~The commissioner may assess a civil penalty against a person that violates this chapter or a rule adopted or an order issued pursuant to this chapter in an amount not to exceed one thousand dollars per day for each day the violation is outstanding, plus this state's costs and expenses for the investigation and prosecution of the matter, including reasonable attorney fees~~ Reserved.

Section 35-11-725. (A) A person who intentionally makes a false statement, misrepresentation, or false certification in a record filed or required to be maintained pursuant to this chapter, who intentionally makes a false entry or omits a material entry in that record, or violates a rule promulgated or order issued pursuant to this chapter is guilty of a Class B felony.

(B) A person who knowingly engages in an activity for which a license is required pursuant to this chapter without being licensed pursuant to this chapter and who receives more than five hundred dollars in compensation within a thirty-day period from this activity is guilty of a Class B felony.

(C) A person who knowingly engages in an activity for which a license is required pursuant to this chapter without being licensed pursuant to this chapter and who receives no more than five hundred dollars in compensation within a thirty-day period from this activity is guilty of a Class A misdemeanor.

Section 35-11-730. (A) If the ~~commissioner~~ Commissioner has reason to believe that a person ~~has violated or is violating Section 35-11-200 or 35-11-300, the commissioner may issue an order to show cause why an order to cease and desist should not be issued requiring the person to cease and desist from the violation of Section 35-11-200 or 35-11-300.~~engaged or is about to engage in an act or practice constituting

a violation of this chapter or a regulation or order issued pursuant to this chapter, the Commissioner may summarily issue an order to cease and desist pursuant to Section 35-11-710.

(B) ~~In an emergency, the commissioner may petition the Richland County Circuit Court for the issuance of a temporary restraining order ex parte pursuant to the rules of civil procedure.~~The Commissioner may apply to the Richland County Court of Common Pleas to:

(1) temporarily or permanently enjoin an act or practice that violates this chapter or a regulation or order issued pursuant to this chapter; or

(2) enforce compliance with this chapter or a regulation or order issued or pursuant to this chapter.

(C) ~~An order to cease and desist becomes effective upon service of the order on the person.~~ A person that is served with an order to cease and desist for violating Section 35-11-200 or 35-11-300 may petition the Richland County Court of Common Pleas for a judicial order setting aside, limiting, or suspending the enforcement, operation, or effectiveness of the order pending the completion of an administrative proceeding pursuant to Section 35-11-710.

~~(D) An order to cease and desist remains effective and enforceable pending the completion of an administrative proceeding pursuant to Sections 35-11-800 and 35-11-805.~~

Section 35-11-735. (A) Whenever a licensee has refused or is unable to pay its obligations generally as they become due or whenever it appears to the ~~commissioner~~ Commissioner that a licensee is in an unsafe or unsound condition, the ~~commissioner~~ Commissioner may apply to the Richland County ~~Circuit~~ Court of Common Pleas or to the circuit court of any county in which the licensee is located for the appointment of a receiver for the licensee. The court may require the receiver to post a bond in an amount that appears necessary to protect claimants of the licensee.

(B) The receiver, subject to the approval of the court, shall take possession of the books, records, and assets of the licensee and shall take an action with respect to employees, agents, or representatives of the licensee or other action that may be necessary to conserve the assets of the licensee or ensure payment of instruments issued by the licensee pending further disposition of its business as provided by law. The receiver shall sue and defend, compromise, and settle all claims

involving the licensee and exercise the powers and duties that are necessary and consistent with the laws of this State applicable to the appointment of receivers.

(C) The receiver, from time to time, but in no event less frequently than once each calendar quarter, shall report to the court with respect to all acts and proceedings in connection with the receivership.

Section 35-11-740. (A)(1) A person who, knowing that the property involved in a financial transaction represents the proceeds of, or is derived directly or indirectly from the proceeds of unlawful activity, conducts or attempts to conduct such a financial transaction that in fact involves the proceeds:

(a) with the intent to promote the carrying on of unlawful activity; or

(b) knowing that the transaction is designed in whole or in part to conceal or disguise the nature, location, sources, ownership, or control of the proceeds of unlawful activity is guilty of a felony and, upon conviction, must be punished as follows:

(i) for a Class F felony if the transactions exceed three hundred dollars but are less than twenty thousand dollars in a twelve-month period;

(ii) for a Class E felony for transactions that total or exceed twenty thousand dollars but are less than one hundred thousand dollars in a twelve-month period; or

(iii) for a Class C felony for transactions that total or exceed one hundred thousand dollars in a twelve-month period.

In addition to penalties, a person who is found guilty of or who pleads guilty or nolo contendere to having violated this section may be sentenced to pay a fine not to exceed two hundred fifty thousand dollars, or twice the value of the financial transactions, whichever is greater; however, for a second or subsequent violation of this section, the fine may be up to five hundred thousand dollars, or quintuple the value of the financial transactions, whichever is greater.

(2) A person who transports, transmits, or transfers, or attempts to transport, transmit, or transfer a monetary instrument or funds from a place in South Carolina to or through a place outside the United States or to a place in South Carolina from or through a place outside the United States:

(a) with the intent to promote the carrying on of unlawful activity; or

(b) knowing that the monetary instrument or funds involved in the transportation represent the proceeds of unlawful activity and

knowing that the transportation is designed in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of unlawful activity is guilty of a felony and, upon conviction, must be punished as follows:

(i) for a Class F felony if the transactions exceed three hundred dollars but are less than twenty thousand dollars in a twelve-month period;

(ii) for a Class E felony for transactions that total or exceed twenty thousand dollars but are less than one hundred thousand dollars in a twelve-month period; or

(iii) for a Class C felony for transactions that total or exceed one hundred thousand dollars in a twelve-month period.

In addition to penalties, a person who is found guilty of or who pleads guilty or nolo contendere to having violated this section may be sentenced to pay a fine not to exceed two hundred fifty thousand dollars or twice the value of the financial transactions, whichever is greater; however, for a second or subsequent violation of this section, the fine may be up to five hundred thousand dollars, or quintuple the value of the financial transactions, whichever is greater.

(3) A person with the intent:

(a) to promote the carrying on of unlawful activity; or

(b) to conceal or disguise the nature, location, source, ownership, or control of property believed to be the proceeds of unlawful activity, conducts or attempts to conduct a financial transaction involving property represented by a law enforcement officer to be the proceeds of unlawful activity, or property used to conduct or facilitate unlawful activity is guilty of a felony and, upon conviction, must be punished as follows:

(i) for a Class F felony if the transactions exceed three hundred dollars but are less than twenty thousand dollars in a twelve-month period;

(ii) for a Class E felony for transactions that total or exceed twenty thousand dollars but are less than one hundred thousand dollars in a twelve-month period; or

(iii) for a Class C felony for transactions that total or exceed one hundred thousand dollars in a twelve-month period.

In addition to penalties, a person who is found guilty of or who pleads guilty or nolo contendere to having violated this section may be sentenced to pay a fine not to exceed two hundred fifty thousand dollars or twice the value of the financial transactions, whichever is greater; however, for a second or subsequent violation of this section, the fine

may be up to five hundred thousand dollars or quintuple the value of the financial transactions, whichever is greater.

For purposes of this subitem, the term "represented" means a representation made by a law enforcement officer or by another person at the direction of, or with the approval of, a state official authorized to investigate or prosecute violations of this section.

(B) A person who conducts or attempts to conduct a transaction described in subsection (A)(1), or transportation described in subsection (A)(2), is liable to the State for a civil penalty of not more than the greater of:

(1) the value of the property, funds, or monetary instruments involved in the transaction; or

(2) ten thousand dollars.

A court may issue a pretrial restraining order or take another action necessary to ensure that a bank account or other property held by the defendant in the United States is available to satisfy a civil penalty under this section.

(C) As used in this section:

(1) the term "conducts" includes initiating, concluding, or participating in initiating or concluding a transaction;

(2) the term "transaction" includes a purchase, sale, loan, pledge, gift, transfer, delivery, or other disposition and, with respect to a financial institution, includes a deposit, withdrawal, transfer between accounts, exchange of currency, loan, extension of credit, purchase or sale of a stock, bond, certificate of deposit, or other monetary instrument, or another payment, transfer, or delivery by, through, or to a financial institution, by whatever means effected;

(3) the term "financial transaction" means a transaction involving the movement of funds by wire or other means or involving one or more monetary instruments;

(4) the term "monetary instruments" means coin or currency of the United States or of another country, travelers' checks, personal checks, bank checks, money orders, investment securities in bearer form or otherwise in that form that title to it passes upon delivery, and negotiable instruments in bearer form or otherwise in that form that title to it passes upon delivery;

(5) the term "financial institution" has the definition given that term in Section 5312(a)(2), Title 31, United States Code, and the regulations promulgated thereunder.

(D) Nothing in this section supersedes a provision of law imposing criminal penalties or affording civil remedies in addition to those

provided for in this section, and nothing in this section precludes reliance in the appropriate case upon the provisions set forth in Section 44-53-475.

Section 35-11-745. (A) The Commissioner may:

(1) conduct public or private investigations within or outside of this State which the Commissioner considers necessary or appropriate to determine whether a person has violated, is violating, or is about to violate this chapter or a regulation or order issued pursuant to this chapter, or to aid in the enforcement of this chapter or in the adoption of rules and forms under this chapter;

(2) require or permit a person to testify, file a statement, or produce a record, under oath or otherwise as the Commissioner determines, as to all the facts and circumstances concerning a matter to be investigated or about which an action or proceeding is to be instituted; and

(3) publish a record concerning an action, proceeding, or an investigation under, or a violation of, this chapter or a regulation or order issued pursuant to this chapter if the Commissioner determines it is necessary or appropriate in the public interest.

(B) For the purpose of an investigation under this chapter, the Commissioner or its designated officer may administer oaths and affirmations, subpoena witnesses, seek compulsion of attendance, take evidence, require the filing of statements, and require the production of any records that the Commissioner considers relevant or material to the investigation.

(C) If a person does not appear or refuses to testify, file a statement, produce records, or otherwise does not obey a subpoena as required by the Commissioner under this chapter, the Commissioner may apply to the Richland County Court of Common Pleas or a court of another state to enforce compliance. The court may:

(1) hold the person in contempt;

(2) order the person to appear before the Commissioner;

(3) order the person to testify about the matter under investigation or in question;

(4) order the production of records;

(5) grant injunctive relief;

(6) impose a civil penalty of not less than five hundred dollars and not greater than five thousand dollars for each violation; and

(7) grant any other necessary or appropriate relief.

(D) This section does not preclude a person from applying to the Richland County Court of Common Pleas for relief from a request to appear, testify, file a statement, produce records, or obey a subpoena.

Article 8

Administrative Procedures

Section 35-11-800. ~~All administrative proceedings pursuant to this chapter must be conducted in accordance with Article 3, Chapter 23, Title 1.~~ In order to carry out the purposes of this chapter, the Commissioner may, subject to the provisions of Section 35-11-530:

(1) enter into agreements or relationships with other governmental officials or federal and state regulatory agencies and regulatory associations in order to improve efficiencies and reduce regulatory burden by standardizing methods or procedures, and sharing resources, records, or related information obtained under this chapter;

(2) use, hire, contract, or employ analytical systems, methods, or software to examine or investigate any person subject to this chapter;

(3) accept, from other state or federal governmental agencies or officials, licensing, examination, or investigation reports made by such other state or federal governmental agencies or officials; and

(4) accept audit reports made by an independent certified public accountant or other qualified third-party auditor for an applicant or licensee and incorporate the audit report in any report of examination or investigation.

Section 35-11-805. ~~Except as otherwise provided in Sections 35-11-225(C), 35-11-315(C), 35-11-710, and 35-11-730, the commissioner~~The Commissioner may not suspend or revoke a license, issue an order to cease and desist, suspend or revoke the designation of an authorized delegate, or assess a civil penalty without notice and an opportunity to be heard pursuant to Section 35-11-710. The ~~commissioner~~ Commissioner also shall hold a hearing when requested to do so by an applicant whose application for a license is denied.

Section 35-11-810. This chapter is administered by the ~~commissioner~~ Commissioner who may employ such additional assistants as he deems necessary. The ~~commissioner~~ Commissioner may delegate any or all of his duties pursuant to this chapter to members of his staff, as he deems necessary or appropriate.

Section 35-11-815. The commissioner may promulgate and amend regulations or issue orders necessary to carry out the purposes of this chapter in order to provide for the protection of the public and to assist licensees in interpreting and complying with this chapter.

Section 35-11-820. The Commissioner may establish reasonable fees for filings required or permitted by regulation or order adopted pursuant to this chapter, and other miscellaneous filings for which no fees are otherwise specified by law.

Section 35-11-825. The Commissioner may retain all fees, assessments, and fines received under this chapter for the administration of this chapter.

Section 35-11-830. A person aggrieved by a final order of the Commissioner may obtain a review of the order in the Richland County Court of Common Pleas by filing in the court, within thirty days after entry of the order, a written petition praying that the order may be modified or set aside in whole or in part. The aggrieved person, upon filing a petition, may move before the court in which the petition is filed to stay the effectiveness of the Commissioner's final order until such time as the court has reviewed the order. If the court orders a stay, the aggrieved person must post any bond set by the court in which a petition is filed. A copy of the petition must be served upon the Commissioner, and the Commissioner shall certify and file in court a copy of the filing and evidence upon which the order was entered. When these have been filed, the court has exclusive jurisdiction to affirm, modify, enforce, or set aside the order, in whole or in part. The findings of the Commissioner as to the facts, if supported by competent, material, and substantial evidence, are conclusive.

Article 9

Miscellaneous Provisions

Section 35-11-900. In applying and construing this Uniform Act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Section 35-11-905. (A) A person licensed in this State to engage in the business of money transmission may not be subject to the amended provisions of this chapter, to the extent that they conflict with the prior law or establish new requirements not imposed under the prior law, until the first January first after the effective date of this chapter.

(B) Notwithstanding subsection (A), a licensee only must be required to amend its authorized delegate contracts for contracts entered into or amended after the effective date of the amendments to this chapter or the completion of any transition period contemplated under subsection (A). Nothing herein may be construed as limiting an authorized delegate's obligations to operate in full compliance with this chapter as required by Section 35-11-400(C).

SECTION 2. Section 39-73-10(1) of the S.C. Code is amended to read:

(1) "Administrator" means the South Carolina ~~Secretary of State~~ Attorney General.

SECTION 3. Section 39-73-40(D) of the S.C. Code is amended to read:

(D) The administrator, by order, may deny, suspend, revoke, or place limitations on the authority to engage in business as a qualified seller under item (2) of subsection (A) if the administrator finds that the order is in the public interest and that the person, the person's officers, directors, partners, agents, servants, or employees, a person occupying a similar status or performing similar functions, or a person who directly or indirectly controls or is controlled by the seller, or his affiliates or subsidiaries:

(1) has filed a notice of intention under subsection (C) with the administrator or the designee of the administrator which was incomplete in material respect or contained a statement which was, in light of the circumstances under which it was made, false or misleading with respect to a material fact;

(2) within the last ten years, has pled guilty or nolo contendere to, or been convicted of a crime indicating a lack of fitness to engage in the investment commodity business;

(3) has been enjoined permanently or temporarily by a court of competent jurisdiction from engaging in or continuing conduct or a practice which injunction indicates a lack of fitness to engage in the investment commodities business;

(4) is the subject of an order of the administrator denying, suspending, or revoking the person's license as a securities broker-dealer, agent, sales representative, ~~or~~ investment advisor, or investment advisor representative;

(5) is the subject of one or more of the following orders which currently are effective and which were issued within the last five years:

(a) an order by a securities agency or an administrator of another state, Canadian province or territory, the Securities and Exchange Commission, or the Commodity Futures Trading Commission entered after notice and opportunity for hearing, denying, suspending, or revoking the person's registration as a futures commission merchant, commodity trading adviser, commodity pool operator, securities broker-dealer, agent, sales representative, ~~or~~ investment adviser, or investment adviser representative, or the substantial equivalent of the foregoing;

(b) suspension or expulsion from membership in, or association with, a self-regulatory organization registered under the Securities Exchange Act of 1934 or the Commodity Exchange Act;

(c) a United States Postal Service fraud order;

(d) a cease and desist order entered after notice and opportunity of hearing by the administrator or a securities agency or an administrator of another state, Canadian province or territory, the Securities and Exchange Commission, or the Commodity Futures Trading Commission;

(e) an order entered by the Commodity Futures Trading Commission denying, suspending, or revoking registration under the Commodity Exchange Act~~.~~;

(6) has engaged in an unethical or a dishonest act or practice in the investment commodities or securities business; or

(7) has failed reasonably to supervise sales representatives or employees.

SECTION 4. Section 39-73-60 of the S.C. Code is amended to read:

Section 39-73-60. No person, directly or indirectly, in or in connection with the purchase or sale of, the offer to sell, the offer to purchase, the offer to enter into, or the entry into of, a commodity contract or commodity option subject to Sections 39-73-20, 39-73-3~~1~~0, or 39-73-40(A)(2) or (4), may:

(1) cheat or defraud or attempt to cheat or defraud a person or employ a device, a scheme, or an artifice to defraud a person;

(2) make a false report, enter a false record, or make an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading;

(3) engage in a transaction, an act, a practice, or a course of business, including without limitation a form of advertising or solicitation which operates or would operate as a fraud or deceit upon a person; or

(4) misappropriate or convert the funds, security, or property of a person.

SECTION 5. Section 39-73-80 of the S.C. Code is amended to read:

Section 39-73-80. Nothing in this chapter impairs, derogates, or otherwise, affects the authority or powers of the ~~administrator~~ South Carolina Attorney General under state securities law or the application of this chapter to a person or transaction subject to state securities law.

SECTION 6. Section 39-73-315 of the S.C. Code is amended to read:

Section 39-73-315. (A) If the administrator ~~believes, whether or not based upon an investigation conducted under Section 39-73-310,~~ determines that a person has engaged, is engaging, or is about to engage in an act, ~~or a~~ practice, or course of business constituting a violation of this chapter or a ~~related regulation~~rule adopted or order issued under this chapter, the administrator may:

(1) issue ~~a~~an order directing the person to cease and desist ~~order~~ from engaging in the act, practice, or course of business or to take other action necessary or appropriate to comply with the chapter;

(2) issue an order imposing a civil penalty of not more than ten thousand dollars for a single violation or one hundred thousand dollars for multiple violations in a single proceeding or a series of related proceedings; or

(3) initiate the actions specified in Section 39-73-320 ~~subsection (B)~~.

(B) ~~The administrator may institute one or more of the following actions in the appropriate courts of this State or in the appropriate courts of another state in addition to legal or equitable remedies otherwise available:~~

~~(1) a declaratory judgment;~~

~~(2) an action for a prohibitory or mandatory injunction to enjoin the violation and to ensure compliance with this chapter or a regulation or order of the administrator;~~

~~(3) an action for disgorgement;~~

~~(4) an action for appointment of a receiver or conservator for the defendant or the defendant's assets.~~An order issued pursuant to subsection (A) is effective on the date of issuance. Upon issuance of the order, the administrator shall promptly serve each person subject to the order with a copy of the order and a notice that the order has been entered. The order must include a statement of any civil penalty or costs of investigation the administrator will seek, a statement of the reasons for the order, and notice that, within thirty days after receipt of a request in a record from the person, the matter will be scheduled for a hearing. If a person subject to the order does not request a hearing and none is ordered by the administrator within thirty days after the date of service of the order, the order, which may include a civil penalty or any costs of the investigation if a civil penalty or costs were sought, becomes final as to that person by operation of law. If a hearing is requested or ordered, the administrator, after notice of and opportunity for hearing to each person subject to the order, may modify or vacate the order or extend it until final determination.

(C) If a hearing is requested or ordered pursuant to subsection (B), a hearing must be held. A final order may not be issued unless the administrator makes findings of fact and conclusions of law in a record. The final order may make final, vacate, or modify the order issued under subsection (A).

(D) In a final order under subsection (C), the administrator may impose a civil penalty in an amount not to exceed ten thousand dollars for each violation.

(E) In a final order, the administrator may charge the actual cost of an investigation or proceeding for a violation of this chapter or a rule adopted or order issued under this chapter.

(F) If a petition for judicial review of a final order is not filed in accordance with this chapter, the administrator may file a certified copy of the final order with the clerk of a court of competent jurisdiction. The order so filed has the same effect as a judgment of the court and may be recorded, enforced, or satisfied in the same manner as a judgment of the court.

(G) If a person does not comply with an order under this section, the administrator may petition a court of competent jurisdiction to enforce the order. The court may not require the administrator to post a bond in an action or proceeding under this section. If the court finds, after service and opportunity for hearing, that the person was not in compliance with the order, the court may adjudge the person in civil contempt of the order. The court may impose a further civil penalty against the person for contempt in an amount not less than five hundred dollars but not greater than five thousand dollars for each violation and may grant any other relief the court determines is just and proper in the circumstances.

(H) All orders issued under this section are public documents subject to the Freedom of Information Act and must be published on the Attorney General's website searchable by the name of the parties involved.

SECTION 7. Section 39-73-320 of the S.C. Code is amended to read:

Section 39-73-320. (A)~~(1) Upon a proper showing by the administrator that a person has violated or is about to violate this chapter or a regulation or order of the administrator, the court may grant appropriate legal or equitable remedies.~~

~~(2) Upon a showing of a violation of this chapter or a regulation or order of the administrator, the court, in addition to traditional legal and equitable remedies, including temporary restraining orders, permanent or temporary prohibitory or mandatory injunctions, and writs of prohibition or mandamus, may grant the following special remedies:~~

~~(a) imposition of a civil penalty of not more than ten thousand dollars for a single violation or one hundred thousand dollars for multiple violations in a single proceeding or a series of related proceedings;~~

~~(b) disgorgement;~~

~~(c) declaratory judgment;~~

~~(d) restitution to investors wishing restitution;~~

~~(e) appointment of a receiver or conservator for the defendant or the defendant's assets.~~

~~(3) Appropriate remedies when the defendant is shown only about to violate this chapter or a regulation or order of the administrator is limited to:~~

~~(a) temporary restraining order;~~

~~(b) temporary or permanent injunction;~~

~~(c) writ of prohibition or mandamus; or~~

~~(d) order appointing a receiver or conservator for the defendant or the defendant's assets.~~If the administrator believes that a person has engaged, is engaging, or is about to engage in an act, practice, or course of business constituting a violation of this chapter or a rule adopted or order issued under this chapter or that a person has, is, or is about to engage in an act, practice, or course of business that materially aids a violation of this chapter or a rule adopted or order issued under this chapter, the administrator may maintain an action in the Richland County Court of Common Pleas to enjoin the act, practice, or course of business and to enforce compliance with this chapter or a rule adopted or order issued under this chapter.

(B) ~~The court may not require the administrator to post a bond in an official action under this chapter.~~ In an action pursuant to this section and on a proper showing, the court may:

(1) issue a permanent or temporary injunction, restraining order, or declaratory judgment;

(2) order other appropriate or ancillary relief, which might include:

(a) an asset freeze, accounting, writ or attachment, writ of general or specific execution, and appointment of a receiver or conservator, that may be the administrator, for the defendant or the defendant's assets;

(b) ordering the administrator to take charge and control of a defendant's property, including investment accounts and accounts in a depository institution, rents, and profits; to collect debts; and to acquire and dispose of property;

(c) imposing a civil penalty in an amount not to exceed ten thousand dollars for each violation; an order of rescission, restitution, or disgorgement directed to a person that has engaged in an act, practice, or course of business constituting a violation of this chapter or the or a rule adopted or order issued under this chapter; and

(d) ordering the payment of prejudgment and post-judgment interest; or

(3) order such other relief as the court considers appropriate.

(C) The administrator may not be required to post a bond in an action or proceeding under this chapter.

(D)(1) Upon a proper showing by the administrator or securities or commodity agency of another state that a person, other than a government or governmental agency or instrumentality, has violated, or is about to violate, the commodity code of that state or a regulation or order of the administrator or securities or commodity agency of that state, the court may grant appropriate legal and equitable remedies.

(2) Upon showing of a violation of the securities or commodity act of the foreign state or a regulation or order of the administrator or securities or commodity agency of the foreign state, the court, in addition to traditional legal or equitable remedies, including temporary restraining orders, permanent or temporary prohibitory or mandatory injunctions, and writs of prohibition or mandamus, may grant the following special remedies:

(a) disgorgement;

(b) appointment of a receiver, conservator, or ancillary receiver or conservator for the defendant or the defendant's assets located in this State.

(3) Appropriate remedies when the defendant is shown only about to violate the securities or commodity act of the foreign state or a regulation or order of the administrator or securities or commodity agency of the foreign state is limited to:

(a) temporary restraining order;

(b) temporary or permanent injunction;

(c) writ or prohibition or mandamus; or

(d) order appointing a receiver, conservator, or ancillary receiver or conservator for the defendant or the defendant's assets located in this State.

SECTION 8. Section 39-73-325 of the S.C. Code is amended to read:

Section 39-73-325. (A) A person who wilfully violates this chapter or a regulation or order of the administrator under this chapter, upon conviction, must be fined not more than twenty thousand dollars, or imprisoned not more than ten years, or both, for each violation.

(B) A person convicted of violating this chapter or a regulation or order under this chapter may be fined but must not be imprisoned if the person proves he had no knowledge of the rule or order.

(C) The administrator may refer evidence available concerning violations of this chapter or a regulation or order of the administrator to

the appropriate division of the Attorney General's office or the appropriate solicitor or other appropriate prosecution, law enforcement, or licensing authorities who, with or without a reference from the administrator, may institute the appropriate criminal proceedings under this chapter.

SECTION 9. Section 39-73-330 of the S.C. Code is amended to read:

Section 39-73-330. (A) This chapter must be administered by the ~~South Carolina Secretary of State~~Attorney General.

(B) The administrator and his employees may not use information filed with or obtained by the administrator which is not public information for personal gain or benefit and may not conduct securities or commodity dealings based upon the information, even though public, if there has not been sufficient time for the securities or commodity markets to assimilate the information.

(C)(1) Except as provided in item (2), all information collected, assembled, or maintained by the administrator is public information and is available for examination by the public.

(2) The following information is confidential and an exception to item (1):

(a) information obtained in private investigations pursuant to Section 39-73-310;

(b) information made confidential by the Freedom of Information Act;

(c) information obtained from federal agencies which must not be disclosed under federal law.

(3) The administrator in his discretion may disclose information made confidential under subsection (C)(2)(a) to persons identified in Section 39-73-335(A).

(4) This chapter does not create or derogate a privilege which exists at common law, by statute, or otherwise when documentary or other evidence is sought under subpoena directed to the administrator or his employees.

SECTION 10. Section 39-73-340(A) of the S.C. Code is amended to read:

(A) In addition to specific authority granted elsewhere in this chapter, the administrator may make, amend, or rescind regulations, forms, and orders as are necessary to carry out this chapter. The regulations or forms must include, but are not limited to, regulations defining terms, whether

or not used in this chapter. The definitions must not be inconsistent with this chapter. For the purpose of regulations or forms the administrator may classify commodities and commodity contracts, persons, and matters within the administrator's jurisdiction.

SECTION 11. Section 39-73-350 of the S.C. Code is amended to read:

Section 39-73-350. (A) Sections 39-73-20, 39-73-50, and 39-73-60 apply to persons who:

(1) sell or offer to sell when an offer to:

(a) sell is made in this State; or

(b) buy is made and accepted in this State;

(2) buy or offer to buy when an offer to:

(a) buy is made in this State; or

(b) sell is made and accepted in this State.

(B) For the purpose of this section, an offer to sell or buy is made in this State, whether or not either party is then present in this State, when the offer:

(1) originates from this State; or

(2) is directed by the offeror to this State and received at the place to which it is directed, or at a post office in this State for a mailed offer.

(C) For the purpose of this section, an offer to buy or sell is accepted in this State when acceptance:

(1) is communicated to the offeror in this State; or

(2) previously has not been communicated to the offeror, orally or in writing, outside this State, and acceptance is communicated to the offeror in this State, whether or not either party is then present in this State, when the offeree directs it to the offeror in this State, reasonably believing the offeror to be in this State and it is received at the place to which it is directed or at a post office in this State for a mailed acceptance.

(D) An offer to sell or to buy is not made in this State when ~~one or both of the following exist:~~

~~(1) T~~the publisher circulates or there is circulated on his behalf in this State a bona fide newspaper or other publication of general, regular, and paid circulation which is not published in this State or which is published in this State but has had more than two-thirds of its circulation outside this State during the past twelve months or when a radio or television program or other electronic communication originating outside this State is received in this State. A radio or television program, or other electronic communication, is considered as having originated in

this State if either the broadcast studio or the originating source of transmission is located in this State, unless:

(1) the program or communication is syndicated and distributed from outside this State for redistribution to the general public in this State;

(2) the program or communication is supplied by a radio, television, or other electronic network with the electronic signal originating from outside this State for redistribution to the general public in this State;

(3) the program or communication is an electronic communication that originates outside this State and is captured for redistribution to the general public in this State by a community antenna or cable, radio, cable television, or other electronic system; or

(4) the program or communication consists of an electronic communication that originates in this State, but which is not intended for distribution to the general public in this State.

~~(2) A radio or television program originating outside this State is received in this State.~~

SECTION 12. Section 39-73-360 of the S.C. Code is amended to read:

Section 39-73-360. (A) A person aggrieved by a final order of the administrator may obtain a review of the order in the Richland County Court of Common Pleas by filing in the court, within thirty days after entry of the order, a written petition praying that the order may be modified or set aside, in whole or in part. The aggrieved person, upon filing a petition, may move before the court in which the petition is filed to stay the effectiveness of the administrator's final order until such time as the court has reviewed the order. If the court orders a stay, the aggrieved person must post any bond set by the court in which a petition is filed. A copy of the petition must be served upon the administrator, and the administrator shall certify and file in court a copy of the filing and evidence upon which the order was entered. When these have been filed, the court has exclusive jurisdiction to affirm, modify, enforce, or set aside the order, in whole or in part. The findings of the administrator regarding the facts, if supported by competent, material, and substantial evidence, are conclusive.~~of the administrator may obtain a review of the order in court by filing, within sixty days after the entry of the order, a written petition requesting the order be modified or set aside in whole or in part. A copy of the petition for review must be served upon the administrator.~~

~~(B) Upon the filing of a petition for review, except where the taking of additional evidence is ordered by the court pursuant to subsection (E)~~

~~or (F), the court shall have exclusive jurisdiction of the matter, and the administrator may not modify or set aside the order, in whole or in part.~~

~~(C) The filing of a petition for review under subsection (A), unless specifically ordered by the court, does not operate as a stay of the administrator's order, and the administrator may enforce or ask the court to enforce the order pending the outcome of the review proceedings.~~

~~(D) Upon receipt of the petition for review, the administrator shall certify and file in the court a copy of the order and the transcript or record of the evidence upon which it was based. If the order became final by operation of law under Section 39-73-355(D), the administrator shall certify and file in court the summary order and evidence of its source upon the parties to it and an affidavit certifying that no hearing has been held and the order became final pursuant to Section 39-73-355(D).~~

~~(E) If the aggrieved party or the administrator applies to the court for leave to adduce additional evidence and shows to the satisfaction of the court there were reasonable grounds for failure to adduce the evidence in the hearing before the administrator or other good cause, the court may order the additional evidence to be taken by the administrator under conditions the court considers proper.~~

~~(F) If new evidence is ordered taken by the court, the administrator may modify the findings and order by reason of the additional evidence and shall file in the court the additional evidence with modified or new findings or order.~~

~~(G) The court shall review the petition based upon the original record before the administrator as amended under subsections (E) and (F). The findings of the administrator as to the facts, if supported by competent, material, and substantive evidence, are conclusive. Based upon this review, the court may affirm, modify, enforce, or set aside the order, in whole or in part.~~

~~(H) The judgment of the court is subject to review by the court.~~

SECTION 13. Section 39-73-370 of the S.C. Code is amended to read:

Section 39-73-370. It is a defense in a complaint, information, indictment, a writ, or a proceeding brought under this chapter alleging a violation of Section 39-73-20 based solely on the failure in an individual case to make physical delivery within the applicable time under Section 39-73-10(5) or Section 39-73-40(A)(2) if:

(1) failure to make physical delivery was due solely to factors beyond the control of the seller, the seller's officers, directors, partners, agents, servants, or employees, persons occupying a similar status or performing similar functions, persons who directly or indirectly control or are

controlled by the seller, or the seller's affiliates, subsidiaries, or successors; or

(2) physical delivery was completed within a reasonable time under the applicable circumstances.

SECTION 14. Chapter 73, Title 39 of the S.C. Code is amended by adding:

Section 39-73-375. The Office of the Attorney General may retain the first seven hundred fifty thousand dollars in fines and penalties received in a fiscal year in settlement of litigation enforcement actions and reimbursements of expenses arising from violations under this chapter to offset investigative, prosecutorial, and administrative costs of enforcing this chapter, after which any excess fines and penalties received in a fiscal year must be deposited into the general fund. The Attorney General shall issue an annual report to the President of the Senate, the Speaker of the House, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Labor, Commerce and Industry Committee, and the Chairman of the House Labor, Commerce and Industry Committee. This report shall include the total amount of civil penalties collected by the Attorney General's Office for violations of the Commodities Code, the amount of restitution and disgorgement ordered to be paid for violations of the Commodities Code, the amount of fines and penalties retained by the Attorney General's Office pursuant to this section, and the amount of excess fines and penalties that were deposited into the general fund pursuant to this section.

SECTION 15. Chapter 73, Title 39 of the S.C. Code is amended by adding:

Article 4

Severability Clause

Section 39-73-400. If any provision of this chapter or its application to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of this chapter that can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

SECTION 16. Section 39-73-355 of the S.C. Code is repealed.

SECTION 17. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date

of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 18. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 19. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Senn
Setzler	Shealy	Stephens

Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 8, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 5100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator PEELER, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

NONCONCURRENCE

H. 5100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator PEELER explained the amendments.

On motion of Senator PEELER, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 8, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Resolution to the Senate with amendments:

H. 5101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2023-2024, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator PEELER, the Senate agreed to waive the provisions of Rule 32A requiring the Resolution to be printed on the Calendar.

The Resolution was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

NONCONCURRENCE

H. 5101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2023-2024, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

The House returned the Resolution with amendments, the question being concurrence in the House amendments.

Senator PEELER explained the amendments.

On motion of Senator PEELER, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 10:30 A.M.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 8, 2024, at 10:00 A.M. and the following Acts and Joint Resolutions were ratified:

(R129, S. 621) -- Senators Reichenbach, Stephens, Cromer, Kimbrell, M. Johnson, Fanning, Setzler, Bennett, Shealy, Rice, Williams, Allen, Garrett, Loftis, Sabb and Gustafson: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 79 TO TITLE 39 SO AS TO CREATE THE "SOUTH CAROLINA-IRELAND TRADE COMMISSION", TO PROVIDE FOR THE MEMBERS OF THE TRADE COMMISSION, AND TO ESTABLISH THE DUTIES OF THE COMMISSION.
L:\COUNCIL\ACTS\621.DOCX

(R130, S. 845) -- Senators Rankin, Sabb, Talley and Malloy: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-108, RELATING TO PROBATE, TESTACY, APPOINTMENT PROCEEDINGS, AND ULTIMATE TIME LIMIT, SO AS TO ALLOW APPROPRIATE APPOINTMENT PROCEEDINGS IN RELATION TO AN INDIVIDUAL'S ESTATE, REGARDLESS OF THE INDIVIDUAL'S DATE OF DEATH, FOR THE SOLE PURPOSE OF ALLOWING A CLAIM TO BE MADE PURSUANT TO THE "SERGEANT FIRST CLASS HEATH ROBINSON HONORING OUR PROMISE TO ADDRESS COMPREHENSIVE TOXICS ACT OF 2022".
L:\COUNCIL\ACTS\845.DOCX

(R131, S. 916) -- Senator Cromer: AN ACT TO AMEND SECTION 1(C) OF ACT 485 OF 1998, RELATED TO THE NEWBERRY COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE THAT ALL PERSONS DESIRING TO QUALIFY AS A CANDIDATE FOR THE BOARD OF TRUSTEES MUST FILE A STATEMENT OF INTENTION OF CANDIDACY WITH THE COUNTY ELECTION COMMISSION INSTEAD OF FILING A PETITION.
L:\COUNCIL\ACTS\916.DOCX

(R132, S. 971) -- Senator Hutto: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-100, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BARNWELL COUNTY, SO AS TO IDENTIFY THE VOTING PLACE FOR CERTAIN PRECINCTS.
L:\COUNCIL\ACTS\971.DOCX

(R133, S. 972) -- Senator Garrett: AN ACT TO AMEND ACT 595 OF 1994, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES IN GREENWOOD COUNTY SCHOOL DISTRICT 50, SO AS TO REAPPORTION THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE REAPPORTIONED DISTRICTS.
L:\COUNCIL\ACTS\972.DOCX

(R134, S. 1025) -- Senators Young, Massey, Setzler and Hutto: AN ACT TO AMEND ACT 588 OF 1986, AS AMENDED, RELATING TO THE ESTABLISHMENT OF SINGLE-MEMBER ELECTION DISTRICTS FOR THE SCHOOL BOARD OF AIKEN COUNTY, SO AS TO REAPPORTION THE DISTRICTS BEGINNING WITH THE SCHOOL BOARD ELECTIONS IN 2024, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS MAY BE FOUND, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REAPPORTIONED ELECTION DISTRICTS.
L:\COUNCIL\ACTS\1025.DOCX

(R135, S. 1047) -- Senator Hutto: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-610, RELATING TO DENMARK TECHNICAL COLLEGE AREA COMMISSION MEMBERS, SO AS TO PROVIDE THAT THE MANNER BY WHICH COMMISSIONERS ARE APPOINTED SHALL BE BY APPOINTMENT OF THE GOVERNOR UPON THE RECOMMENDATION OF A MAJORITY OF THE MEMBERS OF THE GENERAL ASSEMBLY REPRESENTING ALLENDALE, BAMBERG, AND BARNWELL COUNTIES.
L:\COUNCIL\ACTS\1047.DOCX

(R136, S. 1126) -- Senators Kimbrell, Peeler, Rice, M. Johnson, Adams, Climer, Garrett, Cash, Young, Alexander, Reichenbach, Shealy, Grooms, Cromer, Turner, Loftis, Fanning, Gustafson, Goldfinch, Massey, Campsen, Bennett, Martin, Corbin and Verdin: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 4, ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO VOTER QUALIFICATIONS, SO AS TO PROVIDE THAT ONLY A CITIZEN OF THE UNITED STATES AND OF THIS STATE OF THE AGE OF EIGHTEEN AND UPWARDS WHO IS PROPERLY REGISTERED IS ENTITLED TO VOTE AS PROVIDED BY LAW.
L:\COUNCIL\ACTS\1126.DOCX

(R137, S. 1266) -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE WORKERS' COMPENSATION COMMISSION, RELATING TO PAYMENT OF COMPENSATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5266, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
L:\COUNCIL\ACTS\1266.DOCX

(R138, S. 1285) -- Senator Malloy: AN ACT TO AMEND ACT 259 OF 1961, RELATING TO THE HARTSVILLE COMMUNITY CENTER BUILDING COMMISSION, SO AS TO INCREASE THE COMMISSION'S MEMBERSHIP FROM THREE TO FIVE MEMBERS AND TO DELETE REFERENCES TO INITIAL BOARD MEMBERS.
L:\COUNCIL\ACTS\1285.DOCX

(R139, H. 3121) -- Reps. Hyde, Carter, B. Newton, Neese, T. Moore, Pope, Bauer, Davis, M.M. Smith, Willis, Brewer, Robbins, Felder, Stavrinakis, Wetmore and Caskey: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3810 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO A PROPERTY OWNER WHO ENCUMBERS HIS PROPERTY WITH A PERPETUAL RECREATIONAL TRAIL EASEMENT.
L:\COUNCIL\ACTS\3121.DOCX

(R140, H. 3248) -- Reps. Collins and Carter: AN ACT TO AMEND ACT 609 OF 1984, AS AMENDED, RELATING TO REIMBURSEMENT FOR EXPENSES INCURRED IN PERFORMANCE OF OFFICIAL DUTIES OF SCHOOL BOARD TRUSTEES, SO AS TO ALLOW THE BOARD TO DETERMINE THE STIPEND AMOUNT.
L:\COUNCIL\ACTS\3248.DOCX

(R141, H. 3255) -- Reps. Jefferson, Henegan, Anderson, Sandifer, Rivers and Gilliard: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-63-110 SO AS TO PROHIBIT ISSUERS OF INDIVIDUAL LIFE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-65-130 SO AS TO PROHIBIT ISSUERS OF GROUP LIFE INSURANCE POLICIES FROM

DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-71-105 SO AS TO PROHIBIT ISSUERS OF DISABILITY INCOME INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; AND BY ADDING SECTION 38-72-110 SO AS TO PROHIBIT ISSUERS OF LONG-TERM CARE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS.
L:\COUNCIL\ACTS\3255.DOCX

(R142, H. 3295) -- Reps. Collins, Erickson, Bradley and Alexander: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-210 SO AS TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-39-290 SO AS TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT, ESTABLISH, AND PROMULGATE NECESSARY RULES AND REGULATIONS; BY ADDING SECTION 59-19-360 SO AS TO PROVIDE A PROCESS FOR EXEMPTING COMPETENCY-BASED SCHOOLS FROM CERTAIN APPLICABLE LAWS AND REGULATIONS, TO PROVIDE REQUIREMENTS FOR IMPLEMENTING COMPETENCY-BASED EDUCATION IN SCHOOLS, AND TO PROVIDE RELATED REQUIREMENTS FOR THE STATE DEPARTMENT OF EDUCATION AND THE COMMISSION ON HIGHER EDUCATION; BY AMENDING SECTION 59-1-425, RELATING TO THE STATUTORY ANNUAL SCHOOL CALENDAR AND INSTRUCTION TIME REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-39-100, RELATING TO REQUIRED UNITS FOR A HIGH SCHOOL DIPLOMA, SO AS TO MAKE CONFORMING CHANGES.
L:\COUNCIL\ACTS\3295.DOCX

(R143, H. 3309) -- Reps. Gilliam, Pope, Erickson, Bradley, Davis, Caskey and M.M. Smith: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SEIZURE SAFE SCHOOLS ACT” BY ADDING SECTION 59-10-215 SO AS TO PROVIDE EACH SCHOOL DISTRICT AND CHARTER SCHOOL SHALL ADOPT A SEIZURE TRAINING PROGRAM AND TO PROVIDE THE PURPOSES AND REQUIREMENTS OF THE PROGRAMS; AND BY AMENDING SECTION 59-63-80, RELATING TO INDIVIDUAL HEALTH CARE PLANS FOR

STUDENTS WITH SPECIAL HEALTH CARE NEEDS, SO AS TO MAKE CONFORMING CHANGES.
L:\COUNCIL\ACTS\3309.DOCX

(R144, H. 3355) -- Reps. Moss and Lawson: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-5-4072 SO AS TO PROVIDE THE CIRCUMSTANCES IN WHICH VEHICLE OPERATORS UTILIZING FIFTH WHEEL ASSEMBLIES MAY TOW AN ADDITIONAL TRAILING VEHICLE.
L:\COUNCIL\ACTS\3355.DOCX

(R145, H. 3518) -- Reps. Felder and Williams: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-286, RELATING TO THE SUSPENSION OF LICENSES OR PERMITS OR THE DENIAL OF ISSUANCE OF LICENSES OR PERMITS TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES WITH A CERTAIN ALCOHOL CONCENTRATION, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE PERSONS, AFTER THE ISSUANCE OF NOTICES OF SUSPENSIONS, MAY ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM, TO PROVIDE THE PERIOD OF TIME THE IGNITION INTERLOCK MUST BE MAINTAINED ON TEMPORARY ALCOHOL LICENSES, TO PROVIDE THE CIRCUMSTANCES WHEN PERSONS CAN OBTAIN TEMPORARY ALCOHOL LICENSES WITHOUT INTERLOCK RESTRICTIONS, AND TO PROVIDE, IF SUSPENSIONS ARE UPHELD, THE PERSONS MUST ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; AND BY AMENDING SECTION 56-5-2951, RELATING TO SUSPENSIONS OF LICENSES FOR THE REFUSAL TO SUBMIT TO TESTING OR FOR CERTAIN ALCOHOL CONCENTRATIONS, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE PERSONS MAY ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM AFTER THE ISSUANCE OF THE NOTICES OF SUSPENSION, TO PROVIDE FEES ASSESSED UNDER THIS PROVISION MUST BE HELD IN TRUST UNTIL THE FINAL DISPOSITIONS OF CONTESTED HEARINGS, TO PROVIDE IF SUSPENSIONS ARE UPHELD AT CONTESTED HEARINGS, THE PERSONS MUST ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM, AND TO PROVIDE IF THE SUSPENSIONS ARE OVERTURNED, THE FEES MUST BE

REIMBURSED TO THE PERSONS AND THEIR DRIVING PRIVILEGES MUST BE REINSTATED.
L:\COUNCIL\ACTS\3518.DOCX

(R146, H. 3563) -- Reps. Cobb-Hunter, Pace, Collins, Bauer, Dillard, W. Jones, Wheeler, Hart, J.L. Johnson, Henegan, Williams, Trantham, Oremus, Cromer, Beach and Henderson-Myers: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS, SO AS TO PROVIDE FOR AN EXEMPTION FOR FEMININE HYGIENE PRODUCTS.
L:\COUNCIL\ACTS\3563.DOCX

(R147, H. 3592) -- Reps. Hyde and Carter: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO REMOVE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-43-86, RELATING TO COMPOUNDING OF MEDICATIONS BY PHARMACIES, SO AS TO REVISE REQUIREMENTS FOR COMPOUNDING PHARMACIES; BY AMENDING SECTION 40-43-87, RELATING TO NUCLEAR/RADIOLOGIC PHARMACY PRACTICES, SO AS TO REMOVE REQUIREMENTS CONCERNING NUCLEAR PHARMACY FACILITIES; BY AMENDING SECTION 40-43-88, RELATING TO STANDARDS FOR PREPARATION, LABELING, AND DISTRIBUTION OF STERILE PRODUCTS BY PHARMACIES, SO AS TO REMOVE CERTAIN STANDARDS; BY ADDING SECTION 40-43-197 SO AS TO PROVIDE PERSONS OR ENTITIES AUTHORIZED TO DISPENSE DRUGS MAY ACQUIRE CERTAIN DRUGS COMPOUNDED OR REPACKAGED BY AN OUTSOURCING FACILITY DIRECTLY FROM THE OUTSOURCING FACILITY WITHOUT AN ORDER AND MAY DISPENSE THE DRUGS TO THE SAME EXTENT AS AUTHORIZED FOR OTHER AUTHORIZED MEANS; AND TO PROVIDE THE BOARD OF PHARMACY MUST PROMULGATE CERTAIN RELATED REGULATIONS.
L:\COUNCIL\ACTS\3592.DOCX

(R148, H. 3608) -- Reps. Hixon, Bailey and Brittain: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-39-260, RELATING TO RECORDS OF SALES OR CONVEYANCES AND RESULTING CHANGES IN DUPLICATES AND ENDORSEMENT OF DEEDS BY AUDITORS, SO AS TO PROVIDE GUIDELINES FOR THE RECORDS OF COUNTY REAL PROPERTY SALES AND TO REMOVE COUNTY AUDITOR FEES; BY AMENDING SECTION 30-5-120, RELATING TO THE VALIDATION OF CERTAIN CONVEYANCES NOT ENDORSED BY A COUNTY AUDITOR, SO AS TO PROVIDE THAT ANY CONVEYANCE MEETING THE STATUTORY PREREQUISITES FOR RECORDING ARE VALID AND BINDING; BY REPEALING SECTION 30-5-80 RELATING TO THE REQUIREMENT OF THE AUDITOR'S ENDORSEMENT BEFORE THE RECORDATION OF DEEDS; AND BY REPEALING SECTION 8-21-130 RELATING TO FEES COLLECTED BY COUNTY AUDITORS FOR AN ENDORSEMENT ON A DEED.
L:\COUNCIL\ACTS\3608.DOCX

(R149, H. 3811) -- Rep. Elliott: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3585, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE FOR AN INCREASE IN THE AGGREGATE CREDIT FROM NINE MILLION TO TWELVE MILLION DOLLARS FOR TAX YEARS AFTER 2022.
L:\COUNCIL\ACTS\3811.DOCX

(R150, H. 3880) -- Reps. M.M. Smith, Herbkersman, Davis, Elliott, B.J. Cox, B.L. Cox and Pace: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-2420, RELATING TO THE ADMISSIONS TAX, SO AS TO PROVIDE THAT NO TAX MAY BE CHARGED OR COLLECTED ON ANNUAL OR MONTHLY DUES PAID TO A GOLF CLUB.
L:\COUNCIL\ACTS\3880.DOCX

(R151, H. 3992) -- Reps. Blackwell, McGinnis, Sandifer, Ligon, Cromer, Magnuson, White, Pace and Burns: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-31-60, RELATING TO DELINQUENT UNEMPLOYMENT COMPENSATION TAX RATES, SO AS TO PERMIT EMPLOYERS WITH INSTALLMENT PAYMENT AGREEMENTS APPROVED BY

THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO PAY THE TAX AT A SPECIFIED ANNUAL STATUTORY RATE, AND TO PROVIDE FOR THE AUTOMATIC REVERSION OF THIS RATE UPON FAILURE TO TIMELY COMPLY WITH THE PAYMENT AGREEMENT.
L:\COUNCIL\ACTS\3992.DOCX

(R152, H. 4002) -- Reps. G.M. Smith, W. Newton, Hiott, Davis, B. Newton, Erickson, Bannister, Haddon, Sandifer, Thayer, Hixon, Carter, Robbins, Blackwell, Forrest and Pope: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "CAPTAIN ROBERT JOHNSON ACT" BY ADDING SECTION 24-3-980 SO AS TO PROVIDE IT IS UNLAWFUL FOR INMATES UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATION DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE PENALTIES.
L:\COUNCIL\ACTS\4002.DOCX

(R153, H. 4042) -- Reps. Bernstein, Gilliard, Wheeler, Wetmore, King, Howard, Henegan, Stavrinakis, Bauer, Rutherford, W. Newton, Jordan, Pope, Bannister, J.E. Johnson, Brittain, Elliott and Jefferson: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 27 TO CHAPTER 1, TITLE 1 SO AS TO PROVIDE A FRAMEWORK IN WHICH ANTISEMITISM IS CONSIDERED REGARDING ALL LAWS PROHIBITING DISCRIMINATORY ACTS.
L:\COUNCIL\ACTS\4042.DOCX

(R154, H. 4113) -- Reps. Herbkersman, Sandifer, Jefferson, M.M. Smith, Kirby and Gilliard: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 6 OF TITLE 44 SO AS TO CREATE AN AMBULANCE ASSESSMENT FEE FOR PRIVATE AMBULANCE SERVICES; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES TO ESTABLISH AND CHARGE AMBULANCE SERVICES A UNIFORM FEE; TO ESTABLISH AN AMBULANCE FEE TRUST FUND AND TO PROVIDE FOR THE AUTHORIZED USES OF THE FUND; TO ALLOW THE DEPARTMENT TO IMPOSE PENALTIES AGAINST AMBULANCE

SERVICES THAT FAIL TO PAY ASSESSED FEES; AND FOR OTHER PURPOSES.
L:\COUNCIL\ACTS\4113.DOCX

(R155, H. 4333) -- Reps. M.M. Smith, King, Davis, Pace, B.L. Cox, McDaniel, Henderson-Myers and Weeks: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-37-20, RELATING TO DEFINITIONS CONCERNING THE PRACTICE OF OPTOMETRY, SO AS TO PROVIDE A NECESSARY DEFINITION; AND BY AMENDING SECTION 40-37-320, RELATING TO SITE AND SERVICE LIMITATIONS ON MOBILE OPTOMETRY UNITS AND CERTAIN ASSOCIATED DISCIPLINARY ACTION LIMITATIONS, SO AS TO INCLUDE CERTAIN SITES OF ORGANIZATIONS THAT SERVE CHILDREN FROM LOW-INCOME COMMUNITIES DURING THE SUMMER.
L:\COUNCIL\ACTS\4333.DOCX

(R156, H. 4349) -- Rep. Bannister: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-1500, RELATING TO THE GREENVILLE TECHNICAL COLLEGE AREA COMMISSION, SO AS TO REMOVE OBSOLETE REFERENCES, TO REVISE RESIDENCY REQUIREMENTS FOR CERTAIN COMMISSION SEATS, AND TO REVISE THE ABSENCE POLICY FOR COMMISSION MEMBERS, AMONG OTHER THINGS.
L:\COUNCIL\ACTS\4349.DOCX

(R157, H. 4376) -- Reps. B.J. Cox, M.M. Smith, Caskey, T. Moore, Wooten, J.L. Johnson, Davis, Sessions, Guffey, Ligon, O'Neal, Pope, Hart and J. Moore: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 25-12-10, 25-12-30, AND 25-12-50, ALL RELATING TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN, SO AS TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ALSO APPLY TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN AND TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ARE MANDATORY UNDER CERTAIN CIRCUMSTANCES; AND BY AMENDING SECTION 17-5-590, RELATING TO THE DISPOSITION OF REMAINS OF UNIDENTIFIED DEAD BODIES, SO AS TO REQUIRE CORONERS TO RELEASE CERTAIN

HUMAN REMAINS THAT HAVE BEEN DETERMINED TO BE THOSE OF AN UNCLAIMED DECEASED VETERAN TO A FUNERAL HOME, FUNERAL ESTABLISHMENT, OR MORTUARY FOR DISPOSITION PURSUANT TO CHAPTER 12, TITLE 25.
L:\COUNCIL\ACTS\4376.DOCX

(R158, H. 4387) -- Rep. Forrest: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO INCLUDE REFERENCES TO HYBRID BASS.
L:\COUNCIL\ACTS\4387.DOCX

(R159, H. 4612) -- Reps. Hixon, Pope, Chapman, Taylor, Hartnett, Hardee, Brewer, Robbins, Gatch, Murphy, Connell, Mitchell, Hager, Caskey, Forrest, Wooten, Elliott, B.J. Cox and Bannister: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 55-3-110, RELATING TO HUNTING ANIMALS FROM AIRCRAFT, SO AS TO PROVIDE PERSONS POSSESSING A PERMIT ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES MAY HUNT FROM AIRCRAFT; AND BY ADDING SECTION 50-11-1190 SO AS TO PROVIDE THE DEPARTMENT OF NATURAL RESOURCES MAY ISSUE PERMITS FOR THE TAKING OF FERAL HOGS WHILE AIRBORNE IN A HELICOPTER UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS PROVISION.
L:\COUNCIL\ACTS\4612.DOCX

(R160, H. 4642) -- Reps. Mitchell, Gilliam, Pope, Sessions, Caskey and Hart: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-1-20, RELATING TO THE ACCEPTANCE OF ACT OF CONGRESS, SO AS TO DISALLOW CONFLICTS; BY AMENDING SECTION 25-1-40, RELATING TO THE APPLICABILITY OF THE UNIFORM CODE OF MILITARY JUSTICE, SO AS TO REMOVE PROVISIONS; BY AMENDING SECTION 25-1-2420, RELATING TO THE MILITARY CODE DEFINITIONS, SO AS TO REVISE THE DEFINITION OF “MILITARY FORCES”; BY AMENDING SECTION 25-1-2430, RELATING TO PERSONS SUBJECT TO CODE OF MILITARY JUSTICE, SO AS TO PROVIDE FOR WHAT JURISDICTION DUTY

STATUS INCLUDES; BY AMENDING SECTION 25-1-2520, RELATING TO NONJUDICIAL DISCIPLINARY PUNISHMENT, SO AS TO PROVIDE THAT A CERTAIN DELEGATION MAY BE MADE; BY AMENDING SECTION 25-1-2530, RELATING TO TYPES OF COURTS-MARTIAL, SO AS TO PROVIDE FOR WHOM A SPECIAL COURT-MARTIAL CONSISTS; BY AMENDING SECTION 25-1-2550, RELATING TO THE JURISDICTION OF GENERAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2560, RELATING TO THE JURISDICTION OF SPECIAL COURTS-MARTIAL, SO AS TO REMOVE FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2570, RELATING TO THE JURISDICTION OF SUMMARY COURTS-MARTIAL, SO AS TO PROVIDE FOR PUNISHMENTS; BY AMENDING SECTION 25-1-2620, RELATING TO DETAIL AND DESIGNATION OF MILITARY JUDGES, SO AS TO PROVIDE THE AUTHORITY CONVENING A SUMMARY COURT-MARTIAL; BY AMENDING SECTION 25-1-2765, RELATING TO VOTING AND RULINGS, SO AS TO REMOVE CERTAIN REFERENCES TO THE PRESIDENT OF A COURT MARTIAL; BY AMENDING SECTION 25-1-2780, RELATING TO RECORD OF TRIAL, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2795, RELATING TO FORFEITURE OF PAY, SO AS TO REMOVE THE SENTENCE OF FORFEITURE OF PAY; BY AMENDING SECTION 25-1-2805, RELATING TO THE REDUCTION IN PAY GRADE AND THE RESTORATION OF BENEFITS, SO AS TO INCLUDE THE ADJUTANT GENERAL; BY AMENDING SECTION 25-1-2865, RELATING TO THE REMISSION OR SUSPENSION OF A SENTENCE, SO AS TO REPLACE FORFEITURES WITH FINES; BY AMENDING SECTION 25-1-2985, RELATING TO THE IMPROPER USE OR DISCLOSURE OF PAROLE OR COUNTERSIGN, SO AS TO INCLUDE WHEN THE USE OF MILITARY FORCE HAS BEEN AUTHORIZED BY CERTAIN INDIVIDUALS; BY AMENDING SECTION 25-1-3140, RELATING TO WRIT WHEN FINE HAS NOT BEEN PAID, SO AS TO UPDATE DATES; BY AMENDING SECTION 25-1-3145, RELATING TO WRIT OF SENTENCE OF CONFINEMENT, SO AS TO UPDATE DATES; AND BY AMENDING SECTION 25-1-3160, RELATING TO CONSTRUCTION OF CODE OF MILITARY JUSTICE, SO AS TO PROVIDE THAT THE UNIFORM CODE OF MILITARY JUSTICE

IS NOT BINDING ON THE SOUTH CAROLINA CODE OF MILITARY JUSTICE.
L:\COUNCIL\ACTS\4642.DOCX

(R161, H. 4673) -- Reps. Erickson, Gilliam, Williams and Henegan: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-50, RELATING TO BEGINNERS' PERMITS, HOURS, AND CONDITIONS OF VEHICLE OPERATION, RENEWAL AND FEES, DRIVERS' TRAINING COURSES, AND ELIGIBILITY FOR FULL LICENSURE, SO AS TO MAKE TECHNICAL CHANGES, EXEMPT ADDITIONAL PERSONS FROM OBTAINING BEGINNERS' PERMITS BEFORE OPERATING CERTAIN MOTOR VEHICLES, TO PROVIDE CERTAIN PERSONS AT LEAST FIFTEEN YEARS OF AGE MUST HOLD A BEGINNER'S PERMIT BEFORE BEING ELIGIBLE FOR FULL LICENSURE, AND TO PROVIDE PERSONS AT LEAST EIGHTEEN YEARS OLD MAY TAKE THE DRIVING TEST AFTER MAINTAINING A BEGINNER'S PERMIT FOR AT LEAST THIRTY DAYS TO OPERATE CERTAIN MOTOR VEHICLES.
L:\COUNCIL\ACTS\4673.DOCX

(R162, H. 4720) -- Rep. Bannister: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2024-2025 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.
L:\COUNCIL\ACTS\4720.DOCX

(R163, H. 4819) -- Reps. Felder, Bernstein and Calhoon: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1960, RELATING IN PART TO PARKING PLACARDS FOR HANDICAPPED PERSONS, SO AS TO ALLOW APPLICANTS FOR HANDICAPPED PARKING PLACARDS TO PROVIDE A PHOTOGRAPH FOR THE PLACARD SUBJECT TO THE DEPARTMENT OF MOTOR VEHICLE'S APPROVAL.
L:\COUNCIL\ACTS\4819.DOCX

(R164, H. 4871) -- Reps. Haddon, Ligon and Forrest: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 47-9-420 SO AS TO PROHIBIT THE INTERFERENCE OR INTERACTION WITH FARM ANIMALS BEING TRANSPORTED BY A MOTOR VEHICLE WITHOUT PERMISSION.
L:\COUNCIL\ACTS\4871.DOCX

(R165, H. 4875) -- Reps. Ott, Brewer, Atkinson and Caskey: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-1910, RELATING TO THE SALE OF DEER OR DEER PARTS, SO AS TO ALLOW A PROCESSOR TO PROCESS A LEGALLY TAKEN DOE DONATED BY A HUNTER AND RECOVER THE FEES OF PROCESSING FROM SOMEONE OTHER THAN THE HUNTER WHO DONATED THE DOE, AND TO INCREASE PENALTIES.
L:\COUNCIL\ACTS\4875.DOCX

(R166, H. 4909) -- Reps. B. Newton, Neese, Mitchell and Yow: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-350, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO REMOVE ONE PRECINCT AND REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.
L:\COUNCIL\ACTS\4909.DOCX

(R167, H. 4928) -- Reps. Davis, B.J. Cox, Hart, Jefferson, J. Moore, Caskey and Williams: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-21-10, RELATING TO THE ESTABLISHMENT OF THE VETERANS' TRUST FUND, SO AS TO PROVIDE FOR FUNDRAISING; AND BY AMENDING SECTION 25-21-30, RELATING TO THE DUTIES AND FUNCTIONS OF THE VETERANS' TRUST FUND BOARD OF TRUSTEES, SO AS TO PROVIDE FOR THE ABILITY TO FUNDRAISE.
L:\COUNCIL\ACTS\4928.DOCX

(R168, H. 4937) -- Reps. Collins, Hiott and Carter: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-450, RELATING TO DESIGNATION OF VOTING PRECINCTS IN PICKENS COUNTY, SO AS TO AUTHORIZE THE PICKENS COUNTY BOARD OF VOTER

REGISTRATION AND ELECTIONS, WITH APPROVAL FROM A MAJORITY OF THE PICKENS COUNTY LEGISLATIVE DELEGATION, TO LOCATE A POLLING PLACE WITHIN FIVE MILES OF A PRECINCT'S BOUNDARIES IF NO SUITABLE LOCATION EXISTS WITHIN THE PRECINCT.
L:\COUNCIL\ACTS\4937.DOCX

(R169, H. 4953) -- Reps. B.J. Cox, Davis, M.M. Smith, Bustos, Hart, Williams, Henegan, Caskey, Jefferson, J. Moore and Rivers: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-80, RELATING TO STATE VETERANS' CEMETERIES, SO AS TO REMOVE A RESIDENCY REQUIREMENT.
L:\COUNCIL\ACTS\4953.DOCX

(R170, H. 5007) -- Reps. Caskey and Hixon: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-13-230, RELATING TO STRIPED BASS LIMITS, SO AS TO RESTRICT PERMITTED HOOK SIZE IN THE LOWER SALUDA RIVER.
L:\COUNCIL\ACTS\5007.DOCX

(R171, H. 5079) -- Rep. W. Newton: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-110, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.
L:\COUNCIL\ACTS\5079.DOCX

(R172, H. 5153) -- Reps. West, Thayer, Chapman, Beach, Gagnon and Cromer: AN ACT TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES OF ANDERSON COUNTY SCHOOL DISTRICT 2, SO AS TO REPLACE THE TWO MULTI-MEMBER DISTRICTS WITH FOUR SINGLE-MEMBER RESIDENCY AREAS AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE RESIDENCY AREAS ARE DELINEATED.
L:\COUNCIL\ACTS\5153.DOCX

(R173, H. 5168) -- Reps. Connell, Mitchell, B. Newton and Wheeler: AN ACT TO AMEND ACT 930 OF 1970, AS AMENDED, RELATING TO THE SCHOOL DISTRICT BOARD OF TRUSTEES FOR KERSHAW COUNTY, SO AS TO REVISE THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD ARE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION FOR THESE DISTRICTS.
L:\COUNCIL\ACTS\5168.DOCX

(R174, H. 5231) -- Rep. Bamberg: AN ACT TO AMEND ACT 104 OF 2021, RELATING TO THE ESTABLISHMENT OF THE CONSOLIDATED BAMBERG **COUNTY** SCHOOL DISTRICT AND ITS NINE MEMBER BOARD OF TRUSTEES, SO AS TO PROVIDE THAT SEVEN MEMBERS OF THE BOARD ARE TO BE ELECTED FROM SINGLE-MEMBER DISTRICTS WHICH CORRESPOND WITH THE BAMBERG COUNTY COUNCIL DISTRICTS, AND TWO ADDITIONAL MEMBERS ARE TO BE ELECTED FROM THE COUNTY AT-LARGE.
L:\COUNCIL\ACTS\5231.DOCX

(R175, H. 5267) -- Rep. Forrest: AN ACT TO AMEND ACT 307 OF 2012, RELATING TO THE ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE SALUDA COUNTY SCHOOL DISTRICT MUST BE ELECTED, SO AS TO REAPPORTION THESE DISTRICTS, TO PROVIDE DEMOGRAPHIC INFORMATION IN REGARD TO THESE DISTRICTS, AND TO UPDATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED.
L:\COUNCIL\ACTS\5267.DOCX

(R176, H. 5395) -- Reps. B. Newton, Mitchell, Yow and Neese: AN ACT TO AMEND ACT 879 OF 1954, AS AMENDED, RELATING TO THE CREATION OF THE LANCASTER COUNTY NATURAL GAS AUTHORITY, SO AS TO CLARIFY PER DIEM PROVISIONS APPLICABLE TO MEMBERS OF THE BOARD OF DIRECTORS AND TO DELETE THE REQUIREMENT THAT ALL UNENCUMBERED REVENUES FROM THE SYSTEM BE PAID OVER TO THE MUNICIPALITIES SERVED BY THE AUTHORITY AND TO PROVIDE THAT THESE FUNDS MUST BE USED

INSTEAD TO EXPAND THE SYSTEM OR TO REDUCE CUSTOMER RATES.
L:\COUNCIL\ACTS\5395.DOCX

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 7:25 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:30 A.M.

* * *

Thursday, May 9, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 10:30 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

I Samuel 17:4

This story we all know well: "A champion named Goliath, who was from Gath, came out of the Philistine camp. He was over nine feet tall."

Let us pray: O holy, mighty God, clearly, all of the elected members here in this body -- as well as each one of these dedicated staff members -- very logically might well feel that they have been fighting giants throughout this entire legislative session. Indeed, all of these servants of our State have faced and battled with frequently overwhelming issues, tackled many seemingly insurmountable obstacles and worked diligently to solve problems of all sorts. And they have addressed each of these challenges on behalf of the good people they've been called to serve. How grateful we all should be for those serving here in this Senate: for their faithfulness and their sense of responsibility. Therefore, we ask You, O Lord, to bless these dedicated individuals. May they be well aware of our gratitude. We pray this in Your glorious name, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Campsen
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin

Massey	Matthews	Peeler
Reichenbach	Rice	Setzler
Shealy	Stephens	Tedder
Turner	Verdin	Young

A quorum being present, the Senate resumed.

Doctor of the Day

Senator VERDIN introduced Dr. Nick Ulmer, MD of Laurens, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator GOLDFINCH, at 10:59 A.M., Senators TALLEY, SABB and RANKIN were granted a leave of absence until 12:00 P.M.

Leave of Absence

On motion of Senator HEMBREE, at 11:32 A.M., Senator BENNETT was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator K. JOHNSON, at 11:32 A.M., Senator WILLIAMS was granted a leave of absence for the balance of the day.

Statement by Senator WILLIAMS

Today I was unable to attend the final day of legislative session. I was at Clemson University with my family celebrating my niece, Logan Kristina Taylor, as she graduated from Clemson University.

Leave of Absence

On motion of Senator CLIMER, at 4:47 P.M., Senator GOLDFINCH was granted a leave of absence for the balance of the day.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 969 Sen. Gustafson

Expression of Personal Interest

Senator SETZLER rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator RICE rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator ADAMS rose for an Expression of Personal Interest.

RECALLED AND ADOPTED

H. 4632 -- Rep. J.E. Johnson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF CULTRA ROAD AND OAK STREET IN THE CITY OF CONWAY IN HORRY COUNTY "JAMES ODELL COCHRAN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

Senator GROOMS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator GROOMS, the Resolution was adopted and ordered returned to the House.

RECALLED AND ADOPTED

H. 5465 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF ASHBY ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH IRBY STREET TO ITS INTERSECTION WITH DOUGLAS STREET "DR. JAMES DUCKETT HAMMOND JR. MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

Senator GROOMS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.
There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator GROOMS, the Resolution was adopted and ordered returned to the House.

RECALLED AND ADOPTED

H. 5520 -- Rep. King: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF OGDEN ROAD IN YORK COUNTY FROM ITS INTERSECTION WITH HECKLE BOULEVARD TO ITS INTERSECTION WITH HARRISON STREET "DAISY ROGERS MCDUFFIE ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS ROAD CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.
The Resolution was recalled from the Committee on Transportation.

Senator GROOMS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.
There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator GROOMS, the Resolution was adopted and ordered returned to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1342 -- Senator Davis: A SENATE RESOLUTION TO CONGRATULATE RENA BROWN JOHNSON OF JASPER COUNTY ON THE OCCASION OF HER ONE HUNDREDTH

BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.
lc-0477vr-gm24.docx

The Senate Resolution was adopted.

S. 1343 -- Senator Alexander: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF JERRY WILLIAM BLAKELY AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
sr-0740km-vc24.docx

The Senate Resolution was adopted.

S. 1344 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "DIETITIAN LICENSURE COMPACT ACT" BY ADDING ARTICLE 1 TO CHAPTER 21, TITLE 40 SO AS TO PROVIDE THE PURPOSES, FUNCTIONS, OPERATIONS, AND DEFINITIONS FOR THE COMPACT; BY AMENDING SECTION 40-20-20, RELATING TO DEFINITIONS IN THE DIETETICS LICENSURE ACT, SO AS TO REVISE A DEFINITION; BY AMENDING SECTION 40-20-60, RELATING TO APPLICATIONS FOR LICENSURE UNDER THE DIETETICS LICENSURE ACT, SO AS TO REQUIRE CERTAIN CRIMINAL BACKGROUND CHECKS OF APPLICANTS; AND TO DESIGNATE CHAPTER 21, TITLE 40 AS THE "DIETITIAN LICENSURE COMPACT".
lc-0740wab24.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 1345 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE MAY 2024 AS "ALS AWARENESS MONTH" IN SOUTH CAROLINA.
sr-0741km-vc24.docx

The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 1346 -- Senators Hutto, Setzler, Jackson, Malloy, Williams, Allen, K. Johnson, McElveen, Shealy, Sabb, Matthews, Fanning, Senn, Harpootlian, Gustafson, Stephens, Tedder and Devine: A SENATE RESOLUTION TO RECOGNIZE SENATOR MIA S. MCLEOD FOR HER CONSCIENTIOUS STAND FOR WOMEN'S HEALTHCARE

AND REPRODUCTIVE RIGHTS IN SOUTH CAROLINA, FOR WHICH SHE WAS HONORED WITH THE JOHN F. KENNEDY PROFILE IN COURAGE® AWARD.
sr-0734km-vc24.docx

The Senate Resolution was adopted.

Recorded Vote

Senator CORBIN desired to be recorded as voting against the adoption of the Resolution.

Senators HUTTO, FANNING, SHEALY, MATTHEWS, SENN, GUSTAFSON, MALLOY, STEPHENS, TEDDER and DEVINE made remarks honoring the service of Senator McLEOD.

Remarks by Senator McLEOD

Senator McLEOD rose to make brief remarks regarding her service in the Senate.

Remarks by Senator McLEOD

Thank you, Mr. PRESIDENT. Wow, this day is finally here. Before I speak briefly, I have to recognize my family who has traveled from far and near to be here today. I also want to thank my colleagues for all of their well wishes, and all of their words -- every sentiment that was expressed today -- thank you. I want to thank the first sister Senator who I was elated to see, Senator Maggie Glover. Thank you for being with us today. You are family. I'm not going to cry today. I am not a crybaby. I could not do what I do without my babies. I still call them my babies, my sons, BJ and Cam. Cam couldn't be here for this, but he will be home today for Mother's Day. I'm super excited about that -- my sisters Tracey and Erica, my sister cousin. See, I didn't just come up with sister Senators, I came up with sister cousins, too! My sister cousin, Susan Coaster, who like Senator TEDDER, is also from Durham, North Carolina -- drove here this morning to be with us -- my Uncle Gary, as all of you know -- my parents are no longer here. My dad's brother, Gary, is here with us. Uncle Gary, I'm so glad that you could be here. My other sister, my line sister Amelia, former Richland Two school board member and best friend, is also here. I'm glad I'm standing down here because I get to see all of my other family members, who didn't make it down here in time, but are here, and that means everything. Thank you, guys, for being here. I know some of you had to travel as well. Ms. Mary and Ms. Valerie drove from Conway, South Carolina. I don't know where Senator

RANKIN is right in this moment but thank you for being here. Thank you for the love, the prayers and the support from all of you.

They say…well-behaved women rarely make history. I guess that's why I'm a history maker, many times over. Some have actually referred to me as a troublemaker. An angry black woman, unruly and a few other names I probably shouldn't repeat from the well. The adjective unruly is defined as disruptive. Not amenable to discipline or control. That would be me. The late Congressman John Lewis characterized the unruliness of status quo disruptors like me as, *good trouble*. I love that. Anne Helen Peterson said to be an unruly woman today is to oscillate between the postures of fearlessness and self-doubt. Between listening to the voices that tell us we're too much, and our own voices whispering and yelling, "I'm already enough, and always have been".

While serving in this Chamber over the last eight years, I've listened much more than I've talked. I've observed some things that have uplifted and inspired me and other things that quite frankly, I wish I could unsee. I've called out hypocrisy on both sides of the aisle. Shared some truths about my own journey that I never imagined I would share publicly. It was while serving in this Chamber that I disclosed that in 2015 after the Mother Emanuel massacre, and losing my granddaddy, I suffered a stroke. I believed that the stress of serving in the House at the time was likely to blame. So, after six years of service I was planning to not run for reelection. But my sister Tracey often reminds me that if I want to make GOD laugh, tell him my plans. So, when the Senate seat came open, I was months into physical therapy and frequent doctors' visits. Yes, I knew the people needed my voice, but I didn't feel physically strong enough to run for the Senate. So, I prayed. I asked God to show me, and as always, he did. I was elected to the Senate in the 2016.

Coming into this calm, deliberative body, was very different from the environment that I was accustomed to in the House. Senator TEDDER and I were just talking about that yesterday. I used to joke that I basically had to unlearn everything I had learned over there. The rules were different. The people were different. The process and the politics were different. Yet the challenges facing the people of House District 79, and Senate District 22 both originally swing districts were the same. Senator SABB, Senator KEVIN JOHNSON and Senator TOM CORBIN were all members of my freshman class in the House, and they seem to have adjusted pretty well over here in the Senate. So, I thought okay, I can do this. Little did I realize, I would meet new friends, and sisters for life in this Body. Although I was part of a great freshman class here in the Senate, that includes Senator FANNING -- all of you know I

affectionately refer to as my BFF here in the Senate, because he is. I'm truly going to miss you. You will not make me cry at this well today. Another very special member of my freshman class is my sister Senator, Senator SENN, who I had heard was feisty, just like me, and I actually took it as a compliment. I think it was meant, considering the person who told me, to be a compliment. Now I see that all five of us are feisty. Well now, all six of us are feisty.

I was somewhat familiar with Senator SHEALY from my years in the House where I served on the Joint Children's Committee, and worked with her on issues that impact children and families that both of us are extremely passionate about like domestic violence and teen dating violence. I didn't know my other sister Senator, Senator BRIGHT MATTHEWS at all back then. So that changed when I got sworn in. I had a swearing-in ceremony that November before session began in January. I was looking back at my swearing-in program and reminiscing yesterday. That was the day that a beautiful spirit drove all the way from the low country just to meet me and welcome me into this Body. So, what you may not know is that I actually have two BFFs in this Body. My other Senate BFF is Senator MARGIE BRIGHT MATTHEWS. Since that day we have truly been sisters, almost inseparable. No matter what, I know that the two of you will always have my back.

In 2018, when an outpatient knee surgery left me with blood clots in my leg and traveled to my lungs, my Uncle Gary, who is standing in the back of the room today, looked at me in my hospital bed and gently said, "This is it, right? We're not running any more, right?" I said, "Yes", but again, God had other plans. What I learned from that near-death experience was that obedience is far, far greater than sacrifice. So, I ran for the Senate again in 2020 and two years later for Governor. And if a DVT and a pulmonary embolism didn't kill me, there are no politics or politicians that could. I realized that if God was for me, then who could be against me?

Then in 2020 Senator PENRY GUSTAFSON was elected. I think I was still on crutches then because I had been for about a year and a half. I was feeling better and stronger than ever. It didn't take the five of us sisters long to get to know one another, because of all the time we've spent talking, laughing and venting, often in our own sister Senator chambers, aka the ladies' room, shopping and eating and even traveling some together, and not necessarily in that order. The five of us have come to know, understand and support each other because as different as we are personality wise and politically, our fights as women and for women is the glue that binds us.

After winning the JFK Profile in Courage Award® last year, a global honor for the five of us that only sixty people in the world have received -- I can't even begin to describe how it feels to be recognized for political courage with the same award and distinction, that US Senator John McCain, Congressman John Lewis, President Barack Obama, Congresswomen Liz Cheney and Gabby Giffords and my mentor and friend, former South Carolina Governor, David Beasley received. So yes, today is bittersweet. Because I'll miss all of you, on both sides of the aisle. I know you might not believe that Senator MASSEY, but you too, right? Senator CORBIN, I had to listen intentionally yesterday to remember that you -- your real name in this Body Senator CORBIN and not Lieutenant, and that's our private joke. We don't -- let's just say, you know, we don't agree on much. Okay, okay, we don't agree on anything politically. What I love, love about you, Senator CORBIN, is that a few years ago you stood up for me on the floor, on this Senate floor. And it may not have meant as much to you, but it meant the world to me. I will never forget it. What I also appreciate about you Senator CORBIN, is that when you give your word, you keep it -- that matters.

Mr. PRESIDENT, Senator ALEXANDER, it occurred to me a few weeks ago during our Joint Assembly to elect judges that your job has gotten a lot harder lately. I would dare say it is probably because of Richland County. What I love about you, Mr. PRESIDENT, is that you try to be fair. You're consistently kind and respectful and you're not afraid to lead.

Senator PEELER, Chairman PEELER -- I don't serve on Senate Finance, but your door has always been open to me, and even after I announced that I wasn't running for reelection you kept my budget request in the budget. I so appreciate that. I appreciate you. I'm going to miss you. Senator HUTTO, our Minority Leader -- you came to me on the day I announced I was leaving the Democratic Party and invited me to continue to caucus with the Senate Democratic Caucus and I have. Thank you. I will miss you and members of our caucus a lot. Senator JACKSON, in 2020, you did something I haven't seen anyone else in our caucus do in the eight years I've been here. You were the ranking Democratic member of our Medical Affairs Committee, and gave up your seniority and your seat, so that I could serve on the committee and have an even bigger voice on the issues that I care so deeply about. I give you a hard time, and you deserve it, but I thank you from the bottom of my heart. Senator VERDIN, he went out of his way just few weeks ago to be supportive and helpful to me. He made sure that my Senate Resolution was immediately adopted and ready to read when my guests

arrived here in the Senate gallery. I appreciate that. Senator RANKIN, my Chairman of the Judiciary Committee -- I'm definitely going to miss serving on the Judiciary Committee and you always say or do something to make me laugh. No matter how tough my day has been.

Senator GROOMS, I recently made my way back to your committee, the Transportation Committee. Just this week you made sure that my Gamecock Women's Basketball License Tag Bill was adopted here in the Senate, twice, I think. Which allowed me to be the primary sponsor of all three National Championship License Tag Bills that are no -- that have now become -- South Carolina law and adopted by both Chambers in 2017, 2022 and 2024. Thank you.

I have enjoyed serving on Senate Medical Affairs, Judiciary, Transportation, Corrections and Penology and Family and Veterans' Services for a while. Rules, although I would like to change some of the rules -- that's another story for another day, Senator MASSEY. I appreciate all your leadership and your service. Senator DAVIS, thank you for just your ability to explain things in such great detail -- for always being prepared, always going the extra mile to prove your case, here in this Chamber, I've learned so much from you. I appreciate the support and your friendship over the years,

That's not everybody. I can't get to everybody today but before I take my seat, I want to thank Jeff Gossett, our Clerk, Ken Moffitt, Assistant Clerk and all of our Senate Clerk's staff -- all of our committee staff, all of our Senate staff.

Amanda, Amanda, Amanda, we've been together a long time -- longer than this Senate but I love you and I will miss you terribly. Melanie, Kalisha, Nia and Moses thank you for always, always having our backs and giving us the support we need to do what we need to do. Thank you. Richard asked me earlier when I got here, he said, "You're going to say good things about me when you do your farewell? You're going to play it up a few notches, right?" I said, "Of course." Chuck, Richard, Ronnie, Wayne and Chip I probably have bugged you all the most. I love all of our Sergeant at Arms team, especially you guys. I've never asked anything of you that you hesitated to do. I just appreciate you all so much for everything. Thank you. It doesn't mean I don't love Jackson, Lawrence, Aaron, Ryan, Jose, Sheldon, Justin, Kelly and Michael. I hope I didn't leave anybody out -- oh, Turquoise and Jessi. We see you and we're glad you're here.

Shari, Shari is my assistant, who I love. I can't thank you enough for all you do to take good care of my suitemate, Senator REICHENBACH and me and our constituents. I love and appreciate you for answering my

call and having the faith and courage to say "yes" to a totally new position and a totally different and sometimes crazy environment than the one you were accustomed to at DNR. I hope you don't regret it.

Mr. Reading Clerk, I could not take my seat because I remember the day you took the stairs. I was sitting in the gallery because of Covid, and you took three flights of stairs during the height of the pandemic just to let me know that although my opponent's TV ads used a clip of you calling the roll and they pointed to my empty chair and used my name as an acronym to say I was missing in action -- you wanted me to know that you saw me here in this Body every day. I may have been late, but I was here and I thank you. You have no idea what that meant to me -- what it meant to me that you cared enough to do that. I'll never forget you or your kindness and compassion to me in that moment.

I'm not sure if Chaplain St. John is still here, but I want to thank him for always taking the time to engage in conversations with me, for his kind and thoughtful notes of encouragement and for bringing God's word to life every Tuesday, Wednesday and Thursday to remind all of us of why we're here and how we should treat one another inside and outside of this Chamber.

It was at this well that I shared publicly for the first time, that I know the pain and the trauma of being sexually assaulted. At a time when there were forty-one men in this Chamber and only five of us. Some male colleagues meant well, but they wondered why I felt the need to share my pain publicly -- knowing that not one heart, not one vote would change. In that moment, I wasn't even sure myself why God led me to share it. But before I could even leave this Chamber, God showed me why. It was to liberate others as well as myself. Not just others who are outside of this State House. That day, I became acutely aware that there are many among us, female and male, who know my story all too well because it's their story too.

When I think about the legacy I want to leave, several words come immediately to mind. Among them, courage, principles, leadership and service. Why courage first? Because it takes courage to lead. It takes courage to stand on our principles and speak truth to power. It takes courage to put the interests of others above our own. Truth is -- courage, hope -- always costs us something. My prayer for all of us in this room and under the sound of my voice is that we will always be willing to pay the price -- always choose courage. To my sister Senators, you are stuck with me for life. I'm sorry, there's nothing you can do. We are bonded for life. I love each and every one of you. That won't change. To my brother Senators, I love y'all, too. I appreciate the opportunity to serve

and lead from this Body and I hope and pray that in the future, we will all choose courage -- always. Always choose courage. I love you.

On motion of Senator SHEALY, with unanimous consent, the remarks of Senator McLEOD were ordered printed in the Journal.

S. 1347 -- Senator Malloy: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF CLAYTON MILTON RICHARDSON AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
sr-0742km-vc24.docx

The Senate Resolution was adopted.

S. 1348 -- Senators Shealy and Massey: A SENATE RESOLUTION TO CONGRATULATE MARY ELIZABETH FARMER FOR BEING NAMED JUNIOR HIGH TEACHER OF THE YEAR.
sr-0743km-vc24.docx

The Senate Resolution was adopted.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 112 -- Senators Allen, Hembree and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 34-11-90, RELATING TO JURISDICTION FOR OFFENSES INVOLVING CHECKS AND PENALTIES, SO AS TO PROVIDE A METHOD TO EXPUNGE CONVICTIONS; AND TO AMEND SECTION 17-22-910, AS AMENDED, RELATING TO APPLICATIONS FOR EXPUNGEMENT, SO AS TO ADD MULTIPLE MISDEMEANOR OFFENSES OF CHECK FRAUD TO THOSE OFFENSES ELIGIBLE FOR EXPUNGEMENT.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator HEMBREE, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 112 -- Senators Allen, Hembree and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 34-11-90, RELATING TO JURISDICTION FOR OFFENSES INVOLVING CHECKS AND PENALTIES, SO AS TO PROVIDE A METHOD TO EXPUNGE CONVICTIONS; AND TO AMEND SECTION 17-22-910, AS AMENDED, RELATING TO APPLICATIONS FOR EXPUNGEMENT, SO AS TO ADD MULTIPLE MISDEMEANOR OFFENSES OF CHECK FRAUD TO THOSE OFFENSES ELIGIBLE FOR EXPUNGEMENT.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

Senator HEMBREE proposed the following amendment (SEDU-112.DB0012S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 34-11-90 of the S.C. Code is amended by adding:

(f) notwithstanding another provision of law, if a defendant receives multiple convictions within a three-year period of time in magistrates court for a violation of this section, the defendant may, after ten years from the date of the last conviction, apply or cause someone acting on his behalf to apply, to the court for an order expunging the records of arrest and the multiple convictions. This provision does not apply to any crime classified as a felony. If the defendant receives no other convictions during the ten-year period following the last conviction under this section and full restitution has been made on all checks that

are the subject of the convictions, the court must issue an order expunging the records. No person may take advantage of the rights permitted by this subsection more than once. Neither the application for nor successful expungement of a qualifying applicant's record as authorized by subsection (e) precludes application for and expungement of a qualifying applicant's record under this subsection. After the expungement, the South Carolina Law Enforcement Division is required to keep a nonpublic record of the offense and the date of its expungement to ensure that no person takes advantage of the rights permitted by this subsection more than once. This nonpublic record is not subject to release under Section 34-11-95, the Freedom of Information Act, or any other provision of law except to those authorized law or court officials who need this information in order to prevent the rights afforded by this subsection from being taken advantage of more than once.

SECTION 2. Section 17-22-910(A)(1) of the S.C. Code is amended to read:

(1) Section 34-11-90(e), first offense misdemeanor fraudulent check or Section 34-11-90(f), multiple misdemeanor offenses of fraudulent check;

SECTION 3. Chapter 1, Title 17 of the S.C. Code is amended by adding:

Section 17-1-43. (A) Notwithstanding the provisions of Section 17-1-40, not later than one hundred eighty days after an investigation by a law enforcement or prosecution agency reveals that a person was arrested as a result of mistaken identity, the law enforcement or prosecution agency with appropriate jurisdiction shall destroy the arrest records of that person made as a result of mistaken identity. The law enforcement or prosecution agency, as appropriate, shall establish a review process for verifying that a person's arrest records relating to mistaken identity in which no charges were filed have been destroyed as provided in this section. Neither the law enforcement or prosecution agency may charge or collect a fee for the destruction of arrest records pursuant to the provisions of this section.

(B) Law enforcement and prosecution agencies shall retain the arrest and booking record, associated bench warrants, mug shots, and fingerprints of the person under seal for three years and one hundred twenty days. A law enforcement or prosecution agency may retain the information indefinitely for purposes of ongoing or future investigations and prosecution of the offense, administrative hearings, and to defend the agency and the agency's employees during litigation proceedings. The information must remain under seal. The information

is not a public document and is exempt from disclosure, except by court order.

SECTION 4. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 112 -- Senators Allen, Hembree and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 34-11-90, RELATING TO JURISDICTION FOR OFFENSES INVOLVING CHECKS AND PENALTIES, SO AS TO PROVIDE A METHOD TO EXPUNGE CONVICTIONS; AND TO AMEND SECTION 17-22-910, AS AMENDED, RELATING TO APPLICATIONS FOR EXPUNGEMENT, SO AS TO ADD MULTIPLE MISDEMEANOR OFFENSES OF CHECK FRAUD TO THOSE OFFENSES ELIGIBLE FOR EXPUNGEMENT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

S. 124 -- Senators Hembree, Turner and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-18-1115 SO AS TO ESTABLISH A PILOT PROGRAM THAT WILL PERMIT PUBLIC SCHOOL DISTRICTS TO HIRE NONCERTIFIED TEACHERS IN A RATIO UP TO TEN PERCENT OF ITS ENTIRE TEACHING STAFF, TO PROVIDE ACADEMIC, EVALUATION, AND EXPERIENCE REQUIREMENTS, TO FURTHER PROVIDE FOR ANNUAL PROGRAM REPORTING AND NONCERTIFIED TEACHER REGISTRATION AND CLEARANCE REQUIREMENTS.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 125 -- Senators Hembree, Turner, Young, Setzler, Fanning and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-149-15, RELATING TO ADDITIONAL LIFE SCHOLARSHIP STIPENDS, SO AS TO EXTEND THE STIPEND TO EDUCATION MAJORS AND TO FURTHER PROVIDE THE COMMISSION ON HIGHER EDUCATION PROMULGATE REGULATIONS TO DEFINE EDUCATION MAJOR; BY AMENDING SECTION 59-104-25, RELATING TO ADDITIONAL PALMETTO FELLOWS SCHOLARSHIP STIPENDS, SO AS TO EXTEND THE STIPEND TO EDUCATION MAJORS AND TO FURTHER PROVIDE FOR THE PROMULGATION OF REGULATIONS; BY AMENDING SECTION 59-149-50, RELATING TO A NUMERICAL ACT EQUIVALENT, SO AS TO SET THE EQUIVALENT SCORE OF THE ACT TO 22; AND BY AMENDING SECTION 59-104-20, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, SO AS TO ALLOW A STUDENT WHO USES A PALMETTO FELLOWS SCHOLARSHIP TO ATTEND A TWO-YEAR INSTITUTION SHALL RECEIVE A MAXIMUM OF FOUR CONTINUOUS SEMESTERS.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator HEMBREE, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

CONCURRENCE

S. 125 -- Senators Hembree, Turner, Young, Setzler, Fanning and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-149-15, RELATING TO ADDITIONAL LIFE SCHOLARSHIP STIPENDS, SO AS TO EXTEND THE STIPEND TO EDUCATION MAJORS AND TO FURTHER PROVIDE THE COMMISSION ON HIGHER EDUCATION PROMULGATE REGULATIONS TO DEFINE EDUCATION MAJOR; BY AMENDING SECTION 59-104-25, RELATING TO ADDITIONAL PALMETTO FELLOWS SCHOLARSHIP STIPENDS, SO AS TO EXTEND THE STIPEND TO EDUCATION MAJORS AND TO FURTHER PROVIDE FOR THE PROMULGATION OF REGULATIONS; BY AMENDING SECTION 59-149-50, RELATING TO A NUMERICAL ACT EQUIVALENT, SO AS TO SET THE EQUIVALENT SCORE OF THE ACT TO 22; AND BY AMENDING SECTION 59-104-20, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, SO AS TO ALLOW A STUDENT WHO USES A PALMETTO FELLOWS SCHOLARSHIP TO ATTEND A TWO-YEAR INSTITUTION SHALL RECEIVE A MAXIMUM OF FOUR CONTINUOUS SEMESTERS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HEMBREE explained the amendments.

On motion of Senator HEMBREE, with unanimous consent, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

S. 142 -- Senators Shealy, Gustafson, Goldfinch, Hutto, Jackson, Campsen, McLeod, Setzler and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-2010, RELATING TO THE DEFINITION OF "SEX TRAFFICKING", SO AS TO EXPAND THE DEFINITION TO INCLUDE SEXUAL EXPLOITATION OF A MINOR AND PROMOTING OR PARTICIPATING IN PROSTITUTION OF A MINOR; AND BY AMENDING SECTION 16-3-2020, RELATING TO TRAFFICKING IN PERSONS, PENALTIES, MINOR VICTIMS AND DEFENSES, SO AS TO PROVIDE THAT A SEX TRAFFICKING VICTIM MAY RAISE DURESS AND COERCION AS AN AFFIRMATIVE DEFENSE TO NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM MAY NOT BE CONVICTED FOR NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, AND TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM CANNOT BE FOUND IN VIOLATION OF OR BE THE SUBJECT OF A DELINQUENCY PETITION IF THE MINOR'S CONDUCT WAS A DIRECT RESULT OF OR INCIDENTAL TO OR RELATED TO TRAFFICKING; AND SO AS TO PROVIDE THAT THE PROVISIONS IN THIS ACT ARE RETROACTIVE.

Very respectfully,

Speaker of the House

Received as information.

S. 142--SENATE INSISTS ON THEIR AMENDMENTS

S. 142 -- Senators Shealy, Gustafson, Goldfinch, Hutto, Jackson, Campsen, McLeod, Setzler and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-2010, RELATING TO THE DEFINITION OF "SEX TRAFFICKING", SO AS TO EXPAND THE DEFINITION TO INCLUDE SEXUAL EXPLOITATION OF A MINOR AND PROMOTING OR PARTICIPATING IN PROSTITUTION OF A

MINOR; AND BY AMENDING SECTION 16-3-2020, RELATING TO TRAFFICKING IN PERSONS, PENALTIES, MINOR VICTIMS AND DEFENSES, SO AS TO PROVIDE THAT A SEX TRAFFICKING VICTIM MAY RAISE DURESS AND COERCION AS AN AFFIRMATIVE DEFENSE TO NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM MAY NOT BE CONVICTED FOR NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, AND TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM CANNOT BE FOUND IN VIOLATION OF OR BE THE SUBJECT OF A DELINQUENCY PETITION IF THE MINOR'S CONDUCT WAS A DIRECT RESULT OF OR INCIDENTAL TO OR RELATED TO TRAFFICKING; AND SO AS TO PROVIDE THAT THE PROVISIONS IN THIS ACT ARE RETROACTIVE.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators HUTTO, GUSTAFSON and ADAMS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Bernstein, Guest and Connell to the Committee of Conference on the part of the House on:

S. 142 -- Senators Shealy, Gustafson, Goldfinch, Hutto, Jackson, Campsen, McLeod, Setzler and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-2010, RELATING TO THE DEFINITION OF "SEX TRAFFICKING", SO AS TO EXPAND THE DEFINITION TO INCLUDE SEXUAL EXPLOITATION OF A MINOR AND PROMOTING OR PARTICIPATING IN PROSTITUTION OF A MINOR; AND BY AMENDING SECTION 16-3-2020, RELATING TO TRAFFICKING IN PERSONS, PENALTIES, MINOR VICTIMS AND DEFENSES, SO AS TO PROVIDE THAT A SEX TRAFFICKING VICTIM MAY RAISE DURESS AND COERCION AS AN AFFIRMATIVE DEFENSE TO NONVIOLENT OFFENSES

COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM MAY NOT BE CONVICTED FOR NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, AND TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM CANNOT BE FOUND IN VIOLATION OF OR BE THE SUBJECT OF A DELINQUENCY PETITION IF THE MINOR'S CONDUCT WAS A DIRECT RESULT OF OR INCIDENTAL TO OR RELATED TO TRAFFICKING; AND SO AS TO PROVIDE THAT THE PROVISIONS IN THIS ACT ARE RETROACTIVE.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

S. 241 -- Senators Garrett and Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO PROVIDE FOR THE REGULATION OF GENETIC COUNSELORS, TO ESTABLISH THE BOARD OF GENETIC COUNSELOR EXAMINERS, TO PROVIDE THE POWERS AND DUTIES OF THE BOARD, TO DEFINE NECESSARY TERMINOLOGY, TO PROVIDE PROCEDURES AND CRITERIA FOR LICENSURE BY THE BOARD, TO PROVIDE RELATED DUTIES OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, TO PROVIDE FOR THE INVESTIGATION OF VIOLATIONS AND IMPOSITION OF PENALTIES, AND TO PROVIDE CERTAIN EXEMPTIONS FROM THE PROVISIONS OF THIS CHAPTER, AMONG OTHER THINGS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator VERDIN explained the amendments.

On motion of Senator VERDIN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

S. 305 -- Senators Young, M. Johnson, Kimbrell, Turner, Fanning, Climer, Stephens, Rankin, Loftis, Garrett, Matthews, Adams, Gustafson and Sabb: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THAT AN INDIVIDUAL'S PRIOR WORK EXPERIENCE MAY BE AWARDED ON AN INITIAL TEACHING CERTIFICATE IF THE PRIOR EXPERIENCE IS IN OR RELATED TO THE CONTENT FIELD OF THE CERTIFICATE, AND TO PROVIDE THAT EXISTING CERTIFICATE HOLDERS MAY ALSO RECEIVE THE SAME CREDIT FOR PRIOR WORK EXPERIENCE.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

S. 314 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-157-10 SO AS TO PROVIDE CHAPTER DEFINITIONS; BY ADDING SECTION 59-157-30 SO AS TO REQUIRE CERTAIN PERMANENT IMPROVEMENT PROJECTS OVER THRESHOLD AMOUNTS FOR HIGHER INSTITUTIONS TO BE SUBMITTED FOR REVIEW TO THE COMMISSION ON HIGHER EDUCATION AND JOINT BOND REVIEW COMMITTEE AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY FOR APPROVAL AFTER FULL ARCHITECTURE AND ENGINEERING DESIGN WORK IS COMPLETED BUT PRIOR TO THE EXECUTION OF A CONSTRUCTION CONTRACT, TO ALLOW THE CHAIRMAN OF JOINT BOND REVIEW COMMITTEE TO REQUEST A REVIEW AND COMMENT ON ANY OTHER PERMANENT IMPROVEMENT PROJECT; BY ADDING SECTION 59-157-40 SO AS TO EXEMPT

CERTAIN HIGHER EDUCATION PERMANENT IMPROVEMENT PROJECTS FROM THE REQUIREMENTS OF SECTION 2-47-50 AND TO REQUIRE THE GOVERNING BOARDS TO REPORT ANNUALLY TO THE COMMISSION ON HIGHER EDUCATION, THE JOINT BOND REVIEW COMMITTEE, AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY OF ALL PROJECTS APPROVED; BY ADDING SECTION 59-157-50 SO AS TO REQUIRE THE BOARD OF TRUSTEES TO PROVIDE ON AN ANNUAL BASIS A REPORT OF PROPERTY ACQUIRED AND ANY CAPITAL PROJECTS THAT ARE EXEMPT BY OPERATION OF SECTION 59-157-40.

Very respectfully,

Speaker of the House

Received as information.

SENATE INSISTS ON THEIR AMENDMENTS

S. 314 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-157-10 SO AS TO PROVIDE CHAPTER DEFINITIONS; BY ADDING SECTION 59-157-30 SO AS TO REQUIRE CERTAIN PERMANENT IMPROVEMENT PROJECTS OVER THRESHOLD AMOUNTS FOR HIGHER INSTITUTIONS TO BE SUBMITTED FOR REVIEW TO THE COMMISSION ON HIGHER EDUCATION AND JOINT BOND REVIEW COMMITTEE AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY FOR APPROVAL AFTER FULL ARCHITECTURE AND ENGINEERING DESIGN WORK IS COMPLETED BUT PRIOR TO THE EXECUTION OF A CONSTRUCTION CONTRACT, TO ALLOW THE CHAIRMAN OF JOINT BOND REVIEW COMMITTEE TO REQUEST A REVIEW AND COMMENT ON ANY OTHER PERMANENT IMPROVEMENT PROJECT; BY ADDING SECTION 59-157-40 SO AS TO EXEMPT CERTAIN HIGHER EDUCATION PERMANENT IMPROVEMENT PROJECTS FROM THE REQUIREMENTS OF SECTION 2-47-50 AND TO REQUIRE THE GOVERNING BOARDS TO REPORT ANNUALLY TO THE COMMISSION ON HIGHER EDUCATION, THE JOINT BOND REVIEW COMMITTEE, AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY OF ALL PROJECTS APPROVED; BY ADDING SECTION 59-157-50 SO AS TO REQUIRE THE BOARD OF TRUSTEES TO PROVIDE ON AN ANNUAL BASIS A REPORT OF PROPERTY ACQUIRED AND

ANY CAPITAL PROJECTS THAT ARE EXEMPT BY OPERATION OF SECTION 59-157-40.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators PEELER, TALLEY and SETZLER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Ballentine, Cobb-Hunter and Taylor to the Committee of Conference on the part of the House on:

S. 314 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-157-10 SO AS TO PROVIDE CHAPTER DEFINITIONS; BY ADDING SECTION 59-157-30 SO AS TO REQUIRE CERTAIN PERMANENT IMPROVEMENT PROJECTS OVER THRESHOLD AMOUNTS FOR HIGHER INSTITUTIONS TO BE SUBMITTED FOR REVIEW TO THE COMMISSION ON HIGHER EDUCATION AND JOINT BOND REVIEW COMMITTEE AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY FOR APPROVAL AFTER FULL ARCHITECTURE AND ENGINEERING DESIGN WORK IS COMPLETED BUT PRIOR TO THE EXECUTION OF A CONSTRUCTION CONTRACT, TO ALLOW THE CHAIRMAN OF JOINT BOND REVIEW COMMITTEE TO REQUEST A REVIEW AND COMMENT ON ANY OTHER PERMANENT IMPROVEMENT PROJECT; BY ADDING SECTION 59-157-40 SO AS TO EXEMPT CERTAIN HIGHER EDUCATION PERMANENT IMPROVEMENT PROJECTS FROM THE REQUIREMENTS OF SECTION 2-47-50 AND TO REQUIRE THE GOVERNING BOARDS TO REPORT ANNUALLY TO THE COMMISSION ON HIGHER EDUCATION, THE JOINT BOND REVIEW COMMITTEE, AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY OF ALL PROJECTS APPROVED; BY ADDING SECTION 59-157-50 SO AS TO REQUIRE THE BOARD OF TRUSTEES TO PROVIDE ON AN

ANNUAL BASIS A REPORT OF PROPERTY ACQUIRED AND ANY CAPITAL PROJECTS THAT ARE EXEMPT BY OPERATION OF SECTION 59-157-40.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 408 -- Senators Shealy and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-75-250, RELATING TO ISSUANCE OF LICENSE, DISPLAY, AND RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT; AND BY AMENDING SECTION 40-75-540, RELATING TO REGULATIONS FOR CONTINUING EDUCATION AND LICENSE RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 434 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-78-55 SO AS TO PROVIDE THAT NO CLAUSE OF A SERVICE CONTRACT WHICH STATES THAT THE TERM OF THE CONTRACT SHALL BE DEEMED RENEWED FOR A SPECIFIED ADDITIONAL PERIOD, UNLESS THE SERVICE CONTRACT HOLDER GIVES

NOTICE TO THE PROVIDER OF HIS INTENTION TO TERMINATE THE CONTRACT AT THE EXPIRATION OF THE TERM, SHALL BE ENFORCEABLE AGAINST THE SERVICE CONTRACT HOLDER.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

CONCURRENCE

S. 434 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-78-55 SO AS TO PROVIDE THAT NO CLAUSE OF A SERVICE CONTRACT WHICH STATES THAT THE TERM OF THE CONTRACT SHALL BE DEEMED RENEWED FOR A SPECIFIED ADDITIONAL PERIOD, UNLESS THE SERVICE CONTRACT HOLDER GIVES NOTICE TO THE PROVIDER OF HIS INTENTION TO TERMINATE THE CONTRACT AT THE EXPIRATION OF THE TERM, SHALL BE ENFORCEABLE AGAINST THE SERVICE CONTRACT HOLDER.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CROMER explained the amendments.

On motion of Senator CROMER, with unanimous consent, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 557 -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander, Campsen and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477,

RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.
and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 577 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-8-530, SECTION 12-8-540, SECTION 12-8-570, SECTION 12-8-580, AND SECTION 12-8-595, ALL RELATING TO THE WITHHOLDING OF INCOME TAXES, SO AS TO UPDATE A REFERENCE TO THE TOP MARGINAL INCOME TAX RATE.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

NONCONCURRENCE

S. 577 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-8-530, SECTION 12-8-540, SECTION 12-8-570, SECTION 12-8-580, AND SECTION 12-8-595, ALL RELATING TO THE WITHHOLDING OF INCOME TAXES, SO AS TO UPDATE A REFERENCE TO THE TOP MARGINAL INCOME TAX RATE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator DAVIS explained the amendments.

On motion of Senator DAVIS, with unanimous consent, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 577 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-8-530, SECTION 12-8-540, SECTION 12-8-570, SECTION 12-8-580, AND SECTION 12-8-595, ALL RELATING TO THE WITHHOLDING OF INCOME TAXES, SO AS TO UPDATE A REFERENCE TO THE TOP MARGINAL INCOME TAX RATE.

asks for a Committee of Conference, and has appointed Reps. Whitmire, Hayes and Willis to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators PEELER, ALEXANDER and SETZLER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 610 -- Senators Cromer, Shealy and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PROFESSIONAL COUNSELING COMPACT ACT" BY ADDING ARTICLE 6 TO CHAPTER 75, TITLE 40 SO AS TO PROVIDE THE PURPOSE, FUNCTIONS, OPERATIONS, AND DEFINITIONS FOR THE COMPACT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

S. 700 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 8 TO CHAPTER 5, TITLE 39 TO ESTABLISH THE "SOUTH CAROLINA EARNED WAGE ACCESS SERVICES ACT" SO AS TO PROVIDE FOR REQUIREMENTS FOR EARNED WAGE ACCESS SERVICES PROVIDERS, AND TO PROVIDE FOR CERTAIN EXEMPTIONS AND LIMITATIONS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CLIMER explained the amendments.

On motion of Senator CLIMER, with unanimous consent, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 858 -- Senators Davis, Garrett, Kimbrell, Setzler and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-130, RELATING TO HEALTH CARE FACILITY LICENSURE DEFINITIONS, SO AS TO ADD A DEFINITION FOR "ACUTE HOSPITAL CARE AT HOME"; BY AMENDING SECTION 44-7-170, RELATING TO CERTIFICATE OF NEED PROGRAM EXEMPTIONS, SO AS TO EXEMPT ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES; AND BY ADDING SECTION 44-7-267 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS FOR LICENSING ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator VERDIN, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

CONCURRENCE

S. 858 -- Senators Davis, Garrett, Kimbrell, Setzler and Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-130, RELATING TO HEALTH CARE FACILITY LICENSURE DEFINITIONS, SO AS TO ADD A DEFINITION FOR "ACUTE HOSPITAL CARE AT HOME"; BY AMENDING SECTION 44-7-170, RELATING TO CERTIFICATE OF NEED PROGRAM EXEMPTIONS, SO AS TO EXEMPT ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES; AND BY ADDING SECTION 44-7-267 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS FOR LICENSING ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator DAVIS explained the amendments.

The question then was concurrence in the House amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey

Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Young	

Total--44

NAYS

Total--0

On motion of Senator DAVIS, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

S. 862 -- Senators Shealy and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-30, RELATING TO CAREGIVER REQUIREMENTS, SO AS TO PROVIDE FOR EDUCATIONAL AND PRE-SERVICE TRAINING REQUIREMENTS.

Very respectfully,

Speaker of the House

Received as information.

SENATE INSISTS ON THEIR AMENDMENTS

S. 862 -- Senators Shealy and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-30, RELATING TO CAREGIVER REQUIREMENTS, SO AS TO PROVIDE FOR EDUCATIONAL AND PRE-SERVICE TRAINING REQUIREMENTS.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators SHEALY, YOUNG and McELVEEN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Erickson, Hartnett and J. Johnson to the Committee of Conference on the part of the House on:

S. 862 -- Senators Shealy and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-30, RELATING TO CAREGIVER REQUIREMENTS, SO AS TO PROVIDE FOR EDUCATIONAL AND PRE-SERVICE TRAINING REQUIREMENTS.

Very respectfully,
Speaker of the House

Received as information.

NONCONCURRENCE

S. 946 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-1210, RELATING TO THE STATE ADVISORY COMMITTEE ON THE REGULATION OF CHILDCARE FACILITIES, SO AS TO CHANGE THE ORGANIZATION OF THE MEMBERS; AND BY AMENDING SECTION 63-13-1220, RELATING TO COMMITTEE DUTIES, SO AS TO CHANGE THE QUORUM OF MEMBERS REQUIRED TO VOTE FROM EIGHT TO SIX.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator SHEALY explained the amendments.

On motion of Senator SHEALY, with unanimous consent, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 962 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-71-2330, RELATING TO DUTIES OF PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS, SO AS TO REMOVE THE REQUIREMENT THAT PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS MUST ACT AS FIDUCIARIES TO PHARMACIES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 969 -- Senators Alexander, Peeler, Setzler, K. Johnson, Young, Malloy, Senn, Stephens, McLeod and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator VERDIN, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

NONCONCURRENCE

S. 969 -- Senators Alexander, Peeler, Setzler, K. Johnson, Young, Malloy, Senn, Stephens, McLeod and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator DAVIS explained the amendments.

On motion of Senator DAVIS, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 969 -- Senators Alexander, Peeler, Setzler, K. Johnson, Young, Malloy, Senn, Stephens, McLeod and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND

FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.

asks for a Committee of Conference, and has appointed Reps. Dillard, B. Newton and Herbkersman to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators DAVIS, TURNER and McELVEEN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 1005 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1320, RELATING TO MOTOR RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROVIDE THAT A BOAT, WATERCRAFT, OR OTHER TYPE OF VESSEL POWERED BY AN OUTDRIVE OR INBOARD MOTOR HAVING AN ENGINE AUTOMOTIVE HORSEPOWER RATING IN EXCESS OF TWO HUNDRED HORSEPOWER IS PERMITTED AND THAT PERSONAL WATERCRAFT MAY NOT EXCEED ONE HUNDRED NINETY HORSEPOWER; AND BY AMENDING SECTION 50-25-1350, RELATING TO WATER SKIING AND TOWING RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROHIBIT THE OPERATION OF PERSONAL WATERCRAFT, SPECIALTY PROPCRAFT, OR VESSELS IN EXCESS OF IDLE SPEED WITHIN ONE HUNDRED FEET OF A WHARF, DOCK, BULKHEAD, OR PIER OR WITHIN FIFTY FEET OF A MOORED OR ANCHORED VESSEL OR PERSON IN THE WATER.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1017 -- Senators M. Johnson, Peeler, Climer, Setzler and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS; AND BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY ASSESSED AS AGRICULTURAL OR RELATED THERETO MAY NOT BE ANNEXED BY A MUNICIPALITY.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator DAVIS, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

NONCONCURRENCE

S. 1017 -- Senators M. Johnson, Peeler, Climer, Setzler and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF

PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS; AND BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY ASSESSED AS AGRICULTURAL OR RELATED THERETO MAY NOT BE ANNEXED BY A MUNICIPALITY.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator DAVIS explained the amendments.

On motion of Senator DAVIS, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 1017 -- Senators M. Johnson, Peeler, Climer, Setzler and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS; AND BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY ASSESSED AS AGRICULTURAL OR RELATED THERETO MAY NOT BE ANNEXED BY A MUNICIPALITY.

asks for a Committee of Conference, and has appointed Reps. Hewitt, Collins and Ott to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators SETZLER, M. JOHNSON and VERDIN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1021 -- Senators Davis, Matthews and Campsen: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT TO 2035; AND TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-67-140, RELATING TO THE ABANDONED BUILDINGS TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE MAXIMUM TAX CREDIT THAT MAY BE EARNED.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator DAVIS, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 1021 -- Senators Davis, Matthews and Campsen: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT TO 2035; AND TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-67-140, RELATING TO THE ABANDONED BUILDINGS TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE MAXIMUM TAX CREDIT THAT MAY BE EARNED.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator DAVIS explained the House amendments.

Senators DAVIS and GAMBRELL proposed the following amendment (LC-1021.DG0007S), which was adopted:

Amend the bill, as and if amended, SECTION 3.A., by deleting Section 12-6-3810(A)(4).

Amend the bill further, SECTION 3.A., by striking Section 12-6-3810(B)(2) and inserting:

(2) For qualified railroad reconstruction or replacement expenditures the amount of the credit may not exceed five thousand dollars multiplied by the number of miles of railroad track owned or leased within this State by the eligible taxpayer as of the close of the taxable year or one million five hundred thousand dollars in any taxable year, whichever is lesser.

Amend the bill further, SECTION 3.A., by deleting Section 12-6-3810(G).

Amend the bill further, by deleting SECTION 4.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis

Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Young	

Total--44

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 1021 -- Senators Davis, Matthews and Campsen: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT TO 2035; AND TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-67-140, RELATING TO THE ABANDONED BUILDINGS TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE MAXIMUM TAX CREDIT THAT MAY BE EARNED.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

Very respectfully,

Speaker of the House

Received as information.

SENATE INSISTS ON THEIR AMENDMENTS

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators MALLOY, GAMBRELL and GARRETT were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Blackwell, Gatch and Jefferson to the Committee of Conference on the part of the House on:

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS

TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

Very respectfully,

Speaker of the House

Received as information.

SENATE INSISTS ON THEIR AMENDMENTS

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA

CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL

JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators RANKIN, MALLOY and MASSEY were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 4, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. W. Newton, Caskey and Stavrinakis to the Committee of Conference on the part of the House on:

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF

JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

Very respectfully,

Speaker of the House

Received as information.

CONCURRENCE

S. 1051 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1330, RELATING TO WATERCRAFT RESTRICTIONS ON LAKE H. TAYLOR BLALOCK, SO AS TO EXTEND THE HUNTING OF WATERFOWL FOR FIVE YEARS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CAMPSEN explained the amendments.

On motion of Senator CAMPSEN, with unanimous consent, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 1166 -- Senators Tedder, Stephens and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE S.C. CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator VERDIN, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

CONCURRENCE

S. 1166 -- Senators Tedder, Stephens and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE S.C. CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator TEDDER explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Young	

Total--44

NAYS

Total--0

On motion of Senator TEDDER, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3220 -- Reps. W. Newton, Carter, Mitchell, Haddon, Pope, Chumley and Caskey: A BILL TO AMEND THE SOUTH CAROLINA

CODE OF LAWS BY ADDING ARTICLE 6 TO CHAPTER 15, TITLE 63 SO AS TO ENACT THE "UNIFORM CHILD ABDUCTION PREVENTION ACT", TO PROVIDE A LEGAL MECHANISM TO PROTECT CHILDREN FROM CREDIBLE RISKS OF ABDUCTION RELATED TO LEGAL CUSTODY OR VISITATION, AND FOR OTHER PURPOSES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3682 -- Reps. Murphy, Wetmore, Bailey, Rose, Crawford, Brewer, Taylor, Hardee, Wooten, Pope, McDaniel, Hewitt, Bauer, Yow, J.E. Johnson, Willis, Ligon, Lawson, Robbins, Schuessler, Guest, Henegan, Williams, M.M. Smith and Vaughan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 47-1-140, RELATING TO THE CARE OF ANIMALS AFTER THE ARREST OF THE OWNER, SO AS TO REMOVE PROVISIONS REGARDING A LIEN ON THE SEIZED ANIMAL; BY AMENDING SECTION 47-1-145, RELATING TO CUSTODY AND CARE OF ANIMALS AFTER THE ARREST OF THE OWNER, SO AS TO OUTLINE HEARING PROCEDURES FOR ORDERING THE COST OF CARE OF THE SEIZED ANIMALS; AND BY AMENDING SECTION 47-1-170, RELATING TO PENALTIES FOR ANIMAL CRUELTY, SO AS TO MAKE CONFORMING CHANGES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3748 -- Reps. Caskey, Wooten, Wetmore, Hartnett, Erickson, W. Newton, Pope, Robbins, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-11-680, RELATING TO THE UNLAWFUL ALTERATION OR REMOVAL OF BOUNDARY LANDMARKS, SO AS TO CLARIFY THAT THE SECTION PROHIBITS MOVING, ALTERING, DESTROYING, OR REMOVING GEODETIC CONTROL MONUMENTS OR CERTAIN LAND SURVEYING MONUMENTS, TO UPDATE THE PENALTIES FOR VIOLATIONS OF THIS SECTION, AND TO DEFINE NECESSARY TERMS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 3988 -- Reps. Davis, M.M. Smith, B.J. Cox, Pedalino, Forrest, Wheeler, Kirby and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTS THAT CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO LOWER THE VACCINATION RECIPIENT AGE TO TWELVE YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN

VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST-ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE "JOINT PHARMACIST ACCESS COMMITTEE" AND MAKE OTHER CONFORMING CHANGES; AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

Very respectfully,

Speaker of the House

Received as information.

SENATE INSISTS ON THEIR AMENDMENTS

H. 3988 -- Reps. Davis, M.M. Smith, B.J. Cox, Pedalino, Forrest, Wheeler, Kirby and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTS THAT CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO LOWER THE VACCINATION RECIPIENT AGE TO TWELVE YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST-ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE "JOINT PHARMACIST ACCESS COMMITTEE" AND MAKE OTHER CONFORMING CHANGES; AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE

MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators MARTIN, HUTTO and CROMER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Davis, M.M. Smith and W. Jones to the Committee of Conference on the part of the House on:

H. 3988 -- Reps. Davis, M.M. Smith, B.J. Cox, Pedalino, Forrest, Wheeler, Kirby and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTS THAT CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO LOWER THE VACCINATION RECIPIENT AGE TO TWELVE YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST-ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE “JOINT PHARMACIST ACCESS COMMITTEE” AND MAKE OTHER CONFORMING CHANGES;

AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 4386 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-13-647 SO AS TO PROHIBIT THE TAKING, HARMING, OR KILLING OF ROBUST REDHORSE.

Very respectfully,
Speaker of the House

Received as information.

SENATE INSISTS ON THEIR AMENDMENTS

H. 4386 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-13-647 SO AS TO PROHIBIT THE TAKING, HARMING, OR KILLING OF ROBUST REDHORSE.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators CAMPSEN, GOLDFINCH and McELVEEN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Hixon, Forrest and McDaniel to the Committee of Conference on the part of the House on:

H. 4386 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-13-647 SO AS TO PROHIBIT THE TAKING, HARMING, OR KILLING OF ROBUST REDHORSE.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4624 -- Reps. Hiott, G.M. Smith, McCravy, Davis, Vaughan, Trantham, Pope, Chapman, Taylor, Oremus, Hartnett, Leber, Long, Nutt, Haddon, Burns, Chumley, Murphy, Mitchell, Brewer, Robbins, Gatch, West, Gilliam, Cromer, Kilmartin, O'Neal, Yow, S. Jones, Landing, Ballentine, Sandifer, Crawford, Guest, Willis, Ligon, Forrest, Pace, W. Newton, Bradley, Erickson, Gibson, Blackwell and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 42 TO TITLE 44 SO AS TO DEFINE GENDER, SEX, AND OTHER TERMS, TO PROHIBIT THE PROVISION OF GENDER TRANSITION PROCEDURES TO A PERSON UNDER EIGHTEEN YEARS OF AGE, TO PROVIDE EXCEPTIONS, TO PROHIBIT THE USE OF PUBLIC FUNDS FOR GENDER TRANSITION PROCEDURES, AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 59-32-36 SO AS TO PROHIBIT PUBLIC SCHOOL STAFF AND OFFICIALS FROM WITHHOLDING KNOWLEDGE OF A MINOR'S PERCEPTION OF THEIR GENDER FROM THE MINOR'S PARENTS, AMONG OTHER THINGS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4832 -- Reps. Hardee, Sandifer, Anderson, Ligon and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PAID FAMILY LEAVE INSURANCE ACT" BY ADDING CHAPTER 103 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH FAMILY LEAVE BENEFITS, OUTLINE REQUIREMENTS OF FAMILY LEAVE INSURANCE POLICIES, AND TO PROVIDE EXCLUSIONS, AMONG OTHER THINGS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 4843 -- Reps. Bailey, Brittain, Guest, J.E. Johnson, Sandifer and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-39-148 SO AS TO AUTHORIZE BUSINESSES WITH A DECK, DOCK, OR OTHER STRUCTURE LOCATED IN A CRITICAL AREA TO USE THE STRUCTURE FOR PURPOSES DIRECTLY RELATED TO THE OPERATION OF THE BUSINESS WITH LOCAL ZONING APPROVAL.

Very respectfully,

Speaker of the House

Received as information.

SENATE INSISTS ON THEIR AMENDMENTS

H. 4843 -- Reps. Bailey, Brittain, Guest, J.E. Johnson, Sandifer and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-39-148 SO AS TO AUTHORIZE BUSINESSES WITH A DECK, DOCK, OR OTHER STRUCTURE LOCATED IN A CRITICAL AREA TO USE THE STRUCTURE FOR PURPOSES DIRECTLY RELATED TO THE OPERATION OF THE BUSINESS WITH LOCAL ZONING APPROVAL.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators GOLDFINCH, CAMPSEN and McELVEEN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Bailey, Hardee and Anderson to the Committee of Conference on the part of the House on:

H. 4843 -- Reps. Bailey, Brittain, Guest, J.E. Johnson, Sandifer and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-39-148 SO AS TO AUTHORIZE BUSINESSES WITH A DECK, DOCK, OR OTHER STRUCTURE LOCATED IN A CRITICAL AREA TO USE THE STRUCTURE FOR PURPOSES DIRECTLY RELATED TO THE OPERATION OF THE BUSINESS WITH LOCAL ZONING APPROVAL.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE’S NAME, IMAGE, OR LIKENESS,

SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE EFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT

AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 5023 -- Reps. Brewer, Gilliam, Lawson, Sessions, Schuessler, Hager, Hartnett, Gatch, Mitchell, Hewitt, Robbins, J. Moore, Wooten, Guffey, O'Neal, J.L. Johnson, Pedalino and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-219 SO AS TO ESTABLISH THE WORK ZONE PROGRAM WITHIN THE DEPARTMENT OF PUBLIC SAFETY; BY AMENDING SECTION 56-1-15, RELATING TO THE ADMINISTRATION OF DRIVER'S LICENSE EXAMINATIONS, SO AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE; AND BY AMENDING SECTION 56-1-130, RELATING TO LICENSE EXAMINATIONS AND BASIC AND CLASSIFIED LICENSES, SO

AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE.
and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 1303 -- Senator Williams: A CONCURRENT RESOLUTION TO HEREBY PROCLAIM SEPTEMBER 2024 AS CHILDHOOD CANCER AWARENESS MONTH IN THE STATE OF SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO SUPPORT RESEARCH FOR THE CURE OF CHILDHOOD CANCER AND TREATMENT OF CHILDREN DIAGNOSED WITH CHILDHOOD CANCER AND TO SUPPORT THEIR FAMILIES WHO ARE ALL SO DEEPLY IMPACTED.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 1314 -- Senators Senn and Campsen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE ROUNDABOUT AT FORT JOHNSON ROAD AND HARBOR VIEW ROAD IN CHARLESTON COUNTY "INEZ BROWN CROUCH ROUNDABOUT" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

CARRIED OVER

H. 3501 -- Rep. W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-102-140, RELATING TO PROHIBITED ACTS OF ATHLETE AGENTS, SO AS TO PROVIDE CERTIFIED ATHLETE AGENTS MAY PAY CERTAIN EXPENSES INCURRED BEFORE THE SIGNING OF AGENCY CONTRACTS BY STUDENT ATHLETES, FAMILY MEMBERS OF STUDENT ATHLETES, AND

INDIVIDUALS OR CLASSES OF INDIVIDUALS AUTHORIZED TO RECEIVE SUCH PAYMENTS.

On motion of Senator MALLOY, the Bill was carried over.

AMENDED, HOUSE BILL RETURNED

H. 3865 -- Reps. Hiott, Collins, Rutherford, Carter and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

The Senate proceeded to a consideration of the Bill.

Senator M. JOHNSON proposed the following amendment (SJ-3865.MB0012S), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

SECTION X. The effective date of Act No. 56 of 2023, which enacted the "Law Enforcement and Personal Privacy Protection Act" and the "Judicial Privacy Protection Act", is delayed from July 1, 2024, until July 1, 2025.

SECTION X. The General Assembly finds that the sections presented in this act constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of coroner's responsibilities and duties, including proper handling of records and certificates, as clearly enumerated in the title. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Reichenbach
Rice	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Young		

Total--40

NAYS

Massey

Total--1

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 3865 -- Reps. Hiott, Collins, Rutherford, Carter and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE

AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

Very respectfully,

Speaker of the House

Received as information.

INSISTS ON SENATE AMENDMENTS

H. 3865 -- Reps. Hiott, Collins, Rutherford, Carter and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators M. JOHNSON, SABB and ADAMS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Rutherford, Hiott and W. Newton to the Committee of Conference on the part of the House on:

H. 3865 -- Reps. Hiott, Collins, Rutherford, Carter and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, MAY 9, 2024

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4087 -- Reps. G.M. Smith, West, Kirby, Ballentine, Robbins, Hewitt, M.M. Smith, Davis, Hiott, Long, Hager, Ott, Weeks, Dillard, W. Jones, Brewer, Hartnett and Murphy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3410, RELATING TO CORPORATE INCOME TAX CREDIT FOR CORPORATE HEADQUARTERS, SO AS TO PROVIDE CHANGES TO STAFFING REQUIREMENTS AND CERTAIN TIMING; BY AMENDING SECTION 12-6-3460, RELATING TO THE RECYCLING FACILITY TAX CREDIT DEFINITIONS, SO AS TO LOWER THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED RECYCLING FACILITY AND TO INCLUDE CERTAIN PRODUCTS TO THE DEFINITION OF "POSTCONSUMER WASTE MATERIAL"; BY AMENDING SECTIONS 12-10-20; 12-10-30, 12-10-40, 12-10-45, 12-10-50, 12-10-60, AND 12-10-80, ALL RELATING TO THE ENTERPRISE ZONE ACT OF 1995, SO AS TO ALLOW REMOTE EMPLOYEES WORKING IN SOUTH CAROLINA TO BE INCLUDED IN CERTAIN JOB CREATION REQUIREMENTS AND TO CREATE A NEW PROVISION TO INCENTIVIZE CERTAIN COMPANIES; AND BY AMENDING SECTION 12-10-95, RELATING TO THE ENTERPRISE ZONE ACT CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO PROVIDE WHO IS ELIGIBLE FOR THE CREDIT AND THE AMOUNT OF THE CREDIT ALLOWED.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

NONCONCURRENCE

H. 4087 -- Reps. G.M. Smith, West, Kirby, Ballentine, Robbins, Hewitt, M.M. Smith, Davis, Hiott, Long, Hager, Ott, Weeks, Dillard, W. Jones, Brewer, Hartnett and Murphy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3410, RELATING TO CORPORATE INCOME TAX CREDIT FOR CORPORATE HEADQUARTERS, SO AS TO PROVIDE

CHANGES TO STAFFING REQUIREMENTS AND CERTAIN TIMING; BY AMENDING SECTION 12-6-3460, RELATING TO THE RECYCLING FACILITY TAX CREDIT DEFINITIONS, SO AS TO LOWER THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED RECYCLING FACILITY AND TO INCLUDE CERTAIN PRODUCTS TO THE DEFINITION OF "POSTCONSUMER WASTE MATERIAL"; BY AMENDING SECTIONS 12-10-20; 12-10-30, 12-10-40, 12-10-45, 12-10-50, 12-10-60, AND 12-10-80, ALL RELATING TO THE ENTERPRISE ZONE ACT OF 1995, SO AS TO ALLOW REMOTE EMPLOYEES WORKING IN SOUTH CAROLINA TO BE INCLUDED IN CERTAIN JOB CREATION REQUIREMENTS AND TO CREATE A NEW PROVISION TO INCENTIVIZE CERTAIN COMPANIES; AND BY AMENDING SECTION 12-10-95, RELATING TO THE ENTERPRISE ZONE ACT CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO PROVIDE WHO IS ELIGIBLE FOR THE CREDIT AND THE AMOUNT OF THE CREDIT ALLOWED.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator DAVIS explained the amendments.

On motion of Senator DAVIS, with unanimous consent, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 4087 -- Reps. G.M. Smith, West, Kirby, Ballentine, Robbins, Hewitt, M.M. Smith, Davis, Hiott, Long, Hager, Ott, Weeks, Dillard, W. Jones, Brewer, Hartnett and Murphy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3410, RELATING TO CORPORATE INCOME TAX CREDIT FOR CORPORATE HEADQUARTERS, SO AS TO PROVIDE CHANGES TO STAFFING REQUIREMENTS AND CERTAIN TIMING; BY AMENDING SECTION 12-6-3460, RELATING TO

THE RECYCLING FACILITY TAX CREDIT DEFINITIONS, SO AS TO LOWER THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED RECYCLING FACILITY AND TO INCLUDE CERTAIN PRODUCTS TO THE DEFINITION OF "POSTCONSUMER WASTE MATERIAL"; BY AMENDING SECTIONS 12-10-20; 12-10-30, 12-10-40, 12-10-45, 12-10-50, 12-10-60, AND 12-10-80, ALL RELATING TO THE ENTERPRISE ZONE ACT OF 1995, SO AS TO ALLOW REMOTE EMPLOYEES WORKING IN SOUTH CAROLINA TO BE INCLUDED IN CERTAIN JOB CREATION REQUIREMENTS AND TO CREATE A NEW PROVISION TO INCENTIVIZE CERTAIN COMPANIES; AND BY AMENDING SECTION 12-10-95, RELATING TO THE ENTERPRISE ZONE ACT CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO PROVIDE WHO IS ELIGIBLE FOR THE CREDIT AND THE AMOUNT OF THE CREDIT ALLOWED.

asks for a Committee of Conference, and has appointed Reps. West, B. Newton and Kirby to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators SETZLER, DAVIS and MASSEY were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

HOUSE BILL RETURNED

H. 4601 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-4100, RELATING TO PREVENTING ESCAPE OF MATERIALS LOADED ON VEHICLES AND CLEANING THE HIGHWAYS OF ESCAPED SUBSTANCES OR CARGO, SO AS TO INCORPORATE THE PROVISIONS OF SECTION 56-5-4110 TO CLARIFY THE EXCEPTIONS FOR TRANSPORTATION OF CERTAIN FARM PRODUCTS AND MATERIALS; AND BY REPEALING SECTION 56-5-4110 RELATING TO THE REQUIREMENTS THAT LOADS AND COVERS MUST BE FIRMLY ATTACHED.

The Senate proceeded to a consideration of the Bill.

The question then being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Young

Total--42

NAYS

Total--0

The Bill was read the third time, passed and ordered returned to the House.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 4601 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-4100, RELATING TO PREVENTING ESCAPE OF MATERIALS LOADED ON VEHICLES AND CLEANING THE HIGHWAYS OF ESCAPED SUBSTANCES OR CARGO, SO AS TO INCORPORATE THE PROVISIONS OF SECTION 56-5-4110 TO CLARIFY THE EXCEPTIONS FOR TRANSPORTATION OF CERTAIN FARM

PRODUCTS AND MATERIALS; AND BY REPEALING SECTION 56-5-4110 RELATING TO THE REQUIREMENTS THAT LOADS AND COVERS MUST BE FIRMLY ATTACHED.

Very respectfully,
Speaker of the House

Received as information.

On motion of Senator CROMER, with unanimous consent, the Senate receded from amendments, and a message was sent to the House.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4674 -- Rep. Erickson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1240, RELATING TO THE DISPLAY OF LICENSE PLATES, SO AS TO PROVIDE THE CIRCUMSTANCES IN WHICH THE PROVISIONS OF THIS SECTION APPLY, TO PROVIDE HOW LICENSE PLATES MUST BE FASTENED TO VEHICLES, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE FOR THE DISPLAY OF TEMPORARY LICENSE PLATES ON LARGE COMMERCIAL MOTOR VEHICLES.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator GROOMS, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

CONCURRENCE

H. 4674 -- Rep. Erickson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1240, RELATING TO THE DISPLAY OF LICENSE PLATES, SO AS TO PROVIDE THE CIRCUMSTANCES IN WHICH THE PROVISIONS OF THIS SECTION APPLY, TO PROVIDE HOW LICENSE PLATES MUST BE FASTENED TO VEHICLES, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE FOR THE DISPLAY OF TEMPORARY LICENSE PLATES ON LARGE COMMERCIAL MOTOR VEHICLES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator GROOMS explained the amendments.

On motion of Senator GROOMS, with unanimous consent, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 5100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

asks for a Committee of Conference, and has appointed Reps. Bannister, Lowe and Stavrinakis to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators PEELER, SETZLER and BENNETT were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 5101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2023-2024, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

asks for a Committee of Conference, and has appointed Reps. Bannister, Lowe and Stavrinakis to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators PEELER, SETZLER and BENNETT were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

H. 3424 -- Reps. T. Moore, Carter, McCravy, Lawson, Beach, Pope, Nutt, Oremus, Vaughan, Long, Haddon, Burns, Chumley, Kilmartin, Cromer, O'Neal, Yow, Gilliam, W. Newton, Guest, Schuessler, Moss, Magnuson, Harris, Pace, Brittain, Bailey, Robbins, Sessions, Ligon, Felder, B.L. Cox, Guffey, Bradley, Murphy, Brewer, Connell, Hiott, Mitchell, Hager, Erickson, B.J. Cox, Blackwell, Wooten, Ballentine, Hyde, Wheeler, Calhoon, M.M. Smith, Davis, B. Newton, Elliott, Forrest, Willis, Hixon, Taylor, J.E. Johnson, Chapman and Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-5-190 SO AS TO PROVIDE DEFINITIONS,

TO PROVIDE THAT IT IS UNLAWFUL FOR AN OPERATOR TO MAKE A PORNOGRAPHIC WEBSITE AVAILABLE TO PERSONS UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL CREATE CERTAIN PROCEDURES, AND TO PROVIDE FOR A PRIVATE RIGHT OF ACTION.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3424 -- Reps. T. Moore, Carter, McCravy, Lawson, Beach, Pope, Nutt, Oremus, Vaughan, Long, Haddon, Burns, Chumley, Kilmartin, Cromer, O'Neal, Yow, Gilliam, W. Newton, Guest, Schuessler, Moss, Magnuson, Harris, Pace, Brittain, Bailey, Robbins, Sessions, Ligon, Felder, B.L. Cox, Guffey, Bradley, Murphy, Brewer, Connell, Hiott, Mitchell, Hager, Erickson, B.J. Cox, Blackwell, Wooten, Ballentine, Hyde, Wheeler, Calhoon, M.M. Smith, Davis, B. Newton, Elliott, Forrest, Willis, Hixon, Taylor, J.E. Johnson, Chapman and Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-5-190 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT IT IS UNLAWFUL FOR AN OPERATOR TO MAKE A PORNOGRAPHIC WEBSITE AVAILABLE TO PERSONS UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL CREATE CERTAIN PROCEDURES, AND TO PROVIDE FOR A PRIVATE RIGHT OF ACTION.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator DAVIS, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

CONCURRENCE

H. 3424 -- Reps. T. Moore, Carter, McCravy, Lawson, Beach, Pope, Nutt, Oremus, Vaughan, Long, Haddon, Burns, Chumley, Kilmartin, Cromer, O'Neal, Yow, Gilliam, W. Newton, Guest, Schuessler, Moss, Magnuson, Harris, Pace, Brittain, Bailey, Robbins, Sessions, Ligon, Felder, B.L. Cox, Guffey, Bradley, Murphy, Brewer, Connell, Hiott, Mitchell, Hager, Erickson, B.J. Cox, Blackwell, Wooten, Ballentine, Hyde, Wheeler, Calhoon, M.M. Smith, Davis, B. Newton, Elliott, Forrest, Willis, Hixon, Taylor, J.E. Johnson, Chapman and Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-5-190 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT IT IS UNLAWFUL FOR AN OPERATOR TO MAKE A PORNOGRAPHIC WEBSITE AVAILABLE TO PERSONS UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL CREATE CERTAIN PROCEDURES, AND TO PROVIDE FOR A PRIVATE RIGHT OF ACTION.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

CARRIED OVER

H. 5245 -- Reps. G.M. Smith, Erickson, Bradley and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-50, RELATING TO CHARTER SCHOOL ADMISSIONS, SO AS TO PROVIDE CHARTER SCHOOLS MAY GIVE ENROLLMENT PREFERENCE TO CHILDREN OF ACTIVE DUTY MILITARY SERVICEMEMBERS IN THIS STATE IF THEIR ENROLLMENT DOES NOT CONSTITUTE MORE THAN TWENTY PERCENT OF THE OVERALL ENROLLMENT, AND TO REVISE EXISTING ENROLLMENT PREFERENCE PROVISIONS.

On motion of Senator MATTHEWS, the Bill was carried over.

OBJECTION

H. 4189 -- Rep. Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-20, RELATING TO LICENSING AND FEES, SO AS TO AMEND MEETING REQUIREMENTS, REMOVE A CERTIFICATION FEE AND OUTLINE HOW TO MAKE PROPER PAYMENTS TO THE DEPARTMENT; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND, SO AS TO CHANGE THE ALLOWED TRANSFER OF COLLECTED TAXES FROM TWENTY PERCENT TO FORTY PERCENT; AND BY AMENDING 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

Senator TURNER objected to further consideration of the Bill.

AMENDED, HOUSE BILL RETURNED

H. 4869 -- Reps. Sandifer, Hardee, Ligon and Jefferson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200, RELATING TO CONDITIONS FOR ALLOWING REINSURANCE CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY AMENDING SECTION 38-13-10, RELATING TO INSURER EXAMINATIONS, SO AS TO PROVIDE SUCH EXAMINATIONS ARE FINANCIAL EXAMINATIONS, TO APPLY THE PROVISIONS TO HEALTH MAINTENANCE ORGANIZATIONS AND OTHER LICENSEES OF THE DEPARTMENT, TO PROVIDE MARKET CONDUCT EXAMINATIONS, AND TO REMOVE OBSOLETE PROVISIONS, AMONG OTHER THINGS; BY AMENDING SECTION 38-13-70, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DIRECTOR OR HIS DESIGNEES MAY CONDUCT INVESTIGATIONS, TO PROVIDE FOR THE CONFIDENTIALITY OF INVESTIGATIONS, AND TO PROVIDE FINAL ORDERS DISCIPLINING LICENSEES ARE PUBLIC INFORMATION, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-57-130, RELATING TO INSURANCE TRADE PRACTICES, SO AS TO PROVIDE REVISED EXEMPTIONS FROM PROVISIONS PROHIBITING MISREPRESENTATIONS, SPECIAL INDUCEMENTS, AND REBATES IN INSURANCE CONTRACTS.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (LC-4869.PH0013S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 38-77-170 of the S.C. Code is amended to read:

Section 38-77-170.(A) If the owner or operator of any motor vehicle which causes bodily injury or property damage to the insured is unknown, there is no right of action or recovery under the uninsured motorist provision, unless:

(1) the insured or someone in his behalf ~~has reported~~reports the accident to some appropriate police authority within a reasonable time, under all the circumstances, after its occurrence; and

(2) one of the following conditions is met:

(a) ~~(2)~~ the injury or damage was caused by physical contact with the unknown vehicle~~, or~~;

(b) the accident ~~must have been~~was witnessed by someone other than the owner or operator of the insured vehicle; provided however, the witness must sign an affidavit attesting to the truth of the facts of the accident contained in the affidavit or upon failing to obtain the affidavit, the insured may seek a court order for a presuit deposition of the witness under the procedures set forth in Rule 27, South Carolina Rules of Civil Procedure; or

(c) the insured can provide a recording of the accident, obtained electronically or otherwise, showing that the damage or injury as caused by the unknown vehicle; and

(3) the insured was not negligent in failing to determine the identity of the other vehicle and the driver of the other vehicle at the time of the accident.

(B) The following statement must be prominently displayed on the face of the affidavit provided in item (2)(b) ~~above~~: A FALSE STATEMENT CONCERNING THE FACTS CONTAINED IN THIS AFFIDAVIT MAY SUBJECT THE PERSON MAKING THE FALSE STATEMENT TO CRIMINAL PENALTIES AS PROVIDED BY LAW.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Motion Adopted

Having voted on the prevailing side, Senator CROMER moved to reconsider the vote whereby the amendment on May 8, 2024, was adopted.

Senator CROMER moved to lay the amendment on the table.

The amendment was laid on the table.

The question then being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Young		

Total--43

NAYS

Total--0

The Bill was read the third time, passed and ordered returned to the House.

Call of the Senate

Senator MASSEY moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Campsen	Cash	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Malloy	Martin

Massey	Matthews	McElveen
Peeler	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Young		

It was ascertained that a quorum was present.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4869 -- Reps. Sandifer, Hardee, Ligon and Jefferson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200, RELATING TO CONDITIONS FOR ALLOWING REINSURANCE CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY AMENDING SECTION 38-13-10, RELATING TO INSURER EXAMINATIONS, SO AS TO PROVIDE SUCH EXAMINATIONS ARE FINANCIAL EXAMINATIONS, TO APPLY THE PROVISIONS TO HEALTH MAINTENANCE ORGANIZATIONS AND OTHER LICENSEES OF THE DEPARTMENT, TO PROVIDE MARKET CONDUCT EXAMINATIONS, AND TO REMOVE OBSOLETE PROVISIONS, AMONG OTHER THINGS; BY AMENDING SECTION 38-13-70, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DIRECTOR OR HIS DESIGNEES MAY CONDUCT INVESTIGATIONS, TO PROVIDE FOR THE CONFIDENTIALITY OF INVESTIGATIONS, AND TO PROVIDE FINAL ORDERS DISCIPLINING LICENSEES ARE PUBLIC INFORMATION, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-57-130, RELATING TO INSURANCE TRADE PRACTICES, SO AS TO PROVIDE REVISED EXEMPTIONS FROM PROVISIONS PROHIBITING

MISREPRESENTATIONS, SPECIAL INDUCEMENTS, AND REBATES IN INSURANCE CONTRACTS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3278 -- Reps. West, Ligon and Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 40-60-30, 40-60-31, AND 40-60-33, ALL RELATING TO REAL ESTATE APPRAISER LICENSURE REQUIREMENTS, SO AS TO MODIFY EXEMPTIONS, REVISE AND PROVIDE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS; AND TO REVISE REQUIREMENTS AND QUALIFICATIONS FOR LICENSED MASS APPRAISERS; BY AMENDING SECTION 40-60-34, RELATING TO REQUIREMENTS RELATING TO APPRENTICE APPRAISERS AND APPRAISERS SUPERVISING APPRENTICES, SO AS TO REVISE REQUIREMENTS; BY AMENDING SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE REPORTING REQUIREMENTS UPON LICENSEES; BY ADDING SECTION 40-60-36 SO AS TO IMPOSE REPORTING REQUIREMENTS UPON PROVIDERS; BY AMENDING SECTION 40-60-37, RELATING TO RECIPROCAL APPLICATIONS FROM APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; BY AMENDING SECTION 40-60-40, RELATING TO REQUIRED APPRAISER CONTACT INFORMATION, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; BY AMENDING SECTION 40-60-320, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF APPRAISAL PANEL; BY AMENDING SECTION 40-60-330, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; BY AMENDING SECTION 40-60-360, RELATING TO PROMULGATION OF REGULATIONS, SO AS TO SPECIFY REQUIRED REGULATIONS; BY AMENDING SECTION 40-60-420,

RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND BY AMENDING SECTION 40-60-450, RELATING TO COMPENSATION, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 5118 -- Reps. G.M. Smith, West, Davis, Hager, Hewitt, Kirby, Long, M.M. Smith, B. Newton, Pendarvis, Sandifer, Hiott, Landing, Crawford, Brittain, Lawson, Williams, Whitmire, Jefferson, Bustos, Hartnett, Carter, Blackwell, Neese, W. Newton, Bradley, Erickson, Murphy, Brewer, Yow, Mitchell, Connell, Jordan, Thayer, Elliott, Wooten, Pedalino, Bailey, T. Moore, McGinnis, Gatch, Ligon, Gagnon, Hardee, B.L. Cox, Chapman, Leber, Anderson, Bannister, Calhoon, Felder, Hixon, Lowe, Taylor, Thigpen, Willis and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA TEN-YEAR ENERGY TRANSFORMATION ACT"; BY AMENDING SECTION 58-3-20, RELATING TO THE MEMBERSHIP, ELECTION, AND QUALIFICATIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO CHANGE THE NUMBER OF COMMISSIONERS FROM SEVEN TO THREE TO BE ELECTED BY THE GENERAL ASSEMBLY FROM THE STATE AT LARGE; BY AMENDING SECTION 58-3-140, RELATING TO THE PUBLIC SERVICE COMMISSION'S POWERS TO REGULATE PUBLIC UTILITIES, SO AS TO ESTABLISH CONSIDERATIONS AND STATE POLICY FOR THE COMMISSION'S DECISION-MAKING PROCESS, TO ESTABLISH A SCHEDULE FOR CERTAIN TESTIMONY AND DISCOVERY IN CONTESTED PROCEEDINGS, TO PERMIT ELECTRICAL UTILITY CUSTOMERS TO ADDRESS THE COMMISSION AS PUBLIC WITNESSES, AND TO ESTABLISH REQUIREMENTS FOR AN INDEPENDENT THIRD-PARTY CONSULTANT HIRED BY THE COMMISSION; BY AMENDING SECTION 58-3-250, RELATING TO SERVICE OF ORDERS AND DECISIONS ON PARTIES, SO AS TO MAKE A TECHNICAL

CHANGE; BY AMENDING SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS REPRESENTATION OF PUBLIC INTEREST BEFORE THE COMMISSION, SO AS TO ESTABLISH ITS CONSIDERATIONS FOR PUBLIC INTEREST; BY ADDING SECTION 58-4-150 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO PREPARE A COMPREHENSIVE STATE ENERGY ASSESSMENT AND ACTION PLAN AND TO ESTABLISH REQUIREMENTS FOR THIS PLAN; BY ADDING CHAPTER 38 TO TITLE 58 SO AS TO ESTABLISH THE SOUTH CAROLINA ENERGY POLICY INSTITUTE; BY ADDING SECTION 58-33-195 SO AS TO ENCOURAGE DOMINION ENERGY, THE PUBLIC SERVICE AUTHORITY, DUKE ENERGY CAROLINAS, AND DUKE ENERGY PROGRESS TO EVALUATE CERTAIN ELECTRICAL GENERATION FACILITIES AND PROVIDE FOR CONSIDERATIONS RELATED TO THESE FACILITIES; BY ADDING SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN ELECTRICAL GENERATION AND TRANSMISSION FACILITIES WITH INVESTOR-OWNED ELECTRIC UTILITIES, AND TO PROVIDE REQUIREMENTS FOR JOINT OWNERSHIP; BY AMENDING SECTION 58-27-650, RELATING TO REASSIGNMENT OF ELECTRIC SUPPLIERS' SERVICE AREAS, SO AS TO PERMIT THE COMMISSION TO APPROVE A REQUEST FOR ANY ELECTRIC SUPPLIER TO SERVE ANY TRANSFORMATIONAL ECONOMIC DEVELOPMENT PROJECT CUSTOMER UNDER CERTAIN CONDITIONS; BY AMENDING ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO AS ESTABLISH THE COUNCIL IN THE OFFICE OF REGULATORY STAFF, TO PROVIDE FOR ITS DUTIES AND MEMBERSHIP, AND TO PROVIDE FOR THE COUNCIL'S DIRECTOR; BY AMENDING SECTION 37-6-604, RELATING TO THE CONSUMER ADVOCATE'S INTERVENTION ON MATTERS FILED AT THE COMMISSION, SO AS TO TRANSFER THESE DUTIES TO THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 58-33-196 SO AS TO ENCOURAGE CONSIDERATION OF DEPLOYMENT OF NUCLEAR FACILITIES AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 58-37-70 SO AS TO PERMIT A SMALL MODULAR NUCLEAR PILOT PROGRAM AND TO ESTABLISH REQUIREMENTS; BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 58 SO AS TO PROVIDE FOR

STATE AGENCY REVIEW OF ENERGY INFRASTRUCTURE PROJECT APPLICATIONS AND TO PROVIDE A SUNSET; BY AMENDING SECTION 58-40-10, RELATING TO THE DEFINITION OF "CUSTOMER-GENERATOR", SO AS TO ESTABLISH CHARACTERISTICS FOR A "CUSTOMER-GENERATOR"; BY AMENDING SECTION 58-41-30, RELATING TO VOLUNTARY RENEWABLE ENERGY PROGRAMS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS AND CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-41-10, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF "ENERGY STORAGE FACILITIES"; BY AMENDING SECTION 58-41-20, RELATING TO PROCEEDINGS FOR ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES AND RELATED PROCESSES, SO AS TO AUTHORIZE COMPETITIVE PROCUREMENT PROGRAMS FOR RENEWABLE ENERGY, CAPACITY, AND STORAGE, TO PERMIT COMPETITIVE PROCUREMENT OF NEW RENEWABLE ENERGY CAPACITY AND ESTABLISH REQUIREMENTS FOR NON-COMPETITIVE PROCUREMENT PROGRAMS, AND TO DELETE LANGUAGE REGARDING THE COMMISSION HIRING THIRD-PARTY EXPERTS FOR THESE PROCEEDINGS; BY ADDING SECTION 58-41-25 SO AS TO PROVIDE FOR A PROCESS FOR COMPETITIVE PROCUREMENT OF RENEWABLE ENERGY FACILITIES; BY AMENDING SECTION 58-33-20, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION "LIKE FACILITY"; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE FOR A LIKE FACILITY, TO ESTABLISH REQUIREMENTS AND CONSIDERATIONS FOR PROPOSED FACILITIES, TO PROVIDE WHAT ACTIONS MAY BE TAKEN WITHOUT PERMISSION FROM THE COMMISSION, AND TECHNICAL CHANGES; BY AMENDING SECTION 58-37-40, RELATING TO INTEGRATED RESOURCES PLANS, SO AS TO ADD CONSIDERATION OF A UTILITY'S TRANSMISSION AND DISTRIBUTION RESOURCE PLAN, TO ESTABLISH PROCEDURAL REQUIREMENTS AND EVALUATION BY THE COMMISSION, AND REQUIRE PARTIES TO BEAR THEIR OWN COSTS; BY AMENDING SECTION 58-3-260, RELATING TO COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES, SO AS TO MODIFY REQUIREMENTS FOR ALLOWABLE EX PARTE COMMUNICATIONS AND BRIEFINGS,

AND TO PERMIT COMMISSION TOURS OF UTILITY PLANTS OR OTHER FACILITIES UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-3-270, RELATING TO EX PARTE COMMUNICATION COMPLAINT PROCEEDINGS AT THE ADMINISTRATIVE LAW COURT, SO AS TO PERMIT AN ORDER TOLLING ANY DEADLINES ON A PROCEEDING SUBJECT TO A COMPLAINT TO THE EXTENT THE PROCEEDING WAS PREJUDICED SO THAT THE COMMISSION COULD NOT CONSIDER THE MATTER IMPARTIALLY; BY ADDING CHAPTER 43 TO TITLE 58 SO AS TO ESTABLISH ECONOMIC DEVELOPMENT RATES FOR ELECTRICAL UTILITIES; BY AMENDING SECTION 58-33-310, RELATING TO AN APPEAL FROM A FINAL ORDER OR DECISION OF THE COMMISSION, SO AS TO REQUIRE A FINAL ORDER ISSUED PURSUANT TO CHAPTER 33, TITLE 58 BE IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT AND TO PROVIDE FOR AN EXPEDITED HEARING; BY AMENDING SECTION 58-33-320, RELATING TO JOINT HEARINGS AND JOINT INVESTIGATIONS, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-4-160 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE ESTABLISHING A THIRD-PARTY ADMINISTRATOR FOR ENERGY EFFICIENCY AND DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO ADD A REFERENCE TO “DEMAND-SIDE MANAGEMENT PROGRAM” AND PROVIDE DEFINITIONS FOR “COST-EFFECTIVE” AND “DEMAND-SIDE MANAGEMENT PILOT PROGRAM”; BY AMENDING SECTION 58-37-20, RELATING TO COMMISSION PROCEDURES ENCOURAGING ENERGY EFFICIENCY PROGRAMS, SO AS TO EXPAND COMMISSION CONSIDERATIONS FOR COST-EFFECTIVE, DEMAND-SIDE MANAGEMENT PROGRAMS, AND REQUIRE EACH INVESTOR-OWNED ELECTRICAL UTILITY TO SUBMIT AN ANNUAL REPORT TO THE COMMISSION REGARDING ITS DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-37-35 SO AS TO PERMIT PROGRAMS AND CUSTOMER INCENTIVES TO ENCOURAGE OR PROMOTE DEMAND-SIDE MANAGEMENT PROGRAMS FOR CUSTOMER-

SITED DISTRIBUTION RESOURCES, AND TO PROVIDE CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-37-50, RELATING TO AGREEMENTS FOR ENERGY EFFICIENCY AND CONSERVATION MEASURES, SO AS TO ESTABLISH CERTAIN TERMS AND RATE RECOVERY FOR AGREEMENTS FOR FINANCING AND INSTALLING ENERGY EFFICIENCY AND CONSERVATION MEASURES, AND FOR APPLICATION TO A RESIDENCE OCCUPIED BEFORE THE MEASURES ARE TAKEN; BY ADDING SECTION 58-31-215 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY, IN CONSULTATION WITH THE DEPARTMENT OF COMMERCE, TO SERVE AS AN ANCHOR SUBSCRIBER OF NATURAL GAS AND PIPELINE CAPACITY FOR THIS STATE, TO ESTABLISH THE "ENERGY INVESTMENT AND ECONOMIC DEVELOPMENT FUND", AND TO PROVIDE FOR RELATED REQUIREMENTS; BY AMENDING SECTION 58-3-70, RELATING TO COMPENSATION OF PUBLIC SERVICE COMMISSION MEMBERS, SO AS TO ESTABLISH SALARIES IN AMOUNTS EQUAL TO NINETY-SEVEN AND ONE-HALF PERCENT OF SUPREME COURT ASSOCIATE JUSTICES.

Very respectfully,

Speaker of the House

Received as information.

H. 5118--SENATE INSISTS ON THEIR AMENDMENTS

H. 5118 -- Reps. G.M. Smith, West, Davis, Hager, Hewitt, Kirby, Long, M.M. Smith, B. Newton, Pendarvis, Sandifer, Hiott, Landing, Crawford, Brittain, Lawson, Williams, Whitmire, Jefferson, Bustos, Hartnett, Carter, Blackwell, Neese, W. Newton, Bradley, Erickson, Murphy, Brewer, Yow, Mitchell, Connell, Jordan, Thayer, Elliott, Wooten, Pedalino, Bailey, T. Moore, McGinnis, Gatch, Ligon, Gagnon, Hardee, B.L. Cox, Chapman, Leber, Anderson, Bannister, Calhoon, Felder, Hixon, Lowe, Taylor, Thigpen, Willis and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA TEN-YEAR ENERGY TRANSFORMATION ACT"; BY AMENDING SECTION 58-3-20, RELATING TO THE MEMBERSHIP, ELECTION, AND QUALIFICATIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO CHANGE THE NUMBER OF COMMISSIONERS FROM SEVEN TO THREE TO BE ELECTED BY THE GENERAL ASSEMBLY FROM THE STATE AT LARGE; BY AMENDING

SECTION 58-3-140, RELATING TO THE PUBLIC SERVICE COMMISSION'S POWERS TO REGULATE PUBLIC UTILITIES, SO AS TO ESTABLISH CONSIDERATIONS AND STATE POLICY FOR THE COMMISSION'S DECISION-MAKING PROCESS, TO ESTABLISH A SCHEDULE FOR CERTAIN TESTIMONY AND DISCOVERY IN CONTESTED PROCEEDINGS, TO PERMIT ELECTRICAL UTILITY CUSTOMERS TO ADDRESS THE COMMISSION AS PUBLIC WITNESSES, AND TO ESTABLISH REQUIREMENTS FOR AN INDEPENDENT THIRD-PARTY CONSULTANT HIRED BY THE COMMISSION; BY AMENDING SECTION 58-3-250, RELATING TO SERVICE OF ORDERS AND DECISIONS ON PARTIES, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS REPRESENTATION OF PUBLIC INTEREST BEFORE THE COMMISSION, SO AS TO ESTABLISH ITS CONSIDERATIONS FOR PUBLIC INTEREST; BY ADDING SECTION 58-4-150 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO PREPARE A COMPREHENSIVE STATE ENERGY ASSESSMENT AND ACTION PLAN AND TO ESTABLISH REQUIREMENTS FOR THIS PLAN; BY ADDING CHAPTER 38 TO TITLE 58 SO AS TO ESTABLISH THE SOUTH CAROLINA ENERGY POLICY INSTITUTE; BY ADDING SECTION 58-33-195 SO AS TO ENCOURAGE DOMINION ENERGY, THE PUBLIC SERVICE AUTHORITY, DUKE ENERGY CAROLINAS, AND DUKE ENERGY PROGRESS TO EVALUATE CERTAIN ELECTRICAL GENERATION FACILITIES AND PROVIDE FOR CONSIDERATIONS RELATED TO THESE FACILITIES; BY ADDING SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN ELECTRICAL GENERATION AND TRANSMISSION FACILITIES WITH INVESTOR-OWNED ELECTRIC UTILITIES, AND TO PROVIDE REQUIREMENTS FOR JOINT OWNERSHIP; BY AMENDING SECTION 58-27-650, RELATING TO REASSIGNMENT OF ELECTRIC SUPPLIERS' SERVICE AREAS, SO AS TO PERMIT THE COMMISSION TO APPROVE A REQUEST FOR ANY ELECTRIC SUPPLIER TO SERVE ANY TRANSFORMATIONAL ECONOMIC DEVELOPMENT PROJECT CUSTOMER UNDER CERTAIN CONDITIONS; BY AMENDING ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO AS ESTABLISH THE COUNCIL IN THE OFFICE OF REGULATORY

STAFF, TO PROVIDE FOR ITS DUTIES AND MEMBERSHIP, AND TO PROVIDE FOR THE COUNCIL'S DIRECTOR; BY AMENDING SECTION 37-6-604, RELATING TO THE CONSUMER ADVOCATE'S INTERVENTION ON MATTERS FILED AT THE COMMISSION, SO AS TO TRANSFER THESE DUTIES TO THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 58-33-196 SO AS TO ENCOURAGE CONSIDERATION OF DEPLOYMENT OF NUCLEAR FACILITIES AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 58-37-70 SO AS TO PERMIT A SMALL MODULAR NUCLEAR PILOT PROGRAM AND TO ESTABLISH REQUIREMENTS; BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 58 SO AS TO PROVIDE FOR STATE AGENCY REVIEW OF ENERGY INFRASTRUCTURE PROJECT APPLICATIONS AND TO PROVIDE A SUNSET; BY AMENDING SECTION 58-40-10, RELATING TO THE DEFINITION OF "CUSTOMER-GENERATOR", SO AS TO ESTABLISH CHARACTERISTICS FOR A "CUSTOMER-GENERATOR"; BY AMENDING SECTION 58-41-30, RELATING TO VOLUNTARY RENEWABLE ENERGY PROGRAMS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS AND CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-41-10, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF "ENERGY STORAGE FACILITIES"; BY AMENDING SECTION 58-41-20, RELATING TO PROCEEDINGS FOR ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES AND RELATED PROCESSES, SO AS TO AUTHORIZE COMPETITIVE PROCUREMENT PROGRAMS FOR RENEWABLE ENERGY, CAPACITY, AND STORAGE, TO PERMIT COMPETITIVE PROCUREMENT OF NEW RENEWABLE ENERGY CAPACITY AND ESTABLISH REQUIREMENTS FOR NON-COMPETITIVE PROCUREMENT PROGRAMS, AND TO DELETE LANGUAGE REGARDING THE COMMISSION HIRING THIRD-PARTY EXPERTS FOR THESE PROCEEDINGS; BY ADDING SECTION 58-41-25 SO AS TO PROVIDE FOR A PROCESS FOR COMPETITIVE PROCUREMENT OF RENEWABLE ENERGY FACILITIES; BY AMENDING SECTION 58-33-20, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION "LIKE FACILITY"; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE FOR A LIKE FACILITY, TO ESTABLISH REQUIREMENTS AND CONSIDERATIONS FOR PROPOSED

FACILITIES, TO PROVIDE WHAT ACTIONS MAY BE TAKEN WITHOUT PERMISSION FROM THE COMMISSION, AND TECHNICAL CHANGES; BY AMENDING SECTION 58-37-40, RELATING TO INTEGRATED RESOURCES PLANS, SO AS TO ADD CONSIDERATION OF A UTILITY'S TRANSMISSION AND DISTRIBUTION RESOURCE PLAN, TO ESTABLISH PROCEDURAL REQUIREMENTS AND EVALUATION BY THE COMMISSION, AND REQUIRE PARTIES TO BEAR THEIR OWN COSTS; BY AMENDING SECTION 58-3-260, RELATING TO COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES, SO AS TO MODIFY REQUIREMENTS FOR ALLOWABLE EX PARTE COMMUNICATIONS AND BRIEFINGS, AND TO PERMIT COMMISSION TOURS OF UTILITY PLANTS OR OTHER FACILITIES UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-3-270, RELATING TO EX PARTE COMMUNICATION COMPLAINT PROCEEDINGS AT THE ADMINISTRATIVE LAW COURT, SO AS TO PERMIT AN ORDER TOLLING ANY DEADLINES ON A PROCEEDING SUBJECT TO A COMPLAINT TO THE EXTENT THE PROCEEDING WAS PREJUDICED SO THAT THE COMMISSION COULD NOT CONSIDER THE MATTER IMPARTIALLY; BY ADDING CHAPTER 43 TO TITLE 58 SO AS TO ESTABLISH ECONOMIC DEVELOPMENT RATES FOR ELECTRICAL UTILITIES; BY AMENDING SECTION 58-33-310, RELATING TO AN APPEAL FROM A FINAL ORDER OR DECISION OF THE COMMISSION, SO AS TO REQUIRE A FINAL ORDER ISSUED PURSUANT TO CHAPTER 33, TITLE 58 BE IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT AND TO PROVIDE FOR AN EXPEDITED HEARING; BY AMENDING SECTION 58-33-320, RELATING TO JOINT HEARINGS AND JOINT INVESTIGATIONS, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-4-160 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE ESTABLISHING A THIRD-PARTY ADMINISTRATOR FOR ENERGY EFFICIENCY AND DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO ADD A REFERENCE TO "DEMAND-SIDE MANAGEMENT PROGRAM" AND PROVIDE DEFINITIONS FOR "COST-EFFECTIVE" AND "DEMAND-SIDE MANAGEMENT PILOT PROGRAM"; BY AMENDING SECTION 58-37-20, RELATING TO COMMISSION

PROCEDURES ENCOURAGING ENERGY EFFICIENCY PROGRAMS, SO AS TO EXPAND COMMISSION CONSIDERATIONS FOR COST-EFFECTIVE, DEMAND-SIDE MANAGEMENT PROGRAMS, AND REQUIRE EACH INVESTOR-OWNED ELECTRICAL UTILITY TO SUBMIT AN ANNUAL REPORT TO THE COMMISSION REGARDING ITS DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-37-35 SO AS TO PERMIT PROGRAMS AND CUSTOMER INCENTIVES TO ENCOURAGE OR PROMOTE DEMAND-SIDE MANAGEMENT PROGRAMS FOR CUSTOMER-SITED DISTRIBUTION RESOURCES, AND TO PROVIDE CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-37-50, RELATING TO AGREEMENTS FOR ENERGY EFFICIENCY AND CONSERVATION MEASURES, SO AS TO ESTABLISH CERTAIN TERMS AND RATE RECOVERY FOR AGREEMENTS FOR FINANCING AND INSTALLING ENERGY EFFICIENCY AND CONSERVATION MEASURES, AND FOR APPLICATION TO A RESIDENCE OCCUPIED BEFORE THE MEASURES ARE TAKEN; BY ADDING SECTION 58-31-215 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY, IN CONSULTATION WITH THE DEPARTMENT OF COMMERCE, TO SERVE AS AN ANCHOR SUBSCRIBER OF NATURAL GAS AND PIPELINE CAPACITY FOR THIS STATE, TO ESTABLISH THE "ENERGY INVESTMENT AND ECONOMIC DEVELOPMENT FUND", AND TO PROVIDE FOR RELATED REQUIREMENTS; BY AMENDING SECTION 58-3-70, RELATING TO COMPENSATION OF PUBLIC SERVICE COMMISSION MEMBERS, SO AS TO ESTABLISH SALARIES IN AMOUNTS EQUAL TO NINETY-SEVEN AND ONE-HALF PERCENT OF SUPREME COURT ASSOCIATE JUSTICES.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators RANKIN, MASSEY and HUTTO were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. West, Sandifer and Ott to the Committee of Conference on the part of the House on:

H. 5118 -- Reps. G.M. Smith, West, Davis, Hager, Hewitt, Kirby, Long, M.M. Smith, B. Newton, Pendarvis, Sandifer, Hiott, Landing, Crawford, Brittain, Lawson, Williams, Whitmire, Jefferson, Bustos, Hartnett, Carter, Blackwell, Neese, W. Newton, Bradley, Erickson, Murphy, Brewer, Yow, Mitchell, Connell, Jordan, Thayer, Elliott, Wooten, Pedalino, Bailey, T. Moore, McGinnis, Gatch, Ligon, Gagnon, Hardee, B.L. Cox, Chapman, Leber, Anderson, Bannister, Calhoon, Felder, Hixon, Lowe, Taylor, Thigpen, Willis and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA TEN-YEAR ENERGY TRANSFORMATION ACT"; BY AMENDING SECTION 58-3-20, RELATING TO THE MEMBERSHIP, ELECTION, AND QUALIFICATIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO CHANGE THE NUMBER OF COMMISSIONERS FROM SEVEN TO THREE TO BE ELECTED BY THE GENERAL ASSEMBLY FROM THE STATE AT LARGE; BY AMENDING SECTION 58-3-140, RELATING TO THE PUBLIC SERVICE COMMISSION'S POWERS TO REGULATE PUBLIC UTILITIES, SO AS TO ESTABLISH CONSIDERATIONS AND STATE POLICY FOR THE COMMISSION'S DECISION-MAKING PROCESS, TO ESTABLISH A SCHEDULE FOR CERTAIN TESTIMONY AND DISCOVERY IN CONTESTED PROCEEDINGS, TO PERMIT ELECTRICAL UTILITY CUSTOMERS TO ADDRESS THE COMMISSION AS PUBLIC WITNESSES, AND TO ESTABLISH REQUIREMENTS FOR AN INDEPENDENT THIRD-PARTY CONSULTANT HIRED BY THE COMMISSION; BY AMENDING SECTION 58-3-250, RELATING TO SERVICE OF ORDERS AND DECISIONS ON PARTIES, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS REPRESENTATION OF PUBLIC INTEREST BEFORE THE COMMISSION, SO AS TO ESTABLISH ITS CONSIDERATIONS FOR PUBLIC INTEREST; BY ADDING SECTION 58-4-150 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO PREPARE A COMPREHENSIVE

STATE ENERGY ASSESSMENT AND ACTION PLAN AND TO ESTABLISH REQUIREMENTS FOR THIS PLAN; BY ADDING CHAPTER 38 TO TITLE 58 SO AS TO ESTABLISH THE SOUTH CAROLINA ENERGY POLICY INSTITUTE; BY ADDING SECTION 58-33-195 SO AS TO ENCOURAGE DOMINION ENERGY, THE PUBLIC SERVICE AUTHORITY, DUKE ENERGY CAROLINAS, AND DUKE ENERGY PROGRESS TO EVALUATE CERTAIN ELECTRICAL GENERATION FACILITIES AND PROVIDE FOR CONSIDERATIONS RELATED TO THESE FACILITIES; BY ADDING SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN ELECTRICAL GENERATION AND TRANSMISSION FACILITIES WITH INVESTOR-OWNED ELECTRIC UTILITIES, AND TO PROVIDE REQUIREMENTS FOR JOINT OWNERSHIP; BY AMENDING SECTION 58-27-650, RELATING TO REASSIGNMENT OF ELECTRIC SUPPLIERS' SERVICE AREAS, SO AS TO PERMIT THE COMMISSION TO APPROVE A REQUEST FOR ANY ELECTRIC SUPPLIER TO SERVE ANY TRANSFORMATIONAL ECONOMIC DEVELOPMENT PROJECT CUSTOMER UNDER CERTAIN CONDITIONS; BY AMENDING ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO AS ESTABLISH THE COUNCIL IN THE OFFICE OF REGULATORY STAFF, TO PROVIDE FOR ITS DUTIES AND MEMBERSHIP, AND TO PROVIDE FOR THE COUNCIL'S DIRECTOR; BY AMENDING SECTION 37-6-604, RELATING TO THE CONSUMER ADVOCATE'S INTERVENTION ON MATTERS FILED AT THE COMMISSION, SO AS TO TRANSFER THESE DUTIES TO THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 58-33-196 SO AS TO ENCOURAGE CONSIDERATION OF DEPLOYMENT OF NUCLEAR FACILITIES AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 58-37-70 SO AS TO PERMIT A SMALL MODULAR NUCLEAR PILOT PROGRAM AND TO ESTABLISH REQUIREMENTS; BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 58 SO AS TO PROVIDE FOR STATE AGENCY REVIEW OF ENERGY INFRASTRUCTURE PROJECT APPLICATIONS AND TO PROVIDE A SUNSET; BY AMENDING SECTION 58-40-10, RELATING TO THE DEFINITION OF "CUSTOMER-GENERATOR", SO AS TO ESTABLISH CHARACTERISTICS FOR A "CUSTOMER-GENERATOR"; BY AMENDING SECTION 58-41-30, RELATING TO VOLUNTARY

RENEWABLE ENERGY PROGRAMS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS AND CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-41-10, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF "ENERGY STORAGE FACILITIES"; BY AMENDING SECTION 58-41-20, RELATING TO PROCEEDINGS FOR ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES AND RELATED PROCESSES, SO AS TO AUTHORIZE COMPETITIVE PROCUREMENT PROGRAMS FOR RENEWABLE ENERGY, CAPACITY, AND STORAGE, TO PERMIT COMPETITIVE PROCUREMENT OF NEW RENEWABLE ENERGY CAPACITY AND ESTABLISH REQUIREMENTS FOR NON-COMPETITIVE PROCUREMENT PROGRAMS, AND TO DELETE LANGUAGE REGARDING THE COMMISSION HIRING THIRD-PARTY EXPERTS FOR THESE PROCEEDINGS; BY ADDING SECTION 58-41-25 SO AS TO PROVIDE FOR A PROCESS FOR COMPETITIVE PROCUREMENT OF RENEWABLE ENERGY FACILITIES; BY AMENDING SECTION 58-33-20, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION "LIKE FACILITY"; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE FOR A LIKE FACILITY, TO ESTABLISH REQUIREMENTS AND CONSIDERATIONS FOR PROPOSED FACILITIES, TO PROVIDE WHAT ACTIONS MAY BE TAKEN WITHOUT PERMISSION FROM THE COMMISSION, AND TECHNICAL CHANGES; BY AMENDING SECTION 58-37-40, RELATING TO INTEGRATED RESOURCES PLANS, SO AS TO ADD CONSIDERATION OF A UTILITY'S TRANSMISSION AND DISTRIBUTION RESOURCE PLAN, TO ESTABLISH PROCEDURAL REQUIREMENTS AND EVALUATION BY THE COMMISSION, AND REQUIRE PARTIES TO BEAR THEIR OWN COSTS; BY AMENDING SECTION 58-3-260, RELATING TO COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES, SO AS TO MODIFY REQUIREMENTS FOR ALLOWABLE EX PARTE COMMUNICATIONS AND BRIEFINGS, AND TO PERMIT COMMISSION TOURS OF UTILITY PLANTS OR OTHER FACILITIES UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-3-270, RELATING TO EX PARTE COMMUNICATION COMPLAINT PROCEEDINGS AT THE ADMINISTRATIVE LAW COURT, SO AS TO PERMIT AN ORDER TOLLING ANY DEADLINES ON A PROCEEDING SUBJECT TO A

COMPLAINT TO THE EXTENT THE PROCEEDING WAS PREJUDICED SO THAT THE COMMISSION COULD NOT CONSIDER THE MATTER IMPARTIALLY; BY ADDING CHAPTER 43 TO TITLE 58 SO AS TO ESTABLISH ECONOMIC DEVELOPMENT RATES FOR ELECTRICAL UTILITIES; BY AMENDING SECTION 58-33-310, RELATING TO AN APPEAL FROM A FINAL ORDER OR DECISION OF THE COMMISSION, SO AS TO REQUIRE A FINAL ORDER ISSUED PURSUANT TO CHAPTER 33, TITLE 58 BE IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT AND TO PROVIDE FOR AN EXPEDITED HEARING; BY AMENDING SECTION 58-33-320, RELATING TO JOINT HEARINGS AND JOINT INVESTIGATIONS, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-4-160 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE ESTABLISHING A THIRD-PARTY ADMINISTRATOR FOR ENERGY EFFICIENCY AND DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO ADD A REFERENCE TO "DEMAND-SIDE MANAGEMENT PROGRAM" AND PROVIDE DEFINITIONS FOR "COST-EFFECTIVE" AND "DEMAND-SIDE MANAGEMENT PILOT PROGRAM"; BY AMENDING SECTION 58-37-20, RELATING TO COMMISSION PROCEDURES ENCOURAGING ENERGY EFFICIENCY PROGRAMS, SO AS TO EXPAND COMMISSION CONSIDERATIONS FOR COST-EFFECTIVE, DEMAND-SIDE MANAGEMENT PROGRAMS, AND REQUIRE EACH INVESTOR-OWNED ELECTRICAL UTILITY TO SUBMIT AN ANNUAL REPORT TO THE COMMISSION REGARDING ITS DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-37-35 SO AS TO PERMIT PROGRAMS AND CUSTOMER INCENTIVES TO ENCOURAGE OR PROMOTE DEMAND-SIDE MANAGEMENT PROGRAMS FOR CUSTOMER-SITED DISTRIBUTION RESOURCES, AND TO PROVIDE CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-37-50, RELATING TO AGREEMENTS FOR ENERGY EFFICIENCY AND CONSERVATION MEASURES, SO AS TO ESTABLISH CERTAIN TERMS AND RATE RECOVERY FOR AGREEMENTS FOR FINANCING AND INSTALLING ENERGY

EFFICIENCY AND CONSERVATION MEASURES, AND FOR APPLICATION TO A RESIDENCE OCCUPIED BEFORE THE MEASURES ARE TAKEN; BY ADDING SECTION 58-31-215 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY, IN CONSULTATION WITH THE DEPARTMENT OF COMMERCE, TO SERVE AS AN ANCHOR SUBSCRIBER OF NATURAL GAS AND PIPELINE CAPACITY FOR THIS STATE, TO ESTABLISH THE "ENERGY INVESTMENT AND ECONOMIC DEVELOPMENT FUND", AND TO PROVIDE FOR RELATED REQUIREMENTS; BY AMENDING SECTION 58-3-70, RELATING TO COMPENSATION OF PUBLIC SERVICE COMMISSION MEMBERS, SO AS TO ESTABLISH SALARIES IN AMOUNTS EQUAL TO NINETY-SEVEN AND ONE-HALF PERCENT OF SUPREME COURT ASSOCIATE JUSTICES.

Very respectfully,
Speaker of the House

Received as information.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 5246 -- Reps. Wetmore, Brittain, M.M. Smith, Stavrinakis, Hartnett, Leber, Gilliard, Bustos, Pendarvis, Jefferson, Landing and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-612 SO AS TO PROVIDE THAT THE BLACK SKIMMER IS THE OFFICIAL SEABIRD OF THE STATE.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 5246 -- Reps. Wetmore, Brittain, M.M. Smith, Stavrinakis, Hartnett, Leber, Gilliard, Bustos, Pendarvis, Jefferson, Landing and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-612 SO AS TO PROVIDE THAT THE BLACK SKIMMER IS THE OFFICIAL SEABIRD OF THE STATE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,
Speaker of the House

Received as information.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3313 -- Rep. Jordan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 30-5-10, RELATING TO THE PERFORMANCE OF THE DUTIES OF A REGISTER OF DEEDS, SO AS TO ADD FLORENCE COUNTY TO THE COUNTIES EXEMPT FROM THE REQUIREMENT THAT THESE DUTIES BE PERFORMED BY THE CLERK OF COURT; AND BY AMENDING SECTION 30-5-12, RELATING TO THE APPOINTMENT OF THE REGISTER OF DEEDS FOR CERTAIN COUNTIES, SO AS TO ADD FLORENCE COUNTY TO THE COUNTIES WHERE THE GOVERNING BODY OF THE COUNTY APPOINTS THE REGISTER OF DEEDS.

AMENDED, HOUSE BILL RETURNED

H. 3734 -- Reps. B. Newton, Cobb-Hunter and Felder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 5-15-10, RELATING TO THE CONDUCT OF MUNICIPAL PRIMARY, GENERAL, AND SPECIAL ELECTIONS, SO AS TO REQUIRE THAT ALL SUCH MUNICIPAL ELECTIONS BE CONDUCTED USING THE VOTING SYSTEM APPROVED AND ADOPTED BY THE STATE ELECTION COMMISSION; BY AMENDING SECTION 5-15-40, RELATING TO TERMS OF OFFICE OF MAYOR AND COUNCILMEN, SO AS TO PROVIDE THAT THE TERMS OF THE MAYOR AND COUNCILMEN COMMENCE THE MONDAY FOLLOWING CERTIFICATION OF THE ELECTION RESULTS; BY AMENDING SECTION 5-15-50, RELATING TO ESTABLISHMENT OF MUNICIPAL WARD LINES AND TIME FOR MUNICIPAL GENERAL AND SPECIAL ELECTIONS, SO AS TO, AMONG OTHER THINGS, REQUIRE THAT MUNICIPAL GENERAL ELECTIONS BE HELD ON ONE OF CERTAIN ENUMERATED DATES, PROHIBIT THE TERMS OF INCUMBENT COUNCIL MEMBERS FROM BEING EXTENDED WHEN A NEW TIME FOR MUNICIPAL GENERAL ELECTIONS IS ESTABLISHED, AND REQUIRE MUNICIPAL SPECIAL

ELECTIONS SCHEDULED TO OCCUR WITHIN CERTAIN TIME FRAMES OF THE MUNICIPALITY'S GENERAL ELECTION TO BE HELD AT THE SAME TIME AS THE GENERAL ELECTION; BY AMENDING SECTION 5-15-100, RELATING TO FUNCTIONS, POWERS, AND DUTIES OF MUNICIPAL ELECTION COMMISSIONS, SO AS TO EXTEND THE TIME FRAME BY WHICH A MUNICIPAL ELECTION COMMISSION MUST MEET AND DECLARE THE RESULTS FOLLOWING AN ELECTION; BY AMENDING SECTION 5-15-120, RELATING TO VOTE COUNTING IN MUNICIPAL ELECTIONS, SO AS TO CHANGE THE TIME WHEN NEWLY ELECTED OFFICERS MAY BE QUALIFIED AND THEIR TERMS COMMENCE TO THE MONDAY AFTER CERTIFICATION OF THE ELECTION RESULTS; AND BY AMENDING SECTION 5-15-145, RELATING TO TRANSFER OF AUTHORITY TO CONDUCT MUNICIPAL ELECTIONS TO COUNTY ELECTION COMMISSIONS, SO AS TO REQUIRE COUNTY ELECTION COMMISSIONS TO CONDUCT MUNICIPAL ELECTIONS FOR MUNICIPALITIES THAT ELECT TO TRANSFER AUTHORITY.

The Senate proceeded to consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-3734.PB0031S), which was withdrawn:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

SECTION X. Chapter 15, Title 5 of the S.C. Code is amended by adding:

Section 5-15-45. (A) Notwithstanding Section 5-15-40, if the unexpired four-year term of a mayor or member of council began following a general election held:

(1) in 2020, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 8, 2025, or November 4, 2025, as applicable;

(2) in 2021, or February 2022 due to a delayed October 2021 General Election, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 8, 2025, or November 4, 2025, as applicable;

(3) in 2022, other than a general election delayed from October 2021 until February 2022, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 6, 2027, or November 2, 2027, as applicable;

(4) in 2023, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 6, 2027, or November 2, 2027, as applicable; or

(5) in 2024, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 3, 2029, or November 6, 2029, as applicable.

(B) Notwithstanding Section 5-15-40, if the current unexpired two-year term of a mayor or member of council began following a general election held:

(1) in 2022 or 2023, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 8, 2025, or November 4, 2025, as applicable; or

(2) in 2024, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 6, 2027, or November 2, 2027, as applicable.

Amend the bill further, SECTION 2.A., by deleting A. and renaming SECTION 2 and striking Section 5-15-50(B), (C), and (D) and inserting:

(B) The time for general elections within a municipality must be established in odd-numbered years as follows:

(1) on the first Tuesday after the first Monday in April; or

(2)on the first Tuesday after the first Monday in November.

(C) If the first Tuesday after the first Monday in November of odd-numbered years is the time for general elections in a municipality on or after the effective date of this section, then the municipal governing body must not establish a different time for its general elections.

(D) If within ninety days of the effective date of this section, a municipal governing body fails to establish by ordinance a time for its general elections as provided in subsection (B), then the time for the general elections within that municipality is the first Tuesday after the first Monday in November in odd-numbered years.

Amend the bill further, by deleting SECTION 2.B.

Amend the bill further, SECTION 4, by striking Section 5-15-100(A) and inserting:

(A) The municipal election commission shall ~~be vested with the functions, powers and duties of Municipal Supervisors of Registration if no such supervisors have been appointed pursuant to § 7-5-640, and shall also~~ have the functions, powers and duties of commissioners of election, as set forth in ~~§~~Section 7-5-10 and other provisions of Title 7. The municipal election commission shall ~~insure~~ensure proper books of registration are provided for each ward or precinct, shall prepare and

distribute ballots and election materials, appoint managers of election for each polling place and otherwise supervise and conduct all municipal, special and general elections. The managers shall ~~certify~~ provide the unofficial results ~~of the election~~ to the commission within one day. ~~and~~ The commission shall ~~declare~~ certify the results not later than three days following the election.

Amend the bill further, SECTION 5, by striking Section 5-15-120(B) and (C) and inserting:

(B)~~Newly elected officers shall not be qualified until at least forty-eight hours after the closing of the polls and In the case a contest is finally filed the incumbents shall hold over until the contest is finally determined.~~ A municipal governing body may by ordinance determine when the terms of its newly elected officers begin, provided the terms must begin no earlier than forty-eight hours after the certification of the election results and no later than eighty days after the day of the election. If a municipality does not have an ordinance determining when the terms of its newly elected officers begin, then the terms of the newly elected officers in the municipality begin at the first regular meeting of its council in the month following the election.

(C) A candidate who is declared elected by certification of the election results has the right to take the oath of office and to perform the duties of the office pending the outcome of an appeal unless a court of competent jurisdiction directs otherwise.

Amend the bill further, by adding appropriately numbered SECTIONS to read:

SECTION X. Section 5-15-130 of the S.C. Code is amended to read:

Section 5-15-130. (A)~~Within forty-eight hours after the closing of the polls, any~~ A candidate may contest the result of the election ~~as reported by the managers~~ by filing a written notice of such contest together with a concise statement of the grounds therefor with the Municipal Election Commission not later than noon on the Monday following the certification of the results. If the deadline falls on a legal holiday, then the time for filing a written notice extends to noon on the next day that is not a legal holiday. ~~Within forty-eight hours after the filing of such notice, the~~ The Municipal Election Commission shall, after due notice to the parties concerned, conduct a hearing on the contest on the Thursday following the deadline for filing the contest~~,~~. The commission must decide the issues raised, file its report together with all recorded testimony and exhibits with the clerk of court of the county in which the municipality is situated, notify the parties concerned of the

decisions made, and when the decision invalidates the election the council shall order a new election as to the parties concerned.

(B) Neither the mayor nor any member of council shall be eligible to pass on the issues arising in any contest in which he is a party.

SECTION X. Section 5-15-140 of the S.C. Code is amended to read:

Section 5-15-140. Within ten days after notice of the decision of the municipal election commission, any party aggrieved thereby may appeal from such decision to the court of common pleas. Notice of appeal shall be served on the opposing parties or their attorneys and filed in the office of the clerk of court within ten days. ~~The notice of appeal shall act as a stay of further proceedings pending the appeal.~~Appeals shall be granted first priority of consideration by the court.

Amend the bill further, by striking SECTION 6 and SECTION 7 and inserting:

SECTION X. Section 5-15-145 of the S.C. Code is amended to read:

Section 5-15-145. (A) ~~Municipalities are~~A municipality is authorized to transfer authority for conducting municipal elections to the county board of voter registration and elections ~~commission~~. County boards of voter registration and elections ~~commissions are authorized to~~shall conduct municipal elections for municipalities that elect to transfer authority for conducting municipal elections pursuant to the provisions of this section.

(B) As a condition of the transfer of authority to conduct elections pursuant to this section, the governing bodies of the municipality and the county must agree to the terms of the transfer and enact ordinances embodying the terms of that agreement. The municipal ordinance must state what authority is being transferred and the county ordinance must accept the authority being transferred.

(C) When the total responsibility for the conduct of a municipal election is transferred to a county ~~election commission~~board of voter registration and elections, pursuant to the provisions of this section, the municipal election commission is abolished.

(D) If the municipality, by ordinance transfers a portion of the responsibilities for the conduct of a municipal election to a county ~~election commission~~board of voter registration and elections, the municipality shall not abolish the municipal election commission.

(E) A municipality which by ordinance transfers authority for conducting municipal elections to the county ~~election commission~~board of voter registration and elections under this section may by ordinance set the filing dates for municipal offices, and the date by which candidates must be certified to the appropriate authority to be placed on

the ballot, to run concurrently with the filing dates set by law for countywide and less than countywide offices or other filing dates as may be mutually agreed upon between the municipality and the county ~~election commission~~board of voter registration and elections.

SECTION X. Section 7-3-20(D)(19) of the S.C. Code is amended to read:

(19) establish methods of auditing election results, which may include risk-limiting audits, hand-count audits, results verification through independent third-party vendors that specialize in election auditing, ballot reconciliation, or any other method deemed appropriate by the executive director. Election result audits must be conducted in all statewide elections after the election concludes, but prior to certification by the State Board of Canvassers, and may be performed following any other election held in the State at the discretion of the executive director. A hand-count audit must be conducted publicly. Once completed, audit reports must be published on the commission's website.

SECTION X. Section 7-13-1160 of the S.C. Code is amended to read:

Section 7-13-1160. ~~Within twenty-four hours of the completion of the canvassing and counting of ballots, the persons in charge of each such election in each county shall notify the State Election Commission of the unofficial results of such election in each such county; provided, however, that failure to comply with the provisions of this section shall not invalidate the votes cast therein~~ The unofficial election results returned by the managers to the county boards of voter registration and elections must be reported continuously and without undue delay in the manner prescribed by the State Election Commission.

SECTION X. Section 7-15-420(D) and (E) of the S.C. Code is amended to read:

(D) Beginning no earlier than 7:00 a.m. on election day, the absentee ballots may be tabulated, ~~including any absentee ballots received on election day before the polls are closed~~ and the tabulated data collected from those ballots and from the ballots cast during the early voting period may be loaded into the election management system. If any absentee ballot is challenged, the return-addressed envelope must not be opened, but must be put aside and the procedure set forth in Section 7-13-830 must be utilized; but the absentee voter must be given reasonable notice of the challenged ballot.

(E) Results of the early voting period and absentee ballot tabulation must not be publicly reported until after the polls are closed. An election official, election worker, candidate, or watcher who intentionally violates the prohibition contained in this subsection is guilty of a felony

and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years.

SECTION 7. This act takes effect upon approval by the Governor except that the revisions to Sections 5-15-45 and 5-15-50 take effect July 1, 2024.

Renumber sections to conform.

Amend title to conform.

On motion of Senator CAMPSEN, with unanimous consent, the amendment was withdrawn.

Senators CAMPSEN, McELVEEN and GUSTAFSON proposed the following amendment (SFGF-3734.BC0038S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Chapter 15, Title 5 of the S.C. Code is amended by adding:

Section 5-15-45. (A) Notwithstanding Section 5-15-40, if the unexpired four-year term of a mayor or member of council began following a general election held:

(1) in 2020, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 8, 2025, or November 4, 2025, as applicable;

(2) in 2021, or February 2022 due to a delayed October 2021 General Election, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 8, 2025, or November 4, 2025, as applicable;

(3) in 2022, other than a general election delayed from October 2021 until February 2022, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 6, 2027, or November 2, 2027, as applicable;

(4) in 2023, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 6, 2027, or November 2, 2027, as applicable; or

(5) in 2024, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 3, 2029, or November 6, 2029, as applicable.

(B) Notwithstanding Section 5-15-40, if the current unexpired two-year term of a mayor or member of council began following a general election held:

(1) in 2022 or 2023, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 8, 2025, or November 4, 2025, as applicable; or

(2) in 2024, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 6, 2027, or November 2, 2027, as applicable.

(C) The provisions of this section do not apply to a municipality whose general elections are held on the first Tuesday after the first Monday in April in even-numbered years or the first Tuesday after the first Monday in November in even-numbered years as provided in Section 5-15-50(E).

SECTION 2. Section 5-15-50 of the S.C. Code is amended to read:

Section 5-15-50. (A) Each municipal governing body may by ordinance establish municipal ward lines and the time for general and special elections within the municipality in accordance with the provisions of this section. Public notice of the elections shall be given at least sixty days prior to such elections.

(B) The time for general elections within a municipality must be established in odd-numbered years as follows:

(1) on the first Tuesday after the first Monday in April; or

(2) on the first Tuesday after the first Monday in November.

(C) If the first Tuesday after the first Monday in November of odd-numbered years is the time for general elections within a municipality on or after the effective date of this section, then the municipal governing body must not establish a different time for its general elections.

(D) If within ninety days of the effective date of this section a municipal governing body fails to establish by ordinance a time for its general elections as provided in subsection (B), then the time for the general elections within that municipality is the first Tuesday after the first Monday in November in odd-numbered years unless subsection (E) applies.

(E) Notwithstanding another provision of this section, if the most recently held general elections within a municipality, as of the effective date of this section, were on the first Tuesday after the first Monday in April in even-numbered years, or on the first Tuesday after the first Monday in November in even-numbered years, then the municipality may retain the first Tuesday after the first Monday in April in even-numbered years, or the first Tuesday after the first Monday in November in even-numbered years, as applicable, for the date for its general elections.

SECTION 3. Section 5-15-100 of the S.C. Code is amended to read:

Section 5-15-100. (A) The municipal election commission shall ~~be vested with the functions, powers and duties of Municipal Supervisors of Registration if no such supervisors have been appointed pursuant to § 7-5-640, and shall also~~ have the functions, powers and duties of commissioners of election, as set forth in ~~§~~Section 7-5-10 and other provisions of Title 7. The municipal election commission shall ~~insure~~ensure proper books of registration are provided for each ward or precinct, shall prepare and distribute ballots and election materials, appoint managers of election for each polling place and otherwise supervise and conduct all municipal, special and general elections. The managers shall ~~certify~~ provide the unofficial results ~~of the election~~ to the commission within one day. ~~and the~~ The commission shall ~~declare~~certify the results not later than three days following the election.

(B) Nominees in a party primary or party convention and nominees by petition shall be certified to the municipal election commission within the time specified herein and when so certified, the commission shall place the names of such nominees upon the ballots.

SECTION 4. Section 5-15-120 of the S.C. Code is amended to read:

Section 5-15-120. (A) Immediately upon the closing of the polls at any municipal election, the managers shall count publicly the votes cast and make a statement of the whole number of votes cast in such election together with the number of votes cast for each candidate for mayor and councilman and transmit this information to the municipal election commission. In partisan elections the person securing the highest number of votes for mayor shall be declared elected and the councilmen shall be selected by the following methods:

~~(a)~~(1) When all councilmen are to be elected at large, the persons receiving the highest number of votes in number equal to the number to be chosen shall be declared elected.

~~(b)~~(2) When the councilmen are to be elected from each ward and are required to be residents of that ward, the person receiving the highest number of votes in that ward shall be declared elected.

~~(c)~~(3) When some councilmen are to be elected from each ward and required to be residents of that ward and the remainder of the councilmen to be elected at large, those persons receiving the highest number of votes in each ward shall be declared elected and those persons running at large who receive the highest number of votes in number equal to the number to be chosen at large shall be declared elected.

~~(d)~~(4) When all councilmen are to be elected at large, but required to reside in a particular ward, the person receiving the highest number of votes for the seat to be filled shall be declared elected.

~~(e)~~(5) When all councilmen are to be elected at large, but some are required to be residents of particular wards and other councilmen may not be so required, the person receiving the highest number of votes for the seat to be filled shall be declared elected.

(B) ~~Newly elected officers shall not be qualified until at least forty-eight hours after the closing of the polls and in the case a contest is finally filed the incumbents shall hold over until the contest is finally determined.~~A municipal governing body may by ordinance determine when the terms of its newly elected officers begin, provided the terms must begin no earlier than forty-eight hours after the certification of the election results and no later than eighty days after the day of the election. If a municipality does not have an ordinance determining when the terms of its newly elected officers begin, then the terms of the newly elected officers in the municipality begin at the first regular meeting of its council in the month following the election.

(C) A candidate who is declared elected by certification of the election results has the right to take the oath of office and to perform the duties of the office pending the outcome of an appeal unless a court of competent jurisdiction directs otherwise.

SECTION 5. Section 5-15-130 of the S.C. Code is amended to read:

Section 5-15-130. (A) ~~Within forty-eight hours after the closing of the polls, any~~A candidate may contest the result of the election ~~as reported by the managers~~ by filing a written notice of such contest together with a concise statement of the grounds therefor with the Municipal Election Commission not later than noon on the Monday following the certification of the results. If the deadline falls on a legal holiday, then the time for filing a written notice extends to noon on the next day that is not a legal holiday. ~~Within forty-eight hours after the filing of such notice, the~~The Municipal Election Commission shall, after due notice to the parties concerned, conduct a hearing on the contest~~,~~ on the Thursday following the deadline for filing the contest. The commission must decide the issues raised, file its report together with all recorded testimony and exhibits with the clerk of court of the county in which the municipality is situated, notify the parties concerned of the decisions made, and when the decision invalidates the election the council shall order a new election as to the parties concerned.

(B) Neither the mayor nor any member of council shall be eligible to pass on the issues arising in any contest in which he is a party.

SECTION 6. Section 5-15-140 of the S.C. Code is amended to read:

Section 5-15-140. Within ten days after notice of the decision of the municipal election commission, any party aggrieved thereby may appeal

from such decision to the court of common pleas. Notice of appeal shall be served on the opposing parties or their attorneys and filed in the office of the clerk of court within ten days. ~~The notice of appeal shall act as a stay of further proceedings pending the appeal.~~Appeals shall be granted first priority of consideration by the court.

SECTION 7. Section 5-15-145 of the S.C. Code is amended to read:

Section 5-15-145. (A) ~~Municipalities are~~A municipality is authorized to transfer authority for conducting municipal elections to the county board of voter registration and elections ~~commission~~. County boards of voter registration and elections ~~commissions are authorized to~~shall conduct municipal elections for municipalities that elect to transfer authority for conducting municipal elections pursuant to the provisions of this section.

(B) As a condition of the transfer of authority to conduct elections pursuant to this section, the governing bodies of the municipality and the county must agree to the terms of the transfer and enact ordinances embodying the terms of that agreement. The municipal ordinance must state what authority is being transferred and the county ordinance must accept the authority being transferred.

(C) When the total responsibility for the conduct of a municipal election is transferred to a county ~~election commission~~board of voter registration and elections, pursuant to the provisions of this section, the municipal election commission is abolished.

(D) If the municipality, by ordinance transfers a portion of the responsibilities for the conduct of a municipal election to a county ~~election commission~~board of voter registration and elections, the municipality shall not abolish the municipal election commission.

(E) A municipality which by ordinance transfers authority for conducting municipal elections to the county ~~election commission~~board of voter registration and elections under this section may by ordinance set the filing dates for municipal offices, and the date by which candidates must be certified to the appropriate authority to be placed on the ballot, to run concurrently with the filing dates set by law for countywide and less than countywide offices or other filing dates as may be mutually agreed upon between the municipality and the county ~~election commission~~board of voter registration and elections.

SECTION 8. Section 7-3-20(D)(19) of the S.C. Code is amended to read:

(19) establish methods of auditing election results, which may include risk-limiting audits, hand-count audits, results verification through independent third-party vendors that specialize in election auditing,

ballot reconciliation, or any other method deemed appropriate by the executive director. Election result audits must be conducted in all statewide elections after the election concludes, but prior to certification by the State Board of Canvassers, and may be performed following any other election held in the State at the discretion of the executive director. A hand-count audit must be conducted publicly. Once completed, audit reports must be published on the commission's website.

SECTION 9. Section 7-13-1160 of the S.C. Code is amended to read:

Section 7-13-1160. ~~Within twenty-four hours of the completion of the canvassing and counting of ballots, the persons in charge of each such election in each county shall notify the State Election Commission of the unofficial results of such election in each such county; provided, however, that failure to comply with the provisions of this section shall not invalidate the votes cast therein~~The unofficial election results returned by the managers to the county boards of voter registration and elections must be reported continuously and without undue delay in the manner prescribed by the State Election Commission.

SECTION 10. Section 7-15-420 (D) and (E) of the S.C. Code is amended to read:

(D) Beginning no earlier than 7:00 a.m. on election day, the absentee ballots may be tabulated, ~~including any absentee ballots received on election day before the polls are closed~~ and the tabulated data collected from those ballots and from the ballots cast during the early voting period may be loaded into the election management system. If any absentee ballot is challenged, the return-addressed envelope must not be opened, but must be put aside and the procedure set forth in Section 7-13-830 must be utilized; but the absentee voter must be given reasonable notice of the challenged ballot.

(E) Results of the early voting period and absentee ballot tabulation must not be publicly reported until after the polls are closed. An election official, election worker, candidate, or watcher who intentionally violates the prohibition contained in this subsection is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years.

SECTION 11. This act takes effect upon approval by the Governor except that the revisions to Sections 5-15-45 and 5-15-50 take effect July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

Senators YOUNG and CAMPSEN proposed the following amendment (SFGF-3734.BC0040S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 7-13-110 of the S.C. Code is amended to read:

Section 7-13-110. Each chairman and clerk appointed from among the managers of election for the various polling places must be a resident and registered elector of the respective county in which he is appointed to work or in an adjoining county. All managers of election who are not appointed to serve as chairmen or clerks for the various polling places in the State must be residents and registered electors of the State of South Carolina. Any person qualified to serve as a manager who requests to work in his resident county or an adjoining county must be given priority over qualified persons from other counties for appointment to work in the resident county or an adjoining county. Any ~~person~~citizen of this State and of the United States at least sixteen years of age who has completed the training required by Section 7-13-72 and who is not otherwise disqualified by law may be appointed as a poll manager's assistant by the appropriate county board of voter registration and elections. A sixteen- or seventeen-year-old appointed as a poll manager's assistant may not serve as chairman of the managers or clerk in the polling place to which he or she is appointed. Sixteen- and seventeen-year-olds must serve under supervision of the chairman of the managers of the polling place, and their specific duties must be prescribed by the county board of voter registration and elections. One sixteen- or seventeen-year-old assistant poll manager may be appointed for every two regular poll managers appointed to work in a precinct.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

Senator MATTHEWS moved to lay the amendment on the table.

The Senate refused to table the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Senator CAMPSEN proposed the following amendment (SFGF-3734.BC0042S), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Chapter 15, Title 5 of the S.C. Code is amended by adding:

Section 5-15-45. (A) Notwithstanding Section 5-15-40, if the unexpired four-year term of a mayor or member of council began following a general election held:

(1) in 2020, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 8, 2025, or November 4, 2025, as applicable;

(2) in 2021, or February 2022 due to a delayed October 2021 General Election, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 8, 2025, or November 4, 2025, as applicable;

(3) in 2022, other than a general election delayed from October 2021 until February 2022, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 6, 2027, or November 2, 2027, as applicable;

(4) in 2023, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 6, 2027, or November 2, 2027, as applicable; or

(5) in 2024, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 3, 2029, or November 6, 2029, as applicable.

(B) Notwithstanding Section 5-15-40, if the current unexpired two-year term of a mayor or member of council began following a general election held:

(1) in 2022 or 2023, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 8, 2025, or November 4, 2025, as applicable; or

(2) in 2024, then the term expires on the date terms begin for newly elected officers in the municipality following the general election to be held on April 6, 2027, or November 2, 2027, as applicable.

(C) The provisions of this section do not apply to a municipality whose general elections are held on the first Tuesday after the first Monday in April in even-numbered years or the first Tuesday after the first Monday in November in even-numbered years as provided in Section 5-15-50(E).

SECTION 2. Section 5-15-50 of the S.C. Code is amended to read:

Section 5-15-50. (A) Each municipal governing body may by ordinance establish municipal ward lines and the time for general and special elections within the municipality in accordance with the provisions of this section. Public notice of the elections shall be given at least sixty days prior to such elections.

(B) The time for general elections within a municipality must be established in odd-numbered years as follows:

(1) on the first Tuesday after the first Monday in April; or

(2) on the first Tuesday after the first Monday in November.

(C) If the first Tuesday after the first Monday in November of odd-numbered years is the time for general elections within a municipality on or after the effective date of this section, then the municipal governing body must not establish a different time for its general elections.

(D) If within ninety days of the effective date of this section a municipal governing body fails to establish by ordinance a time for its general elections as provided in subsection (B), then the time for the general elections within that municipality is the first Tuesday after the first Monday in November in odd-numbered years unless subsection (E) applies.

(E) Notwithstanding another provision of this section, if the most recently held general elections within a municipality, as of the effective date of this section, were on the first Tuesday after the first Monday in April in even-numbered years, or on the first Tuesday after the first Monday in November in even-numbered years, then the municipality may retain the first Tuesday after the first Monday in April in even-numbered years, or the first Tuesday after the first Monday in November in even-numbered years, as applicable, for the date for its general elections.

SECTION 3. Section 5-15-100 of the S.C. Code is amended to read:

Section 5-15-100. (A) The municipal election commission shall ~~be vested with the functions, powers and duties of Municipal Supervisors of Registration if no such supervisors have been appointed pursuant to § 7-5-640, and shall also~~ have the functions, powers and duties of commissioners of election, as set forth in ~~§~~Section 7-5-10 and other provisions of Title 7. The municipal election commission shall ~~insure~~ensure proper books of registration are provided for each ward or precinct, shall prepare and distribute ballots and election materials, appoint managers of election for each polling place and otherwise supervise and conduct all municipal, special and general elections. The managers shall ~~certify~~ provide the unofficial results ~~of the election~~ to the

commission within one day. ~~and the~~ The commission shall ~~declare~~certify the results not later than three days following the election.

(B) Nominees in a party primary or party convention and nominees by petition shall be certified to the municipal election commission within the time specified herein and when so certified, the commission shall place the names of such nominees upon the ballots.

SECTION 4. Section 5-15-120 of the S.C. Code is amended to read:

Section 5-15-120. (A) Immediately upon the closing of the polls at any municipal election, the managers shall count publicly the votes cast and make a statement of the whole number of votes cast in such election together with the number of votes cast for each candidate for mayor and councilman and transmit this information to the municipal election commission. In partisan elections the person securing the highest number of votes for mayor shall be declared elected and the councilmen shall be selected by the following methods:

~~(a)~~(1) When all councilmen are to be elected at large, the persons receiving the highest number of votes in number equal to the number to be chosen shall be declared elected.

~~(b)~~(2) When the councilmen are to be elected from each ward and are required to be residents of that ward, the person receiving the highest number of votes in that ward shall be declared elected.

~~(c)~~(3) When some councilmen are to be elected from each ward and required to be residents of that ward and the remainder of the councilmen to be elected at large, those persons receiving the highest number of votes in each ward shall be declared elected and those persons running at large who receive the highest number of votes in number equal to the number to be chosen at large shall be declared elected.

~~(d)~~(4) When all councilmen are to be elected at large, but required to reside in a particular ward, the person receiving the highest number of votes for the seat to be filled shall be declared elected.

~~(e)~~(5) When all councilmen are to be elected at large, but some are required to be residents of particular wards and other councilmen may not be so required, the person receiving the highest number of votes for the seat to be filled shall be declared elected.

(B) ~~Newly elected officers shall not be qualified until at least forty-eight hours after the closing of the polls and in the case a contest is finally filed the incumbents shall hold over until the contest is finally determined.~~A municipal governing body may by ordinance determine when the terms of its newly elected officers begin, provided the terms must begin no earlier than forty-eight hours after the certification of the election results and no later than eighty days after the day of the election.

If a municipality does not have an ordinance determining when the terms of its newly elected officers begin, then the terms of the newly elected officers in the municipality begin at the first regular meeting of its council in the month following the election.

(C) A candidate who is declared elected by certification of the election results has the right to take the oath of office and to perform the duties of the office pending the outcome of an appeal unless a court of competent jurisdiction directs otherwise.

SECTION 5. Section 5-15-130 of the S.C. Code is amended to read:

Section 5-15-130. (A) ~~Within forty-eight hours after the closing of the polls, any~~A candidate may contest the result of the election ~~as reported by the managers~~ by filing a written notice of such contest together with a concise statement of the grounds therefor with the Municipal Election Commission not later than noon on the Monday following the certification of the results. If the deadline falls on a legal holiday, then the time for filing a written notice extends to noon on the next day that is not a legal holiday. ~~Within forty-eight hours after the filing of such notice, the~~The Municipal Election Commission shall, after due notice to the parties concerned, conduct a hearing on the contest~~,~~ on the Thursday following the deadline for filing the contest. The commission must decide the issues raised, file its report together with all recorded testimony and exhibits with the clerk of court of the county in which the municipality is situated, notify the parties concerned of the decisions made, and when the decision invalidates the election the council shall order a new election as to the parties concerned.

(B) Neither the mayor nor any member of council shall be eligible to pass on the issues arising in any contest in which he is a party.

SECTION 6. Section 5-15-140 of the S.C. Code is amended to read:

Section 5-15-140. Within ten days after notice of the decision of the municipal election commission, any party aggrieved thereby may appeal from such decision to the court of common pleas. Notice of appeal shall be served on the opposing parties or their attorneys and filed in the office of the clerk of court within ten days. ~~The notice of appeal shall act as a stay of further proceedings pending the appeal.~~Appeals shall be granted first priority of consideration by the court.

SECTION 7. Section 5-15-145 of the S.C. Code is amended to read:

Section 5-15-145. (A) ~~Municipalities are~~A municipality is authorized to transfer authority for conducting municipal elections to the county board of voter registration and elections ~~commission~~. County boards of voter registration and elections ~~commissions are authorized to~~shall conduct municipal elections for municipalities that elect to

transfer authority for conducting municipal elections pursuant to the provisions of this section.

(B) As a condition of the transfer of authority to conduct elections pursuant to this section, the governing bodies of the municipality and the county must agree to the terms of the transfer and enact ordinances embodying the terms of that agreement. The municipal ordinance must state what authority is being transferred and the county ordinance must accept the authority being transferred.

(C) When the total responsibility for the conduct of a municipal election is transferred to a county ~~election commission~~board of voter registration and elections, pursuant to the provisions of this section, the municipal election commission is abolished.

(D) If the municipality, by ordinance transfers a portion of the responsibilities for the conduct of a municipal election to a county ~~election commission~~board of voter registration and elections, the municipality shall not abolish the municipal election commission.

(E) A municipality which by ordinance transfers authority for conducting municipal elections to the county ~~election commission~~board of voter registration and elections under this section may by ordinance set the filing dates for municipal offices, and the date by which candidates must be certified to the appropriate authority to be placed on the ballot, to run concurrently with the filing dates set by law for countywide and less than countywide offices or other filing dates as may be mutually agreed upon between the municipality and the county ~~election commission~~board of voter registration and elections.

SECTION 8. Section 7-3-20(D)(19) of the S.C. Code is amended to read:

(19) establish methods of auditing election results, which may include risk-limiting audits, hand-count audits, results verification through independent third-party vendors that specialize in election auditing, ballot reconciliation, or any other method deemed appropriate by the executive director. Election result audits must be conducted in all statewide elections after the election concludes, but prior to certification by the State Board of Canvassers, and may be performed following any other election held in the State at the discretion of the executive director. A hand-count audit must be conducted publicly. Once completed, audit reports must be published on the commission's website.

SECTION 9. Section 7-13-1160 of the S.C. Code is amended to read:

Section 7-13-1160. ~~Within twenty-four hours of the completion of the canvassing and counting of ballots, the persons in charge of each such election in each county shall notify the State Election Commission of the~~

~~unofficial results of such election in each such county; provided, however, that failure to comply with the provisions of this section shall not invalidate the votes cast therein~~The unofficial election results returned by the managers to the county boards of voter registration and elections must be reported continuously and without undue delay in the manner prescribed by the State Election Commission.

SECTION 10. Section 7-15-420 (D) and (E) of the S.C. Code is amended to read:

(D) Beginning no earlier than 7:00 a.m. on election day, the absentee ballots may be tabulated, ~~including any absentee ballots received on election day before the polls are closed~~ and the tabulated data collected from those ballots and from the ballots cast during the early voting period may be loaded into the election management system. If any absentee ballot is challenged, the return-addressed envelope must not be opened, but must be put aside and the procedure set forth in Section 7-13-830 must be utilized; but the absentee voter must be given reasonable notice of the challenged ballot.

(E) Results of the early voting period and absentee ballot tabulation must not be publicly reported until after the polls are closed. An election official, election worker, candidate, or watcher who intentionally violates the prohibition contained in this subsection is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years.

SECTION 11. This act takes effect upon approval by the Governor except that the revisions to Sections 5-15-45 and 5-15-50 take effect July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 4

AYES

Adams	Alexander	Allen
Campsen	Climer	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Gustafson

Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Young	

Total--38

NAYS

Cash	Corbin	Loftis
Martin		

Total--4

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 915 -- Senators Peeler, Alexander, Setzler, Verdin, Davis, Hutto, Kimbrell, Young, Senn, Fanning and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO CREATE THE EXECUTIVE OFFICE OF HEALTH AND POLICY AND PROVIDE FOR THE DUTIES OF THE SECRETARY OF THE AGENCY; BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DISSOLVE SEVERAL DEPARTMENTS AND CREATE THE STATE OFFICE OF THE SECRETARY OF PUBLIC HEALTH AND POLICY; BY AMENDING SECTION 8-17-370, RELATING TO THE MEDIATION OF GRIEVANCES BY THE STATE HUMAN RESOURCES DIRECTOR SO AS TO ADD THE SECRETARY OF HEALTH AND POLICY, THE DIRECTORS OF THE COMPONENT

DEPARTMENTS OF THE EXECUTIVE OFFICE OF HEALTH AND POLICY, AND ALL DIRECT REPORTS TO THE SECRETARY AND TO DIRECTORS OF THE COMPONENT DEPARTMENTS; BY AMENDING SECTION 43-21-70, RELATING TO THE EMPLOYMENT OF THE DIRECTOR OF THE DEPARTMENT AND ADVISORY COUNCIL ON AGING, SO AS TO PROVIDE THAT THE SECRETARY OF HEALTH AND POLICY SHALL APPOINT A DIRECTOR TO BE THE ADMINISTRATIVE OFFICER OF THE DEPARTMENT ON AGING; AND TO REPEAL TITLE 44, CHAPTER 9 RELATING TO THE STATE DEPARTMENT OF MENTAL HEALTH.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator DAVIS, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS

S. 915 -- Senators Peeler, Alexander, Setzler, Verdin, Davis, Hutto, Kimbrell, Young, Senn, Fanning and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO CREATE THE EXECUTIVE OFFICE OF HEALTH AND POLICY AND PROVIDE FOR THE DUTIES OF THE SECRETARY OF THE AGENCY; BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DISSOLVE SEVERAL DEPARTMENTS AND CREATE THE STATE OFFICE OF THE SECRETARY OF PUBLIC HEALTH AND POLICY; BY AMENDING SECTION 8-17-370, RELATING TO THE MEDIATION OF GRIEVANCES BY THE STATE HUMAN RESOURCES DIRECTOR SO AS TO ADD THE SECRETARY OF HEALTH AND POLICY, THE DIRECTORS OF THE COMPONENT DEPARTMENTS OF THE EXECUTIVE OFFICE OF HEALTH AND POLICY, AND ALL DIRECT REPORTS TO THE SECRETARY AND

TO DIRECTORS OF THE COMPONENT DEPARTMENTS; BY AMENDING SECTION 43-21-70, RELATING TO THE EMPLOYMENT OF THE DIRECTOR OF THE DEPARTMENT AND ADVISORY COUNCIL ON AGING, SO AS TO PROVIDE THAT THE SECRETARY OF HEALTH AND POLICY SHALL APPOINT A DIRECTOR TO BE THE ADMINISTRATIVE OFFICER OF THE DEPARTMENT ON AGING; AND TO REPEAL TITLE 44, CHAPTER 9 RELATING TO THE STATE DEPARTMENT OF MENTAL HEALTH.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator DAVIS explained the House amendments.

Senator DAVIS proposed the following amendment, file path: SR-915.KM0033S.docx, which was adopted.

Senator DAVIS explained the amendment.

The question then was the adoption of the amendment.

The amendment, file path: SR-915.KM0033S.docx, was adopted.

Senator MARTIN proposed the following amendment (SR-915.JG0035S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 44-4-130 of the S.C. Code is amended to read:

(A) "Biological agent" means a microorganism, virus, infectious substance, naturally occurring or bioengineered product, or other biological material that could cause death, disease, or other harm to a human, an animal, a plant, or another living organism.

(B) "Bioterrorism" means the intentional use or threatened use of a biological agent to harm or endanger members of the public.

(C) "Chemical agent" means a poisonous chemical agent that has the capacity to cause death, disease, or other harm to a human, an animal, a plant, or another living organism.

(D) “Chemical terrorism” means the intentional use or threatened use of a chemical agent to harm or endanger members of the public.

(E) “Chain of custody” means the methodology of tracking specimens for the purpose of maintaining control and accountability from initial collection to final disposition of the specimens and providing for accountability at each stage of collecting, handling, testing, storing, and transporting the specimens and reporting test results.

(F) ~~“Commissioner”~~ “Director” means the ~~Commissioner~~ Director of the Department of Public Health ~~and Environmental Control~~.

(G) “Contagious disease” is an infectious disease that can be transmitted from person to person, animal to person, or insect to person.

(H) “Coroners, medical examiners, and funeral directors” have the same meanings as provided in Sections 17-5-5 and 40-19-10, respectively.

(I) ~~“DHEC”~~ “Department” means the Department of Public Health ~~and Environmental Control~~, or any person authorized to act on behalf of the Department of Public Health ~~and Environmental Control~~.

(J) “Facility” means any real property, building, structure, or other improvement to real property or any motor vehicle, rolling stock, aircraft, watercraft, or other means of transportation.

(K) “Gene therapy” means any product that mediates its effects by transcription or translation of transferred genetic material or by integrating into the host genome and that are administered as nucleic acids, viruses, or genetically engineered microorganisms.

~~(K)~~(L) “Health care facility” means any nonfederal institution, building, or agency or portion thereof, whether public or private (for-profit or nonprofit) that is used, operated, or designed to provide health services, medical treatment, or nursing, rehabilitative, or preventive care to any person or persons. This includes, but is not limited to, ambulatory surgical facilities, health maintenance organizations, home health agencies, hospices, hospitals, infirmaries, intermediate care facilities, kidney treatment centers, long-term care facilities, medical assistance facilities, mental health centers, outpatient facilities, public health centers, rehabilitation facilities, residential treatment facilities, skilled nursing facilities, and adult daycare centers. The term also includes, but is not limited to, the following related property when used for or in connection with the foregoing: laboratories, research facilities, pharmacies, laundry facilities, health personnel training and lodging facilities, and patient, guest, and health personnel food service facilities, and offices and office buildings for persons engaged in health care professions or services.

~~(L)~~(M) "Health care provider" means any person or entity who provides health care services including, but not limited to, hospitals, medical clinics and offices, special care facilities, medical laboratories, physicians, pharmacists, dentists, physician assistants, nurse practitioners, registered and other nurses, paramedics, firefighters who provide emergency medical care, emergency medical or laboratory technicians, and ambulance and emergency medical workers. This includes out-of-state medical laboratories, provided that such laboratories have agreed to the reporting requirements of South Carolina. Results must be reported by the laboratory that performs the test, but an in-state laboratory that sends specimens to an out-of-state laboratory is also responsible for reporting results.

~~(M)~~(N) "Infectious disease" is a disease caused by a living organism or virus. An infectious disease may, or may not, be transmissible from person to person, animal to person, or insect to person.

~~(N)~~(O) "Isolation" and "quarantine" mean the compulsory physical separation (including the restriction of movement or confinement) of individuals and/or groups believed to have been exposed to or known to have been infected with a contagious disease from individuals who are believed not to have been exposed or infected, in order to prevent or limit the transmission of the disease to others; if the context so requires, "quarantine" means compulsory physical separation, including restriction of movement, of populations or groups of healthy people who have been potentially exposed to a contagious disease, or to efforts to segregate these persons within specified geographic areas. "Isolation" means the separation and confinement of individuals known or suspected (via signs, symptoms, or laboratory criteria) to be infected with a contagious disease to prevent them from transmitting disease to others.

~~(O)~~(P) "Protected health information" means any information, whether oral, written, electronic, visual, pictorial, physical, or any other form, that relates to an individual's past, present, or future physical or mental health status, condition, treatment, service, products purchased, or provision of care, and that reveals the identity of the individual whose health care is the subject of the information, or where there is a reasonable basis to believe such information could be utilized (either alone or with other information that is, or reasonably should be known to be, available to predictable recipients of such information) to reveal the identity of that individual.

~~(P)~~(Q) "Public health emergency" means the occurrence or imminent risk of a qualifying health condition.

~~(Q)~~(R) "Public safety authority" means the Department of Public Safety, the State Law Enforcement Division, or designated persons authorized to act on behalf of the Department of Public Safety, the State Law Enforcement Division including, but not limited to, local governmental agencies that act principally to protect or preserve the public safety, or full-time commissioned law enforcement persons.

~~(R)~~(S) "Qualifying health condition" means:

(1) a natural disaster; or

~~(2)~~

Amend the bill further, SECTION 10001, Section 44-4-130(S)(1), by adding a subitem to read:

~~(S)~~(T) "Radioactive material" means a radioactive substance that has the capacity to cause bodily injury or death to a human, an animal, a plant, or another living organism.

~~(T)~~(U) "Radiological terrorism" means the intentional use or threatened use of a radioactive material to harm or endanger members of the public.

~~(U)~~(V) "Specimens" include, but are not limited to, blood, sputum, urine, stool, other bodily fluids, wastes, tissues, and cultures necessary to perform required tests, and environmental samples or other samples needed to diagnose potential chemical, biological, or radiological contamination.

~~(V)~~(W) "Tests" include, but are not limited to, any diagnostic or investigative analyses necessary to prevent the spread of disease or protect the public's health, safety, and welfare.

~~(W)~~(X) "Trial court" is the circuit court for the county in which the isolation or quarantine is to occur or to the circuit court for the county in which a public health emergency has been declared. If that court is unable to function because of the isolation, quarantine, or public health emergency, the trial court is a circuit court designated by the Chief Justice upon petition and proper showing by the Department of Public Health.

(Y) "Vaccine" means a suspension of attenuated or killed microorganisms, or of antigenic proteins derived from them, that is administered for prevention, amelioration, or treatment of infectious diseases.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Point of Order

Senator MATTHEWS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT overruled the Point of Order.

Senator MATTHEWS moved to table the amendment.

The motion failed.

The amendment was adopted.

Senator MARTIN proposed the following amendment (SR-915.JG0038S), which was adopted:

Amend the bill, as and if amended, SECTION 8.B., by striking Section 44-1-100 and inserting:

Section 44-1-100. ~~All~~ If so ordered by the Governor, all sheriffs and constables in the several counties of this State and police officers and health officers of cities and towns ~~must~~may aid and assist the Director of the Department of Public Health ~~and Environmental Control~~ and ~~must~~may carry out and obey his orders, or those of the Department of Public Health ~~and Environmental Control~~, to enforce and carry out any and all restrictive measures and quarantine regulations that may be prescribed. During a state of public health emergency, as defined in Section 44-4-130, the director may request assistance in enforcing orders issued pursuant to this chapter and pursuant to Chapter 4, Title 44, from the public safety authority, as defined in Section 44-4-130, other state law enforcement authorities, and local law enforcement. The public safety authority may request assistance from the South Carolina National Guard in enforcing orders made pursuant to this chapter or pursuant to Chapter 4, Title 44, which may be deployed or activated only upon order of the Governor.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Senator MARTIN proposed the following amendment (SR-915.JG0039S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 44-4-510 of the S.C. Code is amended to read:

Section 44-4-510. (A)(1) During a state of public health emergency, ~~DHEC~~ the department may perform voluntary physical examinations or tests as necessary for the diagnosis or treatment of individuals.

(2) ~~DHEC~~ The department may isolate or quarantine, pursuant to the sections of this act and its existing powers under Section 44-1-140, any symptomatic person or person who has been exposed to the contagious disease for which the public health emergency has been declared whose refusal of physical examination or testing results in uncertainty regarding whether he or she ~~has been exposed to or~~ is infected with ~~a~~ the contagious disease ~~or possibly contagious disease or otherwise poses a danger to public health~~.

(B)(1) Physical examinations or tests may be performed by any qualified person authorized to do so by ~~DHEC~~the department.

(2) Physical examinations or tests must not be reasonably likely to result in serious harm to the affected individual.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Senator MARTIN proposed the following amendment (SR-915.JG0044S), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. Section 44-4-520 of the S.C. Code is amended to read:

Section 44-4-520. (A) During a state of public health emergency, ~~DHEC~~ the department may exercise the following emergency powers, in addition to its existing powers, over persons as necessary to address the public health emergency:

(1) to vaccinate persons as protection against infectious disease and to prevent the spread of contagious ~~or possibly contagious~~ disease;

(2) to treat persons exposed to or infected with disease; and

(3) to ~~prevent the spread of contagious or possibly contagious disease, DHEC may~~ isolate or quarantine, pursuant to the applicable sections of this act, symptomatic persons or persons exposed to the disease who are unable or unwilling for any reason ~~(~~including, but not limited to, health, religion, or conscience~~)~~ to undergo vaccination or treatment pursuant to this section.

(B) Vaccinations or treatment, or both, must be provided only to those individuals who ~~agree~~ provide informed consent to the vaccinations or treatment, or both.

(C)(1) ~~Vaccination~~ Vaccinations may be performed by any qualified person authorized by ~~DHEC~~ the department.

(2) To be administered pursuant to this section, a vaccine must not be such as is reasonably likely to lead to serious harm to the affected individual.

(D)(1) Treatment must be administered by any qualified person authorized to do so by ~~DHEC.~~ the department.

(2) Treatment must not be such as is reasonably likely to lead to serious harm to the affected individual.

(E) For purposes of this section, "informed consent" means a written document that is signed and dated by an individual; or if the individual is a minor, by a parent or legal guardian; or if the individual is incapacitated or without sufficient mental capacity, by a designated health care agent pursuant to a health care power of attorney, that at a minimum includes:

(1) an explanation of the vaccine or treatment that is written in language that is understandable to the average lay person;

(2) a description of the potential risks and benefits resulting from vaccine or treatment, along with a realistic description of the most likely outcome;

(3) a statement acknowledging risks associated with the vaccine or treatment if the vaccine or treatment is an indemnified product; and

(4) language that clearly indicates that the individual agrees to the administration of the vaccine or treatment, that the individual has had time to thoughtfully and voluntarily accept or decline the vaccine or treatment free from coercion.

(F) The safety and efficacy of vaccines, tests, and treatments performed and administered as provided in this section must be reviewed and adverse events monitored by the department. References to

evidence-based data determined to validate vaccines, tests, and treatments including, but not limited to VAERS data, must be prominently posted on the department's public website.

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3748 -- Reps. Caskey, Wooten, Wetmore, Hartnett, Erickson, W. Newton, Pope, Robbins, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-11-680, RELATING TO THE UNLAWFUL ALTERATION OR REMOVAL OF BOUNDARY LANDMARKS, SO AS TO CLARIFY THAT THE SECTION PROHIBITS MOVING, ALTERING, DESTROYING, OR REMOVING GEODETIC CONTROL MONUMENTS OR CERTAIN LAND SURVEYING MONUMENTS, TO UPDATE THE PENALTIES FOR VIOLATIONS OF THIS SECTION, AND TO DEFINE NECESSARY TERMS.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendment:

H. 3934 -- Rep. Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-29-1625, RELATING TO FEDERAL DEFENSE FACILITIES DEFINITIONS, SO AS TO ADD FORT GORDON TO THE DEFINITION OF "FEDERAL MILITARY INSTALLATIONS".

THURSDAY, MAY 9, 2024

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3934 -- Rep. Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-29-1625, RELATING TO FEDERAL DEFENSE FACILITIES DEFINITIONS, SO AS TO ADD FORT GORDON TO THE DEFINITION OF "FEDERAL MILITARY INSTALLATIONS".

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE BILL RETURNED

H. 4187 -- Reps. J.E. Johnson, W. Newton, Robbins, Haddon, Mitchell, Yow, Chapman, Gagnon, Ligon, O'Neal, B. Newton, Sessions, Felder, Blackwell, Oremus and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO DEFINE NECESSARY TERMS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF FELONY ORGANIZED RETAIL CRIME AND FELONY ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE GRADUATED PENALTIES FOR THE OFFENSES.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY spoke on the Bill.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis

Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4187 -- Reps. J.E. Johnson, W. Newton, Robbins, Haddon, Mitchell, Yow, Chapman, Gagnon, Ligon, O'Neal, B. Newton, Sessions, Felder, Blackwell, Oremus and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO DEFINE NECESSARY TERMS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF FELONY ORGANIZED RETAIL CRIME AND FELONY ORGANIZED RETAIL CRIME OF

AN AGGRAVATED NATURE, AND TO PROVIDE GRADUATED PENALTIES FOR THE OFFENSES.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

NONCONCURRENCE

H. 4187 -- Reps. J.E. Johnson, W. Newton, Robbins, Haddon, Mitchell, Yow, Chapman, Gagnon, Ligon, O'Neal, B. Newton, Sessions, Felder, Blackwell, Oremus and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO DEFINE NECESSARY TERMS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF FELONY ORGANIZED RETAIL CRIME AND FELONY ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE GRADUATED PENALTIES FOR THE OFFENSES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, with unanimous consent, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 4187 -- Reps. J.E. Johnson, W. Newton, Robbins, Haddon, Mitchell, Yow, Chapman, Gagnon, Ligon, O'Neal, B. Newton, Sessions, Felder, Blackwell, Oremus and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO DEFINE NECESSARY

TERMS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF FELONY ORGANIZED RETAIL CRIME AND FELONY ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE GRADUATED PENALTIES FOR THE OFFENSES.

asks for a Committee of Conference, and has appointed Reps. Rose, J. Johnson and Robbins to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators HUTTO, GARRETT and SENN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

AMENDED, HOUSE BILL RETURNED

H. 4234 -- Reps. W. Newton, Bernstein and Mitchell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-5-101, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "SUPPORTS AND ASSISTANCE"; BY AMENDING SECTION 62-5-103, RELATING TO FACILITY OF PAYMENT OR DELIVERY, SO AS TO CLARIFY THE NATURE OF THE FIFTEEN THOUSAND DOLLAR THRESHOLD; BY AMENDING SECTION 62-5-106, RELATING TO DUTIES OF GUARDIANS AD LITEM, SO AS TO INCREASE THE LENGTH OF TIME THE GUARDIAN AD LITEM HAS TO SUBMIT HIS REPORT PRIOR TO THE HEARING; BY AMENDING SECTION 62-5-108, RELATING TO EMERGENCY AND TEMPORARY ORDERS AND HEARINGS, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTIONS 62-5-303, 62-5-303A, 62-5-303B, 62-5-303C, AND 62-5-303D, ALL RELATING TO THE PROCEDURE FOR COURT APPOINTMENT OF A GUARDIAN, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTION 62-5-307, RELATING TO INFORMAL REQUESTS FOR RELIEF, SO AS TO CLARIFY THE WARD'S ABILITY TO SUBMIT CERTAIN REQUESTS TO THE COURT; BY AMENDING SECTION 62-5-401, RELATING TO VENUES, SO AS TO CLARIFY, AMONG OTHER THINGS, THAT, IN THE CASE OF MINOR CONSERVATORSHIPS, PROPER VENUE IS THE COUNTY IN WHICH THE MINOR

RESIDES OR OWNS PROPERTY; BY AMENDING SECTION 62-5-403A, RELATING TO SERVICE OF SUMMONS AND PETITIONS, SO AS TO INCLUDE CERTAIN OTHER AFFIDAVITS AND REPORTS AMONG THOSE THAT MUST BE FILED WITH THE PETITION; BY AMENDING SECTION 62-5-403B, RELATING TO THE APPOINTMENT OF COUNSEL AND GUARDIANS, SO AS TO APPOINT NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, NURSES, AND PSYCHOLOGISTS TO SERVE AS EXAMINERS UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 62-5-403C, RELATING TO HEARINGS AND WAIVERS, SO AS TO REVISE, AMONG OTHER THINGS, CERTAIN PROCEDURES IF NO PARTY REQUESTS A HEARING OR IF THE ALLEGED INCAPACITATED INDIVIDUAL WAIVES HIS RIGHT TO A HEARING; BY AMENDING SECTION 62-5-405, RELATING TO PROTECTIVE ARRANGEMENTS, SO AS TO REVISE CERTAIN ACTS THAT MAY BE PERFORMED BY CONSERVATORS AND SPECIAL CONSERVATORS; BY AMENDING SECTION 62-5-422, RELATING TO POWERS OF CONSERVATORS IN ADMINISTRATION, SO AS TO MAKE CONFORMING CHANGES REGARDING THE PAYMENT OF CERTAIN FEES; BY AMENDING SECTION 62-5-426, RELATING TO CLAIMS AGAINST PROTECTED PERSONS, SO AS TO REQUIRE, AMONG OTHER THINGS, THAT THE CLAIMANT ALSO MUST FILE A WRITTEN STATEMENT OF THE CLAIM WITH THE PROBATE COURT IN WHICH THE CONSERVATORSHIP IS UNDER ADMINISTRATION; BY AMENDING SECTION 62-5-428, RELATING TO ACTIONS FOR REQUESTS SUBSEQUENT TO THE APPOINTMENT, SO AS TO, AMONG OTHER THINGS, REVISE CERTAIN ACTIONS THAT THE COURT MAY TAKE AFTER THE TIME FOR RESPONSE TO THE PETITION HAS ELAPSED TO ALL PARTIES SERVED; BY AMENDING SECTION 62-5-433, RELATING TO DEFINITIONS AND PROCEDURES FOR SETTLEMENT OF CLAIMS IN FAVOR OF OR AGAINST MINORS OR INCAPACITATED PERSONS, SO AS TO, AMONG OTHER THINGS, DEFINE “GUARDIAN AD LITEM”; BY AMENDING SECTION 62-5-715, RELATING TO CONFIRMATIONS OF GUARDIANSHIPS OR CONSERVATORSHIPS TRANSFERRED FROM OTHER STATES, SO AS TO ALLOW THE COURT MORE DISCRETION AS TO THE TYPE OF DOCUMENTS IT MAY REQUIRE IN THE TRANSFER OF A GUARDIANSHIP OR CONSERVATORSHIP FROM ANOTHER

JURISDICTION; AND BY AMENDING SECTION 62-5-716, RELATING TO THE REGISTRATION OF ORDERS FROM ANOTHER STATE, SO AS TO, AMONG OTHER THINGS, ACKNOWLEDGE THAT IN CERTAIN OTHER JURISDICTIONS, A GUARDIAN MAY ALSO HOLD THE SAME POWERS AS A CONSERVATOR.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG proposed the following amendment (SR-4234.JG0014S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 30 and inserting:

SECTION 30. SECTIONS 1-21 of this act take effect upon approval by the Governor and their provisions shall apply to all applicable actions, proceedings, and matters filed on and after the effective date; SECTIONS 22-29 of this act take effect on July 1, 2025.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Reichenbach	Rice
Sabb	Senn	Setzler

Shealy	Stephens	Talley
Tedder	Turner	Verdin
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4234 -- Reps. W. Newton, Bernstein and Mitchell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-5-101, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "SUPPORTS AND ASSISTANCE"; BY AMENDING SECTION 62-5-103, RELATING TO FACILITY OF PAYMENT OR DELIVERY, SO AS TO CLARIFY THE NATURE OF THE FIFTEEN THOUSAND DOLLAR THRESHOLD; BY AMENDING SECTION 62-5-106, RELATING TO DUTIES OF GUARDIANS AD LITEM, SO AS TO INCREASE THE LENGTH OF TIME THE GUARDIAN AD LITEM HAS TO SUBMIT HIS REPORT PRIOR TO THE HEARING; BY AMENDING SECTION 62-5-108, RELATING TO EMERGENCY AND TEMPORARY ORDERS AND HEARINGS, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTIONS 62-5-303, 62-5-303A, 62-5-303B, 62-5-303C, AND 62-5-303D, ALL RELATING TO THE PROCEDURE FOR COURT APPOINTMENT OF A GUARDIAN, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTION 62-5-307, RELATING TO INFORMAL REQUESTS FOR RELIEF, SO AS TO CLARIFY THE WARD'S ABILITY TO SUBMIT CERTAIN REQUESTS TO THE COURT; BY AMENDING SECTION 62-5-401, RELATING TO VENUES, SO AS TO CLARIFY, AMONG OTHER

THINGS, THAT, IN THE CASE OF MINOR CONSERVATORSHIPS, PROPER VENUE IS THE COUNTY IN WHICH THE MINOR RESIDES OR OWNS PROPERTY; BY AMENDING SECTION 62-5-403A, RELATING TO SERVICE OF SUMMONS AND PETITIONS, SO AS TO INCLUDE CERTAIN OTHER AFFIDAVITS AND REPORTS AMONG THOSE THAT MUST BE FILED WITH THE PETITION; BY AMENDING SECTION 62-5-403B, RELATING TO THE APPOINTMENT OF COUNSEL AND GUARDIANS, SO AS TO APPOINT NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, NURSES, AND PSYCHOLOGISTS TO SERVE AS EXAMINERS UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 62-5-403C, RELATING TO HEARINGS AND WAIVERS, SO AS TO REVISE, AMONG OTHER THINGS, CERTAIN PROCEDURES IF NO PARTY REQUESTS A HEARING OR IF THE ALLEGED INCAPACITATED INDIVIDUAL WAIVES HIS RIGHT TO A HEARING; BY AMENDING SECTION 62-5-405, RELATING TO PROTECTIVE ARRANGEMENTS, SO AS TO REVISE CERTAIN ACTS THAT MAY BE PERFORMED BY CONSERVATORS AND SPECIAL CONSERVATORS; BY AMENDING SECTION 62-5-422, RELATING TO POWERS OF CONSERVATORS IN ADMINISTRATION, SO AS TO MAKE CONFORMING CHANGES REGARDING THE PAYMENT OF CERTAIN FEES; BY AMENDING SECTION 62-5-426, RELATING TO CLAIMS AGAINST PROTECTED PERSONS, SO AS TO REQUIRE, AMONG OTHER THINGS, THAT THE CLAIMANT ALSO MUST FILE A WRITTEN STATEMENT OF THE CLAIM WITH THE PROBATE COURT IN WHICH THE CONSERVATORSHIP IS UNDER ADMINISTRATION; BY AMENDING SECTION 62-5-428, RELATING TO ACTIONS FOR REQUESTS SUBSEQUENT TO THE APPOINTMENT, SO AS TO, AMONG OTHER THINGS, REVISE CERTAIN ACTIONS THAT THE COURT MAY TAKE AFTER THE TIME FOR RESPONSE TO THE PETITION HAS ELAPSED TO ALL PARTIES SERVED; BY AMENDING SECTION 62-5-433, RELATING TO DEFINITIONS AND PROCEDURES FOR SETTLEMENT OF CLAIMS IN FAVOR OF OR AGAINST MINORS OR INCAPACITATED PERSONS, SO AS TO, AMONG OTHER THINGS, DEFINE “GUARDIAN AD LITEM”; BY AMENDING SECTION 62-5-715, RELATING TO CONFIRMATIONS OF GUARDIANSHIPS OR CONSERVATORSHIPS TRANSFERRED FROM OTHER STATES, SO AS TO ALLOW THE COURT MORE DISCRETION AS TO THE

TYPE OF DOCUMENTS IT MAY REQUIRE IN THE TRANSFER OF A GUARDIANSHIP OR CONSERVATORSHIP FROM ANOTHER JURISDICTION; AND BY AMENDING SECTION 62-5-716, RELATING TO THE REGISTRATION OF ORDERS FROM ANOTHER STATE, SO AS TO, AMONG OTHER THINGS, ACKNOWLEDGE THAT IN CERTAIN OTHER JURISDICTIONS, A GUARDIAN MAY ALSO HOLD THE SAME POWERS AS A CONSERVATOR.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4248 -- Reps. Rose and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-4-50, RELATING TO THE SALE OF BEER, ALE, PORTER, OR WINE TO UNDERAGED PERSONS, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE; AND BY AMENDING SECTION 61-6-4080, RELATING TO THE SALE OF ALCOHOLIC LIQUORS TO AN UNDERAGED PERSON, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE.

Recorded Vote

Senators MARTIN and VERDIN desired to be recorded as voting against the third reading of the Bill.

CONCURRENCE

H. 4248 -- Reps. Rose and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-4-50, RELATING TO THE SALE OF BEER, ALE, PORTER, OR WINE TO UNDERAGED PERSONS, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE; AND BY AMENDING SECTION 61-6-4080, RELATING TO THE SALE OF ALCOHOLIC LIQUORS TO AN UNDERAGED PERSON, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, with unanimous consent, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

OBJECTION

H. 4304 -- Reps. Connell, Mitchell, Yow, Murphy, Elliott, Robbins, Collins, Pope and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-75-30 SO AS TO PERMIT PARENTAL AND FILIAL CONSORTIUM CLAIMS.

Senators HEMBREE, RICE, CLIMER, KIMBRELL, CORBIN and TURNER objected to consideration of the Bill.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4563 -- Reps. Bernstein, J.L. Johnson and Clyburn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-11-345 SO AS TO CLARIFY THE POWER OF SPECIAL PURPOSE DISTRICTS TO OWN, ACQUIRE, PURCHASE, HOLD, USE, LEASE, CONVEY, SELL, TRANSFER, OR OTHERWISE DISPOSE OF PROPERTY IN FURTHERANCE OF CERTAIN FUNCTIONS, TO PROVIDE THESE POWERS ARE IN ADDITION TO POWERS AND AUTHORIZATIONS PREVIOUSLY VESTED IN SUCH DISTRICTS, AND DEFINE NECESSARY TERMINOLOGY.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4563 -- Reps. Bernstein, J.L. Johnson and Clyburn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-11-345 SO AS TO CLARIFY THE POWER OF SPECIAL PURPOSE DISTRICTS TO OWN, ACQUIRE, PURCHASE, HOLD, USE, LEASE, CONVEY, SELL, TRANSFER, OR OTHERWISE DISPOSE OF PROPERTY IN FURTHERANCE OF CERTAIN FUNCTIONS, TO PROVIDE THESE POWERS ARE IN ADDITION

TO POWERS AND AUTHORIZATIONS PREVIOUSLY VESTED IN SUCH DISTRICTS, AND DEFINE NECESSARY TERMINOLOGY.
and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House

Received as information.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4611 -- Reps. Hixon, Pope, Chapman, Taylor, Hardee, Brewer, Robbins, Gatch and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-11-785 SO AS TO PROHIBIT THE UNLAWFUL REMOVAL OR DESTRUCTION OF ELECTRONIC COLLARS OR OTHER ELECTRONIC DEVICES PLACED ON DOGS BY THEIR OWNERS AND TO PROVIDE PENALTIES.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4611 -- Reps. Hixon, Pope, Chapman, Taylor, Hardee, Brewer, Robbins, Gatch and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-11-785 SO AS TO PROHIBIT THE UNLAWFUL REMOVAL OR DESTRUCTION OF ELECTRONIC COLLARS OR OTHER ELECTRONIC DEVICES PLACED ON DOGS BY THEIR OWNERS AND TO PROVIDE PENALTIES.
and has ordered the Bill enrolled for Ratification.
Very respectfully,
Speaker of the House

Received as information.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4617 -- Reps. Hixon, Davis, M.M. Smith, Bannister, Pope, Wooten, Haddon, Brewer, Burns, Thayer, Kirby, Oremus, Hager, Hyde, Sessions,

Carter, McDaniel, Magnuson, Hayes, W. Newton, Bauer, Trantham, J.L. Johnson, Henegan, Guffey, Chapman, Leber, Kilmartin, Robbins, Felder, Jefferson, Caskey, Ligon and Vaughan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-230, RELATING TO SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A SCHEDULE III CONTROLLED SUBSTANCE, WITH EXCEPTIONS; AND BY ADDING SECTION 44-53-372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4617 -- Reps. Hixon, Davis, M.M. Smith, Bannister, Pope, Wooten, Haddon, Brewer, Burns, Thayer, Kirby, Oremus, Hager, Hyde, Sessions, Carter, McDaniel, Magnuson, Hayes, W. Newton, Bauer, Trantham, J.L. Johnson, Henegan, Guffey, Chapman, Leber, Kilmartin, Robbins, Felder, Jefferson, Caskey, Ligon and Vaughan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-230, RELATING TO SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A SCHEDULE III CONTROLLED SUBSTANCE, WITH EXCEPTIONS; AND BY ADDING SECTION 44-53-372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

AMENDED, HOUSE BILL RETURNED

H. 4754 -- Reps. Sandifer and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 57, TITLE 40 SO AS TO OUTLINE REQUIREMENTS FOR PROVIDERS OF PRELICENSING AND CONTINUING EDUCATION COURSES FOR REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS; BY ADDING SECTION 40-57-725 SO AS TO ESTABLISH ADMINISTRATIVE CITATIONS AND PENALTIES AND APPEALS; AND BY AMENDING CHAPTER 57, TITLE 40, RELATING TO REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS, SO AS TO, AMONG OTHER THINGS, DEFINE TERMS, MAKE CONFORMING CHANGES, DEFINE THE USE OF APPLICATION FEES, OUTLINE THE PROCEDURE FOR A LICENSE CLASSIFICATION CHANGE, ALLOW FOR RECIPROCAL AGREEMENTS WITH OTHER JURISDICTIONS, PROHIBIT BAD FAITH AGREEMENTS, REDUCE THE AMOUNT OF REQUIRED CLASSROOM INSTRUCTION FOR BROKERS-IN-CHARGE, PROHIBIT ENGAGING IN, REPRESENTING OTHERS IN, OR ASSISTING OTHERS IN THE PRACTICE OF WHOLESALING, REGULATE TEAM MARKETING, AND ADDRESS LICENSING AFTER REVOCATION.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-4754.PH0008S), which was tabled:

Amend the bill, as and if amended, SECTION 3, by striking Section 40-57-360(D) and inserting:

(D) ~~Team advertising must contain the team name and the full name of the real estate brokerage firm displayed in a conspicuous way~~All team advertising and marketing must contain the full name of the real estate brokerage firm and all team members must display and promote that they are directly connected to the brokerage firm under which the team works. In all team advertising and marketing, the team name may not be more than twice the size, prominence, or frequency of the full name of the brokerage firm.

Amend the bill further, by striking SECTION 5 and inserting:

SECTION 5. Section 40-57-135(E)(2) takes effect twelve months after the date of ratification of the act. Section 40-57-360(D) takes effect thirty-six months after the date of ratification of the act.

Renumber sections to conform.

Amend title to conform.

On motion of Senator DAVIS, with unanimous consent, the amendment was tabled.

Senator DAVIS proposed the following amendment (LC-4754.PH0014S), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 40-57-360(D) and inserting:

(D) ~~Team advertising must contain the team name and the full name of the real estate brokerage firm displayed in a conspicuous way~~All team advertising and marketing must contain the full name of the real estate brokerage firm and all team members must display and promote that they are directly connected to the brokerage firm under which the team works. In all team advertising and marketing, the team name may not be more than twice the size, prominence, or frequency of the full name of the brokerage firm.

Amend the bill further, by striking SECTION 5 and inserting:

SECTION 5. Section 40-57-135(E)(2) takes effect twelve months after the date of ratification of the act. Section 40-57-360 takes effect thirty-six months after the date of ratification of the act.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator DAVIS proposed the following amendment (LC-4754.AHB0015S), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 40-57-30(45) and inserting:

(45) "Wholesaling" means having a contractual interest in purchasing residential real estate from a property owner, then marketing the property for sale to a different buyer prior to taking legal ownership of the property. Advertising or marketing real estate owned by another individual or entity with the expectation of compensation falls under the

definition of "broker" and requires licensure. "Wholesaling" does not refer to the assigning or offering to assign a contractual right to purchase residential real estate.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator TALLEY proposed the following amendment (LC-4754.HDB0018S), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 40-57-135(E)(1) and inserting:

(E)(1) A licensee may not advertise, market, or offer to conduct a real estate transaction involving real estate owned, in whole or in part, by another person without first obtaining a written listing agreement between the property owner and the real estate brokerage firm with whom the licensee is associated. However, the signature of the owner of real estate is not required for a sublease agreement involving real estate if the lease allows for subletting. Licensees not associated with the listing brokerage firm may advertise real estate owned, in whole or in part, by another person only if they have written authorization from the listing brokerage firm and acknowledge the listing brokerage firm in the advertisement in a clear and conspicuous way. Authorization may be contained and obtained from the owner through the listing agreement.

The advertising and marketing of real property is to be distinguished from the advertising and marketing of a contractual position in a sales agreement to purchase real estate. An advertisement that markets a contractual position to acquire real property from a person with either equitable or legal title and does not imply, suggest, or purport to sell, advertise, or market the underlying real property is permissible under this section.

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4754 -- Reps. Sandifer and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 57, TITLE 40 SO AS TO OUTLINE REQUIREMENTS FOR PROVIDERS OF PRELICENSING AND CONTINUING EDUCATION COURSES FOR REAL ESTATE BROKERS,

BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS; BY ADDING SECTION 40-57-725 SO AS TO ESTABLISH ADMINISTRATIVE CITATIONS AND PENALTIES AND APPEALS; AND BY AMENDING CHAPTER 57, TITLE 40, RELATING TO REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS, SO AS TO, AMONG OTHER THINGS, DEFINE TERMS, MAKE CONFORMING CHANGES, DEFINE THE USE OF APPLICATION FEES, OUTLINE THE PROCEDURE FOR A LICENSE CLASSIFICATION CHANGE, ALLOW FOR RECIPROCAL AGREEMENTS WITH OTHER JURISDICTIONS, PROHIBIT BAD FAITH AGREEMENTS, REDUCE THE AMOUNT OF REQUIRED CLASSROOM INSTRUCTION FOR BROKERS-IN-CHARGE, PROHIBIT ENGAGING IN, REPRESENTING OTHERS IN, OR ASSISTING OTHERS IN THE PRACTICE OF WHOLESALING, REGULATE TEAM MARKETING, AND ADDRESS LICENSING AFTER REVOCATION.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

ACTING PRESIDENT PRESIDES

Senator MARTIN assumed the Chair.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4817 -- Reps. West and G.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-17-500, RELATING TO THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO MINORS WITHOUT PROOF OF AGE AND THE LOCATION OF VENDING MACHINES, SO AS TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS AND TO REQUIRE INDIVIDUALS SEEKING TO PURCHASE TOBACCO PRODUCTS OR ALTERNATIVE NICOTINE PRODUCTS TO PRESENT PROOF OF AGE UPON DEMAND, AND TO ALLOW THE PURCHASE OF TOBACCO PRODUCTS AND ALTERNATIVE

NICOTINE PRODUCTS FROM VENDING MACHINES IN CERTAIN ESTABLISHMENTS.

AMENDED, HOUSE BILL RETURNED

H. 4820 -- Reps. Forrest, Hixon, Hayes, Chumley, Burns, Haddon, Magnuson, Chapman, McDaniel and Gibson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-580, RELATING TO THE SEASON FOR HUNTING AND TAKING MALE WILD TURKEYS, BAG LIMITS, TAKING FEMALE WILD TURKEYS, AND ANNUAL REPORTING, SO AS TO ADJUST THE HUNTING AND LIMIT FOR TAKING MALE WILD TURKEYS; AND TO PROVIDE A SUNSET PROVISION.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN proposed the following amendment (SFGF-4820.BC0017S), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

SECTION X. SECTION 5 of Act 91 of 2021 is repealed.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

Point of Order

Senator MATTHEWS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator CAMPSEN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator GROOMS proposed the following amendment (SFGF-4820.BC0019S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 50-11-580(A) and inserting:

(A) The season for the hunting and taking ~~a~~ of legal male wild ~~turkey~~turkeys is April 3 through May 3~~:~~

~~(1) in Game Zones 1 and 2, April 1 through May 10; and~~

~~(2) in Game Zones 3 and 4, March 22 through April 30~~.

Amend the bill further, SECTION 1, Section 50-11-580, by adding a subsection to read:

(E) Notwithstanding subsection (A), in Game Zone 3 a landowner of property in a conservation easement that is two thousand five hundred acres or more may elect to begin the season for the hunting and taking of legal male wild turkeys on the property on March 22 by providing a statement of the election to the department.

Amend the bill further, SECTION 4, by striking Section 50-11-590(A) and inserting:

(A) The Saturday and Sunday preceding April 3 ~~the start of a game zone turkey season~~and the Saturday and Sunday following May 3 is declared to be a "Youth Turkey Hunting Weekend" ~~within the game zone~~ for youth turkey hunters under eighteen years of age.

Amend the bill further, SECTION 4, by striking Section 50-11-590(C) and inserting:

(C) The total bag limit ~~during Youth Turkey Hunting Weekend~~for the two Youth Turkey Hunting Weekends combined is one legal male wild turkey ~~for the weekend~~ that shall count toward the season bag limit. A youth turkey hunter who has reached the season bag limit on or prior to May 3 must not harvest or attempt to harvest a turkey during the Youth Turkey Hunting Weekend following May 3 but is permitted to call turkeys for another youth turkey hunter. A turkey harvest must be reported to the electronic harvest reporting system pursuant to the provisions of Section 50-11-546.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis

Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Young	

Total--44

NAYS

Total--0

The Bill was read the third time, passed and ordered returned to the House.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 4820 -- Reps. Forrest, Hixon, Hayes, Chumley, Burns, Haddon, Magnuson, Chapman, McDaniel and Gibson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-580, RELATING TO THE SEASON FOR HUNTING AND TAKING MALE WILD TURKEYS, BAG LIMITS, TAKING FEMALE WILD TURKEYS, AND ANNUAL REPORTING, SO AS TO ADJUST THE HUNTING AND LIMIT FOR TAKING MALE WILD TURKEYS; AND TO PROVIDE A SUNSET PROVISION.

Very respectfully,
Speaker of the House

Received as information.

SENATE INSISTS ON THEIR AMENDMENTS

H. 4820 -- Reps. Forrest, Hixon, Hayes, Chumley, Burns, Haddon, Magnuson, Chapman, McDaniel and Gibson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-580, RELATING TO THE SEASON FOR HUNTING AND TAKING MALE WILD TURKEYS, BAG LIMITS, TAKING FEMALE WILD TURKEYS, AND ANNUAL REPORTING, SO AS TO ADJUST THE HUNTING AND LIMIT FOR TAKING MALE WILD TURKEYS; AND TO PROVIDE A SUNSET PROVISION.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators CAMPSEN, McELVEEN and GOLDFINCH were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Hixon, Forrest and Bauer to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4825 -- Reps. Hewitt, Murphy, W. Newton, Brewer, Gatch, Robbins, Kirby, Mitchell, Crawford, Yow, Bailey, Pope, Guest, Hartnett, West, Oremus, Leber, Williams, Jefferson, Gilliard, Schuessler, Landing, Bustos, Calhoon, Gilliam, Gibson, M.M. Smith, B. Newton and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-910, RELATING TO OFFENSES INVOLVING KIDNAPPING, SO AS TO INCLUDE UNLAWFULLY LURING ANOTHER PERSON, TO PROVIDE FOR A SENTENCING ENHANCEMENT WHEN THE VICTIM IS A MINOR, TO SPECIFICALLY PROVIDE FOR PUNISHMENT FOR ATTEMPTED KIDNAPPING OFFENSES, AND TO DEFINE THE TERM “MINOR”.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refused to concur in the amendments proposed by the Senate to:

H. 4825 -- Reps. Hewitt, Murphy, W. Newton, Brewer, Gatch, Robbins, Kirby, Mitchell, Crawford, Yow, Bailey, Pope, Guest, Hartnett, West, Oremus, Leber, Williams, Jefferson, Gilliard, Schuessler, Landing, Bustos, Calhoon, Gilliam, Gibson, M.M. Smith, B. Newton and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-910, RELATING TO OFFENSES INVOLVING KIDNAPPING, SO AS TO INCLUDE UNLAWFULLY LURING ANOTHER PERSON, TO PROVIDE FOR A SENTENCING ENHANCEMENT WHEN THE VICTIM IS A MINOR, TO SPECIFICALLY PROVIDE FOR PUNISHMENT FOR ATTEMPTED KIDNAPPING OFFENSES, AND TO DEFINE THE TERM "MINOR".

Very respectfully,
Speaker of the House

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4867 -- Reps. Lawson, Hayes, G.M. Smith, Moss, Hiott, Blackwell, B.L. Cox, Caskey, M.M. Smith, Hart, Sandifer, J.E. Johnson, Brittain and Bauer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-23-45 SO AS TO REQUIRE ALL 911 TELECOMMUNICATORS WHO PROVIDE DISPATCH FOR EMERGENCY MEDICAL CONDITIONS TO BE TRAINED IN HIGH-QUALITY TELECOMMUNICATOR CARDIOPULMONARY RESUSCITATION (T-CPR).

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4867 -- Reps. Lawson, Hayes, G.M. Smith, Moss, Hiott, Blackwell, B.L. Cox, Caskey, M.M. Smith, Hart, Sandifer, J.E. Johnson, Brittain

and Bauer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-23-45 SO AS TO REQUIRE ALL 911 TELECOMMUNICATORS WHO PROVIDE DISPATCH FOR EMERGENCY MEDICAL CONDITIONS TO BE TRAINED IN HIGH-QUALITY TELECOMMUNICATOR CARDIOPULMONARY RESUSCITATION (T-CPR).

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 5042 -- Reps. B.L. Cox, J.L. Johnson, Murphy, Sessions, Cobb-Hunter, Kirby, Brewer, Garvin, Henegan, M.M. Smith, Jefferson, Rivers, McDaniel, Davis, Haddon, King, Gilliard, Stavrinakis, Bauer, West, Wetmore, T. Moore, Thigpen, Chapman, Schuessler, Pope, Guffey, Dillard, W. Jones, Pendarvis, G.M. Smith, Weeks, Wheeler, Williams, S. Jones, J. Moore, O'Neal, B. Newton, Neese, Lawson, Atkinson, Hayes, W. Newton, Bannister, Caskey, Hyde, J.E. Johnson, Hiott, Brittain, Hartnett, Mitchell, Yow, Gagnon, Carter, Guest, Gatch, Crawford, Ott, Rutherford, Leber, Hixon, Herbkersman, Anderson, Bailey, Elliott, Gilliam, Calhoon, Wooten, Forrest, Pedalino, Jordan, Bustos, Bamberg, Bernstein, Clyburn, Hosey, Henderson-Myers, Howard, Vaughan, Beach, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 10-1-185 SO AS TO ESTABLISH ON THE GROUNDS OF THE STATE HOUSE A ROBERT SMALLS MONUMENT, CREATE A COMMISSION TO DETERMINE THE DESIGN AND LOCATION OF THE MONUMENT, PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION, AND SUNSET THE COMMISSION AT A DATE CERTAIN.

Message from the House

Columbia, S.C., May 9, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 5042 -- Reps. B.L. Cox, J.L. Johnson, Murphy, Sessions, Cobb-Hunter, Kirby, Brewer, Garvin, Henegan, M.M. Smith, Jefferson, Rivers, McDaniel, Davis, Haddon, King, Gilliard, Stavrinakis, Bauer, West, Wetmore, T. Moore, Thigpen, Chapman, Schuessler, Pope, Guffey, Dillard, W. Jones, Pendarvis, G.M. Smith, Weeks, Wheeler, Williams, S. Jones, J. Moore, O'Neal, B. Newton, Neese, Lawson, Atkinson, Hayes, W. Newton, Bannister, Caskey, Hyde, J.E. Johnson, Hiott, Brittain, Hartnett, Mitchell, Yow, Gagnon, Carter, Guest, Gatch, Crawford, Ott, Rutherford, Leber, Hixon, Herbkersman, Anderson, Bailey, Elliott, Gilliam, Calhoon, Wooten, Forrest, Pedalino, Jordan, Bustos, Bamberg, Bernstein, Clyburn, Hosey, Henderson-Myers, Howard, Vaughan, Beach, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 10-1-185 SO AS TO ESTABLISH ON THE GROUNDS OF THE STATE HOUSE A ROBERT SMALLS MONUMENT, CREATE A COMMISSION TO DETERMINE THE DESIGN AND LOCATION OF THE MONUMENT, PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION, AND SUNSET THE COMMISSION AT A DATE CERTAIN.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

ORDERED ENROLLED FOR RATIFICATION

The following Bills and Resolutions were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 5154 -- Reps. West and Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-5-1030, RELATING TO CIVIL PENALTIES, SO AS TO PROVIDE A GAS UTILITY WHICH VIOLATES SECTION 58-5-1020 OR A REGULATION UNDER ARTICLE 9 OF CHAPTER 5, TITLE 58 IS SUBJECT TO A CIVIL PENALTY NOT MORE THAN THE CIVIL PENALTY PROVIDED BY 49 U.S.C. SECTION 60122 AND 49 C.F.R. 190.233.

H. 5458 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING AMBULATORY

SURGICAL FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5264, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

PRESIDENT PRESIDES

At 1:52 P.M., the PRESIDENT assumed the Chair.

H. 5459 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO MINIMUM STANDARDS FOR LICENSING HOSPITALS AND INSTITUTIONAL GENERAL INFIRMARIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5265, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

H. 5179 -- Reps. T. Moore and Hyde: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF EDUCATION TO NAME THE CONVERSE SCHOOL BUS MAINTENANCE SHOP IN SPARTANBURG COUNTY THE "DAVID T. BREWINGTON SCHOOL BUS MAINTENANCE CENTER", AND TO DIRECT THE DEPARTMENT TO INSTALL APPROPRIATE SIGNAGE CONTAINING THE WORDS "DAVID T. BREWINGTON SCHOOL BUS MAINTENANCE CENTER" AS THE DEPARTMENT CONSIDERS ADVISABLE.

H. 5183 -- Reps. M.M. Smith, West, Hewitt, Chapman, B. Newton, Hiott, Sessions, Pope, Davis, Gagnon, Thayer and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-20, RELATING TO THE DEFINITION OF A CERTIFIED MEDICAL ASSISTANT, SO AS TO REVISE THE REQUIRED QUALIFICATIONS FOR CERTIFICATION; AND BY AMENDING SECTION 40-47-196, RELATING TO THE DELEGATION OF NURSING TASKS TO UNLICENSED ASSISTIVE PERSONNEL BY CERTAIN MEDICAL PROFESSIONALS, SO AS TO DESIGNATE ADDITIONAL TASKS THAT MAY BE DELEGATED.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

H. 4552 -- Reps. Pendarvis, Clyburn, Henegan, M.M. Smith, B.L. Cox, Robbins, Brewer, King, Wheeler, Henderson-Myers, Erickson, Stavrinakis, Weeks, Davis, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS.

On motion of Senator PEELER, the Bill was carried over.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators SHEALY and VERDIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Samuel Lowry of Laurens, S.C. Sam was a graduate of the University of Arkansas with a degree in mechanical engineering and earned his master's in environmental engineering from Clemson University. He was the owner and president of Lowry Mechanical, Inc. where he worked until retirement in 2019. Sam served on many boards including the Carolinas AGC Board of Directors, Laurens County Water and Sewer Commission Board, Laurens County Hospital Foundation Board and the Laurens Hospital Board of Trustees to mention a few. Sam was a member of First United Methodist Church and enjoyed riding his boat, driving his golf cart, fishing and relaxing. Sam was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Harvey Walter Achziger of Sumter, S.C. Harvey was the owner and operator of McLean Marine where he served the marine community for more than 50 years and was affectionately known as "Motor Whisperer." He served as a paramedic with Sumter County EMS in his younger years. Harvey was an active member of Alice Drive Baptist Church and enjoyed spending time on the water with his family. Harvey was a loving husband and devoted father who will be dearly missed.

ADJOURNMENT

At 5:00 P.M., on motion of Senator MALLOY, the Senate adjourned under the provision of S. 1192, the *Sine Die* Resolution.

* * *

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 139:23-24

Perhaps speaking for each one of us, we read that the Psalmist says: "Search me, O God, and know my heart; test me and know my thoughts. See if there is any offensive way in me and lead me in the way everlasting."

Join me now as we pray: O Most Glorious and Ever-blessed Lord, how often do we discover that Your Holy Word clearly seems directed straight toward each one of us. And of course, in this instance it is, as we find ourselves tested and challenged over and over, often day by day. So, we do call upon You today, O God, to grant these Senators wisdom and courage. Help them and their staff members to follow Your leading as they strive to do what will best benefit the good people of this State. And in the process may it be You, O Lord, who is truly honored. Likewise guide the many other women and men who also serve in positions of leadership throughout South Carolina, Lord. May they, too, strive always to follow Your way in all that they say and do. So we humbly pray in Your gracious name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 15, 2024, at 12:00 Noon and the following Acts and Joint Resolutions were ratified:

(R177, S. 112) -- Senators Allen, Hembree and Shealy: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 34-11-90, RELATING TO JURISDICTION FOR OFFENSES INVOLVING CHECKS AND PENALTIES, SO AS TO PROVIDE A METHOD TO EXPUNGE CONVICTIONS; BY AMENDING SECTION 17-22-910, RELATING TO APPLICATIONS

FOR EXPUNGEMENT, SO AS TO ADD MULTIPLE MISDEMEANOR OFFENSES OF CHECK FRAUD TO THOSE OFFENSES ELIGIBLE FOR EXPUNGEMENT; AND BY ADDING SECTION 17-1-43, SO AS TO REQUIRE THE DESTRUCTION OF ARREST RECORDS OF PERSONS MADE AS A RESULT OF MISTAKEN IDENTITY UNDER CERTAIN CIRCUMSTANCES.
L:\COUNCIL\ACTS\112.DOCX

(R178, S. 125) -- Senators Hembree, Turner, Young, Setzler, Fanning and Climer: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-149-15, RELATING TO ADDITIONAL LIFE SCHOLARSHIP STIPENDS FOR SCIENCE AND MATHEMATICS MAJORS, SO AS TO EXTEND STIPEND AVAILABILITY TO EDUCATION MAJORS, TO DEFINE EDUCATION MAJORS AND REDEFINE SCIENCE AND MATHEMATICS MAJORS TO MAKE CONFORMING CHANGES AND OTHER REVISIONS, TO PROVIDE EDUCATION MAJOR STIPEND RECIPIENTS MUST CONTRACTUALLY AGREE TO TEACH IN SOUTH CAROLINA PUBLIC SCHOOLS FOR CERTAIN PERIODS OF TIME, AND TO PROVIDE GRANDFATHER PROVISIONS FOR CERTAIN EXISTING STIPEND RECIPIENTS, AMONG OTHER THINGS; BY AMENDING SECTION 59-104-25, RELATING TO ADDITIONAL PALMETTO FELLOWS SCHOLARSHIP STIPENDS FOR SCIENCE AND MATHEMATICS MAJORS, SO AS TO EXTEND STIPEND AVAILABILITY TO EDUCATION MAJORS, TO DEFINE EDUCATION MAJORS AND REDEFINE SCIENCE AND MATHEMATICS MAJORS TO MAKE CONFORMING CHANGES AND OTHER REVISIONS, TO PROVIDE EDUCATION MAJOR STIPEND RECIPIENTS MUST CONTRACTUALLY AGREE TO TEACH IN SOUTH CAROLINA PUBLIC SCHOOLS FOR CERTAIN PERIODS OF TIME, AND TO PROVIDE GRANDFATHER PROVISIONS FOR CERTAIN EXISTING STIPEND RECIPIENTS, AMONG OTHER THINGS; BY AMENDING SECTION 59-149-50, RELATING TO LIFE SCHOLARSHIP ELIGIBILITY, SO AS TO INCLUDE THE ACT TEST AS AN OPTION FOR ELIGIBILITY, TO PROVIDE THE COMMISSION ON HIGHER EDUCATION SHALL DETERMINE THE MINIMUM QUALIFYING ACT SCORE, TO PROVIDE THIS MINIMUM QUALIFYING SCORE MUST BE THE EQUIVALENT OF THE MINIMUM QUALIFYING SAT SCORE, TO PROVIDE THE COMMISSION PERIODICALLY SHALL ADJUST THESE

MINIMUM QUALIFYING SCORES COMMENSURATE WITH SCORING SCALE ADJUSTMENTS MADE BY THE TESTING PROVIDER, AND TO PROVIDE COLLEGE AND UNIVERSITIES MUST CONSIDER THE MINIMUM SCORING REQUIREMENT IN EFFECT AT THE TIME A TEST IS TAKEN WHEN DETERMINING WHETHER AN INDIVIDUAL SATISFIES THE MINIMUM SCORING REQUIREMENT; BY AMENDING SECTION 59-104-20, RELATING TO THE DURATION OF PALMETTO FELLOWS SCHOLARSHIPS, SO AS TO PROVIDE STUDENTS WHO USE PALMETTO FELLOWS SCHOLARSHIPS TO ATTEND ELIGIBLE TWO YEAR INSTITUTIONS OF HIGHER LEARNING SHALL RECEIVE A MAXIMUM OF FOUR CONTINUOUS SEMESTERS AND MAY CONTINUE TO USE SCHOLARSHIPS TO ATTEND AN ELIGIBLE FOUR YEAR INSTITUTION, SUBJECT TO THE MAXIMUM NUMBER OF SEMESTERS OF ELIGIBILITY FOR THE SCHOLARSHIP.
L:\COUNCIL\ACTS\125.DOCX

(R179, S. 207) -- Senator Fanning: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 22 TO CHAPTER 23, TITLE 57 SO AS TO CREATE THE PIEDMONT GATEWAY SCENIC BYWAY AND TO IDENTIFY THE THREE SEGMENTS THAT COMPRISE THE BYWAY.
L:\COUNCIL\ACTS\207.DOCX

(R180, S. 241) -- Senators Garrett and Gambrell: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO PROVIDE FOR THE REGULATION OF GENETIC COUNSELORS, TO ESTABLISH THE BOARD OF GENETIC COUNSELORS, TO PROVIDE POWERS AND DUTIES OF THE BOARD, TO DEFINE NECESSARY TERMS, TO PROVIDE PROCEDURES AND CRITERIA FOR LICENSURE OF GENETIC COUNSELORS, TO PROVIDE RELATED DUTIES OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, TO PROVIDE FOR THE INVESTIGATION OF VIOLATIONS AND IMPOSITION OF PENALTIES, AND TO PROVIDE CERTAIN EXEMPTIONS FROM THE PROVISIONS OF THIS CHAPTER, AMONG OTHER THINGS; AND PROVIDE FOR THE ESTABLISHMENT AND ADJUSTMENT OF VARIOUS RELATED FEES, SUBJECT TO CERTAIN LIMITATIONS.
L:\COUNCIL\ACTS\241.DOCX

(R181, S. 408) -- Senators Shealy and McLeod: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-75-250, RELATING TO THE LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO REQUIRE CONTINUING EDUCATION IN SUICIDE ASSESSMENT, TREATMENT, AND MANAGEMENT; BY AMENDING SECTION 40-75-540, RELATING TO REGULATIONS FOR CONTINUING EDUCATION REQUIREMENTS FOR PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO REQUIRE CONTINUING EDUCATION IN SUICIDE ASSESSMENT, TREATMENT, AND MANAGEMENT; AND TO AMEND SECTION 40-63-250, RELATING TO THE LICENSURE OF SOCIAL WORKERS, SO AS TO REQUIRE CONTINUING EDUCATION IN SUICIDE ASSESSMENT, TREATMENT, AND MANAGEMENT.
L:\COUNCIL\ACTS\408.DOCX

(R182, S. 434) -- Senator Alexander: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTIONS 38-78-55 AND 37-6-120 BOTH SO AS TO PROVIDE THAT NO AUTOMATIC RENEWAL PROVISION IN A SERVICE CONTRACT IS ENFORCEABLE UNLESS CERTAIN CONDITIONS ARE MET; AND BY AMENDING SECTIONS 38-78-20 AND 37-1-301, BOTH RELATING TO DEFINITIONS, SO AS TO DEFINE TERMS.
L:\COUNCIL\ACTS\434.DOCX

(R183, S. 445) -- Senators Garrett and Matthews: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 2 TO CHAPTER 49, TITLE 44 SO AS TO REQUIRE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES TO APPROVE A CREDENTIALING ENTITY TO DEVELOP AND ADMINISTER A VOLUNTARY CERTIFICATION PROGRAM FOR RECOVERY HOUSING; TO REQUIRE THE APPROVED CREDENTIALING ENTITY TO ESTABLISH RECOVERY HOUSING CERTIFICATION REQUIREMENTS AND PROCEDURES BASED UPON NATIONALLY RECOGNIZED QUALITY STANDARDS; AND TO DESIGNATE THE EXISTING

SECTIONS OF CHAPTER 49 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".
L:\COUNCIL\ACTS\445.DOCX

(R184, S. 455) -- Senator Verdin: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-29-230, RELATING TO TESTING REQUIRED WHEN A HEALTH CARE WORKER IS EXPOSED TO BLOODBORNE DISEASE, SO AS TO REPLACE REFERENCES TO PHYSICIAN WITH HEALTH CARE PROFESSIONALS, TO INCLUDE DENTISTS IN THE DEFINITION OF HEALTH CARE PROFESSIONALS, AND TO ADD HEPATITIS C TO THE LIST OF BLOODBORNE DISEASES.
L:\COUNCIL\ACTS\455.DOCX

(R185, S. 557) -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander, Campsen and Gustafson: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477, RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.
L:\COUNCIL\ACTS\557.DOCX

(R186, S. 558) -- Senators Verdin and Senn: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-31-40 SO AS TO PROVIDE THE PROCEDURE FOR THE TUBERCULOSIS TESTING OF APPLICANT RESIDENTS AND NEWLY ADMITTED RESIDENTS OF NURSING HOMES AND COMMUNITY RESIDENTIAL CARE FACILITIES IN THIS STATE.
L:\COUNCIL\ACTS\558.DOCX

(R187, S. 610) -- Senators Cromer, Shealy and Climer: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PROFESSIONAL COUNSELING COMPACT ACT" BY ADDING ARTICLE 6 TO CHAPTER 75, TITLE 40 SO AS TO PROVIDE THE PURPOSE, FUNCTIONS, OPERATIONS, AND DEFINITIONS FOR THE COMPACT; AND BY AMENDING SECTION 40-75-220, RELATING TO PROFESSIONAL

COUNSELOR LICENSURE REQUIREMENTS, SO AS TO REQUIRE CERTAIN CRIMINAL BACKGROUND CHECKS.
L:\COUNCIL\ACTS\610.DOCX

(R188, S. 700) -- Senator Davis: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 8 TO CHAPTER 5, TITLE 39 SO AS TO ESTABLISH THE "SOUTH CAROLINA EARNED WAGE ACCESS SERVICES ACT" SO AS TO PROVIDE FOR REQUIREMENTS FOR EARNED WAGE ACCESS SERVICES PROVIDERS, AND TO PROVIDE FOR CERTAIN EXEMPTIONS AND LIMITATIONS.
L:\COUNCIL\ACTS\700.DOCX

(R189, S. 728) -- Senator Gustafson: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-9-197, RELATING TO THE "FIREFIGHTER CANCER HEALTH CARE BENEFIT PLAN", SO AS TO PROVIDE THAT THE DEFINITION OF "FIREFIGHTER" SHALL INCLUDE NONRESIDENTS OF SOUTH CAROLINA WHO WORK IN THE STATE, AND TO PROVIDE THAT THE PLAN PROVIDES A SUPPLEMENTAL INSURANCE POLICY UPON A FIREFIGHTER BEING DIAGNOSED WITH CANCER ON OR AFTER JULY 1, 2021.
L:\COUNCIL\ACTS\728.DOCX

(R190, S. 858) -- Senators Davis, Garrett, Kimbrell, Setzler and Malloy: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-130, RELATING TO HEALTH CARE FACILITY LICENSURE DEFINITIONS, SO AS TO ADD A DEFINITION FOR "ACUTE HOSPITAL CARE AT HOME"; BY AMENDING SECTION 44-7-170, RELATING TO CERTIFICATE OF NEED PROGRAM EXEMPTIONS, SO AS TO EXEMPT ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES; BY ADDING SECTION 44-7-267 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS FOR LICENSING ACUTE HOSPITAL CARE AT HOME PROGRAMS AND SERVICES, AND BY AMENDING SECTION 44-69-75, RELATING TO HOME HEALTH AGENCIES, SO AS TO MAKE TECHNICAL CHANGES.
L:\COUNCIL\ACTS\858.DOCX

(R191, S. 881) -- Senators M. Johnson, McLeod, Devine and Rankin: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 28 TO TITLE 27 SO AS TO ENACT THE "PROHIBITION OF UNFAIR REAL ESTATE SERVICE AGREEMENTS ACT"; AND TO MAKE THE PROHIBITIONS EFFECTIVE FOR ANY UNFAIR REAL ESTATE SERVICE AGREEMENTS THAT ARE RECORDED ON THE EFFECTIVE DATE OF THIS ACT OR THAT ARE EXECUTED, MODIFIED, EXTENDED, OR AMENDED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT.
L:\COUNCIL\ACTS\881.DOCX

(R192, S. 962) -- Senator Cromer: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-71-2330, RELATING TO DUTIES OF PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS, SO AS TO REMOVE THE REQUIREMENT THAT PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS MUST ACT AS FIDUCIARIES TO PHARMACIES.
L:\COUNCIL\ACTS\962.DOCX

(R193, S. 968) -- Senators Peeler and Rankin: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-80, RELATING TO APPLICATIONS FOR DRIVER'S LICENSES OR PERMITS, SO AS TO ALLOW APPLICANTS TO VOLUNTARILY DISCLOSE THEIR BLOOD TYPES, ALLOW THEIR BLOOD TYPES TO BE DISCLOSED ON DRIVER'S LICENSES AND PERMITS, AND TO PROVIDE NO CAUSE OF ACTION MAY ARISE NOR LIABILITY BE IMPOSED ON CERTAIN PERSONS WHEN INACCURATE BLOOD TYPES ARE INDICATED ON DRIVER'S LICENSES AND PERMITS.
L:\COUNCIL\ACTS\968.DOCX

(R194, S. 974) -- Senator Bennett: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 59-104-20, 59-149-10, AND 59-150-370, ALL RELATING TO THE DEFINITION OF "PUBLIC OR INDEPENDENT INSTITUTION" FOR PURPOSES OF THE PALMETTO FELLOWS SCHOLARSHIPS, THE LEGISLATIVE INCENTIVES FOR FUTURE EXCELLENCE (LIFE) SCHOLARSHIPS, AND THE SC HOPE SCHOLARSHIPS, RESPECTIVELY, SO AS TO ADD NOT FOR

PROFIT INSTITUTIONS ACCREDITED BY THE ACCREDITING COMMISSION OF CAREER SCHOOLS AND COLLEGES TO THE DEFINITION.
L:\COUNCIL\ACTS\974.DOCX

(R195, S. 1001) -- Senator Martin: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-3-430, RELATING TO THE AUTHORIZATION OF INMATE LABOR IN PRIVATE INDUSTRY AND REQUIREMENTS AND CONDITIONS, SO AS TO PROVIDE THAT NO INMATE PARTICIPATING IN THE PROGRAM MAY EARN LESS THAN THE FEDERAL MINIMUM WAGE.
L:\COUNCIL\ACTS\1001.DOCX

(R196, S. 1005) -- Senators Kimbrell and Talley: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1320, RELATING TO MOTOR RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROHIBIT BOATS, WATERCRAFTS, OR OTHER TYPES OF VESSELS POWERED BY AN OUTDRIVE OR INBOARD MOTOR HAVING AN ENGINE AUTOMOTIVE HORSEPOWER RATING IN EXCESS OF TWO HUNDRED HORSEPOWER AND THAT PERSONAL WATERCRAFT MAY NOT EXCEED ONE HUNDRED NINETY HORSEPOWER; AND BY AMENDING SECTION 50-25-1350, RELATING TO WATER SKIING AND TOWING RESTRICTIONS ON LAKE WILLIAM C. BOWEN, SO AS TO PROHIBIT THE OPERATION OF PERSONAL WATERCRAFT, SPECIALTY PROPCRAFT, OR VESSELS IN EXCESS OF IDLE SPEED WITHIN ONE HUNDRED FEET OF A WHARF, DOCK, BULKHEAD, OR PIER OR WITHIN FIFTY FEET OF A MOORED OR ANCHORED VESSEL OR PERSON IN THE WATER.
L:\COUNCIL\ACTS\1005.DOCX

(R197, S. 1021) -- Senators Davis, Matthews and Campsen: AN ACT TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT TO 2035; TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-67-140, RELATING TO THE ABANDONED BUILDINGS TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE MAXIMUM TAX CREDIT THAT MAY BE EARNED; AND BY ADDING SECTION 12-6-3810 SO AS TO

PROVIDE FOR AN INCOME TAX CREDIT EQUAL TO FIFTY PERCENT OF AN ELIGIBLE TAXPAYER'S QUALIFIED RAILROAD RECONSTRUCTION OR REPLACEMENT EXPENDITURES, AND TO PROVIDE FOR THE ADMINISTRATION OF THE TAX CREDIT.
L:\COUNCIL\ACTS\1021.DOCX

(R198, S. 1051) -- Senators Kimbrell and Talley: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-580, RELATING TO THE SEASON FOR HUNTING AND TAKING MALE WILD TURKEYS, BAG LIMITS, TAKING FEMALE WILD TURKEYS, AND ANNUAL REPORTING, SO AS TO ADJUST THE HUNTING AND LIMIT FOR TAKING MALE WILD TURKEYS; AND TO PROVIDE A SUNSET PROVISION; BY AMENDING SECTION 50-25-1330, RELATING TO WATERCRAFT RESTRICTIONS ON LAKE H. TAYLOR BLALOCK, SO AS TO EXTEND THE HUNTING OF WATERFOWL FOR FIVE YEARS; AND BY AMENDING SECTION 50-13-675, RELATING TO NONGAME FISHING DEVICES OR GEAR PERMITTED IN CERTAIN BODIES OF WATER, SO AS TO PERMIT HOOP NETS IN THE CONGAREE RIVER AND THE UPPER REACH OF THE SANTEE RIVER.
L:\COUNCIL\ACTS\1051.DOCX

(R199, S. 1099) -- Senator Verdin: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-360, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.
L:\COUNCIL\ACTS\1099.DOCX

(R200, S. 1166) -- Senators Tedder, Stephens and Rice: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS THAT OCCURRED BEFORE THE ENACTMENT OF THE S.C. CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THIS ACT, TO PROVIDE THE DISMISSAL

OF THESE CHARGES DOES NOT MANDATE THE DISMISSAL OF OTHER RELATED CHARGES OR MAY SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.
L:\COUNCIL\ACTS\1166.DOCX

(R201, S. 1188) -- Senators Tedder and Hembree: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-240, RELATING TO EXPULSION FOR THE REMAINDER OF THE YEAR AND HEARINGS, SO AS TO AMEND REQUIREMENTS TO BE INCLUDED IN THE WRITTEN NOTIFICATION TO PARENTS OR LEGAL GUARDIANS OF THE PUPIL.
L:\COUNCIL\ACTS\1188.DOCX

(R202, S. 1292) -- Senator Massey: AN ACT TO AMEND ACT 595 OF 1992, AS AMENDED, RELATING TO THE BOARD OF TRUSTEES OF THE EDGEFIELD COUNTY SCHOOL DISTRICT, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED BEGINNING WITH THE SCHOOL DISTRICT ELECTIONS IN 2024, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.
L:\COUNCIL\ACTS\1292.DOCX

(R203, H. 3220) -- Reps. W. Newton, Carter, Mitchell, Haddon, Pope, Chumley and Caskey: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 6 TO CHAPTER 15, TITLE 63 SO AS TO ENACT THE "UNIFORM CHILD ABDUCTION PREVENTION ACT", TO PROVIDE A LEGAL MECHANISM TO PROTECT CHILDREN FROM CREDIBLE RISKS OF ABDUCTION RELATED TO LEGAL CUSTODY OR VISITATION, AND FOR OTHER PURPOSES; AND BY AMENDING SECTIONS 63-7-2340, 63-7-2345, 63-7-2350, 63-13-50, 63-13-60, 63-13-190, 63-13-420, 63-13-430, 63-13-620, 63-13-630, 63-13-820, 63-13-830, 63-13-1010, AND 63-11-70, RELATING TO FINGERPRINT REVIEWS AND BACKGROUND CHECK REQUIREMENTS FOR FOSTER PARENTS, ADOPTIVE PARENTS, CHILD PROTECTIVE SERVICE WORKERS, OTHER CHILD WELFARE EMPLOYEES AND VOLUNTEERS, GROUP

CHILDCARE HOMES, FAMILY CHLDCARE HOMES, AND RELIGIOUS CHILDCARE CENTERS, AMONG OTHERS, SO AS TO PROVIDE FOR FINGERPRINT-BASED BACKGROUND CHECKS AND FOR OTHER PURPOSES.
L:\COUNCIL\ACTS\3220.DOCX

(R204, H. 3278) -- Reps. West, Ligon and Sandifer: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-60-10, RELATING TO THE SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD, SO AS TO MODIFY THE COMPOSITION OF THE BOARD; BY AMENDING SECTION 40-60-20, RELATING TO DEFINITIONS, SO AS TO ADD DEFINITIONS AND MODIFY EXISTING DEFINITIONS; TO AMEND SECTIONS 40-60-30, 40-60-31, AND 40-60-33, ALL RELATING TO REAL ESTATE APPRAISER LICENSURE REQUIREMENTS, SO AS TO MODIFY EXEMPTIONS, REVISE, AND PROVIDE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS, AND TO REVISE REQUIREMENTS AND QUALIFICATIONS FOR LICENSED MASS APPRAISERS; BY AMENDING SECTION 40-60-34, RELATING TO REQUIREMENTS RELATING TO APPRENTICE APPRAISERS AND APPRAISER SUPERVISING APPRENTICES, SO AS TO REVISE REQUIREMENTS; BY AMENDING SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE REPORTING REQUIREMENTS UPON LICENSEES; BY AMENDING SECTION 40-60-36, RELATING TO THE APPROVAL OF COURSES, EDUCATIONAL PROVIDERS, AND INSTRUCTORS, SO AS TO IMPOSE REPORTING REQUIREMENTS UPON PROVIDERS; BY AMENDING SECTION 40-60-37, RELATING TO RECIPROCAL APPLICATIONS FROM APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; BY AMENDING SECTION 40-60-40, RELATING TO REQUIRED APPRAISER CONTACT INFORMATION, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; BY AMENDING SECTION 40-60-50, RELATING TO APPLICATION AND LICENSE FEES, SO AS TO OUTLINE REQUIREMENTS FOR APPLICATION; BY AMENDING SECTION 40-60-70, RELATING TO THE CODE OF ETHICS, SO AS TO REQUIRE APPRAISERS TO CONDUCT THEMSELVES IN ACCORDANCE WITH A CODE OF ETHICS AS ESTABLISHED IN

THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE; BY AMENDING SECTION 40-60-80, RELATING TO INVESTIGATION OF COMPLAINTS AND VIOLATIONS, SO AS TO ALLOW THE BOARD TO DECLINE TO CONDUCT AN INVESTIGATION UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 40-60-110, RELATING TO GROUNDS FOR DENYING LICENSURE OR TAKING DISCIPLINARY ACTIONS, SO AS TO REMOVE REFERENCES TO PERMITS AND PROVIDE CIRCUMSTANCES WHEN DISCIPLINARY ACTIONS MAY BE TAKEN; BY AMENDING SECTION 40-60-220, RELATING TO THE CONTINUATION OF EXISTING LICENSES, SO AS TO REFERENCE PEOPLE CREDENTIALED IN THIS STATE; BY AMENDING SECTION 40-60-320, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF APPRAISAL PANEL; BY AMENDING SECTION 40-60-330, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; BY AMENDING SECTION 40-60-340, RELATING TO EXCLUSIONS FROM REGISTRATION REQUIREMENTS, SO AS TO REQUIRE REGULATION BY THE OFFICE OF COMPTROLLER GENERAL, AMONG OTHER THINGS; BY AMENDING SECTION 40-60-350, RELATING TO RENEWAL OF REGISTRATIONS, SO AS TO MODIFY THE RENEWAL FREQUENCY; BY AMENDING SECTION 40-60-360, RELATING TO PROMULGATION OF REGULATIONS, SO AS TO SPECIFY REQUIRED REGULATIONS; BY AMENDING SECTION 40-60-370, RELATING TO REQUIREMENTS FOR OWNERS OF APPRAISAL MANAGEMENT COMPANIES, SO AS TO PROVIDE CIRCUMSTANCES in which AN APPRAISAL MANAGEMENT COMPANY SHALL NOT BE REGISTERED IN THIS STATE OR INCLUDED ON THE NATIONAL REGISTRY; BY AMENDING SECTION 40-60-400, RELATING TO CERTIFICATION OR LICENSURE REQUIRED FOR EMPLOYEES AND INDEPENDENT CONTRACTORS, SO AS TO INCLUDE REFERENCES TO THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISALS PRACTICE STANDARDS; BY AMENDING SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND BY AMENDING SECTION 40-60-450,

RELATING TO COMPENSATION, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.
L:\COUNCIL\ACTS\3278.DOCX

(R205, H. 3313) -- Rep. Jordan: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 30-5-10, RELATING TO THE PERFORMANCE OF THE DUTIES OF A REGISTER OF DEEDS, SO AS TO ADD FLORENCE COUNTY TO THE COUNTIES EXEMPT FROM THE REQUIREMENT THAT THESE DUTIES BE PERFORMED BY THE CLERK OF COURT; AND BY AMENDING SECTION 30-5-12, RELATING TO THE APPOINTMENT OF THE REGISTER OF DEEDS FOR CERTAIN COUNTIES, SO AS TO ADD FLORENCE COUNTY TO THE COUNTIES WHERE THE GOVERNING BODY OF THE COUNTY APPOINTS THE REGISTER OF DEEDS.
L:\COUNCIL\ACTS\3313.DOCX

(R206, H. 3424) -- Reps. T. Moore, Carter, McCravy, Lawson, Beach, Pope, Nutt, Oremus, Vaughan, Long, Haddon, Burns, Chumley, Kilmartin, Cromer, O'Neal, Yow, Gilliam, W. Newton, Guest, Schuessler, Moss, Magnuson, Harris, Pace, Brittain, Bailey, Robbins, Sessions, Ligon, Felder, B.L. Cox, Guffey, Bradley, Murphy, Brewer, Connell, Hiott, Mitchell, Hager, Erickson, B.J. Cox, Blackwell, Wooten, Ballentine, Hyde, Wheeler, Calhoon, M.M. Smith, Davis, B. Newton, Elliott, Forrest, Willis, Hixon, Taylor, J.E. Johnson, Chapman and Ott: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 37-1-310 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A COMMERCIAL ENTITY THAT PUBLISHES CERTAIN OBSCENE MATERIAL ONLINE MAY BE HELD LIABLE FOR CERTAIN DAMAGES, TO PROVIDE THAT IT IS UNLAWFUL FOR A COMMERCIAL ENTITY TO MAKE A PORNOGRAPHIC WEBSITE AVAILABLE TO PERSONS UNDER THE AGE OF EIGHTEEN, AND TO PROVIDE THAT THE ATTORNEY GENERAL MAY SEEK INJUNCTIVE AND OTHER EQUITABLE RELIEF.
L:\COUNCIL\ACTS\3424.DOCX

(R207, H. 3682) -- Reps. Murphy, Wetmore, Bailey, Rose, Crawford, Brewer, Taylor, Hardee, Wooten, Pope, McDaniel, Hewitt, Bauer, Yow, J.E. Johnson, Willis, Ligon, Lawson, Robbins, Schuessler, Guest, Henegan, Williams, M.M. Smith and Vaughan: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 47-1-140, RELATING TO THE CARE OF ANIMALS AFTER THE ARREST OF THE OWNER, SO AS TO REMOVE PROVISIONS REGARDING A LIEN ON THE SEIZED ANIMAL; BY AMENDING SECTION 47-1-145, RELATING TO CUSTODY AND CARE OF ANIMALS AFTER THE ARREST OF THE OWNER, SO AS TO OUTLINE HEARING PROCEDURES FOR ORDERING THE COST OF CARE OF THE SEIZED ANIMALS; AND BY AMENDING SECTION 47-1-170, RELATING TO PENALTIES FOR ANIMAL CRUELTY, SO AS TO MAKE CONFORMING CHANGES.
L:\COUNCIL\ACTS\3682.DOCX

(R208, H. 3748) -- Reps. Caskey, Wooten, Wetmore, Hartnett, Erickson, W. Newton, Pope, Robbins, Mitchell and Yow: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-11-680, RELATING TO THE UNLAWFUL ALTERATION OR REMOVAL OF BOUNDARY LANDMARKS, SO AS TO CLARIFY THAT THE SECTION PROHIBITS MALICIOUSLY OR FRAUDULENTLY ALTERING, DESTROYING, OR REMOVING ANY GEODETIC CONTROL MONUMENTS OR PROPERTY CORNER MONUMENTS, TO DEFINE NECESSARY TERMS, AND TO ALLOW RESTITUTION TO BE REQUIRED AS PART OF A PERSON'S SENTENCE FOR A CONVICTION UNDER THIS SECTION.
L:\COUNCIL\ACTS\3748.DOCX

(R209, H. 3776) -- Reps. Bannister, Bamberg, Caskey, Collins, Connell, Elliott, Garvin, Gatch, Guest, Hager, Hart, Henderson-Myers, Hyde, J.E. Johnson, Jordan, McCabe, McCravy, Mitchell, Pope, Robbins, Rose, Rutherford, Stavrinakis, T. Moore, Tedder, W. Newton, Weeks, Wetmore and Wheeler: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY REPEALING SECTION 14-5-130 RELATING TO JUDGES ABSENTING THEMSELVES FROM THE STATE.
L:\COUNCIL\ACTS\3776.DOCX

(R210, H. 3934) -- Rep. Hixon: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-29-1625, RELATING TO FEDERAL DEFENSE FACILITIES DEFINITIONS, SO AS TO ADD CERTAIN INSTALLATIONS TO THE DEFINITION OF "FEDERAL MILITARY INSTALLATIONS".
L:\COUNCIL\ACTS\3934.DOCX

(R211, H. 4234) -- Reps. W. Newton, Bernstein and Mitchell: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-5-101, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF "SUPPORTS AND ASSISTANCE"; BY AMENDING SECTION 62-5-103, RELATING TO FACILITY OF PAYMENT OR DELIVERY, SO AS TO CLARIFY THE NATURE OF THE FIFTEEN THOUSAND DOLLAR THRESHOLD; BY AMENDING SECTION 62-5-106, RELATING TO DUTIES OF GUARDIANS AD LITEM, SO AS TO INCREASE THE LENGTH OF TIME THE GUARDIAN AD LITEM HAS TO SUBMIT HIS REPORT PRIOR TO THE HEARING; BY AMENDING SECTION 62-5-108, RELATING TO EMERGENCY AND TEMPORARY ORDERS AND HEARINGS, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTIONS 62-5-303, 62-5-303A, 62-5-303B, 62-5-303C, AND 62-5-303D, ALL RELATING TO THE PROCEDURE FOR COURT APPOINTMENT OF A GUARDIAN, SO AS TO CLARIFY CERTAIN ASPECTS OF THE PROCESS; BY AMENDING SECTION 62-5-307, RELATING TO INFORMAL REQUESTS FOR RELIEF, SO AS TO CLARIFY THE WARD'S ABILITY TO SUBMIT CERTAIN REQUESTS TO THE COURT; BY AMENDING SECTION 62-5-401, RELATING TO VENUES, SO AS TO CLARIFY, AMONG OTHER THINGS, THAT, IN THE CASE OF MINOR CONSERVATORSHIPS, PROPER VENUE IS THE COUNTY IN WHICH THE MINOR RESIDES OR OWNS PROPERTY; BY AMENDING SECTION 62-5-403A, RELATING TO SERVICE OF SUMMONS AND PETITIONS, SO AS TO INCLUDE CERTAIN OTHER AFFIDAVITS AND REPORTS AMONG THOSE THAT MUST BE FILED WITH THE PETITION; BY AMENDING SECTION 62-5-403B, RELATING TO THE APPOINTMENT OF COUNSEL AND GUARDIANS, SO AS TO APPOINT NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, NURSES, AND PSYCHOLOGISTS TO SERVE AS EXAMINERS UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 62-5-403C, RELATING TO HEARINGS

AND WAIVERS, SO AS TO REVISE, AMONG OTHER THINGS, CERTAIN PROCEDURES IF NO PARTY REQUESTS A HEARING OR IF THE ALLEGED INCAPACITATED INDIVIDUAL WAIVES HIS RIGHT TO A HEARING; BY AMENDING SECTION 62-5-405, RELATING TO PROTECTIVE ARRANGEMENTS, SO AS TO REVISE CERTAIN ACTS THAT MAY BE PERFORMED BY CONSERVATORS AND SPECIAL CONSERVATORS; BY AMENDING SECTION 62-5-422, RELATING TO POWERS OF CONSERVATORS IN ADMINISTRATION, SO AS TO MAKE CONFORMING CHANGES REGARDING THE PAYMENT OF CERTAIN FEES; BY AMENDING SECTION 62-5-426, RELATING TO CLAIMS AGAINST PROTECTED PERSONS, SO AS TO REQUIRE, AMONG OTHER THINGS, THAT THE CLAIMANT ALSO MUST FILE A WRITTEN STATEMENT OF THE CLAIM WITH THE PROBATE COURT IN WHICH THE CONSERVATORSHIP IS UNDER ADMINISTRATION; BY AMENDING SECTION 62-5-428, RELATING TO ACTIONS FOR REQUESTS SUBSEQUENT TO THE APPOINTMENT, SO AS TO, AMONG OTHER THINGS, REVISE CERTAIN ACTIONS THAT THE COURT MAY TAKE AFTER THE TIME FOR RESPONSE TO THE PETITION HAS ELAPSED TO ALL PARTIES SERVED; BY AMENDING SECTION 62-5-433, RELATING TO DEFINITIONS AND PROCEDURES FOR SETTLEMENT OF CLAIMS IN FAVOR OF OR AGAINST MINORS OR INCAPACITATED PERSONS, SO AS TO, AMONG OTHER THINGS, DEFINE “GUARDIAN AD LITEM”; BY AMENDING SECTION 62-5-715, RELATING TO CONFIRMATIONS OF GUARDIANSHIPS OR CONSERVATORSHIPS TRANSFERRED FROM OTHER STATES, SO AS TO ALLOW THE COURT MORE DISCRETION AS TO THE TYPE OF DOCUMENTS IT MAY REQUIRE IN THE TRANSFER OF A GUARDIANSHIP OR CONSERVATORSHIP FROM ANOTHER JURISDICTION; BY AMENDING SECTION 62-5-716, RELATING TO THE REGISTRATION OF ORDERS FROM ANOTHER STATE, SO AS TO, AMONG OTHER THINGS, ACKNOWLEDGE THAT IN CERTAIN OTHER JURISDICTIONS, A GUARDIAN MAY ALSO HOLD THE SAME POWERS AS A CONSERVATOR; BY ADDING SECTION 62-6-401 SO AS TO ESTABLISH A TRANSFER ON DEATH; BY AMENDING SECTIONS 50-23-60, 50-23-70, 50-23-90, 50-23-130, 56-19-290, AND 56-19-420, ALL RELATING TO THE TRANSFER OF PROPERTY, SO AS TO INCLUDE REFERENCE TO TRANSFER ON DEATH; AND BY AMENDING SECTION 62-6-101,

RELATING TO DEFINITIONS, SO AS TO DEFINE "OWNER", "TRANSFER ON DEATH", AND "TITLED PERSONAL PROPERTY".
L:\COUNCIL\ACTS\4234.DOCX

(R212, H. 4248) -- Reps. Rose and Robbins: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-4-50, RELATING TO THE SALE OF BEER, ALE, PORTER, OR WINE TO UNDERAGED PERSONS, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE; AND BY AMENDING SECTION 61-6-4080, RELATING TO THE SALE OF ALCOHOLIC LIQUORS TO AN UNDERAGED PERSON, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE.
L:\COUNCIL\ACTS\4248.DOCX

(R213, H. 4436) -- Reps. Wooten, Ballentine, Long, Erickson, Caskey, Calhoon, Wetmore, Taylor, Forrest, Hiott, Davis, Pope, Herbkersman, M.M. Smith, Robbins, Lawson, Burns, Chumley, Mitchell and Yow: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-1538, RELATING TO EMERGENCY SCENE MANAGEMENT, SO AS TO PROVIDE DRIVERS ARE RESPONSIBLE FOR MAINTAINING VEHICLE CONTROL IN CERTAIN EMERGENCY CIRCUMSTANCES TO AVOID INTERFERING WITH THE OPERATION OF AUTHORIZED EMERGENCY VEHICLES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.
L:\COUNCIL\ACTS\4436.DOCX

(R214, H. 4563) -- Reps. Bernstein, J.L. Johnson and Clyburn: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 6-11-345 SO AS TO CLARIFY THE POWER OF SPECIAL PURPOSE DISTRICTS TO OWN, ACQUIRE, PURCHASE, HOLD, USE, LEASE, CONVEY, SELL, TRANSFER, OR OTHERWISE DISPOSE OF PROPERTY IN FURTHERANCE OF CERTAIN FUNCTIONS, TO PROVIDE THESE POWERS ARE IN ADDITION TO POWERS AND AUTHORIZATIONS PREVIOUSLY VESTED IN SUCH DISTRICTS, AND TO DEFINE NECESSARY TERMINOLOGY.
L:\COUNCIL\ACTS\4563.DOCX

(R215, H. 4594) -- Reps. Ballentine, Pope, Clyburn, West, Elliott and T. Moore: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2023 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.
L:\COUNCIL\ACTS\4594.DOCX

(R216, H. 4601) -- Rep. Forrest: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-4100, RELATING TO PREVENTING ESCAPE OF MATERIALS LOADED ON VEHICLES AND CLEANING THE HIGHWAYS OF ESCAPED SUBSTANCES OR CARGO, SO AS TO INCORPORATE THE PROVISIONS OF SECTION 56-5-4110 TO CLARIFY THE EXCEPTIONS FOR TRANSPORTATION OF CERTAIN FARM PRODUCTS AND MATERIALS; AND BY REPEALING SECTION 56-5-4110 RELATING TO THE REQUIREMENTS THAT LOADS AND COVERS MUST BE FIRMLY ATTACHED.
L:\COUNCIL\ACTS\4601.DOCX

(R217, H. 4611) -- Reps. Hixon, Pope, Chapman, Taylor, Hardee, Brewer, Robbins, Gatch and Forrest: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-11-785 SO AS TO PROHIBIT THE UNLAWFUL REMOVAL OR DESTRUCTION OF ELECTRONIC COLLARS OR OTHER ELECTRONIC DEVICES PLACED ON DOGS BY THEIR OWNERS AND TO PROVIDE PENALTIES.
L:\COUNCIL\ACTS\4611.DOCX

(R218, H. 4617) -- Reps. Hixon, Davis, M.M. Smith, Bannister, Pope, Wooten, Haddon, Brewer, Burns, Thayer, Kirby, Oremus, Hager, Hyde, Sessions, Carter, McDaniel, Magnuson, Hayes, W. Newton, Bauer, Trantham, J.L. Johnson, Henegan, Guffey, Chapman, Leber, Kilmartin, Robbins, Felder, Jefferson, Caskey, Ligon and Vaughan: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-230, RELATING TO SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A

SCHEDULE III CONTROLLED SUBSTANCE; BY ADDING SECTION 44-53-372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES; AND BY ADDING SECTION 44-53-373 SO AS TO CREATE AN EXCEPTION FOR VETERINARY USE OF XYLAZINE.
L:\COUNCIL\ACTS\4617.DOCX

(R219, H. 4624) -- Reps. Hiott, G.M. Smith, McCravy, Davis, Vaughan, Trantham, Pope, Chapman, Taylor, Oremus, Hartnett, Leber, Long, Nutt, Haddon, Burns, Chumley, Murphy, Mitchell, Brewer, Robbins, Gatch, West, Gilliam, Cromer, Kilmartin, O'Neal, Yow, S. Jones, Landing, Ballentine, Sandifer, Crawford, Guest, Willis, Ligon, Forrest, Pace, W. Newton, Bradley, Erickson, Gibson, Blackwell and M.M. Smith: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 42 TO TITLE 44 SO AS TO DEFINE GENDER, SEX, AND OTHER TERMS, TO PROHIBIT THE PROVISION OF GENDER TRANSITION PROCEDURES TO A PERSON UNDER EIGHTEEN YEARS OF AGE, TO PROVIDE EXCEPTIONS, TO PROHIBIT THE USE OF PUBLIC FUNDS FOR GENDER TRANSITION PROCEDURES, AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 59-32-36 SO AS TO PROHIBIT PUBLIC SCHOOL STAFF AND OFFICIALS FROM WITHHOLDING KNOWLEDGE OF A MINOR’S PERCEPTION OF THEIR GENDER FROM THE MINOR’S PARENTS, AMONG OTHER THINGS.
L:\COUNCIL\ACTS\4624.DOCX

(R220, H. 4674) -- Rep. Erickson: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1240, RELATING TO THE DISPLAY OF LICENSE PLATES, SO AS TO PROVIDE THE CIRCUMSTANCES IN WHICH THE PROVISIONS OF THIS SECTION APPLY, TO PROVIDE HOW LICENSE PLATES MUST BE FASTENED TO VEHICLES, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE FOR THE DISPLAY OF TEMPORARY LICENSE PLATES ON LARGE COMMERCIAL MOTOR VEHICLES; BY ADDING SECTION 56-3-15020 SO AS TO PROVIDE FOR THE ISSUANCE OF “HEARING IMPAIRED” SPECIAL LICENSE PLATES; BY ADDING ARTICLE 150 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE

ISSUANCE OF "SOUTH CAROLINA EQUINE INDUSTRY" SPECIAL LICENSE PLATES; BY AMENDING SECTION 56-3-7340, RELATING TO THE ISSUANCE OF "NATIVE AMERICAN" SPECIAL LICENSE PLATES, SO AS TO PROVIDE THESE LICENSE PLATES MAY BE ISSUED TO OWNERS OF MOTORCYCLES; BY ADDING ARTICLE 151 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF "CATAWBA NATION" SPECIAL LICENSE PLATES; BY ADDING ARTICLE 152 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF "CHEROKEE INDIAN NATION" SPECIAL LICENSE PLATES; BY ADDING ARTICLE 153 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF "SOUTH CAROLINA BEEKEEPERS ASSOCIATION" SPECIAL LICENSE PLATES; BY AMENDING SECTION 56-3-14210, RELATING TO THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2017 AND 2022 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2017, 2022, AND 2024 WOMEN'S BASKETBALL CHAMPIONS" SPECIAL LICENSE PLATES; BY ADDING ARTICLE 60 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF "AUTISTIC AND NEURODIVERGENT" SPECIAL LICENSE PLATES; BY ADDING ARTICLE 154 TO CHAPTER 3 TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF "SOUTH CAROLINA ASSOCIATION FOR PUPIL TRANSPORTATION" SPECIAL LICENSE PLATES; BY AMENDING SECTION 56-3-14910, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES REFLECTIVE OF VALOROUS AWARDS CONFERRED UPON ACTIVE OR PRIOR SERVICE MEMBERS, SO AS TO INCLUDE THE ISSUANCE OF THESE LICENSE PLATES TO RECIPIENTS OF NAVY AND MARINE CORPS MEDALS; AND BY AMENDING SECTION 56-3-14990, RELATING TO ALLOWING SURVIVING SPOUSES TO APPLY FOR OR TRANSFER CERTAIN MILITARY SPECIAL LICENSE PLATES, SO AS TO PROVIDE A SURVIVING SPOUSE OF A MEMBER OF THE NATIONAL GUARD MAY APPLY FOR OR TRANSFER CERTAIN MILITARY LICENSE PLATES.

L:\COUNCIL\ACTS\4674.DOCX

(R221, H. 4754) -- Reps. Sandifer and Ligon: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 57, TITLE 40 SO AS TO OUTLINE REQUIREMENTS FOR PROVIDERS OF PRELICENSING AND CONTINUING EDUCATION COURSES FOR REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS; BY ADDING SECTION 40-57-725 SO AS TO ESTABLISH ADMINISTRATIVE CITATIONS AND PENALTIES AND APPEALS; BY AMENDING CHAPTER 57, TITLE 40, RELATING TO REAL ESTATE BROKERS, BROKERS-IN-CHARGE, ASSOCIATES, AND PROPERTY MANAGERS, SO AS TO, AMONG OTHER THINGS, DEFINE TERMS, MAKE CONFORMING CHANGES, DEFINE THE USE OF APPLICATION FEES, OUTLINE THE PROCEDURE FOR A LICENSE CLASSIFICATION CHANGE, ALLOW FOR RECIPROCAL AGREEMENTS WITH OTHER JURISDICTIONS, PROHIBIT BAD FAITH AGREEMENTS, REDUCE THE AMOUNT OF REQUIRED CLASSROOM INSTRUCTION FOR BROKERS-IN-CHARGE, PROHIBIT ENGAGING IN, REPRESENTING OTHERS IN, OR ASSISTING OTHERS IN THE PRACTICE OF WHOLESALING, REGULATE TEAM MARKETING, AND ADDRESS LICENSING AFTER REVOCATION; AND BY ADDING SECTION 40-57-820 SO AS TO ESTABLISH THAT LICENSEES ARE RESPONSIBLE FOR THEIR WORK PRODUCT.
L:\COUNCIL\ACTS\4754.DOCX

(R222, H. 4817) -- Reps. West and G.M. Smith: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-17-500, RELATING TO THE SALE OR PURCHASE OF TOBACCO PRODUCTS TO MINORS WITHOUT PROOF OF AGE AND THE LOCATION OF VENDING MACHINES, SO AS TO INCLUDE ALTERNATIVE NICOTINE PRODUCTS AND TO REQUIRE INDIVIDUALS SEEKING TO PURCHASE TOBACCO PRODUCTS OR ALTERNATIVE NICOTINE PRODUCTS TO PRESENT PROOF OF AGE UPON DEMAND, AND TO ALLOW THE PURCHASE OF TOBACCO PRODUCTS AND ALTERNATIVE NICOTINE PRODUCTS FROM VENDING MACHINES IN CERTAIN ESTABLISHMENTS.
L:\COUNCIL\ACTS\4817.DOCX

(R223, H. 4832) -- Reps. Hardee, Sandifer, Anderson, Ligon and Schuessler: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PAID FAMILY LEAVE INSURANCE ACT" BY ADDING CHAPTER 103 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH FAMILY LEAVE BENEFITS, OUTLINE REQUIREMENTS OF FAMILY LEAVE INSURANCE POLICIES, AND TO PROVIDE EXCLUSIONS, AMONG OTHER THINGS.
L:\COUNCIL\ACTS\4832.DOCX

(R224, H. 4867) -- Reps. Lawson, Hayes, G.M. Smith, Moss, Hiott, Blackwell, B.L. Cox, Caskey, M.M. Smith, Hart, Sandifer, J.E. Johnson, Brittain and Bauer: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-23-45 SO AS TO REQUIRE ALL 911 TELECOMMUNICATORS THAT PROVIDE DISPATCH FOR EMERGENCY MEDICAL CONDITIONS TO BE TRAINED IN HIGH-QUALITY TELECOMMUNICATOR CARDIOPULMONARY RESUSCITATION (T-CPR), AND PROVIDE CERTAIN PERSONS WHO COMPLY WITH THE PROVISIONS CONTAINED IN THIS SECTION ARE NOT LIABLE FOR CERTAIN INJURIES THAT OCCUR FROM ACTS PERFORMED UNDER THIS SECTION; AND AMENDING SECTION 23-23-10, RELATING TO DEFINITIONS OF TERMS REGARDING THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, SO AS TO PROVIDE A DEFINITION FOR THE TERM "T-CPR".
L:\COUNCIL\ACTS\4867.DOCX

(R225, H. 4869) -- Reps. Sandifer, Hardee, Ligon and Jefferson: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200, RELATING TO CONDITIONS FOR ALLOWING REINSURANCE CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY AMENDING SECTION 38-13-10, RELATING TO INSURER EXAMINATIONS, SO AS TO PROVIDE SUCH EXAMINATIONS ARE FINANCIAL EXAMINATIONS, TO APPLY THE PROVISIONS

TO HEALTH MAINTENANCE ORGANIZATIONS AND OTHER LICENSEES OF THE DEPARTMENT, TO PROVIDE MARKET CONDUCT EXAMINATIONS, AND TO REMOVE OBSOLETE PROVISIONS, AMONG OTHER THINGS; BY AMENDING SECTION 38-13-70, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DIRECTOR OR HIS DESIGNEES MAY CONDUCT INVESTIGATIONS, TO PROVIDE FOR THE CONFIDENTIALITY OF INVESTIGATIONS, AND TO PROVIDE FINAL ORDERS DISCIPLINING LICENSEES ARE PUBLIC INFORMATION, AMONG OTHER THINGS; BY AMENDING SECTION 38-57-130, RELATING TO INSURANCE TRADE PRACTICES, SO AS TO PROVIDE REVISED EXEMPTIONS FROM PROVISIONS PROHIBITING MISREPRESENTATIONS, SPECIAL INDUCEMENTS, AND REBATES IN INSURANCE CONTRACTS; AND BY AMENDING SECTION 38-77-170, RELATING TO THE REQUIRED CONDITIONS TO SUE OR RECOVER UNDER UNINSURED MOTORIST PROVISION WHEN THE OPERATOR OF THE MOTOR VEHICLE CAUSING INJURY OR DAMAGE IS UNKNOWN, SO AS TO ALLOW FOR THE SUBMISSION OF A RECORDING OF THE ACCIDENT, AMONG OTHER THINGS.
L:\COUNCIL\ACTS\4869.DOCX

(R226, H. 4957) -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, AND LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE’S NAME, IMAGE, AND LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, AND LIKENESS OF THE ATHLETE, AMONG OTHER

THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE EFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, AND LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, AND LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT" TO EXEMPT INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REVISE COMPENSATION PROVISIONS; BY REPEALING

SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, AND LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.
L:\COUNCIL\ACTS\4957.DOCX

(R227, H. 5008) -- Rep. W. Newton: AN ACT TO ADOPT REVISED CODE VOLUME 17A OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2024.
L:\COUNCIL\ACTS\5008.DOCX

(R228, H. 5023) -- Reps. Brewer, Gilliam, Lawson, Sessions, Schuessler, Hager, Hartnett, Gatch, Mitchell, Hewitt, Robbins, J. Moore, Wooten, Guffey, O'Neal, J.L. Johnson, Pedalino and B. Newton: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-1-219 SO AS TO ESTABLISH THE WORK ZONE PROGRAM WITHIN THE DEPARTMENT OF MOTOR VEHICLES; BY AMENDING SECTION 56-1-15, RELATING TO THE ADMINISTRATION OF DRIVER'S LICENSE EXAMINATIONS, SO AS TO REQUIRE DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE; AND BY AMENDING SECTION 56-1-130, RELATING TO LICENSE EXAMINATIONS AND BASIC AND CLASSIFIED LICENSES, SO AS TO REQUIRE CERTAIN DRIVER'S LICENSE APPLICANTS COMPLETE THE WORK ZONE SAFETY PROGRAM COURSE, AND TO MAKE TECHNICAL CHANGES.
L:\COUNCIL\ACTS\5023.DOCX

(R229, H. 5042) -- Reps. B.L. Cox, J.L. Johnson, Murphy, Sessions, Cobb-Hunter, Kirby, Brewer, Garvin, Henegan, M.M. Smith, Jefferson, Rivers, McDaniel, Davis, Haddon, King, Gilliard, Stavrinakis, Bauer, West, Wetmore, T. Moore, Thigpen, Chapman, Schuessler, Pope, Guffey, Dillard, W. Jones, Pendarvis, G.M. Smith, Weeks, Wheeler, Williams, S. Jones, J. Moore, O'Neal, B. Newton, Neese, Lawson, Atkinson, Hayes, W. Newton, Bannister, Caskey, Hyde, J.E. Johnson, Hiott, Brittain, Hartnett, Mitchell, Yow, Gagnon, Carter, Guest, Gatch, Crawford, Ott, Rutherford, Leber, Hixon, Herbkersman, Anderson,

Bailey, Elliott, Gilliam, Calhoon, Wooten, Forrest, Pedalino, Jordan, Bustos, Bamberg, Bernstein, Clyburn, Hosey, Henderson-Myers, Howard, Vaughan, Beach, Erickson and Bradley: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 10-1-185 SO AS TO ESTABLISH ON THE GROUNDS OF THE STATE HOUSE A ROBERT SMALLS MONUMENT, CREATE A COMMISSION TO DETERMINE THE DESIGN AND LOCATION OF THE MONUMENT, PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION, AND SUNSET THE COMMISSION AT A DATE CERTAIN.
L:\COUNCIL\ACTS\5042.DOCX

(R230, H. 5154) -- Reps. West and Sandifer: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-5-1030, RELATING TO CIVIL PENALTIES, SO AS TO PROVIDE A GAS UTILITY WHICH VIOLATES SECTION 58-5-1020 OR A REGULATION UNDER ARTICLE 9 OF CHAPTER 5, TITLE 58 IS SUBJECT TO A CIVIL PENALTY NOT MORE THAN THE CIVIL PENALTY PROVIDED BY 49 U.S.C. SECTION 60122 AND 49 C.F.R. 190.233.
L:\COUNCIL\ACTS\5154.DOCX

(R231, H. 5179) -- Reps. T. Moore and Hyde: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF EDUCATION TO NAME THE CONVERSE SCHOOL BUS MAINTENANCE SHOP IN SPARTANBURG COUNTY THE “DAVID T. BREWINGTON SCHOOL BUS MAINTENANCE CENTER”, AND TO DIRECT THE DEPARTMENT TO INSTALL APPROPRIATE SIGNAGE CONTAINING THE WORDS “DAVID T. BREWINGTON SCHOOL BUS MAINTENANCE CENTER” AS THE DEPARTMENT CONSIDERS ADVISABLE.
L:\COUNCIL\ACTS\5179.DOCX

(R232, H. 5183) -- Reps. M.M. Smith, West, Hewitt, Chapman, B. Newton, Hiott, Sessions, Pope, Davis, Gagnon, Thayer and Carter: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-20, RELATING TO THE DEFINITION OF A CERTIFIED MEDICAL ASSISTANT, SO AS TO REVISE THE CERTIFICATION REQUIREMENTS; AND BY AMENDING SECTION 40-47-196, RELATING TO THE DELEGATION OF NURSING TASKS TO UNLICENSED ASSISTIVE PERSONNEL BY

CERTAIN MEDICAL PROFESSIONALS, SO AS TO DESIGNATE ADDITIONAL NURSING TASKS THAT MAY BE DELEGATED.
L:\COUNCIL\ACTS\5183.DOCX

(R233, H. 5235) -- Reps. Bannister and Herbkersman: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 43-7-465, RELATING TO INSURERS PROVIDING COVERAGE TO PERSONS RECEIVING MEDICAID, SO AS TO COMPORT WITH THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2022.
L:\COUNCIL\ACTS\5235.DOCX

(R234, H. 5236) -- Reps. Bannister and Herbkersman: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-6-50, RELATING TO RESPONSIBILITIES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES OR A SUCCESSOR AGENCY, SO AS TO MAKE CERTAIN CHANGES CONCERNING MEDICAID CLAIMS PROCESSING CONTRACTS.
L:\COUNCIL\ACTS\5236.DOCX

(R235, H. 5246) -- Reps. Wetmore, Brittain, M.M. Smith, Stavrinakis, Hartnett, Leber, Gilliard, Bustos, Pendarvis, Jefferson, Landing and Garvin: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-612 SO AS TO PROVIDE THAT THE BROWN PELICAN IS THE OFFICIAL SEABIRD OF THE STATE.
L:\COUNCIL\ACTS\5246.DOCX

(R236, H. 5458) -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING AMBULATORY SURGICAL FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5264, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
L:\COUNCIL\ACTS\5458.DOCX

(R237, H. 5459) -- Regulations and Administrative Procedures Committee: AN ACT TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO MINIMUM STANDARDS FOR LICENSING HOSPITALS AND INSTITUTIONAL GENERAL INFIRMARIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5265, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.
L:\COUNCIL\ACTS\5459.DOCX

Statement by Senator ALEXANDER

I commend the May 23, 2024, Supreme Court decision upholding South Carolina's congressional redistricting plan. As I have said throughout this process, our plan was meticulously crafted to comply with statutory and constitutional requirements, and I was completely confident we would prevail. With its decision, the Supreme Court affirmed the hard work of South Carolina Senators and the product they produced as constitutional.

Remarks by Senator HUTTO

Senator HUTTO made remarks honoring the service of Senator McELVEEN.

Remarks by Senator McELVEEN

Senator McELVEEN rose to make brief remarks regarding his service in the Senate.

Remarks by Senator McELVEEN

Mr. PRESIDENT, brothers and sisters in the Senate, our world-class Senate staff, so many good friends from the South Carolina House of Representatives, and our visitors today, who also include my family members, and some very close friends. Wow. I can't believe this day has arrived and I didn't think this would be hard until I got up here. Usually, it's not hard to come to this well, Senator HUTTO, but when you did what you did right before I walked up here, it's made it tough.

First of all, I've got a feeling that this is going to be a more difficult speech than the very first one I gave from this well back on January 8, 2013. But it wasn't easy back then either -- as the youngest State Senator and as a first-time public office holder at the time, I suddenly found myself among giants whose careers in the Senate I'd read about and followed for years. Some of those giants are still here -- Senator

PEELER, Senator JACKSON, Senator HUTTO and Chairman RANKIN, to name just a few. And I'm certainly honored and humbled to be leaving this Chamber with one of the tallest giants of them all -- one of the greatest gentlemen and statesmen that South Carolina has ever known. That's Senator NIKKI SETZLER -- the longest serving State Senator in South Carolina history and the longest currently serving State Senator in these United States. I will never forget the friend and the mentor you have been to me since before I ever set foot in this Chamber for the first time. You are and always will be a South Carolina legend.

Because of the relationships that have been built in this Chamber and on these capitol building grounds since I started here on that second Tuesday in January back in 2013, and because of the work that I've enjoyed doing with all of you for a dozen years, I have known for a while that saying "goodbye" would be much, much harder than it was to say "hello." And now I look around this room and I see so many people I care about so much. My parents are here; my almost-perfect children; my sister, Kate Price, and her husband, Nick Price; and my only niece in the world, Martha Kate, who is a year old. I see my uncles, I see an aunt, and maybe a cousin's here, too, that I've missed. Not you, Senator MARTIN -- a different cousin. Some of my closest friends, and you, the people that I have been blessed to work with in the General Assembly. Even my friend, my brother and my suitemate for eight years, the former Senator from Charleston, Senator MARLON KIMPSON is here. And it is my great pleasure to inform each and every one of you, just in case you were wondering, he just got back from the White House. He really did. I've seen the pictures. I've seen a lot of pictures. So, I was telling the Senator for the children, Chairwoman SHEALY, just last week that she better not make eye contact with me this morning, because I really want to get through these farewell remarks in one piece. That rule goes for a lot a lot of you, because there are so many people who are so special to me in this room, and so many people who I'm really going to miss. So please bear with me as I'm going to do something that I don't do a whole lot. I'm going to read a lot of this speech -- even though we're not supposed to read from the podium, so I guess I'll break one more rule, Mr. PRESIDENT. My final remarks from the well of the Senate are going to be centered around the two words in the English language that are not used nearly enough on a daily basis. The two words that we should all use way more in our daily interactions. At least I know I should. And those two words are "Thank you." Thank you. And as I glance back, not only at my twelve years in the South Carolina State Senate, but also at the forty-six years that I've spent on this earth so far,

the truth is that I have so much to be thankful for. We all do. The truth is that I've been blessed beyond my wildest imagination and dreams.

So, first of all I want to say "thank you" to my parents, Joe and Kathy McElveen, who are here today. And they were here the first day that I came into this Chamber. They've been there for everything. I have been so fortunate to have so many positive influences in my life growing up and even as an adult -- men and women -- and it starts with my family. My grandfathers, Burke Watson and J.T. McElveen, were purple heart World War II veterans who came back and did as much for our community as they did serving their country. My grandmothers, Jeanne Watson and Elizabeth McElveen, were amazing in their own right -- their work ethic and their philanthropic and service-minded pursuits were only exceeded by their love for their God and their love for their families. My own parents have set a pristine example of what a marriage should look like, what parenting should look like and now -- maybe in the roles in which I enjoy them most -- of what grandparenting ought to look like, for their four grandchildren. Mom and Dad, I love you and you will never, ever know how much I really appreciate you. Thank you. And I'll stop with that, right there. My three wonderful children are here. Adelaide, who you've met before, is a ten-year old who's a rising fifth grader. She's a straight A student and always has been, and excels at sports, especially softball. Joe is six and is headed to first grade -- just graduated kindergarten. He's a lefty like me and shares my love of the outdoors. And Buck, that strapping young toddler you see over there, turns three next month. This is his first time coming to the Senate; I'm not sure how that happened, but I'd like to welcome him, also. The three of them haven't known anything besides my service in the Senate since they've been alive, but I want to come back and talk about them in just a little bit. I have made them promise not to say anything derogatory about Clemson today, Chairman PEELER. I have tried to explain to them that the ink is still far from dry on our budget process. And on daddy's budget projects, Representative WEEKS. Senator MARTIN, Uncle Mike is here, and I thought he brought Cousin Hunter, but maybe he didn't make it today -- and so are Uncle Burke and Aunt Robin. I'm so glad y'all were able to make it, and for the endless support y'all have always given me since day one. I know I'm your favorite nephew, but you don't have to tell anybody else. As you all know, unless you are independently wealthy, retired or self-employed, it makes it almost impossible to serve here in the Legislature. I can promise you I am neither of the first two things, but I am self-employed -- and if I didn't have law partners and some of the best legal staff in the State who were

doubling down to make things happen at the Bryan Law Firm these last twelve years while I was in session and doing the things that we all have to do, I don't know where I'd be. No one has given more effort and sacrificed more time with family and doing things that he enjoys doing than my partner John Moorman, who's here today. John has been one of my best friends for the past twenty-five years and my law partner for about seventeen years. We have had an amazing run at our firm, and I can't wait to get back to spending more time at the only place where I've ever practiced law -- at the Bryan Law Firm in Downtown Sumter -- to continue expanding and building upon the great successes that John and I have had for our clients these last seventeen years as partners in our statewide practice. I've always been proud to be a trial lawyer, and I always will be. Moorman, again -- thank you.

I want to say "thank you" to my amazing predecessor who served thirty-two years in the Senate. Talk about a giant. In addition to his years of service and the combat missions that he flew as a fighter pilot in defense of our country, and that's Senator Phil Leventis, who's here today. Senator Leventis has been beyond gracious to me from the very start to the very end. He and his wife, EV, and their family are truly wonderful people, and I am thankful for them. Senator, thank you. I want to say "thank you" to my cousin -- not you, not yet, Senator MARTIN, but my other cousin, the great former Senator from Williamsburg, Senator Yancey McGill, and to Marie Waller, for originally welcoming me into Suite 508 in the Gressette Building and for breaking me in as a brand-new Senator. I don't know that I could've landed in a better spot after you left that office, Senator RANKIN, and that's where I've stayed ever since. I had the great fortune to spend time with Senator McGill and the former Senator from Fairfield, Senator Creighton Coleman, in our office suite before an eight-year run with Senator Kimpson that I wouldn't trade for anything. And this year I've been so thankful to share space with the new Senator from Charleston who is the youngest State Senator among us. There he is back there. Senator TEDDER, Senator, you are already a savvy and veteran lawmaker with such a bright future ahead of you in this Body. I don't want to sound like a Taylor Swift song, but I'm thankful we got this year together, and I want to tell you that you did not run me off from that office. You did not run me off from this Senate. It's not your fault. It's me; it's not you. But we are never ever getting back together, okay? Ever. And to Carole Collins, our do everything and more office manager -- this is hard. You originally came to our office after retiring from an illustrious career with DNR where you ended your service as a deputy director of the agency. When you had to

leave our office on a temporary basis because they needed you back at the department several years ago, you came back to our office, and you've been there ever since. I know I'm a handful, I'm all over the place, I'm often disorganized and probably not the easiest to work with. John will tell you that. Sometimes I didn't know why you were so willing to continue with us for as long as you have, because it certainly wasn't for the pay, and it wasn't because you had to. But I do know now why you stayed. It's because you have always believed in the work we were doing. And of all of your many gifts and talents, I think your greatest is your ability and your natural inclination and desire to take care of other people. Constituent service is one of my favorite things about holding public office -- helping people to navigate government and to at least try to connect them with the services or information they need is our highest calling as public officials. And our office has been very good at constituent service -- and that's not because of me; it's because of you. You made it look easy even as you tried to keep our breakneck schedules straight whether it was job related or in our personal lives. You are a treasure, and you are a treasured friend and confidante. You are family. Thank you.

To the very large Senate Class of 2012, the Freshman Class of 2012 -- there were ten of us -- we literally turned the Senate over in one fell swoop when we arrived. Not only did we immediately account for over a fifth of the membership of the Senate -- we had a woman among our ranks who was the only woman serving at that time with forty-five men in the Senate. The crazy thing is nine of us in that freshman class are still serving today, a dozen years later. That number will definitely go down to eight after this year, and I sure am sorry for that, but I would point out that the two of us who have left the Senate -- myself and my former desk mate, the former Senator from Charleston, Senator Paul Thurmond -- did so voluntarily and on our own terms. To my remaining brothers and sister from that Class of 2012 -- Senator ALLEN, Senator BENNETT, Senator CORBIN, Senator HEMBREE, Senator K. JOHNSON, Senator SHEALY, Senator TURNER and Senator YOUNG -- I can't imagine a better group to have arrived here with. It seems like just yesterday that Senator HEMBREE, who ended up being the President of our Freshman Class, was getting us organized and on the same page before that freshman orientation where Jeff Gossett taught us how to be Senators. I've enjoyed working with you and have enjoyed spending time with each and every one of you over the years. Of course we don't always agree on everything, as it is with politics, but what I do know is that each and every one of you are entirely representative of your home

communities and your districts, and that you do an outstanding job of representing the values of your home communities and your districts here in Columbia. For those of you who have opposition this month or this fall, in my humble opinion, your constituents would do very well to send you back here again in 2025. While I'm sorry there will only be eight left when y'all come back in January, and I know that you will, I thank you for your service these past twelve years and for the leadership roles you will take on and the work you will continue to do in the future. Thank you. I only got to serve on a local delegation with one person from our Freshman Class -- and that's Senator K. JOHNSON. Senator, I'll never forget at the 2012 Sumter County Democratic Party Convention when your predecessor, Senator John Land, pulled us together and told us both that we'd be sitting next to each other in the South Carolina Senate the following year. I didn't believe him; maybe you did. But he was right. At the time, I could not have imagined how wonderful you would be to work with, or what a true friend and brother you would become. THANK YOU. Thank you for what you have done for my home county of Sumter, and the other counties of your district. You have never once wavered when we've asked you for help -- not once, ever. We have been fortunate in Sumter to have you as an instrumental part of our team, and we are going to need you even more in the future. THANK YOU to you and your family, again, for your enduring friendship. And while I'm on the subject of local delegations -- and I see some of mine here today -- I see some of the people who I've served with locally in Sumter County, Kershaw County, Lee County and even Richland County, Representative Bernstein is here today. I was very fortunate right from the start to begin serving with a great group of veteran lawmakers who were already in place from this area. And looking back, most of the time that made life a whole lot easier for me. In my home community of Sumter, for example, people like now Speaker of the House Murrell Smith and Representative David Weeks had already been in the Legislature for a dozen years. These are gentlemen who I've known for a very long time, and I am so proud of the work we have done together over these past three terms to bring so much more to our home community. The members of the Kershaw Delegation over the years -- both old and new -- certainly helped me to adjust and to feel right at home in Kershaw County. It's a place I'm really going to miss serving, Representative Mitchell. And of course, Senator MALLOY from Darlington and I have been serving together on the Lee County Delegation now for twelve years, where there has always only been the two of us plus either former Representative Grady Brown or

current Representative Will Wheeler, another long-time friend with whom I got to serve on THREE legislative delegations. And Senator MALLOY, THANK YOU for the wisdom that you bring to this Body and for your untouchable ability to navigate our rules. Of course, next year you will take on perhaps your most prestigious legislative role to date -- you will become a member of the Sumter County Delegation. Congratulations -- which takes me back to the Sumter County Delegation for a minute. Y'all know how proud I am to be from Sumter. Just like every single one of you, I love my home. And the ways that I have seen my home community change for the better over these past twelve years has been nothing short of miraculous. I won't get into all the details because I could go all day and I don't want to be accused of filibustering a Supreme Court election, especially not while Senator Leventis is here, but we've made things happen in Sumter because we've worked together. Plenty of politicians say things like "we have to work together" or "let's focus on bipartisanship." That's nothing new and it's not always sincere. But we walk the walk in Sumter County -- "Team Sumter" has been a real concept for a long time, where almost every horse pulls in the same direction for the greater good of our community: from the city council to the county council, through the private and philanthropic sectors of our community, to our legislative delegation. And that's because the goal for most has never been to be the biggest Democrat or Republican; it's been to improve things like median incomes, unemployment rates, education and access to recreation and better quality of life -- by working together. When you're a smaller county, you better work together as a cohesive unit, because if you don't, you'll end up with very little or nothing. Of course, lately it certainly hasn't hurt that one of the Republicans on our delegation has been Chairman of Ways and Means and now Speaker of the House -- Representative Murrell Smith, and that we've had an outsized representation on the Senate Finance Committee, Senator K. JOHNSON, and the House Ways and Means Committee, Representative Weeks, for a number of years now. But I want y'all to know that our Sumter County Delegation has either been six Democrats and one Republican or four Democrats and two Republicans ever since I've been in office. And those things haven't mattered one bit when we are back at home; in fact, at one point the six Democrats elected the lone Republican to be our delegation chairman. We've ridden around together on election days to thank poll workers. We've shown a united front at home. We communicate, we've stayed on the same page, and we have delivered real results. How many other county legislative delegations have you seen collaborating like that? My

home county is too small for us not to work together. Our State is too small a place for us not to work together. Our late former Chairman of the Senate Finance Committee, Senator Leatherman, once told us from this very well that we are neither Democrats nor Republicans; we are Senators for the State of South Carolina. THANK YOU to the members of this Body, on most days, for holding fast to that idea. THANK YOU to those of you who will continue here, for your efforts to maintain that attitude, which flies in the face of everything we see coming out of Washington, D.C. and other state capitols. We've been at our best, ladies and gentlemen, when we've come together -- whether that was in the impossibly trying weeks that followed the murder of one of the very best among us, or when we came together to pass legislation that would save the infrastructure of a rapidly growing State, or when we delivered, Senator PEELER, perhaps the largest tax cut in our state's history -- which included exempting our veterans' military retirement from our state's income tax. That last one was an initiative that our Sumter Delegation had worked together on for well over a decade, and what a day that was when Governor McMaster came to Sumter to celebrate the passage of that initiative to help not only our very deserving veterans, but also the development of our work force. Those are just a few examples; and there are so many more -- but it's a beautiful thing when the South Carolina Senate comes together around compromise and consensus after the robust and spirited debate and deliberation which are the historic hallmarks of this Body. THANK YOU for not throwing that away; THANK YOU for preventing this place from becoming the legislative racetrack that it was never meant to be.

Ladies and gentlemen, I believe that in some ways one of the biggest positives, but in other ways maybe the greatest threat and challenge to our State both today and in the days ahead, is growth; the growth that's already here and the growth that's on the way, Senator CAMPSEN. THANK YOU, for some of the things we've done to prepare for that growth -- like a better education system with the support we've given to initiatives like four-year-old kindergarten and an emphasis on taking care of our technical colleges, along with more recent steps to mitigate and to freeze the unsustainable rising costs of higher education which make it out of reach for a lot of South Carolina families. There's still much work to be done, and it should start with a long-term, sustainable and dedicated funding stream for counties in this State that need help and will never be able to take care of their crumbling public schools by themselves. Now that I'm leaving, please consider the Education Infrastructure Bank Bill that I've filed for two or three straight sessions now along with my

longtime friend, Senator SABB. I know a lot of y'all like the idea, along with the past two Superintendents of Education. Representative Neil Collins here -- I think you'd probably like it too if you read it. It's not perfect, but it's a fiscally responsible and sustainable concept that would be a great start to addressing a major challenge that's only going to get drastically worse for a lot of counties and communities in this State over the next ten to twenty years.

THANK YOU for the overwhelming emphasis on providing funding and a plan that we now have to get our roads and our bridges up to 21st century standards as the population of our State balloons. We were playing from way behind when we passed that Bill in 2017, but we had to start somewhere, and the progress toward decongesting our highways and making our roads and bridges safer is real, and it's palpable -- but it can't be completed overnight after being neglected for so many decades.

THANK YOU for making conservation an issue that has become less and less partisan, whether it's the land we've protected due in part to the Conservation Bank, or the wild species -- even including native snakes and turtles -- that we've protected by being diligent and deliberate with our fish and game laws. THANK YOU, to conservation leaders like Senator CHIP CAMPSEN and Senator STEPHEN GOLDFINCH. Chairman CAMPSEN, there is nothing here that I've taken more personal satisfaction from than serving with you on your Fish, Game and Forestry Committee. I've said it before and I'll say it again -- there is no person here who is more suited to chair a committee based upon his or her personal experiences and knowledge, given the subject matter, than you. A lot of people have no idea how fortunate we are to have you at the helm of a committee that takes up issues that are so important to so many South Carolinians. Having my friend, the Senator from Georgetown, Senator STEPHEN GOLDFINCH, at your right hand on that committee is an added benefit for the sportsmen of South Carolina. THANK YOU for being the conscience of the Senate when it comes to protecting and conserving God's creation in South Carolina.

While we are on the subject of conservation -- and Senator SEAN BENNETT, you knew I was going to say it at some point in time -- let's not forget our waterways, our swamps, our lakes, our streams and our ponds -- and even the very water we drink -- that we have managed to keep relatively clean and pure by maintaining careful watch over places like the Pinewood Landfill that is situated in my Senate district near the shores of Lake Marion. THANK YOU, to Chairman HARVEY PEELER and Chairman DANNY VERDIN, who several years ago allowed us the resources to take a deep dive on the Pinewood Site, which resulted in

capital improvements to keep a dangerous place a little bit safer, and created increased awareness of the threat that this hazardous waste dump poses among a newer generation of Legislators. I know this is something I've talked about a whole lot over the years -- my predecessor was the same way, he fought it to the very end -- but I'm not Chicken Little and this is not a problem that's ever going to go away on its own. That landfill is a ticking time bomb that this Legislature is going to have to stay on top of and prevent it from causing harm to citizens in my part of the State, downstream from the Santee Lakes, and likely in your parts of the State as well. THANK YOU for remaining diligent and deliberate when it comes to environmental challenges such as the Pinewood hazardous waste site. Economic investments come and go, jobs come and go and development will be ever-present in this State -- but we only get one crack at protecting the things that make South Carolina the unique paradise that it is -- things we take for granted like clean air, clean water and a million different beautiful places and opportunities for recreation in our State. Once we allow these treasures to be damaged, the harm can and will be irreparable. As our State continues to grow, THANK YOU for the steps we have taken and that you will continue to take to protect our unique and abundant national heritage -- it's our moral responsibility and our duty to future generations of South Carolinians to remain vigilant in this pursuit.

I'm also particularly proud of the decade of work we have done to improve conditions at the Department of Social Services, which has led to better outcomes for our state's most precious resource of all -- our children. THANK YOU to Senator KATRINA SHEALY and to Senator TOM YOUNG, and to former Senator Joel Lourie, for your committed, meticulous and resilient work on the DSS Oversight Committee. It has been a pleasure and an honor working with you on that subcommittee for all of these years, and the work we have done has not only improved lives, Senator YOUNG, it's saved lives. THANK YOU. And while we are talking about oversight, I want to say THANK YOU to this Body for taking that oversight role very seriously. It's not the sexiest work; it's not the easiest work; but it's some of the most important work that this General Assembly is supposed to do. Senator from Berkeley, Chairman LARRY GROOMS, you have led our Constitutional Subcommittee of the Finance Committee both deliberately and fearlessly, especially over these past eighteen months. The members of our subcommittee -- you, Senator YOUNG, Senator BRIGHT MATTHEWS, Senator GOLDFINCH, Senator FANNING and yours truly -- have managed to uncover so much over the past year and a half, thanks in large part to the

tireless, brilliant and never-ceasing work of our staff. THANK YOU, Senator GROOMS, for your commitment to ensuring that questions about our state's finances WILL be answered, that our state's dollars WILL be managed appropriately, and for safeguarding things like our state's pristine credit rating, of which we are rightfully proud. Chairman PEELER, THANK YOU for giving this subcommittee the necessary resources and a very long leash to perform this work which is so vital to our state's long-term financial stability. You all WILL not only get to the bottom of it, you'll lead the way in making the necessary changes that will fix these problems and WILL prevent these irregularities from ever happening again. THANK YOU. And just for the record, this retiring Legislator has no interest in being appointed Comptroller General, or Treasurer, or dog catcher, or anything else right now, so please don't even ask!

Chairman PEELER, I also want to say THANK YOU again for the many opportunities you've allowed me on the Finance Committee over just a few short years. I can't tell you how much I've enjoyed the work I was able to do with Senator JACKSON'S Transportation Subcommittee, more recently with Senator GROOMS' Constitutional Subcommittee, and even more recently with the Senator CROMER'S Higher Education Subcommittee. I wish I could have spent more than one year. THANK YOU for taking steps to restore our state government's historic support of and investment in our state colleges and universities. Serving on the Finance Committee has been one of the most awesome responsibilities and some of the most enjoyable work that I've done here, and I'm really, really going to miss it.

The Family and Veteran Services Committee is another place that has been extraordinarily special to me. A big reason for that is because it's chaired by one of the most extraordinary and special people among us, and that's Chairwoman SHEALY. And let me stop there to say that I have been beyond inspired and grateful for the work that Senator SHEALY and our other Sister Senators, Senator BRIGHT MATTHEWS, Senator McLEOD, Senator SENN, Senator GUSTAFSON and now Senator DEVINE were doing way before they ever won that prestigious Profile in Courage Award© last summer. Your collaborative efforts and willingness to ignore silly things like party lines are not only a great example for our State -- they are a great example for a country that really needs to get away from divisiveness that's brought on by divisive people. Your service and your mere presence in this Senate continue to make the South Carolina Senate a much better place. But Senator SHEALY, you were the first to make sure that this Senate

regained the much-needed voice of a woman, and Senator SHEALY'S voice has been mighty, especially when it comes to the welfare of children and vulnerable adults who have been in need of a voice. Candidly, Senator SHEALY has taught me one of the most valuable lessons that I've learned in politics -- and that's never to judge a book by its cover. When we first came to the Senate, quite frankly I didn't want to like Senator SHEALY. I imagine a lot of you felt the same way when Senator HARPOOTLIAN got here. I really didn't want much to do with Senator SHEALY at that time, at all. All I really knew -- or thought that I knew -- at the time was that our politics didn't exactly match up and that she was pretty tight with our former Governor, and that was a Governor who had come into my backyard, Representative Weeks, in Sumter and personally attacked me on multiple occasions during that first campaign in 2012. Uncle Mike, she should have known better. Perhaps like many of you, I did not know Senator SHEALY's heart back then, but I'm confident that all of us know it now. She is one of the most extraordinary people I've ever met, and her friendship is one that I will always cherish immensely. And Senator SHEALY, you gave me the opportunity to Chair the Veterans Affairs Subcommittee, which is one of many things for which I'll always be indebted to you. That might not seem like a big deal to a lot of people up here at the State House, but it's been a big deal to me and to my home community, which is also home to Shaw Air Force base -- right down the road from McEntire and Fort Jackson, and which boasts a robust veteran population. You certainly didn't have to share that position with a member of the minority caucus, but you did, and working with you and Mason Thomas to pass so many great, if underappreciated, pieces of military and veteran friendly Legislation has been a true highlight of my career here. THANK YOU. Going forward, I'm going to miss the work that we do here. But I am going to miss the people and the wonderful relationships up here so much more. As I said, if you can get past politics and personalities -- WHICH EVERYONE SHOULD -- you can find a friend in what you might have thought was an unlikely place. A friend who might help you pass a piece of Legislation or a friend who might buy you lunch, Senator HARPOOTLIAN. While I won't get much of a retirement out of this place, I have gained many friends and I have even gotten a new cousin out of my service up here, Senator MARTIN. And ladies and gentlemen, it's no secret that this past year has been a tough one for me, but it has made me so immensely thankful for so many of you in this room. Senator KIMBRELL, you simply coming by and asking, "How are you?" on so many occasions over the past few months has been a true

blessing to me, whether you knew it or not. There are so many of you who have gone out of your way just to check in, and that goes beyond just the members of the Body. Mr. Reading Clerk, John Wienges, I appreciate you. I don't think I've ever been more happy or felt more fortunate to be a part of this Senate family as I have this past year, which is my last. THANK YOU. So, while I won't be up here three days a week, six months out of the year anymore, I do hope there will be more days ahead of shooting quail and going to Guns N' Roses concerts with you, Senator HUTTO. Senator HARPOOTLIAN, I'll have much more availability for lunch -- especially when you're buying. Senator YOUNG, I hope we get to drink a beer at the beach together this summer. Or if you feel more comfortable, you can watch me drink beer at the beach this summer. Senator SABB, my knees hurt too bad to play basketball, and you and I are not allowed to hit the town together anymore since that one night in 2019 that we won't talk about here, but we will figure something out. Senator JACKSON, I will also still look forward to your annual yet unrealistic optimism about the Los Angeles Lakers. I hate to break it to you, but J.J. Reddick isn't gonna be able to save them, either. I could go on -- Senator BENNETT, I'm still waiting on that invitation to a Braves game -- I could go on, I could go on and on and on, but the point I'm trying to make is that I'm so thankful for the experiences that I've shared with each and every one of you, and with our former colleagues who have gone on from the Senate. I even saw Coach Floyd Nicholson, Senator Nicholson, here somewhere. It's great to see you, Coach. My life has been truly enriched by those experiences, and I'll treasure them forever. So if I'm so positive about my time here, then why am I leaving? I think most of you already know the answer to that question. You know how I feel about my family, and especially those three children of mine who are right over there. But I'm not going to feed you the old cliché line that, "I'm leaving politics for my family." In fact, my precocious 10-year-old daughter told me recently that she'd rather me stay in the Senate and stop practicing law, if I was going to quit something, Richard Webb. One day she will understand why it couldn't quite work that way.

As I mentioned, I didn't have any children when I got here, but I thank God I have three of them now. They have given me not only an entirely new outlook and perspective, but they've given me new purpose. And being their dad will always be the greatest title that I'll ever have. Ladies and gentlemen, I don't want to give him a big head, I really don't, but it was the farewell speech that I heard from Senator Kimpson, about this time last year, that first got me thinking about leaving this wonderful

Body. Senator, one phrase that you said has remained in my head and in my heart ever since the minute you said it -- and that was "TIME IS LOVE." Time is love. I have found myself thinking about those words and repeating them over and over again. As an older parent to younger kids who I am watching grow up way too fast, those words really resonate. It is true -- time is love, but time is also a relentless thief, and the time has come for me to start giving more of my time to the people who have given so much of theirs, in support of my years of service here -- to my family, to my work family and to my friends who have always been there for me. But to my children especially, THANK YOU. Your daddy is immensely proud of you, and always will be. To some of my friends who are here, Marion Moses, Stephan Ardis and his daughter Harper Ardis, even West Columbia City Councilman Trevor Bedell, Senator SETZLER -- THANK YOU -- especially for the unwavering support you have shown to me in these recent months. I'll never forget it; I just hope I can find ways to repay it. As I wrap up, I also want to say THANK YOU to the people of Senate District 35 in the best counties of Sumter, Kershaw, Lee and Richland. You took a chance on a young Senate candidate who was an unknown commodity in a competitive swing district back in 2012. I hope you noticed that it never mattered to me whether you were a Democrat, a Republican or anything else when I asked you for your vote, or when you asked me for help. You have allowed me the honor of a lifetime, and I have loved serving you here. My reverence for this place is as strong today as it was the first time I wandered into this historic building -- right after I got lost in the parking garage. With every ounce of sincerity that's in me, THANK YOU. Finally, ladies and gentlemen, I was asked recently what's next. My answer was and is, "I don't know." My plan is to sit still for a minute and to see what happens. But Senator McLEOD, it's been said from this podium many times before, "if you want to make God laugh, tell him about your plans." What I do know is that sitting still isn't my strong suit or something I'm real interested in. There's still a lot of gas in my tank and there's plenty of fight in this dog. I don't know what's next, but I do know and have complete faith that God will open the next doors for me and my family, simply because of the fact that He always has. Ladies and gentlemen in this Senate, brothers and sisters, if I can ever be of service to any of you in this Body or in this room in any way imaginable, let me know and I promise I'll try. I'll still be right down Highway 378 on the same street I grew up on, and like Coach Prime, Deion Sanders, once said, "I ain't hard to find." Thank you. And may God continue to bless each and every one of you, always.

On motion of Senator MASSEY, with unanimous consent, the remarks of Senator McELVEEN were ordered printed in the Journal.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that the Senate would reconvene immediately upon the conclusion of the Joint Assembly.

RECESS

At 11:55 P.M., on motion of Senator MASSEY, the Senate receded from business for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY

Elections

At 12:00 Noon, the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolutions adopted by both Houses.

S. 1275 -- Senators Rankin, Sabb, Talley and Alexander: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, JUNE 5, 2024, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 3, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JULY 31, 2028.

Election of a Supreme Court Judge, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Chief Justice, Supreme Court, Seat 3.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Blake A. Hewitt, the Honorable Jocelyn Newman and the Honorable Letitia H. Verdin had been screened and found qualified to serve.

On motion of Senator RANKIN the names of the Honorable Blake A. Hewitt and the Honorable Jocelyn Newman were withdrawn from consideration.

Senator RANKIN placed the name of the Honorable Letitia H. Verdin in nomination.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--44

On the motion of Representative Hiott, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Alexander	Anderson	Bailey
Ballentine	Bannister	Bauer
Beach	Bernstein	Blackwell
Bradley	Brewer	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. L. Cox	Cromer
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliam	Guest
Guffey	Haddon	Hager
Harris	Hart	Hartnett
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Jefferson
J. E. Johnson	J. L. Johnson	S. Jones

W. Jones	Jordan	Kilmartin
King	Kirby	Landing
Lawson	Ligon	Long
Lowe	Magnuson	May
McCabe	McCravy	McGinnis
Mitchell	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Ott
Pace	Pedalino	Pope
Rivers	Robbins	Rose
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Thayer
Thigpen	Trantham	Vaughan
Weeks	West	Wetmore
Wheeler	Whitmire	Williams
Willis	Wooten	Yow

Total--108

RECAPITULATION

Total number of Senators voting 44
Total number of Representatives voting..... 108
Grand Total..... 152
Necessary to a choice 0
Ayes 152
Nays 0

Whereupon, the PRESIDENT announced that the Honorable Letitia H. Verdin was elected to the position of Chief Justice, Supreme Court, Seat 3 for the term to expire July 31, 2028.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

WEDNESDAY, JUNE 5, 2024

Local Appointment

Initial Appointment, Sumter County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Roger Richardson, 1760 Hideaway Dr., Sumter, SC 29154-8625 *VICE:* Fred Gordon

COMMUNICATION

5th Congressional District Senate Delegation

May 7, 2024

The Honorable Henry D. McMaster
State House, First Floor
Columbia, SC 29201

The Honorable Jeffrey S. Gossett
401 Gressette Building
Columbia, SC 29201

The Honorable Mark Hammond
1205 Pendleton Street
Columbia SC 29201

The Honorable Charles F. Reid
213 Blatt Building
Columbia, SC 29201

RE: Approval of Mr. Curtis M. Spencer, 5th District, SCDOT Commission

Dear Governor McMaster, Secretary Hammond, Mr. Gossett and Mr. Reid:

Members of the Senate representing the 5th Congressional District met on Tuesday, May 7, 2024, to consider the following appointment and reappointment:

Initial Appointment, S.C. Department of Transportation Commission, 5th Congressional District, with the term to commence February 15, 2020, and to expire February 15, 2024.

Mr. Curtis M. Spencer, 732 Mattison Avenue, Sumter, SC 29150-3108 *VICE*: David Branham, Sr.

Reappointment, S.C. Department of Transportation Commission, 5th Congressional District, with the term to commence February 15, 2024, and to expire February 15, 2028.

Mr. Curtis M. Spencer, 732 Mattison Avenue, Sumter, SC 29150-3108

As ranking resident Senator from the 5th District, I certify that Mr. Spencer received a majority of the weighted vote of only the Senators in the delegation.

Thank you for your attention to this matter. Please contact me if you have any questions.

Sincerely,

Harvey S. Peeler, Jr.

COMMUNICATION

The Honorable Thomas C. Alexander
President of the Senate
State House, Second Floor
Columbia, South Carolina 29201

Mr. President and Senators:

I am vetoing and returning without my approval R177, S.112:

(R177, S112) -- Senators Allen, Hembree and Shealy: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 34-11-90, RELATING TO JURISDICTION FOR OFFENSES INVOLVING CHECKS AND PENALTIES, SO AS TO PROVIDE A METHOD TO EXPUNGE CONVICTIONS; BY AMENDING SECTION 17-22-910, RELATING TO APPLICATIONS FOR EXPUNGEMENT, SO AS TO ADD MULTIPLE MISDEMEANOR OFFENSES OF CHECK FRAUD TO THOSE OFFENSES ELIGIBLE FOR EXPUNGEMENT; AND BY ADDING SECTION 17-1-43, SO AS TO REQUIRE THE DESTRUCTION OF ARREST RECORDS OF PERSONS MADE AS A RESULT OF MISTAKEN IDENTITY UNDER CERTAIN CIRCUMSTANCES.

Yours very truly,

Henry McMaster

Received as information

The veto was ordered placed on the Calendar for consideration tomorrow.

The Honorable Thomas C. Alexander
President of the Senate
State House, Second Floor
Columbia, South Carolina 29201

Mr. President and Senators:

I am vetoing and returning without my approval R200, S.1166:

(R200, S1166) -- Senators Tedder, Stephens and Rice: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS THAT OCCURRED BEFORE THE ENACTMENT OF THE S.C. CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THIS ACT, TO PROVIDE THE DISMISSAL OF THESE CHARGES DOES NOT MANDATE THE DISMISSAL OF OTHER RELATED CHARGES OR MAY SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.

Yours very truly,
Henry McMaster

Received as information

The veto was ordered placed on the Calendar for consideration tomorrow.

REGULATIONS RECEIVED

The following were received and referred to the appropriate committees for consideration:

Document No. 5242
Agency: Public Service Commission
Chapter: 103
Statutory Authority: 1976 Code Sections 58-3-140, 58-23-590, 58-23-1010,
58-23-1070, and 58-23-1130
SUBJECT: Article 2, Motor Carriers
Received by President of the Senate May 24, 2024
Referred to Committee on Judiciary

Document No. 5267
Agency: Public Service Commission
Chapter: 103
Statutory Authority: 1976 Code Sections 58-3-140, 58-9-720, and 58-9-810
SUBJECT: Article 6, Telecommunications Utilities

Received by President of the Senate May 22, 2024
Referred to Committee on Judiciary

Leave of Absence

At 12:56 P.M., Senator GROOMS requested a leave of absence from Monday, June 10, 2024, until Thursday, June 27, 2024.

Leave of Absence

At 12:56 P.M., Senator TEDDER requested a leave of absence for Tuesday, June 18.

Expression of Personal Interest

Senator SHEALY rose for an Expression of Personal Interest regarding the service of Senator McELVEEN.

Remarks by Senator SHEALY

I will be brief -- y'all hear that all the time, don't you? Before we left in such a rush, Senator McELVEEN got up and said his goodbye address. I made him promise not to make me cry and he made me promise not to make him cry. I wanted to say a few nice things about Senator McELVEEN. I didn't know he didn't like me when he first met me. Like Nikki Haley, on our first freshman event it was Thomas and his wife and Beth Bernstein and her husband and Jimmy and I that were at the table. If he thinks that he felt odd, he should have been me there with the table full of Democrats. I felt odd. But anyway, I've enjoyed getting to know Thomas and we have probably become better friends with him being a Democrat and me being a Republican. I can't tell you the difference when people are Republicans and Democrats. I don't get to know people that way. I get to know you as a person, and Thomas has been a good friend. We have talked about a lot of things. He always asks me how Mr. Jimmy, the grandkids and the donkeys are doing. Thomas is just an all-around good guy and I am going to miss him. I'm going to miss seeing his happy face over there smiling back at me. I'm going to miss him on the Family and Veterans' Services Committee. I'm going to miss his dedication to the Senate. I'm just going to miss you, I've got to tell you, I'm going to miss you! I'm trying to make you cry, you know that don't you? No, not really. I just wanted to say that the Senate is losing a great Senator in you. I would like for you to stay another twenty years because I think you're the right person at the right place at the right time. But I know you have obligations at home, and I understand. When you decide to come back, we'll be here for you. Thank you.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator SHEALY were ordered printed in the Journal.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1349 -- Senators Hutto, Setzler, Jackson, Malloy, Williams, Allen, K. Johnson, Sabb, Matthews, Fanning, McLeod, Harpootlian, Stephens, Tedder and Devine: A SENATE RESOLUTION TO COMMEND THE HONORABLE JOSEPH THOMAS MCELVEEN III FOR HIS COMMITTED SERVICE TO THE SOUTH CAROLINA SENATE AND THE CITIZENS OF DISTRICT 35 AND TO WISH HIM SUCCESS IN ALL HIS FUTURE ENDEAVORS UPON HIS RETIREMENT FROM THE SENATE.
lc-0429dg-bl24.docx

The Senate Resolution was adopted.

S. 1350 -- Senators Alexander and Rice: A SENATE RESOLUTION TO CONGRATULATE THE SIX MILE MASONIC LODGE #339 UPON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO COMMEND THE LODGE FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
sr-0746km-vc24.docx

The Senate Resolution was adopted.

S. 1351 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE DUKE ENDOWMENT UPON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO COMMEND THE DUKE ENDOWMENT FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE UPSTATE REGION AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
sr-0706km-hw24.docx

The Senate Resolution was adopted.

S. 1352 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE THE FIFTIETH ANNIVERSARY OF THE CHATTOOGA RIVER OFFICIALLY BECOMING A WILD AND SCENIC RIVER.
sr-0727km-vc24.docx

The Senate Resolution was adopted.

S. 1353 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE JOCASSEE HYDRO STATION UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND DUKE ENERGY FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
sr-0753km-vc24.docx

The Senate Resolution was adopted.

S. 1354 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE DANIEL HIGH SCHOOL BOYS SOCCER TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING SOUTH CAROLINA CLASS 3A BOYS SOCCER STATE CHAMPIONSHIP.
sr-0748km-vc24.docx

The Senate Resolution was adopted.

S. 1355 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE DR. BETTY BAGLEY FOR BEING INDUCTED INTO THE SOUTH CAROLINA FOUNDATION FOR EDUCATIONAL LEADERSHIP'S EDUCATORS HALL OF FAME.
sr-0747km-vc24.docx

The Senate Resolution was adopted.

S. 1356 -- Senator McElveen: A CONCURRENT RESOLUTION TO CONGRATULATE ELIZABETH DUBOSE "BETTY" BROGDON ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY, TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS, AND TO NAME OCTOBER 15, 2024, AS "BETTY BROGDON DAY" IN THE STATE OF SOUTH CAROLINA.
lc-0442dg-gm24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1357 -- Senator Stephens: A SENATE RESOLUTION TO RECOGNIZE REVEREND JEFFREY SALLEY UPON THE OCCASION OF HIS PROMOTION TO DISTRICT SUPERINTENDENT OF THE CHARLESTON DISTRICT OF THE UNITED METHODIST CHURCH.
sr-0759km-vc24.docx

The Senate Resolution was adopted.

S. 1358 -- Senator Tedder: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MARY MAGDALINE WHITE AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
sr-0745km-vc24.docx

The Senate Resolution was adopted.

S. 1359 -- Senator Devine: A SENATE RESOLUTION TO CONGRATULATE PAULA B. CHINA UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER TWENTY-EIGHT YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0749km-vc24.docx

The Senate Resolution was adopted.

S. 1360 -- Senators Shealy and Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR IMANI JOHNSON AND TIKI PEARSON, BOTH OF RICHLAND COUNTY, FOR PERFORMING LIFESAVING ACTIONS TO ASSIST A FELLOW COLLEAGUE AT THE DEPARTMENT OF SOCIAL SERVICES WHO EXPERIENCED A MEDICAL EMERGENCY.
sr-0755km-vc24.docx

The Senate Resolution was adopted.

S. 1361 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE OCONEE FEDERAL SAVINGS AND LOAN UPON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO COMMEND THE BUSINESS FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.
sr-0752km-vc24.docx

The Senate Resolution was adopted.

S. 1362 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE SENECA GIRLS TRACK AND FIELD TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS 3A STATE CHAMPIONSHIP.
sr-0757km-vc24.docx

The Senate Resolution was adopted.

S. 1363 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE DANIEL HIGH SCHOOL FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS 3A STATE CHAMPIONSHIP.
sr-0703km-vc24.docx

The Senate Resolution was adopted.

S. 1364 -- Senator Devine: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF JAMES CLAVON AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
sr-0760km-vc24.docx

The Senate Resolution was adopted.

S. 1365 -- Senator Fanning: A SENATE RESOLUTION TO CONGRATULATE THE FAIRFIELD CENTRAL HIGH SCHOOL BOYS CROSS COUNTRY TEAM ON CAPTURING THE 2024 CLASS AA STATE CHAMPIONSHIP TITLE AND TO APPLAUD THE TEAM FOR A FABULOUS SEASON.
lc-0633cm-rm24.docx

The Senate Resolution was adopted.

S. 1366 -- Senators Shealy and Kimbrell: A SENATE RESOLUTION TO RECOGNIZE SEPTEMBER 17-23, 2024, AS "CONSTITUTION WEEK" IN SOUTH CAROLINA.
sr-0756km-vc24.docx

The Senate Resolution was adopted.

S. 1367 -- Senator Reichenbach: A SENATE RESOLUTION TO RECOGNIZE THE THIRD SATURDAY IN OCTOBER YEARLY AS "PEE DEE YOUTH DAY" IN SOUTH CAROLINA.
sr-0751km-vc24.docx

The Senate Resolution was adopted.

S. 1368 -- Senators Talley, Malloy, Setzler, K. Johnson, McLeod, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, M. Johnson, Kimbrell, Loftis, Martin, Massey, Matthews, McElveen, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Shealy, Stephens, Tedder, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO

CONGRATULATE CHIEF JUSTICE DONALD W. BEATTY UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0754km-vc24.docx

The Senate Resolution was adopted.

ACTING PRESIDENT PRESIDES

Senator McLEOD assumed the Chair.

Presentation of Service Pins

Senator ALEXANDER, PRESIDENT of the Senate, presented certificates and awarded service pins to the following Senate staff for their respective years of state service:

10 Year Pins
Chappell Fennell
Kate Maroney
Jake Scoggins

20 Year Pin
Richard Webb

30 Year Pin
Grant Gibson

40 Year Pin
Paula Benson

50 Year Pin
Kathy Marsh

In commemoration of continuous service with the State of South Carolina, Senator ALEXANDER, PRESIDENT of the Senate, presented a certificate and service pin to the following Senator for his years of service:

30 Year Pin
Senator Kent Williams

All were highly commended for their years of devoted and loyal service.

PRESIDENT PRESIDES

At 12:54 P.M., the PRESIDENT assumed the Chair.

H. 4187--CONFERENCE COMMITTEE APPOINTED

H. 4187 -- Reps. J.E. Johnson, W. Newton, Robbins, Haddon, Mitchell, Yow, Chapman, Gagnon, Ligon, O'Neal, B. Newton, Sessions, Felder, Blackwell, Oremus and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO DEFINE NECESSARY TERMS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF FELONY ORGANIZED RETAIL CRIME AND FELONY ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE GRADUATED PENALTIES FOR THE OFFENSES.

Whereupon, Senators MALLOY, GARRETT and SENN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

REPORT

Judicial Merit Selection Commission

Report of Candidate Qualifications
2024

Date Draft Report Issued: Monday, May 20, 2024
Date and Time Final Report Issued: Noon, Wednesday, May 22, 2024

Judicial candidates are not free to seek or accept commitments until Wednesday, May 22, 2024, at Noon.

Judicial Merit Selection Commission

Sen. Luke A. Rankin, Chairman
Rep. Micajah P. "Micah" Caskey IV, Vice Chairman
Sen. Ronnie A. Sabb
Sen. Scott Talley
Rep. J. Todd Rutherford
Rep. Wallace H. "Jay" Jordan, Jr.
Hope Blackley
Lucy Grey McIver
Andrew N. Safran
J.P. "Pete" Strom Jr.

Erin B. Crawford, Chief Counsel
Kate Crater Counsel

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6623
May 20, 2024

Dear Members of the General Assembly:

Enclosed is the Judicial Merit Selection Commission's Report of Candidate Qualifications. This Report is designed to assist you in determining how to cast your vote. The Commission is charged by law with ascertaining whether judicial candidates are qualified for service on the bench. In accordance with this mandate, the Commission has thoroughly investigated all judicial candidates for their suitability for judicial service.

The Commission's finding that a candidate is qualified means that the candidate satisfies both the constitutional criteria for judicial office and the Commission's evaluative criteria. The attached Report details each candidate's qualifications as they relate to the Commission's evaluative criteria.

Judicial candidates are **prohibited** from asking for your commitment until **12:00 Noon on Wednesday, May 22, 2024. Further, members of the General Assembly are not permitted to issue letters of introduction, announcements of candidacy, statements detailing a candidate's qualifications, or commitments to vote for a candidate until 12:00 Noon on Wednesday, May 22, 2024. In summary, no member of the General Assembly should, orally or in writing, communicate about a candidate's candidacy until this designated time after the release of the Judicial Merit Selection Commission's Report of Candidate Qualifications.** If you find a candidate violating the pledging prohibitions or if you have questions about this report, please contact Erin B. Crawford, Chief Counsel to the Commission, at (803) 212-6689.

Thank you for your attention to this matter.

Sincerely,
Senator Luke A. Rankin

Judicial Merit Selection Commission

Senator Luke A. Rankin, Chairman
Rep. Micajah P. "Micah" Caskey IV, Vice Chairman
Sen. Ronnie A. Sabb
Sen. Scott Talley
Rep. J. Todd Rutherford
Rep. Wallace H. "Jay" Jordan, Jr.
Hope Blackley
Lucy Grey McIver
Andrew N. Safran
J.P. "Pete" Strom Jr.

Erin B. Crawford, Chief Counsel
Patrick Dennis, Counsel

Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6623
May 20, 2024

Dear Fellow Members of the General Assembly:

This letter is written to call your attention to issues raised during the December 2003, Judicial Merit Selection hearings concerning a judicial candidate's contact with members of the General Assembly, as well as third parties contacting members on a candidate's behalf. It is also to remind you of these issues for the current screening.

Section 2-19-70(C) of the South Carolina Code contains strict prohibitions concerning candidates seeking or legislators giving their pledges of support or implied endorsement through an introduction prior to 48 hours after the release of the final report of the Judicial Merit Selection Commission ("Commission"). The purpose of this section is to ensure that members of the General Assembly have full access to the report prior to being asked by a candidate to pledge his or her support. The final sentence of Section 2-19-70(C) provides that "the prohibitions of this section do not extend to ***an announcement of candidacy by the candidate and statements by the candidate*** detailing the candidate's qualifications" (emphasis added). Candidates may not, however, contact members of the Commission regarding their candidacy. Please note that six members of the Commission are also legislators.

In April 2000, the Commission determined that Section 2-19-70(C) means ***no member of the General Assembly should engage in any form***

of communication, written or verbal, concerning a judicial candidate before the 48-hour period expires following the release of the Commission's report. The Commission would like to clarify and reiterate that until at least 48 hours have expired after the Commission has released its final report of candidate qualifications to the General Assembly, ***only candidates, and not members of the General Assembly***, are permitted to issue letters of introduction, announcements of candidacy, or statements detailing the candidates' qualifications.

The Commission would again like to remind members of the General Assembly that ***a violation of the screening law is likely a disqualifying offense and must be considered when determining a candidate's fitness*** for judicial office. Further, the law requires the Commission to report any violations of the pledging rules by members of the General Assembly to the House or Senate Ethics Committee, as may be applicable.

Should you have any questions regarding this letter or any other matter pertaining to the judicial screening process, please do not hesitate to call Erin B. Crawford, Chief Counsel to the Commission, at (803) 212-6689.

Sincerely,
Senator Luke A. Rankin
Chairman

INTRODUCTION

The Judicial Merit Selection Commission is charged by law to consider the qualifications of candidates for the judiciary. This report details the reasons for the Commission's findings, as well as each candidate's qualifications as they relate to the Commission's evaluative criteria. The Commission operates under the law that went into effect on July 1, 1997, and which dramatically changed the powers and duties of the Commission. One component of this law is that the Commission's finding of "qualified" or "not qualified" is binding on the General Assembly. The Commission is also cognizant of the need for members of the General Assembly to be able to differentiate between candidates and, therefore, has attempted to provide as detailed a report as possible.

The Judicial Merit Selection Commission is composed of ten members, four of whom are non-legislators. The Commission has continued the more in-depth screening format started in 1997. The Commission has asked candidates their views on issues peculiar to service on the court to which they seek election. These questions were posed in an effort to provide members of the General Assembly with

more information about candidates and the candidates' thought processes on issues relevant to their candidacies. The Commission has also engaged in a more probing inquiry into the depth of a candidate's experience in areas of practice that are germane to the office he or she is seeking. The Commission feels that candidates should have familiarity with the subject matter of the courts for which they offer, and feels that candidates' responses should indicate their familiarity with most major areas of the law with which they will be confronted.

The Commission also used the Citizens Committees on Judicial Qualifications as an adjunct of the Commission. Since the decisions of our judiciary play such an important role in people's personal and professional lives, the Commission believes that all South Carolinians should have a voice in the selection of the state's judges. It was this desire for broad-based grassroots participation that led the Commission to create the Citizens Committees on Judicial Qualifications. These committees are composed of individuals who are both racially and gender diverse, and who also have a broad range of professional experiences (*i.e.*, lawyers, teachers, businessmen, bankers, and advocates for various organizations). The committees were asked to advise the Commission on the judicial candidates in their regions. Each regional committee interviewed the candidates from its assigned area and also interviewed other individuals in that region who were familiar with the candidate either personally or professionally. Based on those interviews and its own investigation, each committee provided the Commission with a report on their assigned candidates based on the Commission's evaluative criteria. The Commission then used these reports as a tool for further investigation of the candidate if the committee's report so warranted. Summaries of these reports have also been included in the Commission's report for your review.

The Commission conducts a thorough investigation of each candidate's professional, personal, and financial affairs, and holds public hearings during which each candidate is questioned on a wide variety of issues. The Commission's investigation focuses on the following evaluative criteria: constitutional qualifications, ethical fitness, professional and academic ability, character, reputation, physical health, mental health, and judicial temperament. The Commission's investigation includes the following:

(1) survey of the bench and bar through BallotBox online;
(2) SLED investigation;
(3) credit investigation;
(4) grievance investigation;

(5) study of application materials;
(6) verification of ethics compliance;
(7) search of newspaper articles;
(8) conflict of interest investigation;
(9) court schedule study;
(10) study of appellate record;
(11) court observation; and
(12) investigation of complaints.

While the law provides that the Commission must make findings as to qualifications, the Commission views its role as also including an obligation to consider candidates in the context of the judiciary on which they would serve and, to some degree, govern. To that end, the Commission inquires as to the quality of justice delivered in the courtrooms of South Carolina and seeks to impart, through its questioning, the view of the public as to matters of legal knowledge and ability, judicial temperament, and the absoluteness of the Judicial Canons of Conduct as to recusal for conflict of interest, prohibition of ex parte communication, and the disallowance of the acceptance of gifts. However, the Commission is not a forum for reviewing the individual decisions of the state's judicial system absent credible allegations of a candidate's violations of the Judicial Canons of Conduct, the Rules of Professional Conduct, or any of the Commission's nine evaluative criteria that would impact a candidate's fitness for judicial service.

The Commission expects each candidate to possess a basic level of legal knowledge and ability, to have experience that would be applicable to the office sought, and to exhibit a strong adherence to codes of ethical behavior. These expectations are all important, and excellence in one category does not make up for deficiencies in another.

Routine questions related to compliance with ethical Canons governing ethics and financial interests are now administered through a written questionnaire sent to candidates and completed by them in advance of each candidate's staff interview. These issues are no longer automatically made a part of the public hearing process unless a concern or question was raised during the investigation of the candidate. The necessary public record of a candidate's pledge to uphold the Canons is his or her completed and sworn questionnaire.

This report is the culmination of lengthy, detailed investigatory work and public hearings. The Commission takes its responsibilities seriously, believing that the quality of justice delivered in South Carolina's courtrooms is directly affected by the thoroughness of its screening process. Please carefully consider the contents of this report, which we

believe will help you make a more informed decision. **Please note that the candidates' responses included herein are restated verbatim from the documents that the candidates submitted as part of their application to the Judicial Merit Selection Commission. All candidates were informed that the Commission does not revise or alter the candidates' submissions, and thus, any errors or omissions in the information contained in this draft report existed in the original documents that the candidate submitted to the Commission.**

This report conveys the Commission's findings as to the qualifications of all candidates currently offering for election to the South Carolina Supreme Court.

SUPREME COURT
QUALIFIED AND NOMINATED

The Honorable Blake A. Hewitt
Supreme Court, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Hewitt meets the qualifications prescribed by law for judicial service as a Supreme Court justice.

Judge Hewitt was born in 1978. He is 45 years old and a resident of Conway, South Carolina. Judge Hewitt provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2005.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Hewitt.

Judge Hewitt demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Hewitt reported that he has not made any campaign expenditures. Judge Hewitt testified he has not:

(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.
Judge Hewitt testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Hewitt to be intelligent and knowledgeable.

Judge Hewitt reported that he has taught the following law-related courses:
(a) From January of 2018 to May of 2018 I was employed by the University of South Carolina Law School as an Adjunct Professor teaching Appellate Advocacy;
(b) I lectured on techniques of oral advocacy at the 2016 "Prosecution Bootcamp" for new prosecutors, hosted by the Prosecution Coordination Commission. I delivered the same presentation at the Solicitor's Association's Annual Convention later that same year;
(c) I presented on the topic of appellate practice at the Bridge the Gap programs in 2015 and 2016;
(d) I lectured on oral advocacy at the 2016 SC Bar "SC Lawyer's Guide to Appellate Practice" Program;
(e) I gave "case law update" presentations to all attendees at the Injured Workers' Advocates organization's Annual Conventions in 2010, 2011, 2013, 2014, 2015, 2016, and 2017. During the same 2016 and 2017 Annual Conventions I moderated a discussion about appellate practice with the appellate judges attending the conference;
(f) In 2015 I gave a presentation that dealt with issues surrounding the admission of forensic interviews in criminal sexual conduct cases as part of the SC Bar's annual "It's All A Game" seminar. I updated this presentation for the same seminar in 2021;
(g) I shared presentations on special filing procedures in professional negligence cases as a part of the annual Tort Law Update hosted by the SC Bar in 2014 and 2015;
(h) I lectured on error preservation and techniques of developing a record for an eventual appeal at the 2013 SC Bar Program "Introduction to Birth Injury Litigation;"

(i) I was a member of a panel discussion on indigent defense funding at the Charleston School of Law's symposium celebrating the 50th anniversary of the U.S. Supreme Court's decision in Gideon v. Wainwright;
(j)I gave speeches on effective legal writing at a local CLE Program, "What Every Lawyer should know to Enjoy (or Survive) the Practice of Law" in 2012 and 2013;
(k) I lectured on handling appeals effectively at the South Carolina Association for Justice's 2012 Annual Convention;
(l)I gave a "case law update" at the South Carolina Association for Justice's 2016 Annual Convention;
(m) I spoke about the strategy and method of working an appellate case as part of the "2018-2019 Appellate Practice Project" in November of 2018;
(n) I gave a family court "case law update" as part of the Horry County Family Court Bar's "Family Law Seminar" in February of 2020;
(o) I participated in a panel discussion explaining the process of running for judicial office as part of the 2021 SC Bar Convention;
(p) I participated in a Q & A about the appellate process for the SC Workers' Compensation Educational Association's Annual Conference in 2021;
(q) I participated in a panel discussion about the appellate process as part of the Injured Workers' Advocates Annual Convention in 2021;
(r) I participated in a panel discussion about the appellate process for the Coastal American Inn of Court in February of 2021;
(s) I participated in a panel discussion about written and oral advocacy for the SC School Board Association's Council of School Attorneys in May of 2022;
(t)I gave a presentation titled "Update from the Court of Appeals" at the Horry County Bar Association's annual CLE in October of 2022;
(u) I participated in an oral argument demonstration as part of the SC Bar Association's "Appellate Advocacy Workshop" in November of 2022;
(v) I presented a program about how to challenge an expert's qualifications as part of the Horry County Family Court Bar's "Family Law Seminar" in February of 2023;
(w) I moderated a panel discussion on criminal appeals as part of the SC Appellate Judges Conference in March of 2023.

Judge Hewitt reported that he has published the following:

(a) Appellate Practice in South Carolina Jean Hoefer Toal et al. (SC Bar CLE 2016), Editorial Board.

(4) Character:
The Commission's investigation of Judge Hewitt did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Hewitt did not indicate any evidence of a troubled financial status. Judge Hewitt has handled his financial affairs responsibly.

The Commission also noted that Judge Hewitt was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Hewitt reported that his last available rating by a legal rating organization was Best Lawyer in the areas of Appellate Practice and Personal Injury Litigation - Plaintiffs.
Judge Hewitt reported the following military service:
From June of 2001 to August of 2001, I was an officer candidate in the United States Marine Corps. A week before the end of Officer Candidate School, I declined a commission as a Second Lieutenant and was released from my orders. To my knowledge, I did not have a rank or a serial number. The character of my discharge was "dropping on request."

Judge Hewitt reported that he has never held public office other than judicial office.

(6) Physical Health:
Judge Hewitt appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Hewitt appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Hewitt was admitted to the South Carolina Bar in 2005.

He gave the following account of his legal experience since graduation from law school:

(a) From August of 2005 to July of 2008, I served as a judicial law clerk and legislative liaison to the Honorable Jean H. Toal, Chief Justice of the Supreme Court of South Carolina.

(b) From July of 2008 to August of 2009, I served as a judicial law clerk to the Honorable Joseph F. Anderson, Jr., United States District Judge for the District of South Carolina.

(c) From August of 2009 until November of 2019, I was in private practice with the same law firm. When I joined the firm it was Bluestein Nichols Thompson & Delgado. When I left, it was Bluestein Thompson Sullivan. My primary area of practice was appellate litigation but I was routinely involved in work at the Circuit Court and District Court level as either lead counsel or consulting counsel.

(d) From January of 2018 to May of 2018, I was employed by the University of South Carolina Law School as an Adjunct Professor teaching Appellate Advocacy.

(e) From January of 2020 to the present time I have been honored to serve the people of South Carolina as a judge on the Court of Appeals.

Judge Hewitt reported the frequency of his court appearances prior to his service on the bench as follows:

(a) Federal: Fairly infrequent. Five to ten percent of cases.

(b) State: Regularly. Multiple oral arguments each year with various other in-court appearances.

Judge Hewitt reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:

(a) Civil: 80%;
(b) Criminal: 10%;
(c) Domestic: 10%;
(d) Other: 0%.

Judge Hewitt reported his practice in trial court prior to his service on the bench as follows:

(a) 30% settled prior to trial;
(b) 2 cases went to trial and resulted in a verdict;
(c) 8 cases went to trial and resolved after the plaintiff's or State's case;

(d) 0 cases settled after a jury was selected, but prior to opening statements.

Judge Hewitt provided the following regarding the past five years prior to his service on the bench and counsel roles:

Most of my work in Circuit Court, District Court, and Administrative Agencies (specifically, the Workers' Compensation Commission) involved merits-based motions and hearings for which I had chief responsibility. Prior to being elected as a judge in 2019, my most recent criminal trial was as co-counsel in a murder case that was tried to a jury in January of 2014. My most recent civil trial was as co-counsel in a bench trial in June of 2017.

The following is Judge Hewitt's account of his five most significant litigated matters:

(a) Marshall v. Dodds, 426 S.C. 453, 827 S.E.2d 570 (2019). This case analyzes how the statute of repose for medical malpractice actions applies in the situation where there are multiple breaches of the standard of care over an extensive period of time.

(b) Rhame v. Charleston County Sch. Dist., 412 S.C. 273, 772 S.E.2d 159 (2015). This case holds that the Workers' Compensation Commission may entertain petitions for rehearing. It overrules three previous decisions that had incorrectly suggested otherwise and brings the comp commission's practice in line with that of other administrative agencies.

(c) Ranucci v. Crain, 409 S.C. 493, 763 S.E.2d 189 (2014). This case correctly holds that the pre-suit notice of intent statute for medical malpractice cases (section 15-79-125) completely incorporates the affidavit statute from the Frivolous Civil Proceedings Sanctions Act (section 15-36-100), reversing a decision to the contrary by the Court of Appeals.

(d) Bone v. U.S. Food Service, 404 S.C. 67, 744 S.E.2d 552 (2013). This case resolves a long-standing conflict between the Supreme Court and the Court of Appeals about immediate appealability in administrative cases. This conflict historically resulted in a substantial amount of waste for litigants and for the court system. The rule is not perfect, but Bone correctly forces everyone to examine appealability

in administrative cases through the lens of the Administrative Procedures Act.

(e) Ex Parte Brown, 393 S.C. 214, 711 S.E.2d 899 (2011). This case holds that when an attorney is appointed to represent an indigent defendant, the takings clause of the Constitution requires that the attorney receive reasonable compensation for his services. This was a break from prior precedent. I was deeply honored to represent the South Carolina Bar which filed a brief as a friend of the Court.

The following is Judge Hewitt's account of five civil appeals he has personally handled:
(a) Traynum v. Scavens, 416 S.C. 197, 786 S.E.2d 115 (2016);
(b) Roddey v. Wal-Mart, 415 S.C. 580, 784 S.E.2d 670 (2016);
(c) McAlhaney v. McElveen, 413 S.C. 299, 775 S.E.2d 411 (Ct. App. 2015);
(d) Skipper v. ACE Property & Casualty Ins. Co., 413 S.C. 33, 775 S.E.2d 37 (2015);
(e) Lewis v. LB Dynasty, 411 S.C. 637, 770 S.E.2d 393 (2015).

The following is Judge Hewitt's account of five criminal appeals he has personally handled:
(a) State v. Sims, 426 S.C. 115, 825 S.E.2d 731 (Ct. App. 2019);
(b) State v. Torrence, Op. No. 2013-UP-152 (S.C. Ct. App. filed Apr. 10, 2013);
(c) State v. Whitesides, 397 S.C. 313, 725 S.E.2d 487 (2012);
(d) State v. Jennings, 394 S.C. 473, 716 S.E.2d 91 (2011);
(e) Ex Parte Brown, 393 S.C. 214, 711 S.E.2d 899 (2011) (represented amicus curiae).

Judge Hewitt reported that he has held the following judicial office(s):
I was elected by the General Assembly to the Court of Appeals in February of 2019. I did not begin serving until after the Honorable Paul Short retired the following December. My service began in January of 2020. I have served continuously since that time and am grateful beyond words to the General Assembly for my reelection last year.

The Court of Appeals predominantly has appellate jurisdiction and performs the first stage of appellate review for the vast majority of appeals that are filed in the unified judicial system. The only exceptions are the seven categories of cases (the six listed in Rule 203, (d)(1)(A),

SCACR, plus "certificate of need" cases pursuant to the recent amendments to that law) that skip the Court of Appeals and proceed directly to the Supreme Court. In addition to its appellate jurisdiction, the Court of Appeals hears pretrial motions to suppress wire, oral, or electronic communications under the "South Carolina Homeland Security Act" if there is a claim the communications were illegally intercepted.

Judge Hewitt provided the following list of his most significant orders or opinions:
(a) Fairfield Waverly, LLC v. Dorchester Cnty. Assessor, 432 S.C. 287, 852 S.E.2d 739 (Ct. App. 2020);
(b) Arcadia Lakes v. S.C. Dep't of Health & Env't Control, 433 S.C. 47, 855 S.E.2d 325 (Ct. App. 2021);
(c) Est. of Jane Doe 202 v. City of N. Charleston, 433 S.C. 444, 858 S.E.2d 814 (Ct. App. 2021) affirmed in result 441 S.C. 131, 893 S.E.2d 319 (2023);
(d) Encore Tech. Grp., LLC v. Trask, 436 S.C. 289, 871 S.E.2d 608 (Ct. App. 2021);
(e) State v. Williams, 437 S.C. 100, 876 S.E.2d 324 (2022).

Judge Hewitt reported no other employment while serving as a judge.
Judge Hewitt further reported the following regarding unsuccessful candidacies:
In 2012 I ran unsuccessfully for the South Carolina House of Representatives, District #105. For a brief period in May, I was the Republican nominee for this office, however I was disqualified as a candidate as a result of the Supreme Court of South Carolina's decision in Florence County Democratic Party v. Florence County Republican Party, which invalidated the filing directions that the South Carolina Election Commission issued to all candidates. I pursued a petition candidacy following this decision and was certified by the Election Commission as a petition candidate for the November 2012 general election. I did not win the general election. I filed my final financial report in April of 2013.

In 2014 I ran unsuccessfully for the Court of Appeals, seat 7. This vacancy was created when Judge Danny Pieper retired. I was deeply honored to be found qualified and nominated by the JMSC. I withdrew from the race a week before the election, which Judge Stephanie McDonald won.

In 2017 I ran unsuccessfully for the Court of Appeals, seat 9. This vacancy was created by Judge James Lockemy's elevation to Chief Judge. I was deeply honored to again be found qualified and nominated by the JMSC. I withdrew from the race the morning of the election, which then-Judge (now-Justice) Gary Hill won.

(9) Judicial Temperament:
The Commission believes that Judge Hewitt's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Pee Dee Citizens Committee on Judicial Qualification found Judge Hewitt to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary comments.

Judge Hewitt is married to Emma Catherine Hewitt. He has one child.

Judge Hewitt reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar: Trial & Appellate Advocacy Section, Council Member (July 2010 - July 2013); Judicial Qualifications Committee, Committee Member (March 2011 - August 2012); Young Lawyers Division, Long-Range Planning Committee, Committee Member (July 2010 - July 2012); Young Lawyers Division, 15th Circuit Representative (July 2013 - July 2015); Young Lawyers Foundation Board, Board Member (November 2013 - July 2015).
(b) Horry County Bar Association.
(c) South Carolina Supreme Court Historical Society.
(d) Injured Workers Advocates: Judicial Affairs Committee, Committee Member (March 2010 - Feb. 2019).
(e) South Carolina Association for Justice: Legislative Steering Committee, Committee Member (November 2010 - Feb. 2019).
(f) Coastal American Inn of Court: Community Service Chair (Jan. 2014 - Sept. 2019), Judicial Officer (Sept. 2019 - present).

Judge Hewitt provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Waccamaw Sertoma Club. Board Member (July 2013 - Aug. 2019), President (August 2016 - July 2017);
(b) City of Conway Board of Zoning Appeals (April 2013 - Feb. 2019);
(c) City of Conway Downtown Alive;
(d) Compleat Lawyer Award (Silver), USC Law School.\

Judge Hewitt further reported:
I have written this before, but it remains true that any good qualities I possess are the result of the many strong and positive influences in my life. I was blessed to have parents who loved me and invested in me heavily. I was also fortunate to have several people outside of my immediate family show interest in me and help shape my development by serving as mentors. My greatest professional goal has always been to honor these wonderful individuals. I know that any success I experience will be the result of them lifting me on their shoulders.

We all draw from wells that we did not dig; we are all stewards of the investments that others made in us. I hope that I have gone about my service as a judge in a way that reflects the lessons of hard work and humility that so many people gave and modeled for me.

(11) Commission Members' Comments:
The Commission continues to be impressed with Judge Hewitt's demeanor. In addition, his prior experience and outstanding reputation as an appellate lawyer, as well as his service on the Court of Appeals, would be beneficial should he ascend to the Supreme Court.

(12) Conclusion:
The Commission found Judge Hewitt qualified, and nominated him for election to Supreme Court, Seat 3.

The Honorable Jocelyn Newman
Supreme Court, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Newman meets the qualifications prescribed by law for judicial service as a Supreme Court justice.

Judge Newman was born in 1977. She is 46 years old and a resident of Columbia, South Carolina. Judge Newman provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2004.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Newman.

Judge Newman demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Newman reported that she has not made any campaign expenditures.

Judge Newman testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Newman testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Newman to be intelligent and knowledgeable.

Judge Newman reported that she has taught the following law-related courses:
(a) I "teach" an online, self-paced undergraduate course at Benedict College. Over a six-week period (March – April 2023 and March-April 2024), "Court Systems" outlines the differences between federal and state courts and their hierarchy, the roles and titles of those involved in the court system, and the basic differences between the types of cases heard by each of the courts.

(b) In January 2024, my father and I were speakers for a "fireside chat" at the national meeting of the American Board of Trial Advocates in Biloxi, Mississippi. Our focus was our experiences serving on the bench together.

(c) In September 2023, I spoke to a group of high school students at the South Carolina Statehouse as part of the James Otis Lecture Series hosted by the South Carolina Chapter of the American Board of Trial Advocates. This presentation celebrated Constitution Day.

(d) In June 2023, I was the featured speaker for Project Serv, a lecture series hosted by North Carolina Central University. The program was entitled "Justice and Resilience: An Eagle Strong Listening Session with the Honorable Jocelyn Newman, South Carolina Circuit Court Judge" and concerned my experiences on the bench and advice for students considering entering the legal field.

(e) In July 2022, I spoke at the Orientation School for Magistrates and Municipal Judges and gave advice to summary court judges on how to handle common occurrences in court for which there is no specific guidance via rule or statute.

(f) In March 2022, I was one of several female judges who spoke on various topics for Women's History Month. "Virtual Fireside Chats: Beyond the Robe" was presented by the South Carolina Bar Diversity Committee.

(g) I made a presentation at the General Sessions Breakfast held by the South Carolina Bar's Young Lawyers Division in October 2019.

(h) In October 2019, I made a short presentation and acted as a mock trial judge for at a workshop held for young lawyers by the South Carolina Bar's Trial and Appellate Advocacy Section.

(i)In November 2018, I, along with several other Circuit Court judges, participated in a panel discussion about recent appellate decisions in criminal cases at the Solicitors' Conference.

(j)I gave brief introductory remarks to attorneys attending the Richland County Bar Association's Annual Free Ethics Seminar in October 2017.

(k) In July 2017, I spoke to a group of practicing attorneys as part of the Richland County Bar Association's "Big Dogs" program.

(l)At the Auntie Karen Foundation's Young Entrepreneurs Conference in October 2016, I led a discussion panel regarding the practice of law.

(m) In July 2016, I was a lecturer on evidence during the Orientation School for Magistrates and Municipal Judges, presented by South Carolina Court Administration.

(n) I participated as a panelist at the South Carolina Bar's Colors of Justice program for middle and high school students in February 2016.

Judge Newman reported that she has published the following:
(a) "Standing Your Ground" in Civil Actions, The Defense Line (South Carolina Defense Trial Attorneys' Association, Columbia, SC), Fall 2013, Author
(b) C. Tyson Nettles, Unsung Hero, S.C. Young Lawyer, Aug. 2011, Author
(c) Judicial Profile of The Honorable Clifton Newman, The Defense Line (South Carolina Defense Trial Attorneys' Association, Columbia, SC), Spring 2009, Author

(4) Character:
The Commission's investigation of Judge Newman did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Newman did not indicate any evidence of a troubled financial status. Judge Newman has handled her financial affairs responsibly.

The Commission also noted that Judge Newman was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge Newman reported that she is not rated by any legal rating organization.

Judge Newman reported that she has not served in the military.

Judge Newman reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Newman appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Newman appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Newman was admitted to the South Carolina Bar in 2004.

She gave the following account of her legal experience since graduation from law school:

(a) Judicial Law Clerk for the Honorable G. Thomas Cooper, Jr., 2004-05 – For approximately the first half of my clerkship year, Judge Cooper served as Chief Administrative Judge for the Court of General Sessions in the Fifth Judicial Circuit. Therefore, my job duties included conducting research on criminal and constitutional questions as well as observing a variety of criminal procedures. I also assisted with the evaluation, trial (which ultimately became a guilty plea), and sentencing in a death penalty matter. During the remainder of my time with Judge Cooper, he began to hear civil cases as well. I assisted him by preparing jury charges and verdict forms, researching important issues, preparing Orders, and communicating with counsel. While I handled certain administrative matters (such as scheduling), no financial management was involved.

(b) Assistant Solicitor in Richland County, 2005-07 – I served under then-Solicitor W. "Barney" Giese, acting as lead (and often sole) prosecutor for a variety of misdemeanor and low-level felony crimes. I tried cases and presented guilty pleas in both Summary and Circuit Courts. I also participated as co-counsel in several serious and most serious felony cases, including murder, arson, and armed robbery. No financial management of any kind was involved.

(c) Associate Attorney at Richardson Plowden & Robinson, P.A., 2007-2015 – From 2007 until mid-2008, I worked in the "Lobbying and Governmental Affairs" practice group as a registered lobbyist. I also represented both plaintiffs and defendants in litigation and administrative matters related to governmental regulation. Beginning in 2008, I moved to the firm's litigation practice group and began doing insurance defense work. At that time, I represented defendants in matters concerning personal injury, construction defects, civil rights violations, and real property. I also did a limited amount of criminal defense work and served as appointed counsel in Family Court and Post-Conviction Relief actions. In this position, I did not handle administrative matters; and

although I reviewed billing statements to be sent to clients, I did not participate in collection of monies or have any role with the firm's finances.

(d) Attorney at The DeQuincey Newman Law Firm / JT Newman, LLC), 2015-16 – During this time, I represented plaintiffs in personal injury actions as well as defendants in criminal matters, both in Summary and Circuit Courts across the State of South Carolina. This career move began as a joint venture but soon became a solo practice. During this time, I maintained a trust account and an operating account. Both accounts were open for approximately four months only and were closed soon after my election to the bench.

(e) Circuit Court Judge, 2016-present – Since that time, I have served as Chief Judge for Administrative Purposes for General Sessions (2017) and for Common Pleas (2019, 2022, and July 2023-present). No financial duties are involved.

Judge Newman reported the frequency of her court appearances prior to her service on the bench as follows:

(a) Federal: several times a year;
(b) State: weekly.

Judge Newman reported the percentage of her practice involving civil, criminal, domestic and other matters prior to her service on the bench as follows:

(a) Civil: 90%;
(b) Criminal: 5%;
(c) Domestic: 5%;
(d) Other: 0%.

Judge Newman reported the percentage of her practice in trial court prior to her service on the bench as follows:

(a) Jury: 50%;
(b) Non-jury: 50%.

Judge Newman provided that during the past five years prior to her service on the bench she most often served as sole counsel.

The following is Judge Newman's account of her five most significant litigated matters:

(a) King v. American General Finance, Inc., 386 S.C. 82 (2009) – In this case, I represented the plaintiffs, each of whom had obtained loans from Defendant American General Finance, Inc. Plaintiffs alleged that Defendant violated the "attorney preference statute" (S.C. Code § 37-10-102) by lending money but failing to determine the borrower's preference for legal counsel to be involved in the transaction at the time of the loan application. This case was significant in that it lent judicial interpretation to the "attorney preference statute" and established that the law requires that such preference be determined contemporaneously with the credit application. The appellate court also reversed the trial court's decertification of the case as a class action.

(b) Kelly v. White, 2011 WL 939015 (not reported in F.Supp.2d) – In this action, I represented the defendants, all of whom are employees of the South Carolina Department of Corrections ("SCDC"). Plaintiff, an inmate, filed this action pursuant to 14 U.S.C. §1983, alleging that his civil rights were violated by the use of excessive force against him. This case is significant in that the court's decision turned on its determination of whether equitable tolling should apply to the statute of limitations. The court determined that where prisoners attempt to exhaust all available administrative remedies within SCDC, yet SCDC fails to respond to their written requests, the statute of limitations will be equitably tolled for only one hundred fourteen days – the total length of SCDC's internal grievance procedure when properly used. Thus, "the 114-day rule" was established in prisoners' civil rights actions involving SCDC.

(c) State of South Carolina v. Alphonso Simmons (not reported) – I represented the State of South Carolina as an Assistant Solicitor in this action. The defendant was charged with approximately 60 offenses at the time, both in Richland and Kershaw Counties. We elected to try him on 14 of those offenses – 5 counts of armed robbery, 8 counts of kidnapping and 1 count of grand larceny. This case was significant in that there were significant disputes about the relevance, introduction, and suppression of certain evidence, all of which arose because the defendant was on a "crime spree" throughout Richland and Kershaw Counties.

Therefore, much of the evidence related to the case being tried was discovered at other crime scenes, and the introduction of that evidence could potentially infringe on the defendant's presumption of innocence and his right to remain silent. Ultimately, the case was tried to jury, and a guilty verdict was rendered on all 14 charges.

(d) Crusader v. Thomas Robinson, 2009-CP-18-2300 (not reported) – In this trial I represented the plaintiff, a rent-to-own company who filed a claim and delivery action against the defendant in Magistrate's Court. The defendant filed several counterclaims, which moved the case to Circuit Court. The case was tried over a seven-day period in the Dorchester County Court of Common Pleas. This action was significant to my legal career because I was able to win a directed verdict on my case-in-chief. In addition, the remainder of the trial involved a wide range of legal issues, including the authentication of evidence, impeachment of several witnesses, a witness's misconduct during trial, opposing counsel's absence from trial, opposing counsel's improper statements during opening statements and closing arguments, and many, many other issues. The jury's verdict (in favor of the plaintiff on the defendant's counterclaims) rested on the distinction between liability and damages. Post-trial motions were filed and argued regarding the potential impropriety of the jury's findings and whether the court should grant an additur – all of which were denied.

(e) Barnhill v. Barnold, 2007-CP-40-2358 (not reported) – In this case, I represented the defendant, a corporation owned by the ex-wife of the plaintiff. The plaintiff had done work for the company without pay since its inception in the 1980's. After the parties' divorce, the plaintiff sued for 25 years' worth of wages. This trial was significant in that it was an equitable matter tried in the Court of Common Pleas with an advisory jury – an uncommon occurrence in litigation. The advisory jury returned its verdict along with a note to the court explaining how they arrived at the verdict. Despite his request for the advisory jury, the plaintiff disagreed with its decision and petitioned the court for a judgment far more than that which was awarded by the jury. Ultimately, the court entered a judgment identical to the one advised by the jury.

The following is Judge Newman's account of the civil appeal she has personally handled:
Herron v. Century BMW, 387 S.C. 525 (S.C. Sup. Ct. Apr. 19, 2010).

The following is Judge Newman's account of the criminal appeals she has personally handled:
I was employed as an Assistant Solicitor for the Fifth Judicial Circuit from 2005 to 2007. During that time, I represented the State of South Carolina in several appeals from the summary courts. I am unsure of the names of any of those cases and do not believe that any of them were reported.

Judge Newman reported that she has held the following judicial office(s):
I was elected to the Circuit Court, South Carolina's court of general jurisdiction, on February 3, 2016. I took the oath of office in February 2016 and have served continuously since that time.
Judge Newman provided the following list of her most significant orders or opinions:

(a) Freddie Eugene Owens v. Bryan P. Stirling, No. 2021-CP-40-02306, Order Granting Declaratory and Injunctive Relief (Sep. 6, 2022) – In this matter, the Court heard significant testimony concerning the State's newly-enacted death penalty statute. I issued an order in which I found the subject manners of execution to be unconstitutional. This, in some respects, began a chain reaction which ended in the General Assembly passing important "shield law" legislation.

(b) Robert Durden Inglis v. The South Carolina Republican Party, No. 2019-CP-40-05486, Order Denying Plaintiffs' Motion for Injunctive Relief (Dec. 11, 2019) – This case resolved the issue as to whether the South Carolina Republican Party was required to conduct a presidential preference primary when the party's nomination of Donald J. Trump was a foregone conclusion. I ruled that much like when the Democratic Party nominated Barack Obama without conducting a primary, the Republican Party was not required to.

(c) State of South Carolina v. Hykeem Dontavious Golson, No. 2017-GS-40-01921 – In this matter, I accepted a guilty plea and imposed sentence on Defendant, who burned a puppy in a church parking lot, ultimately causing its death. This case

drew the largest number of spectators of any case I have handled and was of particular interest to animal rights activists and media outlets even outside the State of South Carolina.

(d) State of South Carolina v. Rickey Dean Tate, No. 2018-GS-46-03992 – I presided in the trial of this case, where Defendant was charged with several drug offenses. The forty-one-year-old was convicted only of possession with intent to distribute crack cocaine. However, that conviction was the third of "three strikes," with both other convictions being drug offenses. This was the first and only time that I sentenced someone to serve life without the possibility of parole.

(e) State of South Carolina v. William S. Crump, Jr., No. 2018-GS-24-00386 – I presided in the trial of this case, where Defendant was accused of sexually abusing and neglecting his minor children. Despite both children giving credible testimony, Defendant was acquitted of the sexual abuse charges. While speaking to the jurors afterwards, I learned of jurors' strong need for forensic evidence and was reminded of the difficult undertaking that is jury duty.

Judge Newman reported the following regarding her employment while serving as a judge:

Since March 2023, I have been employed as an adjunct professor at Benedict College. I have taught only one course, "The Court System," an online, self-paced course for undergraduate students. Because of the nature of the course, my only responsibilities have been grading students' assignments for approximately six weeks in Spring 2023 and another six weeks in Spring 2024. My direct supervisor is Lisa Taylor, Interim Chair of the Criminal Justice Administration and Social Sciences Department.

Judge Newman further reported the following regarding unsuccessful candidacies:

In August 2012, I was a candidate for Circuit Court Judge. JMSC found me "qualified, but not nominated." The same occurred when I ran for Circuit Court Judge in August 2014.

(9) Judicial Temperament:
The Commission believes that Judge Newman's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Judge Newman to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee had no related or summary comments.

Judge Newman is not married. She does not have any children.

Judge Newman reported that she was a member of the following Bar and professional associations:
(a) South Carolina Bar, Member
(b) John Belton O'Neall Inn of Court, Member
President, March 2024-present
President-Elect, 2022-2024
Treasurer, 2014-2016
(c) American Bar Association, Member

Judge Newman provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Commission on Judicial Conduct
(b) South Carolina Bar's ADR Commission
(c) South Carolina's Criminal Justice Act Task Force
(d) South Carolina Delegate for the National Courts and Sciences Institute
(e) Alpha Kappa Alpha Sorority, Inc.
(f) American Mensa

Judge Newman further reported:
My life has been enriched by my time on the Circuit Court bench, and I have grown in ways that I could not have imagined. I look forward to the opportunity to continue that growth and positive contribution to the South Carolina Judicial Branch.

(11) Commission Members' Comments:
The Commission commented that Judge Newman has a wide range of experience from her time in private practice, in addition to her time serving as a Circuit Court judge. The Commission further commented that she is a rising star within the Judiciary.

One affidavit was filed against Judge Newman by Ms. Rhonda Meisner. The Commission thoroughly reviewed all documents while carefully considering the allegations and the nine evaluative criteria provided in statute. At the public hearing, the Commission heard testimony and questioned the complainant, and allowed Judge Newman to reply to the allegations.

After thoroughly reviewing the complaint and hearing testimony at the public hearing, the Commission does not find a failing on the part of Judge Newman in the nine evaluative criteria.

(12) Conclusion:
The Commission found Judge Newman qualified, and nominated her for election to Supreme Court, Seat 3.

The Honorable Letitia H. Verdin
Supreme Court, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Verdin meets the qualifications prescribed by law for judicial service as a Supreme Court Justice.

Judge Verdin was born in 1970. She is 53 years old and a resident of Greenville, South Carolina. Judge Verdin provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1997.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Verdin.

Judge Verdin demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Verdin reported that she has made $254.40 in campaign expenditures for postage, printed cards, and business cards.

Judge Verdin testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Verdin testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Verdin to be intelligent and knowledgeable.

Judge Verdin reported that she has taught the following law-related courses:

(a) I made a presentation on Children's Law to Furman Pre-Law Society in 2015.
(b) I addressed the S.C. Women Lawyers Association in 2012 on the topic of running for judicial seats.
(c) I addressed the S.C. Women Lawyers Association in 2012 on the topic of changes in the legal profession affecting women.
(d) I addressed the Greenville Bar Association during its 2012 Law Week Luncheon concerning civility in the practice of law.
(e) I addressed the Public Defenders Conference in 2012 on the topic "A View from the Bench."
(f) I served on a Judicial Panel for the S.C. Defense Trial Attorneys Conference in 2012.
(g) I spoke to the S.C.Bar in 2013 regarding the Essentials of Criminal Practice.

(h) I addressed the S.C. Solicitor's Conference in 2013 on the topic of Mental Health Issues in General Sessions Court.
(i) I addressed the S.C. Bar in 2014 at the 23rd Annual Criminal Practice in S.C.
(j) I spoke to the S.C. Solicitor's Conference in 2014 with Tom Traxler on the Psychology of Persuasion.
(k) I presented to the Women's Leadership Institute at Furman University in 2015 on the topic of Women in the Law.
(l) I spoke at a S.C. Bar CLE in 2015 with Tom Traxler on the Psychology of Persuasion.
(m) I addressed new lawyers in the S.C. Bar regarding Rule 403 requirements in 2015.
(n) I served on a Judicial Panel addressing Updates in the Law at the 2015 S.C. Solicitor's Conference.
(o) I served on a panel addressing Tips from the Bench at the 2015 S.C. Defense Trial Attorneys Association Women in Law Seminar.
(p) I addressed the S.C. Bar at a CLE with Tom Traxler in 2016 on the topic of the Psychology of Persuasion.
(q) I addressed the Greenville Bar End of Year CLE in 2017 on the topic of a View from the Bench.
(r) I have taught a course at the Charleston School of Law. The course is entitled Primer on First Year Practice in S.C. I taught the course in 2013, 2014, 2015, 2016, and 2017.
(s) I spoke at the Greenville Bar End of the Year CLE in 2019 on the topic of General Sessions Court in the Thirteenth Circuit.
(t) I spoke at the Greenville Bar End of the Year CLE in 2021 on the topic of the Courts' Adjustment During COVID.
(u) I spoke at the Greenville Bar End of the Year CLE in 2022 on the topic of Update on the Civil Court in the Thirteenth Circuit.
(v) I addressed the South Carolina Defense Trial Lawyers Conference in 2021 on "A View from the Bench."
(w) I have annually addressed the Circuit Court Judges School on the topic of Inherent Powers of the Court since 2019.
(x) I addressed the South Carolina Appellate Judges Conference in 2018 on the topic of "A View from the Circuit Court Bench."
(y) I spoke at the End of the Year CLE for the Greenville County Bar on Appellate and Civil Practice in 2024

(z) I spoke at an Evidence seminar for the SC Bar in 2024.

(aa) I moderated a panel on recent important criminal appellate decisions at the Criminal Law Seminar for the SC Bar in 2024.

(bb) I spoke at the LEAPP seminar for the SC Bar in March 2024 on trial court ethics.

Judge Verdin reported that she has not published any books or articles.

(4) Character:
The Commission's investigation of Judge Verdin did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Verdin did not indicate any evidence of a troubled financial status. Judge Verdin has handled her financial affairs responsibly.

The Commission also noted that Judge Verdin was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge Verdin reported that she is not rated by any legal rating organization.

Judge Verdin reported that she has not served in the military.

Judge Verdin reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Verdin appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Verdin appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Verdin was admitted to the South Carolina Bar in 1997.

She gave the following account of her legal experience since graduation from law school:

(a) Office of the Thirteenth Circuit Solicitor, Assistant Solicitor, 1997-1998

Prosecuted cases in the Traffic Unit and General Crimes Unit

(b) Office of the Eighth Circuit Solicitor, Assistant Solicitor, 1998

Prosecuted all juvenile cases in Family Court and prosecuted all General Sessions child abuse and neglect cases in Greenwood, Abbeville, Newberry, and Laurens Counties

(c) Office of the Thirteenth Circuit Solicitor, Assistant Solicitor, 1999-2000

Prosecuted violent crimes, criminal domestic violence cases, and criminal child abuse and neglect cases; served as the Family Court Unit Head

(d) Clarkson, Walsh, Rheney & Turner, P.A., Associate Attorney, 2000-2005

Litigated cases in areas of government liability defense, insurance defense, and commercial litigation, criminal defense, and family law

(e) Office of the Thirteenth Circuit Solicitor, Assistant Solicitor, 2005-2008

Prosecuted violent crimes, criminal domestic violence cases, and criminal child abuse and neglect cases

Judge Verdin reported the frequency of her court appearances prior to her service on the bench as follows:

(a) Federal: Occasionally
(b) State: 1-2 times per week

Judge Verdin reported the percentage of her practice involving civil, criminal, domestic and other matters prior to her service on the bench as follows:

(a) Civil: 35%
(b) Criminal: 50%
(c) Domestic: 10%
(d) Other: 5%

Judge Verdin reported her practice in trial court during the five years prior to her service on the bench as follows:

(a) 100% , including those matters that settled prior to trial;
(b) Approximately 15 cases went to trial and resulted in a verdict;
(c) 1 case went to trial and resolved after the plaintiff's or State's case;
(d) 0 cases settled after a jury was selected, but prior to opening statements.

Judge Verdin provided that during the past five years prior to her service on the bench she most often served as sole counsel.

The following is Judge Verdin's account of her five most significant litigated matters:

(a) State of South Carolina v. Patel and the companion divorce action, Patel v. Patel -This was a criminal defense matter in which I was involved while in private practice and its companion divorce action. The wife was charged with Arson and Assault and Battery with Intent to Kill for setting fire to her husband's hotel room while he was inside. I assisted in the criminal defense of the wife and represented her in the divorce action. She was sued for divorce on the ground of a single act of extreme physical cruelty. It was necessary that I protect her rights in the divorce action while ensuring that she did not jeopardize her criminal defense.

(b) State of South Carolina v. Ricky Sanders – This defendant was charged with Criminal Sexual Conduct with a Minor 1st Degree for sexually abusing his girlfriend's daughter. This case was significant for me because it was the first time our office was successful in having a Forensic Interviewer qualified as an expert witness in the Court of General Sessions. The interviewer's testimony, coupled with the testimony of the child, was instrumental in securing a guilty plea from the defendant during trial.

(c) Barnes v. Kevin Matheson, Anderson County Sheriff's Department, the City of Clayton Police Department, and the Rabun County Sheriff's Department – This was a case while I was in private practice. The case involved allegations of excessive use of force and other Section 1983 claims against law enforcement officials. I

represented Deputy Kevin Matheson and the Anderson County Sheriff's Department. The case involved an escapee, who when eventually surrounded by officers, attempted to run over an officer. Deputy Matheson shot and killed the woman in order to save the officer's life. The case involved numerous constitutional law issues, including that of extra-jurisdictional pursuits. Our motion for summary judgment was granted as to all claims against Deputy Matheson and the Anderson County Sheriff's Department.

(d) In re: R.M. – This was a case in which a juvenile shot and killed her uncle with whom she resided. Our office had a policy at that time of petitioning the Family Court for waiver to General Sessions in every murder case in order for full evaluation by the court. The juvenile had been abandoned by her mother, her father was deceased, and defense experts testified that they believed the child was the victim of sexual abuse by the uncle, a fact much later confirmed. The judge in this matter applied the Kent factors and determined that the juvenile was not appropriate for waiver to General Sessions Court. This case is significant to me because it was at the beginning of my Family Court career and it illustrates the integrative and rehabilitative goals of juvenile justice. Though technically a loss for the prosecution, it was a win for the system. While the juvenile's crime was horrific, she spent the remainder of her adolescence and early adulthood in the Department of Juvenile Justice receiving intensive services, and after a transition period, it is my understanding that she has become a productive, law-abiding adult.

(e) State of South Carolina v. Shad Shepherd – This was a case that I prosecuted in which the young father shook his four month old baby violently causing permanent brain damage and partial blindness. This matter was not only significant because of its facts, but also because it was one of the earlier shaken baby syndrome cases successfully prosecuted by our office. The case also necessitated very sophisticated medical evidence and expert testimony in order to establish that the child had

not been accidentally dropped thereby causing her injuries.

The following is Judge Verdin's account of three civil appeals she has personally handled:
(a) Cox and Rider v. City of Charleston, Rueben Greenberg, Joseph Riley, Captain Chin, Charleston Police Department, Officer Davis, City of Travelers Rest, Mann Batson, and Timothy Christy, Fourth Circuit Court of Appeals, July 26, 2005, 416 F.3d 281
(b) North Greenville Fitness v. Daimler Chrysler, South Carolina Court of Appeals, Jan. 2, 2004, 2003-UP-00737
(c) State Auto Property v. Wild Turkey Holdings, South Carolina Court of Appeals, dismissed on June 3, 2004 after briefs were filed pursuant to settlement

Judge Verdin reported that she has not personally handled any criminal appeals.

Judge Verdin reported that she has held the following judicial office(s):
(a) Elected to the Family Court, Thirteenth Judicial Circuit, 2008-2011
(b) Elected to the Circuit Court, Thirteenth Judicial Circuit, 2011-2023
(c) Elected to the Court of Appeals, 2023-present
Judge Verdin provided the following list of five of her most significant orders or opinions:

(a) Vista Del Mar Condo. Ass'n v. Vista Del Mar Condominiums, LLC, 441 S.C. 223, 892 S.E.2d 532 (Ct. App. 2023), cert. pending.

The Court of Appeals affirmed the circuit court's order quieting title to a 2.58 acre tract (the Property). The court of appeals held (1) the master deed of a horizontal property regime authorized the developer to remove unimproved property from the regime during what the deed termed the Transition Period; (2) the Transition Period had not ended when the developer removed the Property from the regime; and (3) the removal of the tract from the regime did not violate section 27 31 70 of the Horizontal Property Act because the Property had not vested in the unit owners at the time of the removal. The court also affirmed the circuit court's findings concerning an easement, citing the two issue rule.

(b) Anderson v. State, Op. No. 6051 (S.C. Ct. App. filed February 21, 2024) (Howard Adv. Sh. No. 7 at 19).

The Court of Appeals reinstated the defendant's magistrate's court conviction of driving under the influence (DUI). The court clarified the

corpus delicti rule as set forth in State v. Osborne, 335 S.C. 172, 516 S.E.2d 201 (1999), and held the State presented sufficient independent evidence to corroborate the defendant's statements to the police, and that independent evidence, taken together with the statements, allowed a reasonable inference that the crime of DUI was committed.

(c) Woodruff Road SC, LLC v. S.C. Greenville Hwy 146, LLC, 2017 WL 74856 (Ct. App. 2017). This matter was before me on a declaratory judgment action to determine the scope of an easement granted to S.C. Greenville Hwy 146, LLC. I determined that S.C. Greenville Hwy. 146, LLC could use the easement as part of a drive-thru for one of its tenants, Starbucks. Woodruff Road SC, LLC appealed my decision, and the Court of Appeals affirmed my decision in an unpublished opinion.

(d) Proctor v. Whitlark & Whitlark, Inc., 414 S.C 318 (2015). I sat as an Acting Justice with the South Carolina Supreme Court in this matter. We held that gambling statutes, and not the South Carolina Unfair Trade Practices Act, provide the exclusive remedy for a gambler seeking recovery of losses sustained by illegal gambling.

(e) In re: Campbell, 379 S.C. 593 (2008). I sat as an Acting Justice with the South Carolina Supreme Court in this matter. This was an appeal that originated in the Probate Court wherein a daughter challenged the dismissal of a petition she filed for appointment as conservator of her mother's assets. We held that the statute governing court appointment of a physician to examine a person subject to a conservatorship action does not require that the physician be disinterested, only unbiased. We further held that the Court-appointed physicians who acted as the mother's expert witnesses were not unbiased.

Judge Verdin reported the following regarding her employment while serving as a judge:

I taught a course at the Charleston School of Law each summer during the years 2013-2017. My employment as an Adjunct Professor was part-time and contractual. My supervisor was Andy Abrams, Dean of the Law School.

(9) Judicial Temperament:
The Commission believes that Judge Verdin's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Upstate Citizens Committee on Judicial Qualification found Judge Verdin to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in summary, "This candidate received the highest marks possible from the Committee. We received only glowing positive reports while interviewing others during the background investigation."

Judge Verdin is married to Charles S. Verdin, IV. She has two children.

Judge Verdin reported that she was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
(b) Greenville County Bar Association
(c) Haynsworth Inn of Court
(d) Liberty Fellowship
(e) Circuit Judges' Advisory Committee
(f) Advisory Committee on Standards of Judicial Conduct
Member, 2012-2021
Chairperson, 2019-2021
(g) Circuit Judges' Association
Vice-President, 2019-2022
President, 2022-2023
(h) Appellate Judges' Association

Judge Verdin provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Trinity Presbyterian Church
1) Elder
2) Co-Chair of Personnel Committee
3) Interim Youth Director
(b) Green Valley Country Club
(c) Liberty Fellowship

Judge Verdin further reported:
I have thoroughly enjoyed serving as a Family Court Judge, Circuit Court Judge, and Court of Appeals Judge for more than 15 years. I have found these positions challenging and rewarding. I was honored to serve as the Chairperson of the Advisory Committee on Standards of Judicial Conduct, on the Circuit Judges Advisory Committee, and as President of the Circuit Judges' Association. I have also had the opportunity to sit as an Acting Associate Justice of the South Carolina Supreme Court on several occasions.

When I was elected to the Circuit Court, I had mixed emotions. I was honored and excited to serve on the Circuit Court, but I knew that I would miss the Family Court greatly. I felt the same about leaving Circuit Court when I was elected to the Court of Appeals. I have enjoyed learning from and working with the other members of the Court of Appeals. If I were elected to the Supreme Court, I know I would miss the Court of Appeals. However, I would hope to bring to that new position the experience I have gained in both trial courts and the appellate court. I would approach the Supreme Court with the same enthusiasm I have had when serving on the Family Court, Circuit Court, and Court of Appeals and would always be mindful of the enormous trust the Legislature had placed in me.

(11) Commission Members' Comments:
The Commission consistently receives outstanding feedback on Judge Verdin from members of the SC Bar. Her reputation, character, and temperament are beyond reproach. In addition, the Commission noted her service and experience gained as a Family Court judge, a Circuit Court judge, and a member of the Court of Appeals, and concluded that Judge Verdin would be well suited to ascend to the Supreme Court.

(12) Conclusion:
The Commission found Judge Verdin qualified, and nominated her for election to Supreme Court, Seat 3.

QUALIFIED, BUT NOT NOMINATED

The Honorable Ralph K. Anderson, III
Supreme Court, Seat 3

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Anderson meets the qualifications prescribed by law for judicial service as a Supreme Court justice.

Judge Anderson was born in 1959. He is 64 years old and a resident of Columbia, South Carolina. Judge Anderson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1984.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Anderson.

Judge Anderson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Anderson reported that he has made $144.45 in campaign expenditures for stamps and envelopes.

Judge Anderson testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Anderson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Anderson to be intelligent and knowledgeable.

Judge Anderson reported that he has taught the following law-related courses:

(a) USC School of Law Class (Jurisdiction before the ALC) on February 26, 2024.

(b) SCAARLA (ALC Update) on February 2, 2024.

(c) SC Bar Convention – "How the ALC is Involved in Regulation of Activity Along SC's Coast" on January 19, 2024.
(d) USC School of Law Class (Jurisdiction before the ALC) on February 13, 2023.
(e) SCAARLA (Administrative Law Court's New E-Filing System) on February 10, 2023.
(f) USC School of Law Class (Law Practice Workshop) on February 7, 2022.
(g) Recorded CLE for SC Bar & SCAARLA (How to Craft an Order) on December 13, 2021.
(h) Seminar sponsored by the ABA Judicial Division & Commission on Disability Rights as a panelist concerning "Living with a Disability in the Profession on October 27, 2021
(i) SC Administrative Law Court (How to Craft an Order) on October 8, 2021.
(j) How to Craft an Order (Pub. Serv. Comm'n) on June 8, 2021.
(k) Recorded SC Judicial CLE (The Administrative Law Court: Overview and Judicial Considerations) on March 29, 2021.
(l) USC School of Law Class (Jurisdiction before the ALC) on March 17, 2021.
(m) USC School of Law Class (Law Practice Workshop) on February 8, 2021.
(n) SC Bar Convention - Virtual CLE (Tales from Emails) on January 22, 2021.
(o) Recorded CLE for SCAARLA (Appellate Jurisdiction before the ALC) on October 8, 2020.
(p) SCAARLA (Tales from Emails) on February 21, 2020.
(q) USC School of Law Class (Law Practice Workshop) on February 10, 2020.
(r) SC Bar Convention (Case Law Update: Administrative Law) on January 24, 2020.
(s) SC Bar Diversity Committee (Panel: How ____ can I be?) on January 7, 2020.
(t) Central Panel Directors Conference (Asheville NC) - Report of the South Carolina ALC on November 1, 2019.
(u) USC School of Law Class (Law Practice Workshop) on February 25, 2019.

(v) SC Bar Convention (Case Law Update: Recent Supreme Court and Court of Appeals Cases from the ALC and Recent ALC Cases) on January 17-18, 2019.
(w) USC School of Law Class (Law Practice Workshop) on February 26, 2018.
(x) SCAAO Conference on October 6, 2017, concerning tax law cases and statutory construction.
(y) USC School of Law Class (Law Practice Workshop) on April 3, 2017.
(z) DHEC (What is Effective Regulation?) on October 28, 2016.
(aa) Fifth Circuit's Spring Courthouse Keys event on April 1, 2016.
(bb) USC School of Law Class (Law Practice Workshop) on February 8, 2016.
(cc) SC Bar Convention for the Regulatory and Administrative Law Section on January 22, 2016.
(dd) SC Bar (Fifth Circuit Tips from the Bench) on January 8, 2016.
(ee) USC School of Law Class (Law Practice Workshop) on February 9, 2015.
(ff) A seminar for SC HHS Hearing Officers on April 13, 2015.
(gg) An Administrative Law & Practice in S.C. Seminar on January 31, 2014.
(hh) USC School of Law Class (Law Practice Workshop) on March 3, 2014.
(ii) S.C. Bar Convention (Panel Discussion on Administrative Law) on January 25, 2013.
(jj) A seminar for the Public Service Commission. (APA, Agency Decision & Ethics) on March 20, 2013.
(kk) Two separate CLEs on Administrative Law on February 21 & 22, 2013.
(ll) S.C. Bar CLE (Hot Topics in Administrative Law) on October 30, 2009.
(mm) A panel discussion for the Judicial Merit Selection Commission CLE on July 31, 2009.

Judge Anderson reported that he has published the following:
(a) "A Survey on Attributes Considered Important for Presidential Candidates," Carolina Undergraduate Sociology Symposium, April 17, 1980.

(b) "An Overview of Practice and Procedure Before the Administrative Law Judge Division," South Carolina Trial Lawyer, Summer 1996.
(c) The Majesty of the Lord's Prayer: An Analytical Review of Its Meaning and Implications (Murrels Inlet: Covenant Books, Inc., 2020).

(4) Character:
The Commission's investigation of Judge Anderson did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Anderson did not indicate any evidence of a troubled financial status. Judge Anderson has handled his financial affairs responsibly.

The Commission also noted that Judge Anderson was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Anderson reported that his last available rating by a legal rating organization, Martindale-Hubbell, was AV Preeminent.

Judge Anderson reported that he has not served in the military.

Judge Anderson reported that he has held the following public office: Appointed and served as an Assistant Attorney General 1985 to January 1995. I was not required to file with the State Ethics Commission in that capacity.

(6) Physical Health:
Judge Anderson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Anderson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Anderson was admitted to the South Carolina Bar in 1984.

He gave the following account of his legal experience since graduation from law school:

I began my legal career at the South Carolina Attorney General's Office in September 1984. During my career at the AG's office, I prosecuted numerous criminal cases of all types and handled a wide variety of civil litigation. My duties included:

(a) Statewide criminal prosecutor
(b) Assisting in the implementation of the Statewide Grand Jury
(c) Extradition hearing officer on behalf of the Governor of South Carolina
(d) Counsel to the State Ethics Commission
(e) Representing the State in a variety of civil litigation matters
(f) Representing the State in post-conviction relief matters
(g) Committee Attorney for the State Employee Grievance Committee
(h) Prosecutor for the Engineering and Land Surveyor's Board

I also prosecuted Medical Board cases, wrote Attorney General Opinions and handled Criminal Appeals.

On May 25, 1994, I was elected to Administrative Law Judge Seat No. 6 and re-elected to that position in 1996, 2001 and 2006. Administrative Law Judges hear appellate, injunctive and trial cases in a broad range of administrative matters involving governmental agencies and private parties.

On May 13, 2009, I was elected Chief Administrative Law Judge and re-elected to this position February 5, 2014 and February 6, 2019.

As an Assistant Attorney General, I did not have any significant administrative and financial management. As an Administrative Law Judge, I did not have any legal obligation regarding administrative and financial management but was occasionally assigned those duties by the Chief Judge. As Chief Administrative Law Judge, I am responsible for the administration of the court, including budgetary matters, assignment of cases, and the administrative duties and responsibilities of the support staff. See S.C. Code Ann. § 1-23-570. Also, section 1-23-660 of the South Carolina Code (Supp. 2017) provides "The chief judge is solely responsible for the administration of the [Office of Motor Vehicle Hearings], the assignment of cases, and the administrative duties and responsibilities of the hearing officers and staff.

Judge Anderson reported the frequency of his court appearances prior to his service on the bench as follows:

(a) Federal: Infrequently;
(b) State: At least 100 times during a five-year period.

Judge Anderson reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:

(a) Civil: 70%;
(b) Criminal: 30%;
(c) Domestic: 0%;
(d) Other: 0%.

Judge Anderson reported the percentage of his practice in trial court in the five years prior to his service on the bench as follows:
Approximately 40% of his practice was in trial court, including matters that settled prior to trial.

Judge Anderson provided that during the past five years prior to his service on the bench he most often served as sole counsel.

The following is Judge Anderson's account of his five most significant litigated matters:

(a) State v. Dwight L. Bennett - This was a felony DUI case in which the victim lost the baby she was carrying and suffered horrible injuries. Although the defendant was convicted, this case was used as a legislative example as the need to increase the maximum felony DUI punishment.
(b) Georgia v. Richard Daniel Starrett, aff'd., Richard Daniel Starrett v. William C. Wallace, - Starrett was convicted of several crimes in South Carolina. Afterwards, Georgia sought his extradition in an attempt to convict him under the death penalty. Starrett's challenge to the Attorney General's Office authority to hold extradition hearings was denied.
(c) State v. Michael Goings - Goings was a notorious City of Cayce police officer charged with assault and battery of a high and aggravated nature.
(d) State v. Herbert Pearson and Terrance Singleton - The Defendants in this case were accomplices in the armed robbery, attempted murder and murder of attendants at a gas station in Sumter, S.C.
(e) State v. William Keith Victor - After the Defendant was convicted of murder and kidnapping, he was given the death penalty. His case was later reversed on appeal and I assumed the prosecution. The prosecution, under difficult

circumstances, resulted in the Defendant's plea to murder, and the aggravating circumstance of kidnapping.

The following is Judge Anderson's account of five civil appeals he has personally handled:
(a) Bergin Moses Mosteller v. James R. Metts, S.C. Supreme Court, Not known when this case was decided.
(b) Dennis G. Mitchell v. State of S.C., S.C. Supreme Court, Not known when this case was decided.
(c) Ex Parte, Bobby M. Stichert v. Carroll Heath, S.C. Supreme Court, Decided August 29, 1985 (286 S.C. 456, 334 S.E. 2d 282).
(d) Patrick C. Lynn, et al. State of S.C., Supreme Court, Not known when this case was decided.
(e) Paul David Tasker v. M.L. Brown, Jr., S.C. Supreme Court, Not known when this case was decided.

The following is Judge Anderson's account of the criminal appeals he has personally handled:
I handled several criminal appeals while serving as an Assistant Attorney General. However, my service with the Attorney General's Office ended in February 1995, when I began serving as an Administrative Law Judge. As a result of the passage of time since that date, the briefs and specific case captions are no longer available.

Judge Anderson reported that he has held the following judicial office(s):

I was elected by the General Assembly to serve as an Administrative Law Judge beginning February 1, 1995. On May 13, 2009, I was elected Chief Administrative Law Judge and have been serving continuously since that date.

Administrative Law Judges hear appellate, injunctive, and trial cases in a broad range of administrative matters involving governmental agencies and private parties.

The Administrative Law Court's appellate jurisdiction includes appeals involving Medicaid; driver's license revocations and suspensions; licensing decisions from boards/commissions under the Department of Labor, Licensing and Regulation; Budget and Control Board's Employee Insurance Program; AFDC benefits; operation of day care facilities and foster home licensing; food stamps; and revocations or suspensions of teachers' certificates. The Administrative Law Court also hears appeals from final decisions of the Department of Employment and Workforce; the Department of Corrections in

"noncollateral" matters; and appeals from final decisions of the South Carolina Department of Probation, Parole and Pardon Services permanently denying parole eligibility.

The contested case litigation includes hearings involving environmental and health permitting; Certificates of Need; State Retirement Systems' disability determinations; Disadvantaged Business Enterprises; state and county tax matters; alcoholic beverage issues; and wage disputes.

Judge Anderson provided the following list of his most significant orders or opinions:

(a) Travelscape, LLC v. S.C. Dep't of Revenue, Docket No. 08-ALJ-17-0076-CC. Holding affirmed in Travelscape, LLC v. S. C. Dept. of Revenue, 391 S.C. 89, 705 S.E.2d 28 (2011)

(b) Duke Energy Corp. v. S. C. Dep't of Revenue, Docket No. 10-ALJ-17-0270-CC. Holding affirmed in Duke Energy Corp. v. S.C. Dep't of Revenue 410 S.C. 415, 417, 764 S.E.2d 712, 713 (Ct. App. 2014), reh'g denied (Nov. 21, 2014), cert. granted (Apr. 9, 2015) and further affirmed by the Supreme Court in Duke Energy Corp. v. S. C. Dep't of Revenue, 415 S.C. 351, 782 S.E. 2d 590 (2016).

(c) Kiawah Dev. Partners, II v. S.C. Dep't of Health and Envtl. Control, Docket No. 09-ALJ-07-0029-CC and S.C. Coastal Conservation League v. S.C. Dept. of Health and Envtl. Control, Docket No. 09-ALJ-07-0039-CC (February 26, 2010) (consolidated cases). Holding originally reversed by the Supreme Court, then affirmed and then reversed 3-2 in Kiawah Dev. Partners, II v. S.C. Dep't of Health & Envtl. Control, 411 S.C. 16, 766 S.E.2d 707 (2014).

(d) Amazon Servs., LLC v. S.C. Dep't of Revenue, No. 2019-001706, 2024 WL 252952 (S.C. Ct. App. Jan. 24, 2024).

(e) Lexington Cty. Health Servs. Dist. Inc., d/b/a Lexington Med. Ctr. v. S.C. Dep't of Health and Envtl. Control and Prisma Health-Midlands, Providence Hosp., LLC d/b/a Providence Health, Providence Health Northeast, Providence Health Fairfield, and Kershaw Hosp., LLC d/b/a KershawHealth Med. Ctr., Docket No. 20-ALJ-07-0108-CC (December 7, 2020) (Originally appealed to the Court of Appeals, appeal later withdrawn by parties)

Judge Anderson reported no other employment while serving as a judge.

Judge Anderson further reported the following regarding unsuccessful candidacies:

(a) Administrative Law Judge, Seat 3 (February 23, 1994)
(b) Fifth Judicial Circuit Court, Seat 3 (May 24, 2000) - Found qualified and nominated but withdrew prior to election.
(c) Circuit Court, At-Large Seat 9 (January 16, 2003) - Found qualified but not nominated.
(d) Court of Appeals, Seat 9 (March 10, 2008) - Found qualified but not nominated.
(e) Supreme Court, Seat 2 (January 14, 2016) - Found qualified and nominated but withdrew prior to election.
(f) Supreme Court, Seat 5 - Found qualified and nominated on November 15, 2016, but later found qualified and not nominated on December 5, 2016.
(g) Supreme Court, Seat 4 - Found qualified but not nominated on January 17, 2023.
(h) Supreme Court, Seat 4 (January 17, 2023) - Found qualified but not nominated.

(9) Judicial Temperament:
The Commission believes that Judge Anderson's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Judge Anderson to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. There were no related or summary comments.

Judge Anderson is married to Linda Corley Anderson. He does not have any children.

Judge Anderson reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar
(b) Administration and Regulatory Law Committee of the SC Bar
(c) South Carolina Administrative and Regulatory Law Association; President since 2009.

Judge Anderson provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Shandon Baptist Church. I am a member of the church but have not held any office with the church.

(b) South Carolina Administrative and Regulatory Law Association (SCAARLA). I became a member and board member of SCAARLA following its formation in 2002. In 2009, I was elected President of SCAARLA and have been serving in that capacity since that date.

(11) Commission Members' Comments:

The Commission commented that Judge Anderson has a solid reputation of being knowledgeable, hard-working, and impartial as a judge on the Administrative Law Court.

(12) Conclusion:

The Commission found Judge Anderson qualified, but did not nominate him for election to Supreme Court, Seat 3.

The Honorable Deadra L. Jefferson
Supreme Court, Seat 3

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Jefferson meets the qualifications prescribed by law for judicial service as a Supreme Court justice.

Judge Jefferson was born in 1963. She is 60 years old and a resident of Charleston, South Carolina. Judge Jefferson provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1989.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Jefferson.

Judge Jefferson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.
Judge Jefferson reported that she has not made any campaign expenditures.

Judge Jefferson testified she has not:
(a) sought or received the pledge of any legislator prior to screening;
(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Jefferson testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Jefferson to be intelligent and knowledgeable.

Judge Jefferson reported that she has taught the following law-related courses:
(a) Business Law Instructor, Trident Technical College Paralegal Program, 1993-1994 School Term;
(b) "Rules, Rules, Rules" South Carolina Practice and Procedures Update, Presenter on the issue of Family Court Rules, SC Bar, March 20, 1998;
(c) Speaker/Panel Participant Wiley A. Branton Symposium, National Bar Association, October 24, 1998;
(d) "Current Issues in Attorney's Fees," Presenter, SC Bar Association, November 6, 1998;
(e) Recent Developments in Family Law, "Six by Six" CLE Seminar, Presenter, Charleston County Bar Association, December 10, 1998;
(f) "Adjudication Hearings", Presenter and Contributor to Family Court Judges Juvenile Workbook, SC Association of Family Court Judges, May 20, 1999;
(g) "Tips from the Bench", Adoption, Presenter, S.C. Bar Association, February 25, 2000;

(h) "The Role of the Judge and Guardian ad Litem in Abuse and Neglect Proceedings" Judges Panel, South Carolina Guardian ad Litem Conference, April 14, 2000;

(i)"Women, Leadership and the Law," Brown Bag Lunch Panel Participant, S.C. Women Lawyers Association and College of Charleston Women's Studies Program, September 22, 2000;

(j) Family Law Update and Tips from the Bench, Presenter, Charleston Lawyers Club, May 2, 2001;

(k) "The Use of Psychological Evaluations in Juvenile Proceedings," Panel, Children's Law Center, May 18, 2001;

(l)Judges Panel, 3rd Annual Children's Law Conference, May, 2001;

(m) Hot Tips III, "Appeals and Motions," December 13, 2002;

(n) Women Lawyers in the New Millennium, "Ethics Issues from Various Judicial Perspectives," April 11, 2003;

(o) National Judicial College, Advanced Evidence, Group Discussion Leader, November 15-19, 2004;

(p) SCDTAA Trial Academy Judge, June 20, 2003;

(q) 2004 Local Government Attorneys' Institute, Administered Oath, December 2004;

(r) 9th Annual Probate Court Seminar, Administered Oath, January 2005;

(s) SCBLA, Judicial Selection in South Carolina, Judicial Panel, September 2005;

(t)S.C. Solicitors' Association Conference, Criminal Law Update, "Recent Court Decisions," September 26, 2005;

(u) Charleston School of Law Professionalism Series, "Civility and Ethics," October 20, 2005;

(v) SC Defense Trial Lawyers Ethics and Civility **In Trial unable to make the presentation, November 4, 2005;

(w) Charleston School of Law Ethics & Professionalism presentation, February 15, 2006;

(x) Charleston School of Law, Law Day, Panel Presentation "Judicial Selection in South Carolina," May 1, 2006;

(y) National Judicial College, Handling Capital Cases, Group Discussion Leader, June 10, 2006;

(z) SCBLA, "Civil Practice," September 29, 2006;

(aa) Young Lawyers Division, New Admitees Reception, Presentation, November 16, 2006;

(bb) Young Lawyers Division, "Tips for Young Lawyers in Circuit Court," May 24, 2007;

(cc) "Oath of Office" D. Ashley Pennington Chief Public Defender, January 3, 2008;
(dd) "We Shape the World" Charleston School of Law, Minority Law Day, March 1, 2008;
(ee) Women of Wisdom Expo 2008 "Daring to Embrace New Beginnings "Bible Way Church, Columbia, SC, March 8, 2008;
(ff) National Association for Court Management, Mid-Year Conference, Welcome Address, March 10, 2008;
(gg) Pro-Bono Legal Service Summer Intern Class, In-Court Seminar, June 11, 2008;
(hh) "Governors' School of SC" Summer Class, June 12, 2008;
(ii) Magistrate Seminar , July 29, 2008;
(jj) Annual Judicial Conference, South Carolina Access to Justice Commission, Panelist, August 21, 2008;
(kk) Young Lawyers Association Luncheon, December 9, 2008;
(ll) Charleston School of Law Professionalism Series Lecture(Access to Justice), March 19, 2009;
(mm) Young Lawyers Association Luncheon, December 9, 2008;
(nn) Charleston School of Law Professionalism Series Lecture (Access to Justice), March 19, 2009;
(oo) JCLE "Limitations on Questioning Judges under the Judicial Cannons," July 31, 2009;
(pp) Charleston Lawyer's Club CLE" Advice from the Bench: Likes and Dislikes in Motion Practice, Briefs and Oral Argument," February 24, 2010;
(qq) Stono Park Elementary Career Day, February 26, 2010;
(rr) Junior Girls Day Out Community Project, March 10, 2010;
(ss) Metanoia Freedom School "Read-A-Loud, Chicora Elementary, July 22, 2010;
(tt) Merit Selection Panel for Magistrate Judges, August 17, 2010;
(uu) "League of Women Voters of the Charleston Area" Women of Distinction; August 26, 2010;
(vv) Charleston County School District; Swearing In, November 8, 2010;
(ww) South Carolina Legal Services Statewide Conference, Panelist, November 19, 2010;
(xx) Center for Heirs Property; Celebration, February 10, 2011;
(yy) SEABOTA Annual Conference CLE; Panelist, April 29, 2011;
(zz) S.C. Supreme Court Institute, Panelist, June 20, 2011;
(aaa) Seminar " What Works for Me in Practice" ; "Practical tips from the Bench," July 22, 2011;

(bbb) Charleston County School District; Swearing In, February 27, 2012;
(ccc) Charleston Lion Club Luncheon Speaker, April 24, 2012;
(ddd) "Seminar "What Works for Me in Practice" ; "Practical tips from the Bench," July 20, 2012;
(eee) Berkeley County School District 8th Annual Junior Scholarship Institute, July 10, 2014;
(fff) S.C. Solicitor's Association Fall Conference Panelist Covering "Significant Cases: 2013-2014," September 22, 2014;
(ggg) Shabach Christian Church Fellowship Convocation, "Moving up in your Career," October 29, 2014;
(hhh) Military Magnet Academy Law Enforcement Class, May 6, 2015;
(iii) Swearing in of Chief Public Defender for the Ninth Judicial Circuit, 2016 Charleston County Bar Association, February 25, 2016;
(jjj) Memminger Elementary 4th grade students, February 25, 2016;
(kkk) Military Magnet Academy Law Enforcement Class, March 22, 2017;
(lll) S.C. Young Lawyers Division Mock Trial of Gold E. Locks and the Three Bears Deer Park Middle School, November 3, 2017;
(mmm) Charleston County Junior Scholars, June 22, 2017;
(nnn) Charleston County Junior Scholars, June 28, 2017;
(ooo) Converse College "Celebrating Courage and Charting the Future: Commemorating 50 years of Black Women at Converse" Panel, February 9, 2018;
(ppp) S.C. Circuit Court Orientation for New Circuit Court Judges Moderator and Instructor, July 11, 2018, July 10, 2019, July 8, 2020, July 6, 2021, July 26, 2022, June 27, 2023;
(qqq) COBRA 2018 Drum Major for Justice Luncheon Honoring Judge Richard E. Fields, February 17, 2018;
(rrr) S.C. Bar Diversity Committee-Virtual Fireside Chat with Richard E. Fields, Women's Lawyers Presentation, March 25, 2021;
(sss) Ninth Judicial Installation of Chief Public Defender, Swearing In, August 1, 2022.

Judge Jefferson reported that she has published the following:

(a) Marital Litigation in SC, Roy T. Stuckey and F. Glenn Smith (SC Bar CLE 2001), Editorial Board.
(b) The Law of Automobile Insurance in SC, Elizabeth Scott Moise (SC Bar CLE 2009), Editorial Board.

(c) I have provided written seminar materials for the S.C. bar in conjunction with CLE Seminar presentations. These materials have been published by the S.C. Bar as a part of their published seminar materials. I have not published any books or articles.

(4) Character:
The Commission's investigation of Judge Jefferson did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Jefferson did not indicate any evidence of a troubled financial status. Judge Jefferson has handled her financial affairs responsibly.

The Commission also noted that Judge Jefferson was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:
Judge Jefferson reported that she is not rated by any legal rating organization.

Judge Jefferson reported that she has not served in the military.

Judge Jefferson reported that she has never held public office other than judicial office.

(6) Physical Health:
Judge Jefferson appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:
Judge Jefferson appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:
Judge Jefferson was admitted to the South Carolina Bar in 1989.

She gave the following account of her legal experience since graduation from law school:

(a) Law Clerk to the Honorable Richard E. Fields, Ninth Judicial Circuit, Charleston, S.C., August 1989 through August 1990. Primary Responsibilities: legal research, preparation of jury charges, preparation of Orders, scheduling of motions, all tasks required to prepare the Judge and myself for trials/hearings during the term and all other daily tasks as required by the Judge that ensured the smooth operation of Court.

(b) McFarland and Associates, Attorney, October 1990 through March 1996. Trial practice focusing on the following areas: Domestic Relations, Civil Litigation (all types), Probate Law, Real Estate Law, Business Law and Criminal Law.

(c) Resident Family Court Judge, Ninth Judicial Circuit, Seat 5, elected to serve February 14, 1996 through June 2001.

(d) Resident Circuit Court Judge, Ninth Judicial Circuit, Seat 1, elected to serve May 31, 2001 to the present.

Judge Jefferson reported the frequency of her court appearances prior to her service on the bench as follows:

(a) Federal: approximately 15 times;
(b) State: approximately 50-60 times.

Judge Jefferson reported the percentage of her practice involving civil, criminal, domestic and other matters prior to her service on the bench as follows:

(a) Civil: 47%;
(b) Criminal: 6%;
(c) Domestic: 47%;
(d) Other: 0%.

Judge Jefferson reported her practice in trial court prior to her service on the bench as follows:

(a) 70% was in trial court, including cases that settled prior to trial;
(b) 25 cases went to trial and resulted in a trial;
(c) 25-30 cases went to trial and resolved after the plaintiff's or State's case;
(d) 0 cases settled after a jury was selected, but prior to opening statements.

Judge Jefferson provided that during the past five years prior to her service on the bench she most often served as sole counsel.

The following is Judge Jefferson's account of her five most significant litigated matters:

(a) Blake v. County of Charleston. This case involved complex (federal) civil rights litigation. It was tried for two (2) weeks and involved many motions and other complex legal issues relating to evidence and the new federal rules. The case also resulted in a mistrial and was later tried a second time for one (1) week. I tried this case with two (2) other lawyers, both of whom had been practicing more than eighteen (18) years. During this process I was treated as an equal and an integral part of the litigation team. I was entrusted with a great deal of responsibility which included arguing motions, examination of witnesses, preparation of motions, and preparation of jury charges. This case challenged many current practices within the Charleston County Police Department. This case caused the Charleston County Police Department to evaluate and change many of their policies and practices.

(b) Hymes v. Khoury. This case was a simple auto accident which I did not think would be successful. This case taught me the importance of the strategic application of the civil rules of procedure and case law. Although this case took one (1) day to try, the jury deliberated for two (2) days and returned a verdict in favor of my client.

(c) In Re: The Estate of Joseph J. White, Jr., et. al. This was a probate court case. The central issue in this case involved the paternity of a two (2) year old minor child of the victim of an automobile fatality. The case involved an intense three (3) day probate trial. The trial involved approximately forty (40) witnesses. It also involved a unique question of law concerning the jurisdictional conflict between the probate and family courts. A favorable ruling was returned by the Probate Judge and the Circuit Court on appeal. In addition, I handled the wrongful death cause of action on behalf of the minor which resulted in a substantial recovery for the minor.

(d) Ashby v. Ashby. In this case I represented the plaintiff/husband who sought custody of his three (3) children. The Court applied the primary caretaker doctrine

in awarding custody to the father. The case also involved issues of equitable distribution, adultery, child support and attorney's fees.

(e) Thompson v. Polite. This case involved a hotly contested issue of visitation between the plaintiff/husband and his minor son. The defendant/wife was adamant in her refusal to allow visitation. My client was awarded reasonable visitation at the Temporary Hearing of this case. Prior to the Final Hearing the parties submitted to mediation. Through this process they were able to come to an amicable agreement regarding visitation and the rearing of their child. This case reinforced my belief in the value of alternative dispute resolution (mediation) as a method of improving the efficient use of court time and resources.

Judge Jefferson reported she has not personally handled any civil or criminal appeals.

Judge Jefferson reported that she has held the following judicial office(s):

(a) Resident Family Court Judge, Ninth Judicial Circuit, Seat 5, elected February 14, 1996. April 1, 1996, through June 2001. Elected by the General Assembly. The Family Court is a statutory court of limited and specific jurisdiction. The jurisdiction of the Family Court is set forth in S.C. Code Annotated section 20-7-420, et seq. (i.e. divorce, custody, child support, name changes, juveniles, equitable distribution, adoptions, abuse and neglect, and as further set forth in the statute).

(b) Resident Circuit Court Judge, Ninth Judicial Circuit, Seat 1, June 2001-present. Elected to this position by the General Assembly on May 30, 2001. The Circuit Court is South Carolina's Court of general jurisdiction. It has a civil court, the Court of Common Pleas, and a criminal court, the Court of General Sessions. In addition to its general trial jurisdiction, the Circuit Court has limited appellate jurisdiction over appeals from the Probate Court, Magistrate's Court, and Municipal Court.

Judge Jefferson provided the following list of her most significant orders or opinions:

(a) Beachfront Entertainment, Inc., et al. v. Town of Sullivan's Island, 379 SC 602, 666 S.E.2d 921 (2008)
(b) Evening Post Publishing Company, et al. v. City of North Charleston, 357 S.C. 59, 591 S.E.2d 39 (Ct. App. 2003), 363 S.C. 452, 611 S.E.2d 496 (2005);
(c) State v. Washington, 367 S.C. 76, 623 S.E.2d 836 (Ct. App. 2006);
(d) State v. Stephen C. Stanko, 1999-GS-22-0918. 376 S.C. 571,658 S.E.2d 94 (2008);
(e) Donevant vs Town of Surfside Beach, 422 S.C. 264, 811 S.E.2d 744 (2018).

Judge Jefferson reported no other employment while serving as a judge.

Judge Jefferson further reported the following regarding unsuccessful candidacies:
Candidate- Family Court of S.C., Ninth Judicial Circuit, Seat to be vacated by the Hon. Robert R. Mallard, January 1995 through March of 1995. I went through the screening process successfully and was found Qualified to hold judicial office. I voluntarily withdrew from the process prior to the election.

Candidate – Supreme Court of South Carolina, Seat 3, to be vacated by the Hon. Justice James E. Moore in September 2007. I went through the screening process successfully and was found Qualified to hold judicial office but not nominated.

Candidate- Supreme Court of South Carolina, Seat 4, to be vacated by the Hon. Justice John Henry Waller, Jr. in February 2009. I went through the screening process successfully and was found Qualified and Nominated.

(9) Judicial Temperament:
The Commission believes that Judge Jefferson's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Lowcountry Citizens Committee reported Judge Jefferson to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The

Committee commented:

"Judge Jefferson is imminently qualified to serve as an Associate Justice on the Supreme Court. She has over 25 years of experience, first as a family court judge and now as a circuit judge. In her expansive experience, she has dealt with every conceivable issue in family, civil, and criminal litigation, and is acquainted with all areas of the law. She has a keen intellect, being genuinely interested in the legal issues before her. She is a "worker." She is not predetermined on the matters that come before her and fully studies novel or unusual issues before ruling on them. She is fair and does not play favorites.
Judge Jefferson is innovative and takes initiative. To help alleviate the backlog of criminal cases caused by the pandemic, she made arrangements with the Sheriff for Charleston County for a temporary courtroom at the County jail, to hear bond matters. With this system, the detained did not need to be transported to the County courthouse but could be processed quickly and effectively.

She is well balanced and affable with the consummate judicial temperament. She is well regarded and liked by jurors and attorneys. She respects her peers on the bench and has positive professional relationships with them. Her exceedingly strong qualifications are accompanied by her wonderful disposition.

The opinions in her letters of recommendation are universally shared by the legal community and all that know her. For her entire career, she has generously and tirelessly given her time to improve the community, volunteering for various causes and her church."

And:

"The Committee unanimously and enthusiastically supports her candidacy. She has every quality, professional and personal, to be an excellent Associate Justice. The Committee believes her experience and perspective would be invaluable in this position. The Committee has no doubt she would serve in a manner that would bring even more public admiration, appreciation, and trust to the Court as a whole."

Judge Jefferson is not married. She does not have any children.

Judge Jefferson reported that she was a member of the following Bar and professional associations:

(a) South Carolina Bar Association;
(b) Charleston County Bar Association;
(c) S.C. Association of Circuit Court Judges; Secretary 2010-2012; Vice President 2012-2014; President 2014-2016;
(d) S.C. Women Lawyers Association;
(e) S.C. Black Lawyers;
(f) S.C. Supreme Court Historical Society, Judicial Advisory Board;
(g) American Inns of Court Foundation.

Judge Jefferson provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) The Life Center Church, Charleston, S.C.

Trustee Ministry, 2001-present; Vision to Victory 2020-present;

(a) Charleston, SC Chapter of the Links, Inc.,1998-present Co-Chair

Services to Youth

2000-2001; Corresponding Secretary 2004-2006; Recording Secretary 2006-2007; Chair Bylaws Committee 2006-2007; 2019-2023;2014-present; Vice President 2007- 2009; President 2009-2013;

(c) Delta Sigma Theta Sorority, Inc., 1982-present;
(d) The Post and Courier Feature Article August 6, 2001;
(e) The Post and Courier "High Profile" Article May 7, 2005;
(f) "The Heritage List, 9 Dazzling Women of Spirit and Humility" Celebrate Your Heritage Magazine, Spring 2005;
(g) NAACP Lifetime Achievement Award 2003;
(h) Greater Charleston YWCA Lifetime Achievement Award 2004;
(i) Advisory Board Charleston School of Law 2002-present;
(j) Converse College Board of Trustees; 2002-2010; 2011-2020;

Academic Affairs; Legal Affairs Sub-Committee; Enrollment & Marketing Committee; Student Affairs Committee; Investment Sub-Committee; Committee on Trustees;

(k) Founder's Day Speaker Converse College, April 24, 2003;
(l) South Carolina Commission on Alternative Dispute Resolution 2002-2006, User Education Sub-Committee; 2018-present, Program and Technology Committee;

(m) Co-Chair 9th Circuit Courthouse Security Commission August 4, 2006-present;

(n) Associate Acting Justice South Carolina Supreme Court for the terms December 1, 2005 and June 10, 2004;

(o) Associate Acting Judge South Carolina Court of Appeals for the term June 19-13, 2003 during this term I sat En Banc with the Court, authored two (2) opinions and participated on seven (7) other panels/opinions;

(p) Designated as Chief Judge for Administrative Purposes for the 9th Circuit as follows: General Sessions July 1, 2002-January 5, 2003; Common Pleas January 6, 2003-January 3 2004; General Sessions January 4, 2004-July 3, 2004 and Common Pleas January 1, 2006-December 30, 2006;General Sessions, Jan. 1-July 31, 2008, Common Pleas January 1, 2009-December 31, 2009; General Sessions, January 2011-December 30, 2011; and Common Pleas, January 1, 2012-December 30, 2013; General Sessions, January 3, 2016-July 1, 2017; Common Pleas(Charleston) January 1, 2017-June 30, 2018; Chief Judge for Administrative Purposes for the 14th Circuit January 5, 2020-January 2, 2021; Chief Administrative Judge General Sessions 9th Circuit, July 4, 2021-December 31, 2022; December 31, 2023-present;

(q) Assigned exclusive jurisdiction of the following cases by the Supreme Court: April 29, 2003 (2003-GS-47-000004) Statewide Grand Jury, State v. Bunker, et al.; December 2, 2003 (2001-CP-18-0074A) Boyd v. Nationwide; June 28, 2004 (2003-GS-38-02411-02413), State v. Levi Bing, Jr.; October 3, 2004 (2002-CP-15-00471 and 00494) Carter v. Steedley, et. al.; May 6, 2005 (2005-GS-22-00918) State v. Stephen C. Stanko; October 3, 2005 (1996-GS-32-30341) State v. Jeffrey L. Jones; March 7, 2006 (2004-CP-18-01951) Price v. Jones Ford, Inc.; October 5, 2007 State v. Broughton; (2006-GS-08-02164,02165,02182, 021830,2184 & 02185); September 20, 2010 (2004-CP-37-00834) Rhoades, et al.v. Kenyon, et al.; April 23, 2014, State vs Timothy D. Rogers (1993-GS-18-00101) (1993-GS-18-00101), Resentencing; May 20, 2016 (2016-GS-47-00002 and 2016-GS-47-00003) Statewide Grand Jury Case, State

vs Emory Roberts, Justin Gordon Hunter, William Orlando Brown, Rosemary Quezada and Lassain Dixon Johnson; May 31, 2017 (1993-GS-10-00090,00091,00092) State vs Corey L. Sparkman; December 27, 2017 (2017-GS-47-00031 and 2017-GS-47-00050) Statewide Grand Jury Case, State vs Brantley D. Thomas, III (2018-GS-47-00031;2018-GS-47-00051;2018-GS-47-00027;2018-GS-47-00053;2018-GS-47-00054); March 1, 2024 1992-GS-10-01680 State vs Mark Hamilton;

(r) Nominated for the inaugural class of the Lowcountry Diversity Leadership Academy developed by the American Institute for Managing Diversity and the Richard W. Riley Institute of Government, Politics and Public Leadership at Furman (had to decline due to the demands of the Court schedule), September 6, 2005;

(s) Nominated for the Lowcountry Diversity Leadership Academy (had to decline due to the demands of the Court Schedule), September 21, 2006;

(t) Invited by the National Judicial College to be a group discussion leader for the General Jurisdiction Course (had to decline due to the demands of the Court schedule, however, I have been asked to participate when the schedule will allow my participation), July 2006;

(u) Supreme Court Access to Justice Commission 2007-2016;

(v) S.C. Liberty Fellow-Class of 2009. 2007-present;

(w) Federal Court, Merit Selection Panel for Magistrate Judges, August 17, 2010;

(x) League of Women Voters of the Charleston Area Women of Distinction Award- August 26, 2010;

(y) Designated by Chief Justice Toal as state liaison to the National Consortium on Racial and Ethnic Fairness in the Courts, NCSC, 2003-present; Advisory Board 2013-2014; Board of Directors 2014-Present; Nominating Committee February 8, 2016-present;

(z) Supreme Court Docket Management Task Force, Common Pleas Reform Subcommittee, Rule 40/Status Conference Subcommittee,

February 17, 2011-present;

(ee) Appointed to the Supreme Court to the General Sessions Docket Committee (Langford Committee), January 7, 2014-present;
(ff) Circuit Court Judges Advisory Committee, June 24, 2014-present; Chairperson 2019-present; Moderator and Presenter New Judges Orientation School 2018-present;
(gg) Converse College "Celebrating Courage and Charting the Future: Commemorating 50 years of Black Women at Converse," Panel, February 9, 2018;
(hh) S.C. Circuit Court Judges Association; Secretary, August 17, 2010-2012;
Vice President, August 17, 2012- August 2014; President, August 2014-2016;
(ii) Access to Justice, Language Access Task Force of the South Carolina Access to Justice Commission, March 16, 2016;
(jj) 2024 CCJ/COSCA Southern Region Summit, Effective Criminal Case
Management in Pos-Pandemic World: A Leadership Summit for Courts and their Communities Liason, June 5-7, 2004.

Judge Jefferson further reported:

I served as law clerk to the Hon. Richard E. Fields of the Circuit Courts of South Carolina. During my time with him I had the unique opportunity to observe and participate in dozens of trials and hearings and observe a "master jurist." He taught me the importance of "people skills." I learned the role of judge is central to the lawyers and the litigant's perception that the system afforded them a fair trial/hearing. In addition, my legal research and writing skills were refined during this process. These skills were further refined during my time on the bench. I count myself fortunate to have found my vocation in life and attempt to walk worthy of that vocation. It is a rare privilege to have been allowed to serve the citizens of South Carolina as a Family Court Judge and Circuit Court Judge for the past twenty-eight (28) years. The last twenty-eight (28) years have been enjoyable, rewarding and intellectually challenging. I have learned much about the law and human nature. I was taught that the position of a judge should be a continual growth process. I believe that I have continuously grown in my judicial perspective. I still have the same enjoyment for my work as the day I began twenty-eight (28) years ago. The Circuit Court has one of the largest caseloads within the judicial system with over approximately four thousand (4000) filings per judge. I believe that I have been a productive member of the Court. My potential election to the Supreme Court will

create the opportunity for continued intellectual growth while allowing my continued contribution to the court system and the welfare of this state.

(11) Commission Members' Comments:
The Commission commented that Judge Jefferson enjoys a reputation of being a hard working and diligent jurist who treats others with dignity and respect.

(12) Conclusion:
The Commission found Judge Jefferson qualified, but did not nominate her for election to Supreme Court, Seat 3.

The Honorable R. Keith Kelly
Supreme Court, Seat 3

Commission's Findings: QUALIFIED, BUT NOT NOMINATED

(1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Kelly meets the qualifications prescribed by law for judicial service as a Supreme Court justice.

Judge Kelly was born in 1958. He is 65 years old and a resident of Spartanburg, South Carolina. Judge Kelly provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1988.

(2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Kelly.
Judge Kelly demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Kelly reported that he has not made any campaign expenditures.

Judge Kelly testified he has not:
(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;
(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Kelly testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:
The Commission found Judge Kelly to be intelligent and knowledgeable.

Judge Kelly reported that he has taught the following law-related courses:
(a) I have made a presentation on Ethics to the SC Association of Criminal Defense Lawyers as a Circuit Judge.
(b) I have made a presentation on Access to Justice as a Circuit Judge.
(c) I have participated as a Circuit Judge on panels answering questions from lawyers.
(d) I have made presentations to members of the Bar at the annual Solicitor's Conference
Conference while serving as a member of the SC House Judiciary Committee.
(e) I have made presentations to members of the Bar at the annual Public Defender's Conference while serving as a member of the SC House Judiciary Committee.
(f) I have made presentations to members of the Bar at the annual Public Defender's Conference while serving as a member of the SC Sentencing Oversight Committee.
(g) I have spoken to school students on career days about law in general and described
our court system, both state and federal.
(h) I taught a class to law enforcement officers on prosecuting DUI cases while I was a lawyer.

Judge Kelly reported that he has not published any books or articles.

(4) Character:
The Commission's investigation of Judge Kelly did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Kelly did not indicate any evidence of a troubled financial status. Judge Kelly has handled his financial affairs responsibly.

The Commission also noted that Judge Kelly was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:
Judge Kelly reported that his rating by a legal rating organization, Martindale-Hubbell, is BV.

Judge Kelly reported the following military service:
16 May 1981 to 16 May 1984, US Army active duty, Honorable Discharge. 17 May to 29 August 1994 US Army Reserve, Honorable Discharge. Captain, no longer serving.

Judge Kelly reported that he has held the following public office:
(a) 2006-2010, SC House of Representatives, House District 35, elected.
(b) All reports were timely filed, no penalty.

(6) Physical Health:
Judge Kelly appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:
Judge Kelly appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:
Judge Kelly was admitted to the South Carolina Bar in 1988.

He gave the following account of his legal experience since graduation from law school:
(a) Brooks Law Associates, Spartanburg, SC 1988-1999; General practice of law including criminal, civil and family law. No administrative or financial duties.
(b) R. Keith Kelly Law Firm, Spartanburg, SC 1999-2001; General practice of law including criminal, civil and family law. Solo practice with administrative and financial duties.

(c) Lister, Flynn and Kelly, PA, Spartanburg, SC 2001-2013; General practice of law including criminal, civil and family law. No administrative or financial duties.
(d) The South Carolina Judicial Department, Circuit Court Judge, 2013 to present. Preside over Common Pleas and General Sessions matters.

Judge Kelly reported the frequency of his court appearances during the past five years prior to his service on the bench as follows:
(a) Federal: I have handled two federal court cases in the past five years
(b) State: I appear frequently in state court. These appearances likely average, on an annual basis, at least once per week, if not more, when court is in session.

Judge Kelly reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years prior to his service on the bench as follows:
(a) Civil: 20%;
(b) Criminal: 40%;
(c) Domestic: 40%;
(d) Other: 0%.

Judge Kelly reported the percentage of his practice in trial court during the past five years as follows:
At least 60%. This is an estimate; it has been over ten years since I practiced law.

The following is Judge Kelly's account of his five most significant litigated matters:
<u>These cases were before I came to the bench in 2013.</u>
<u>(a) State v. Moore: death penalty case</u>
<u>(b) State v. Samples: death penalty case</u>
<u>(c) State v. Connor: death penalty case</u>
<u>(d) State v. Brown: death penalty case</u>
<u>(e) US v. Troy Rolle: interstate drug trafficking case</u>

Judge Kelly reported that he has not handled any civil appeals.

The following is Judge Kelly's account of five criminal appeals he has personally handled:
<u>These cases were before I came to the bench in 2013.</u>

(a) State v. Moore: death penalty case
(b) State v. Samples: death penalty case
(c) State v. Connor: death penalty case
(d) State v. Brown: death penalty case
(e) US v. Troy Rolle: interstate drug trafficking case

Judge Kelly further reported that he has held the following judicial offices:
SC Circuit Court Judge, 2013-present. Elected by the General Assembly. The jurisdiction of the Circuit Court is defined by Article V, Section 11 of the SC Constitution and Title 14, Chapter 5 of the SC Code of Laws, as amended.

Judge Kelly provided the following list of his most significant orders or opinions:

(a) Catawba Indian Nation v. State of South Carolina, 407 S.C. 526, 765 SE2d 900 (2014). The Indian tribe brought a declaratory judgment action against the state to determine the effect of the Gambling Cruise Act on certain gambling rights. The Supreme Court held declaratory judgment action was not precluded by collateral estoppel; the action was not precluded by res judicata; but the Gambling Cruise Act did not authorize the tribe to offer video poker gambling on its reservation. I concurred in the opinion as an Acting Associate Justice.

(b) Garrard v. Charleston County School District, LLC, 439 S.C. 596 (2023). Members and coach of high school football team brought defamation action against newspaper that had published series of articles that included statements about members and coach in connection with controversial post-game ritual performed by team. The Supreme Court, Kittredge, Acting C.J., held that common law presumption of general damages did not apply, requiring members and coach to demonstrate actual injury. The members and coach were required to demonstrate actual injury attributable to articles; allegedly libelous statement involved issue of public controversy or concern and was published by a media defendant. Petitioners fell short on the element of damages. Because the allegedly libelous statement involved an issue of public controversy or concern and was published by a media defendant, the common law

presumption of general damages did not apply, and it was incumbent on Petitioners to show actual injury attributable to Respondent's publications. I concurred in the opinion as an Acting Associate Justice.

(c) Garrison v. Target, 435 S.C. 566 (2022). Customers sued store for negligence, violation of Unfair Trade Practices Act, and loss of consortium after daughter picked up and was pricked by needle and syringe in store parking lot. The jury returned a verdict for Plaintiffs. The Court of Appeals held the statutory cap on punitive damages pursuant to section 15-32-530 constituted an affirmative defense that must be pled or else waived, and because Target failed to plead the cap, the Court held its application was waived in this case. Target contended the Court of Appeals erred in holding it was required to plead the statutory cap on punitive damages pursuant to section 15-32-530 as an affirmative defense, and because Target did not do so, application of the damages cap was waived in this case. The Supreme Court agreed finding the statutory cap on punitive damages is neither an affirmative defense nor an avoidance because it does not affect liability or require new matter to be asserted but instead limits the amount of damages a plaintiff can recover.

(d) State v. Daniel Spade, 2016WL3670561, (2016). Defendant was charged with Criminal Sexual Conduct with a Minor, First Degree for forcing his then seven year old daughter to perform oral sex on him during non-custodial visitation. Defendant improperly struck juror 199 because she was a grandmother and later alleged due to her age. I ruled the strike unconstitutional based on gender because only females can be grandmothers and the "dual motivation doctrine did not cure the constitutional defect. Affirmed.

(e) West Anderson Water v. City of Anderson, 417 S.C. 496, 790 SE2d 204 (2016). The Water District brought a declaratory action against the City to determine the proper service provider to supply water to Michelin's newly constructed facility. The Court affirmed my ruling determining the Water Sale and Purchase Agreement allowed the City to provide service to Michelin, enabling legislation authorized the local governing body to execute contracts extending past its members terms of office and there was no delegation of power by the district. Affirmed.

Judge Kelly reported no other employment while serving as a judge.

Judge Kelly reported the following regarding unsuccessful candidacies:
(a) 1991 SC Senate special election to fill unexpired term of Senator Horace Smith. I lost in the primary to a challenger.
(b) 2010 SC House of Representatives, District 35. I lost in the primary to a challenger.
(c) 1995 Family Court Judgeship. I withdrew from consideration.
(d) 1998 Family Court Judgeship. I withdrew from consideration.
(e) 2010 US Magistrate. I was not selected.
(f) 2016 Supreme Court. I withdrew from consideration.

(9) Judicial Temperament:
The Commission believes that Judge Kelly's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:
The Upstate Citizens Committee reported Judge Kelly to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee included the following comment: "Judge Kelly is an outstanding jurist. He has an outstanding reputation and is well liked by all!"

Judge Kelly is married to Cynthia Gail Jackson Kelly. He has three children.

Judge Kelly reported that he was a member of the following Bar and professional associations:
(a) South Carolina Bar Association
(b) South Carolina Circuit Court Judges Association
(c) Cherokee County Bar Association
(d) Spartanburg County Bar Association
(e) South Carolina Supreme Court Historical Society

Judge Kelly provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
(a) Trinity United Methodist Church, Spartanburg, SC
(b) The Supreme Court Historical Society
(c) Spartanburg Downtown Rotary Club (Paul Harris Plus Seven)

(d) Rotary Paul Harris Society
(e) Spartanburg Pilots Association, former board member
(f) Woodruff Investment Club
(g) The Peachtree Project (former member)

Judge Kelly further reported:
I respectfully submit that my work ethic is one of my strong suits. I worked to pay my way through college and law school. I repaid all student loans timely, and I applied myself to the practice of law and representing clients with the same work ethic. I applied myself and that same work ethic while serving our state as a Circuit Court Judge. And, I will continue to apply that same work ethic to cases before the Supreme Court.

(11) Commission Members' Comments:
The Commission commented that Judge Kelly enjoys a well-deserved, fantastic reputation in the legal community. They expressed appreciation for his excellent temperament and his commitment to punctuality in the courtroom.

(12) Conclusion:
The Commission found Judge Kelly qualified, but did not nominate him to serve as Supreme Court, Seat 3.

CONCLUSION

The Judicial Merit Screening Commission found the following candidates QUALIFIED AND NOMINATED:

SUPREME COURT
SEAT 3 The Honorable Blake A. Hewitt
The Honorable Jocelyn Newman
The Honorable Letitia H. Verdin

Respectfully submitted,

/s/Sen. Luke A. Rankin	/s/Rep. Micajah P. "Micah" Caskey, IV
/s/Sen. Ronnie A. Sabb	/s/Rep. J. Todd Rutherford
/s/Sen. Scott Talley	/s/Rep. Wallace H. "Jay" Jordan, Jr.
/s/Ms. Hope Blackley	/s/Mr. Andrew N. Safran
/s/Mr. J.P. "Pete" Strom, Jr.	/s/Ms. Lucy Grey McIver

APPENDIX

Report from the South Carolina Bar Judicial Qualifications Committee

The Honorable Ralph K. Anderson, III
Supreme Court, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Ralph K. Anderson, III's candidacy for the Supreme Court, Seat 3, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Jocelyn Newman
Supreme Court, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Jocelyn Newman's candidacy for the Supreme Court, Seat 3, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified

Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Letitia H. Verdin
Supreme Court, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Letitia H. Verdin's candidacy for the Supreme Court, Seat 3, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable R. Keith Kelly
Supreme Court, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable R. Keith Kelly's candidacy for the Supreme Court, Seat 3, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified

Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Blake A. Hewitt
Supreme Court, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Blake A. Hewitt's candidacy for the Supreme Court, Seat 3, is as follows:

Overall	**Well-Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Experience	Well-Qualified
Reputation	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Deadra L. Jefferson
Supreme Court, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding The Honorable Deadra L. Jefferson's candidacy for the Supreme Court, Seat 3, is as follows:

Overall	**Qualified**
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Experience	Well-Qualified

Reputation	Qualified
Judicial Temperament	Qualified

***

LOCAL APPOINTMENT
Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Sumter County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Roger Richardson, 1760 Hideaway Dr., Sumter, SC 29154-8625
VICE: Fred Gordon

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators SETZLER, ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSEN, CASH, CLIMER, CORBIN, CROMER, DAVIS, DEVINE, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, LOFTIS, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, REICHENBACH, RICE, SABB, SENN, SHEALY, STEPHENS, TALLEY, TEDDER, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Ann Hendrix St. John of Columbia, S.C. Ann was the wife of our beloved chaplain, Rev. Dr. James I. St. John. Ann was a graduate of Lexington High School and the University of South Carolina. She taught elementary school and raised their daughter Melissa. Ann enjoyed working in her flower beds, serving as a deacon at Eastminster Presbyterian Church, was a member of PEO and the Spring Valley Garden Club and sang in the choir to mention a few. She shared her sweet spirit and was a delight to everyone who knew her. Ann was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Clayton Richardson of Hartsville, S.C. Clayton was a graduate of Butler High School and Johnson C. Smith University. He was a United States Air Force veteran whose honors included the National Defense Service Medal, Vietnam Service Medal, Air Force Longevity Service Award and Air Force Good Conduct Medal. Clayton volunteered and served on many boards including Boy Scouts, Boys and Girls Clubs and Communities in Schools. He founded People to People and co-founded Butler Heritage Foundation. Clayton was a pillar in the Hartsville community and a lifelong member of Centenary United Methodist Church. Clayton was a loving brother and uncle who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator DEVINE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Felicia Abigail Mach Hopkins of Columbia, S.C. Felicia was a graduate of Eau Claire High School and North Greenville College. She served as Minister of Music at many churches throughout the Midlands and Upstate and was currently serving at Chappell Memorial AME Church in Columbia. She faithfully served in the Women's Missionary Society, Church Women United, Lay Organization and Stewardess Board. Felicia was a sales specialist at Whit Ash furniture store for many years. Felicia was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. George Neal Dorn, Jr. of Columbia, S.C. George served many years as director for the South Carolina Budget Control Board, the division of General Services and served the General Assembly as research director for the Joint Bond Review Committee. He proudly served our country in the United States Army. George was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senators DEVINE and SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Reverend Thomas Roland "Tommy" Cox of Kingstree, S.C. Rev. Cox led the Maryville Pentecostal Holiness Church for twenty-three years and was a member of the International Pentecostal Holiness Church Conference. He was an avid gardener and Atlanta Braves and Gamecock fan. Reverend Cox was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 12:57 P.M., on motion of Senator MASSEY, the Senate adjourned under the provisions of the *Sine Die* resolution, S. 1192.

* * *

Wednesday, June 26, 2024
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the acting Chaplain, Senator JACKSON as follows:

I Samuel 3:19-20

Returning to I Samuel, we are told that: "As Samuel grew up, the Lord was with him and let none of his words fall to the ground. And all Israel from Dan to Beersheba knew that Samuel was a trustworthy prophet of the Lord."

Please bow as we pray: As this august Body returns yet again to its Chamber, we pray fervently, O God, for Your rich blessings to be upon all who labor here. Allow these Senators and their staff members to use their gifts wisely as they endeavor to bring about worthy results. And to achieve that goal, dear Lord, may each servant in this place be counted among Your "trustworthy prophets," showing bold concern at every turn for all of the people of South Carolina. In addition, Gracious Lord, further continue holding in Your care each of our women and men in uniform wherever they happen to be serving, May these valiant souls also know that You are with them unfailingly. We humbly pray all these things in Your loving name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Allen	Bennett
Cash	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Kimbrell	Malloy	Martin
Massey	Matthews	McElveen

Peeler	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Initial Appointment, Aiken County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Timothy Thorton, 1828 Bolin Road, North Augusta, SC 29841 *VICE* Sheridan Lynn

Initial Appointment, Anderson County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Stacy Mark Blair, 2526 Getsinger Road, Anderson, SC 29625-3241 *VICE* Jeremey Pickens

Initial Appointment, Barnwell County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Carla B. Deering, 221 Clemson Street, Williston, SC 29853-6505 *VICE* Judge Stapleton

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Mary Paige Adams, 6 Twin Oaks Lane, Isle of Palms, SC 29451-2718 *VICE* Thomas E. Lynn

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Thomas O. Sanders, 23 Lord Calvert Drive, Charleston, SC 29407-6963 *VICE* Tiffany Spann-Wilder

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Patrick M. Smith, 211 Rutledge Court, McClellanville, SC 29458-9703 *VICE* Frances Lee Cain-Lofton

Reappointment, Chesterfield County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
John A. Davis, 206 Chapman Street, Chesterfield, SC 29709-1102

Reappointment, Chesterfield County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
John K. Melton, 104 Clyde Ave., Cheraw, SC 29520-3026

Reappointment, Chesterfield County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026
Vivian L. Patrick, 519 Sandpiper Circle, Cheraw, SC 29520-6891

Initial Appointment, Darlington County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027
Valerie Gardner, 205 Loring Drive, Hartsville, SC 29550-5167

Reappointment, Georgetown County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027
Johnathan Guiles, 32 Genesis Dr., Georgetown, SC 29440-9398

Reappointment, Georgetown County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027
Gwendolyn R. McNeil, P.O. Box 694, Andrews, SC 29510-0694

Initial Appointment, Georgetown County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027
Mary C. Vanderhost, 2520 Folly Grove Road, Hemingway, SC 29554-4078 *VICE* Isaac Pyatt

Initial Appointment, Horry County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027
William Larkin Lynch, 280 Haley Brooke Drive, Conway, SC 29526-6399 *VICE* Gerald Whitley

Reappointment, Kershaw County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027
Carrie Tanner, 29 Ascot Drive, Camden, SC 29020-7313

Initial Appointment, Lexington County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027
Kyliene Lee Keesley, 1501 Alpine Dr., West Columbia, SC 29169-6005 *VICE* Albert J. Dooley III

Initial Appointment, Lexington County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Larry Saunders, Jr., 100 Cherokee Isle Court, Lexington, SC 29072-7137 *VICE* Scott Whittle

Initial Appointment, Orangeburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Kimberly Roache, 1371 Tolly Ganly Circle, Orangeburg, SC 29118-3136 *VICE* Stephanie McKune-Grant

Initial Appointment, Pickens County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Charles Edward James, 103 Oak Circle, Easley, SC 29640-2220 *VICE* Michael Gillespie

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Billy Odom, 115 Paula Court, Cowpens, SC 29330-9183 *VICE* Olin D. Ledford, Jr.

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Edward Gene Addington, P. O. Box 1301, Cowpens, SC 29330-1301

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

James E. Crook, 622 Mosswood Lane, Spartanburg, SC 29301-5352 *VICE* Issac Dickson

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Erin Dobbins, 523 Kennet Court, Spartanburg, SC 29301-5377 *VICE* Paul D. Abbott, Jr.

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Theokli Clair Psilinakis Bourland, 309 Dunkineely Way, Moore, SC 29369-9499 *VICE* Tina McMillan

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Matthew Skinner, 1600 Roddy Road, Campobello, SC 29322-8515

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Christopher Paul Thompson, 518 Jonas Circle, Chesnee, SC 29323-9415 *VICE* Karry Guillory

Leave of Absence

On motion of Senator CROMER, at 12:10 P.M., Senators CAMPSEN and GOLDFINCH were granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator GROOMS, at 12:10 P.M., Senator ADAMS was granted a leave of absence for today.

Leave of Absence

On motion of Senator FANNING, at 5:43 P.M., Senator KIMBRELL was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator DAVIS, at 5:45 P.M., Senator MARTIN was granted a leave of absence until 6:00 P.M.

Expression of Personal Interest

Senator HUTTO made remarks honoring the service of Senator SETZLER.

Remarks by Senator SETZLER

Senator SETZLER rose to make brief remarks regarding his service in the Senate.

Remarks by Senator SETZLER

One of you told me yesterday, and I do not remember who, during Senator PEELER's portrait, that I always said when I came to the podium that I was going to be short. Well, guess what? I am not going to say that today. We are going to pass out popcorn and have drinks about an hour and a half in.

I will say to you, that unlike the Senator McLEOD who said she was not going to get emotional, I will get emotional. You have seen me get emotional here before.

This is a day and a time that I never believed would come. And I said I will get emotional. I absolutely love the South Carolina Senate. Probably as much or more than anybody who has ever served in this

Body. Each of us is here by the Grace of God. I am an ordinary person, who has been given an extraordinary gift, opportunity, and privilege of 48 years to serve in this Body.

I have a statue on my law office desk that has been there now for 25 years, that I got when Payne Stewart won the United States Open and was killed in an airplane crash shortly thereafter. And on that statue, it has this quote, "the thing about dreams is sometimes you get to live them out." I clearly have had the opportunity to live out my dream. First, I must say thank you to God, who has given me the privilege, the ability, and the health to do what I do in this chamber all these years. To my wife Ada Jane -- we will celebrate 55 years of marriage in August and who you have so honored here today. She is an incredible partner in life and an incredible partner in this journey called public service and I thank you, Ada Jane. It has been a joint journey. And we have shared it together. My family -- I have four daughters. They are all here. Some of you know all of them and some of you know one or two of them. They are all very, very successful, independent women, who are tremendous mothers and role models. And then that special gift you get when you get older, is grandchildren. There is nothing like them. I have nine that are here today with me, and they are an incredible blessing every day. If you visit my Senate office, you will see that I have a few plaques up, but I have one wall that is just pictures of my family and me with the grandchildren. I have four sons-in-law who are like sons to me. And they have been a tremendous part of our family.

To my law office and my partners, Danny, Joe, Michelle and Richard, who has retired, thank you. You cannot do this job and practice law without partners who support you.

Thank you to Alisa Painter, who is here today, and Jane Fallow, who is not here today and who was my first administrative assistant. Alisa Painter, as I told her earlier this morning, cares more about people than you can ever imagine one individual does and works so hard.

To the present and the past members of the South Carolina Senate, thank you for letting me share this journey with you -- each of you. Even though we may have differences of opinion, you have enriched my life and made me a better person. And for that I thank you. To the Democratic Caucus, to my right, thank you for allowing me the privilege of being your Minority Leader in this Body for eight years. Senator PEELER, as you said to me one time, it was great to do it, but it sure was a blessing when you left it too.

To the staff on the desk who I spoke to individually this morning, to the committee staffers that are here and are the ones who really make this

place run -- make each one of us look very good every day, you do an incredible job. Two, in particular, that I have worked with Quentin Hawkins who staffed the first subcommittee of Senate Finance that I chaired and also staffed and the last one Rick Harmon who is an incredible expert in finance.

To the Sergeant at Arms, Chuck Williams, and security, thank you. You are exemplary in what you do. One of my proudest moments was when Chuck Williams was elected as Sergeant at Arms.

To my friend who is here from Kershaw, Senator Sheheen, who has been here and was an incredible member of this Body. He gave me advice each and every day -- sometimes wanted and sometimes not asked for.

Five people, in particular, some of whom are here. I want to thank them. First is Ricky Silver, with Chernoff Newman. Ricky Silver has been "my political consultant." We ran the first State Senate TV campaign commercial that had ever been run in this State. And then he came up with a particular slogan: *A Caring Conservative,* and we have used it for forty-eight years. And to be candid with you, it has driven Republicans absolutely crazy for forty-eight years. It does define who I am, and that makes it even more difficult for them to deal with it.

To Randy Davis, who is sitting here, my incredible friend, I call him my brother -- he has walked the streets with me for 12 elections and been my campaign manager. To Billy Huckabee and Tom Squires who put up 4'x 8' signs for forty-eight years in twelve elections. I think that is somewhere between 4,000 and 5,000 signs that they have put up. And then to Antjuan Seawright who is a true blessing to each of us. Pastor Dow is my pastor and been a part of this journey that I have traveled in the last year and a half. I met with him concerning my decision of whether to run for reelection or not. I thought he was going to say, Nikki, you need to do this, or you need to do that. He looked at me after we talked about an hour and said, "well, there's no wrong decision. There's one that's good, and one that's better. You decide which one it is."

And my friend Reverend Charles Jackson and his wife Robin from Brookland Baptist Church who walked with me and has been my friend since the first time I ran. He started pastoring at fourteen years of age and helped me with my walk in 2012 when I was diagnosed and went through low grade prostate cancer.

To you, the current members of the Senate. This is probably where I will get emotional. I do not have the words to express to you how humbled, how shocked and how honored, I am, that you passed a resolution to hang my portrait in this chamber. Thank each of you for this incredible honor!

To my former House of Representative members and current House members, Kenny Bingham and Russell Ott, who have been tremendous partners in our representation of our district and to the House of Representatives, particularly to the Speaker of the House. While I do not always agree with the House, I have worked closely with and have a great relationship with the current Speaker and the former Speaker, as well as with the current Chairman of the Ways and Means Committee. They have been tremendous.

To the lobbyists. I have said this many times. Lobbyists play a vital role in what we do. Lobbyist is not a bad word. And I appreciate everything they do.

To the pages who are here. Thank you. I started as a page, and I will talk about that in just a minute. Thank you to the support staff.

Let me take just a moment to tell you a little bit about myself. Senator MASSEY and I had this conversation when I was Minority Leader, and he was Majority Leader. When we come in here and serve, we really do not know each other in depth. Senator MASSEY and I talked about the idea of having a social where the members were together from both parties, and we could enjoy some free time with each other.

I was born in Asheville, North Carolina, moved to Cayce/West Columbia area when I was one year old, and you could not drag me out of there. It is who I am. My parents were both high school graduates. Neither one had a college education. I was an only child, and my parents were devoted to me. They ran a hamburger/hot dog drive-in restaurant for forty-four years. My father died in 1979. When he died, I ran it from 1979 to 1994, when my mother died. We then closed it. It was the icon where everybody met and went in West Columbia. It is still meaningful to everybody in the community.

My parents taught me hard work. They worked twelve to fourteen hours a day. Put me through undergraduate school and law school. They taught me hard work. They taught me honesty. They taught me commitment to the community. Four generations of the Setzler family worked in that hamburger/hot dog place -- all four of our daughters worked there.

I was fortunate enough to go to law school and be hired by the father of Harry Lightsey III, who is the current Secretary of Commerce. What an incredible man, Harry Lightsey, Jr. was. No offense to anybody in this room, but he may be the smartest man that I have ever known in my life. He could talk to the guy who was digging the ditch on the side of the road, and he could talk to the President of the United States and be at ease with either one. He went to Clemson University with all A's. He

went to law school with all A's. He went to veterinary school with all A's. He was incredible. He taught me to practice law, and he was my mentor in politics. He was an influence in my life.

We struggled. Ada Jane and I struggled when I got elected to the Senate. It was tough. If you are trying to practice law, run a hamburger/ hot dog restaurant, raise two small kids, and be a Senator that is something that takes some time.

As I said, I absolutely love the South Carolina Senate. I could do it the rest of my life. My skill set and my whole human body is energized and thrives on this environment. I could have never done anything that I would have enjoyed more than serving in this Body. That being said, so how do I arrive at today? How did I get to the decision that led to me giving farewell remarks to the South Carolina Senate?

Four years ago, on the night of the election, we were in my office after the election was over. We won by nine points which is a very good win. I looked at my family and Randy, and said, I think this maybe it for me. And I thought it was. But you know how that wheel turns and you get back over here, the juice gets flowing again, and you question am I really making the right decision if I do not run again? But it did not change my mind.

About a year and a half ago, Ada Jane and I started praying about it. I went to see Pastor Dow and talked to him about it. I met with each one of my daughters individually, and we talked about it. We cried about it, and it was clear. God led me here. God told me, it is time to go home. I did not realize it at the time I made that decision and announcement. But I really reflected on it this weekend. Ada Jane and I went to the beach, just the two of us -- just to get away so we could talk and get emotionally and mentally ready for today, because it will be a life change for us. I think there were two things in my life that impacted that decision.

In 1972, Ed Saleeby beat Spot Mozingo in the Democratic Primary. And I believe, Senator MALLOY, you practiced law with Ed Saleeby, and I served with Ed Saleeby. At that time, I was working with Harry Lightsey, and the only person that the Saleeby people would talk to throughout that recount was me. They would not talk to anybody else. They wanted to talk to that young lawyer. I guess they thought they could take advantage of me. But the whole point of this story is, they sent me to the hospital to see Spot. We called him Spot, as he allowed us to do that. He was an icon in the Senate Chamber, and he was an icon as a lawyer. He was incredible. I visited with him, and he and I talked about the Senate. I went back to the office and Mr. Lightsey was there. He said, "How did it go?" I said, "He is not coming out of there. He is not

going to leave the hospital." Mr. Lightsey said, "Why?" I said, "Because that's his whole life. He cannot give it up. He will not come out." About two days later, he died in the hospital.

Then several years ago, my dear friend Senator Leatherman, ran for reelection at eighty-nine years of age. I thought to myself then, that is for him, but I cannot do that. I cannot reach that point where I cannot give it up. Senator Leatherman was a wonderful friend, and we were very, very close. So those two things also impacted my decision.

We are big fans of the play, *Hamilton.* When I made my decision not to run again and made my announcement, my oldest daughter sent me a line from *Hamilton* when Washington told Hamilton that he was not going to run again and step aside and let Jefferson run. And Washington told him it was his time and he wanted to go. "He wanted to show them the importance of knowing how to say goodbye and we are going to teach them how to do it." And he did, the rest is history.

Since I made the decision to retire, which was not easy and still not easy today, I am at total peace. I do not have any regrets. I have excitement about the next phase of my life. But I will tell you I am not going to stop being active. I am not going fishing and hunting, and if I have a gun, you all better run. I don't have a license for one nor want one.

I am going to stay active in the State and in my community. I am available if you have a job you want to give out. Just call me. All joking aside, I am going to stay active. I am going to retire from elective office.

I started this journey in 1976. November of 1976, I got elected, forty-eight years ago. I did not even realize it until this weekend that when I filed for office, I was thirty years old. Think about that -- thirty years old. Married with two children both under two and a half years old. I had just opened my sole practitioner law practice, and I am running for the South Carolina Senate. I must have lost my mind is what I can tell you. On top of that, I filed against the incumbent in the primary, Jimmy Martin, who was the Senator at that time. He withdrew before the primary.

We ran in numbered seats in five counties, Lexington, Aiken, Bamberg, Barnwell and Edgefield -- 300,000 people. The general election was against an opponent who now serves in Congress, and we get along great. When you do that, there is always a story. Ms. Saunders in Bamberg who was the first person I ever told I was running for the Senate, looked at me and said, "Are you a Christian?" The night before the 1976 Election in November, I spent the night in Aiken in a motel between Aiken and Augusta. Senator YOUNG knows the area. I picked up the phone to call Ada Jane, and at that time calls were operator assisted. I called Ada Jane collect, and the operator asked the name of

the caller. I said Nikki Setzler. The operator said, "Good luck tomorrow." I thought maybe we have done a little bit of good in this process. When election night came, and I think Ada Jane knows the numbers better than I -- we went to bed about 1:30 at night, and we had lost. We thought we had lost, accepted it, and moved on. About 4:45 in the morning, I get a phone call that says, "Nikki, you won." I said, "What?" They said, "You all won by about eight hundred fifty-seven votes. "I picked up the phone and called Don Fowler who told me to write then (not in two hours, not in four hours) call every sheriff in five counties and impound those boxes, which is exactly what we did. We did a recount in each county. Of course, I had lawyers in each county. In Bamberg County, Jean Toal was my lawyer. In Barnwell County, Harry Lightsey, Jr. was my lawyer, and in Aiken County we had, Henderson Johnson, who was a great lawyer. In Edgefield County, we had Joe Anderson who is somewhere up in the balcony. Judge Joe Anderson and his family represented me in Edgefield County. They were big supporters of mine in 1976. As an aside, I will share that I believe one of the real travesties in history is that Judge Joe Anderson did not get appointed to the United States Supreme Court. He deserved that. And Randy Davis represented me in Lexington County.

I paged here in 1963, 1964 and 1965. Twelve years later, I am sitting here and sworn into the South Carolina Senate. I wanted to say this for the pages' benefit. The freshman Senators elected in 1976 included 14 individuals, I think. They are projecting at least 9 new members of this Body next year. Some of those people that came in with me were Carol Campbell, Heyward McDonald. Alex Sanders, Johnny Waller, John Land, Tom Turnipseed and David Turnipseed. We were sworn in, and we told we were going to organize which was the process at that time. I am telling you these stories because I have been asked to. I realize it may not be of interest to all. I appreciate and respect that. But if you do not know where you came from, you do not know where you're going.

They put the freshman Senators, the fourteen of us, in the anteroom. The senior Senators went upstairs in the big conference room to assign committees and were going to come down and tell the freshman Senators what committees they were going to be on. We, the fourteen freshman Senators, sat down here about four minutes decided we were not going to do this. We all barreled into that room upstairs and later became known as "the renegades."

At the time when I came, political party played no interest in how the Senate operated. It was absolute seniority -- no Caucuses. If you were a Republican, you were the number one Senator in this Body. If you were

a Democrat, you were number one in the Body. Nobody ever asked anybody what party you were in. I realize those days are gone, but I think it is worth noting where this Body has come from.

We went in session in January. And we were in session until October and November, continuously and all summer long. We came here three days a week with no break. We maybe had a break the week of July 4th. And that was it. The only way we got early adjournment was when Senators like Tom Smith from Florence or I put up a mandatory adjournment date in June for which we had to sit out a filibuster to get passed.

Filibusters were a common part of the process, and easily lasted all night. Rule 3B was invoked regularly where they locked those outer doors, and they sent the highway patrol to get you wherever you were if you were not here. You did not leave, and there is a story about Tommy Moore some of us know. I have been here three days and three nights continuously on a filibuster when we were locked in here. Ada Jane would bring clothes and a shaving kit.

The motion period was a free for all. There was not only one person who stood up and got recognized. It was who could holler the loudest, raise your hand and get recognized. You could make a motion on anything in the world you wanted to. Committees, particularly conference committees and even the budget conference committee -- everything was done in public. You voted on every proviso. You voted on every line in the budget. You fought it out in public. It took days, but it was done.

Senator Drummond, who sat right here and many of you knew and served with, was a renegade when he was first here. He would put up an amendment to strike every new state employee in the budget. You think that is one amendment. If there were six hundred state employees, he would put up six hundred amendments and make you vote on every one of them until you just said, "We've had enough, we'll take them out." There were telephones, where these pages sit on the side. And Carroll Campbell who came to the Senate the same year I did and later became Governor would stay on that telephone over there the entire time campaigning. Marion Gressette, the Senator for whom the building is named, ruled the South Carolina Senate with an iron hand. He sat right there. Even though I have now surpassed his time and length of service, I will unequivocally tell you, I am not any Marion Gressette. There is no comparison.

The President Pro Tempore Office was right there where the telephone room is, and, at one time, the press sat right here on benches behind you.

Now, you are talking about true transparency. That is real true transparency. The reporter for The State asked me earlier this week if I would introduce a Resolution to do that again, and I told him I might do it.

I have had the opportunity to serve with some truly outstanding people, who were committed to this State, just like each one of you. And there were also some characters. I mean true characters in this Senate in my time of service. I see several laughing as you remember serving with some of them. These individuals were committed to the State. They might have had their faults, but every day they did what they thought was right for the Senate. We had Reapportionment in the 1980's and Arthur Ravenel was here as was Dewey Wise both from Charleston. As Reapportionment came up, Arthur Ravenel would tell Dewey, I am going to run against you next time.

Finally, as we got ready to adjourn one day, I went up to him and I said "Arthur, how in the world do you know you are going to be in his district?" He said, "Nikki, I own 124 houses in Charleston. He cannot move anywhere that I do not own a house where I can live and run against him" -- Senator Jack Lindsay. I can tell stories on Jack Lindsay all day long. He sat right here. Jack Lindsay was as smart as any person I have ever served. A lobbyist would hand him one sheet of paper, and he could talk for three days. He was that good. Senator MALLOY remembers this story. We had an equal rights amendment up, one of many times, but this was the first time, I think. Senator Lindsay told his people in Marlboro County he was going to hold a referendum and vote however the referendum went. His people voted for it. As the Senate was getting ready to vote, the roll was being called. Senator Lindsay, with all his people from Marlboro County that had voted for the referendum sitting in the balcony, gets up and he says, "I lied, I lied!" He voted against it, and that is a true story.

I'll tell you one more story about Jack Lindsey and Ed Saleeby. At that time, there was no ethics, and I mean that seriously. There were no ethics laws. Senators would fly on the state airplane all the time. Senator Lindsey got on the state airplane and went to the Super Bowl. He ran into Senator Saleeby and asked him how he was getting back. He said on a commercial flight. Senator Lindsey says, "Oh no, come on with us." Senator Saleeby gets on the state plane with them. Suddenly on the way back to South Carolina, Senator Lindsay and Senator Saleeby get a call that the press is at the Columbia Airport waiting on them. The press heard the news that the state plane was at the Super Bowl. Senator Lindsay gets off first, and he walks right by the press. The press asked him about

taking the state plane. Senator Lindsay says, “I didn't take the plane. Ask Senator Saleeby, he is right behind me.”

Senator John Land who I sat beside was one of the great orators of this Body, but he also had a great sense of humor, many of you served with him and will remember this. When a Senator wanted to pass a piece of statewide legislation that impacted his county, and the Senate would not pass it, he passed it on a local level. Everybody knew when he did, he was going to get beaten. I went outside and came back and sat down beside John Land, and I said, “Senator, what's he talking about?” And he said, “He is giving his farewell speech, he just does not know it yet.” Senator Tommy Moore was a great negotiator, and Senator Vincent Sheheen was an extraordinary negotiator in this Body who did so much good.

I served through the great renovation of the State House. It was closed three years. Some of you do not even know that because twenty members of this Body have been elected since 2016. Think about that -- twenty new members since 2016. We were across the street for three years, while the Senate Chamber and the whole building was renovated.

There have been incredibly difficult and tough times during my time serving in the South Carolina Senate. I was here when we voted to expel two sitting members of this Body. That was tough. I was here during the tragedy at Mother Emanuel. Senator Pinckney sat right behind me.

Senator JACKSON and I were probably the last two to see him as he got up and walked out of Finance Committee that day. Out of that tragedy, I realized a lot about the people of South Carolina. On the bus ride into Charleston for Senator Pinckney’s service, seeing the lines of citizens from all over South Carolina and out of state lining the streets, around block after block after block. It was a testament, in my opinion, to the people of South Carolina and who we are.

I was here during Hurricane Hugo. Senator PEELER, it was terrible. I was here during the removal of the Confederate flag from the State House. I was here during the Republican takeover in 2001. I was here during Operation Lost Trust, which resulted in the passing of the Ethics Bills we have now. No one would talk to anybody for fear of who they may be talking to.

I have been afforded some incredible opportunities. The visit from the Pope, working across the State to bring huge companies to South Carolina, going on educational exchange to Japan, an economic development trip with Charlie Wade and being part of the Southern Regional Education Board and the Low-level Nuclear Waste Compact.

I have been blessed to serve forty-eight years. South Carolina became a State on May 27, 1788, which was two hundred thirty-six years ago. I have served in this Body 20% of the time that this State has been in existence. What an incredible honor and what a scary thought for a lot of people. I served under eight Governors. Senator PEELER talks about being one of forty-six people who serve in this Body out of 5.3 million people. I have been blessed to be one of those foty-six for forty-eight years. I cannot say any more about what an honor that is. I would like to quote another line from *Hamilton*. It has a line in it, or part which says, "I wanna be in the room where it happens. Wanna be in the room where it happens. I've got to be. I've got to be in that room in that big ole room." I have been blessed to be in that big old room and inside that little room in the big old room most of my service. It is an incredible honor.

I served twenty-four years under the seniority system and twenty-four years under a partisan system. I like the seniority system, but the day of a pure seniority system is gone forever. There are only a few of us left that have been part of both. We are, in some way, clearly the old guard. I have served under both systems. Thank goodness, I have been very successful under both systems.

Extended debate through filibuster, in my forty-eight years of service, nearly every time results in better legislation. I would suggest to you not to vote cloture just because you are tired of an issue. The majority and minority have a responsibility to each other. Not just the majority to the minority, but also the minority to the majority. I do not want that to be misunderstood. That is a two-way street, not a one-way street. There are ways to break a filibuster without cloture. If you have been here during that system which Senator Peeler and I have, you know how to break them.

In either system, whether it is partisanship or seniority, I believe you have better government if you govern from the middle. If you take moderates from middle and govern not too far right or left, you have better government.

I have run for election twelve times. I have had opposition eleven of those twelve times so I am not one of these guys that got elected, and never had opposition again. I think the public has the power, some will disagree with this, of term limits every time one of us stands for re-election.

When I first ran, people who helped me raise my money told me they would help me run, but Randy remembers this, do not get involved in anybody else's race. They told me that they would help me, but that I was not to try and tell people who to vote for. I made that pledge to them. I

still stand by that pledge. I have never gotten in anybody's race at any level of government. I think that is a proper position to be in. Many of you would disagree with that.

Politics is a system of addition not subtraction. Senator HUTTO is, my desk mate, my suite mate, my incredible friend, with whom I have dinner once or twice a week when in session. He is tremendously intelligent. Just so you know those of us on this side get tickled every time he stands up because we know Senator CAMPSEN is going to get up and respond. Senator HUTTO is a true friend and a man that is very effective in this Chamber but a man of few words, most of the time.

Senator ALEXANDER is my close friend. He is the resident expert in health care in this Body, and a southern gentleman who was made for the job of President of the South Carolina Senate.

Senator JACKSON, my desk mate. One of my closest friends, if not my closest friend in this Body. I will tell you that I love Darrell Jackson. He is my friend, and he is the moral compass of the Senate. I owe you so much, Senator, for what you have done for me and my family.

Senator PEELER, I got in your head at your portrait unveiling yesterday. You will be looking for that Gamecock the rest of your life. You will never be able to forget me when I leave. Those of you who were not here yesterday, we will tell you that story later. Senator PEELER is a strong leader of the Senate Finance Committee. He has been Majority Leader, President of the Senate, Chairman of the Education Committee, Chairman of Medical Affairs, Chairman of Senate Finance. The two of us have served together longer than any two people currently serving. I serve on Joint Bond Review Committee and because of Senator PEELER -- he gave me the privilege of Chairing the subcommittee of Economic Development in Senate Finance Committee. We have shared many experiences together. Some I can tell, when younger, some I should not tell. I will tell you that Senator PEELER is my friend. He has that unique understanding of people. He has a very unique understanding and knows when to use it -- how to use it with his humor and his touch.

Senator MASSEY is an incredible friend whom I respect more than you will ever know. He and I co-chaired the committee tasked with addressing the abandonment of the VC Summer Nuclear plant in Fairfield County. That is one of my most impactful times of service in the South Carolina Senate. We spent two years talking numerous times every day. His wife finally said, “Why don't you spend Valentines with Nikki instead of me?” But it was one of the most rewarding experiences. We decided at the very beginning of that process, that we were going to swear the witnesses. When we swore those witnesses, if we had not done

that, all of that would have never come to light. Never. We would not have gotten to bottom of that, and you would have never seen what has come out of it. He and I served as Majority and Minority Leaders together and met every week. I trust him explicitly. He navigates rushing waters every day in this Senate.

Senator RANKIN -- some have heard me call him "Senator Chaos." He is not the Senator from Horry, he is "Senator Chaos." He gets more done by not having committee meetings. He does not talk about it. Then all of a sudden, we recall legislation from Senate Judiciary Committee, and it passes. He is a dear friend, and I could tell a bunch of stories about him from our weekly dinners.

To the sister Senators, you define courage. We are proud of you. My fellow members of the delegation, Senator SHEALY, in particular, you are invaluable. You are a true friend, and we love you.

My subcommittee of Senate Finance, Senator WILLIAMS, Senator SHEALY, Senator CORBIN and Senator GAMBRELL, I could not have asked for a better subcommittee. They were there all the time. They asked questions. They studied issues and worked closely together. We always knew when we did this, Senator WILLIAMS would get more money in the budget than anybody in the Senate. Poor man, he does not have a dime when it is all over with.

Senator HEMBREE. I will never forget when the Senator HEMBREE became chairman of the Senate Education Committee. Right after he was elected Chairman, most of you do not know this, I get a call from Senator HEMBREE in my office. I say yes, sir, I will come down. He said, "No, I am coming to your office." He walks in, shuts the door and says, "I want you to do me a favor." I said, "What do you want me to do, Senator?" He said, "I want you to be my Vice Chair of the Senate Education Committee." Having known that I Chaired the Education Committee for twelve years -- what an incredible act of bipartisan, courtesy and respect. One I will never forget.

Senator MALLOY, I could talk all day about you, but I will not. He knows the rules and is here every day sitting at his chair, just like I am.

Senator MARTIN said not to say anything about him, but he always called me the floor leader.

Senator McELVEEN -- Brave, bipartisan, effective and the State of South Carolina is losing a rising star. Senator McELVEEN, you gave your children the greatest gift you could give. You gave them your time. The most important thing any one of us can do any day in our life is give somebody our time. Your children will be forever eternally grateful to you, as tough as that decision was.

Senator BENNETT -- I told him right after he got here, and I will tell you. He is a leader on the way to the top. Inside and outside this Body.

Senator GROOMS and Senator VERDIN, we have had some fights. We had Amazon coming to Lexington County. Senator GROOMS did not want it to come. He did not like the tax breaks they were getting, so he filibustered. We were here with him filibustering, and half of Lexington County was here as well. I had just been diagnosed with low-grade early-stage prostate cancer, nobody knew it, and he would not quit talking. Senator VERDIN was counting votes for him. On Thursday morning he did not know Senator Paul Campbell called from Charleston and asked if I needed him. I was one vote short, and Senator Campbell indicated he would come and asked if he needed to bring clothes. I answered yes. He got here, and we broke that filibuster by one vote. Senator VERDIN always tells me now, that I taught him how to count.

There are so many others I could talk about. I am often asked what stands out in your service? What are you proudest of? Bringing Michelin and bringing Amazon to Lexington County, being a part of many economic development projects such as BMW, Boeing, Scout, universal 4k kindergarten which was transformational in this State, Palmetto Life Scholarships, Hope Scholarships, Needs-based Scholarships, co-chairing the Fairfield VC Summer Committee with Senator MASSEY, widening I-26 to six lanes and Exit 119 at the Calhoun County line and Malfunction Junction. The Malfunction Junction project is transformational. It is the largest road project in the history of the State of South Carolina at over $1 billion. It is larger than the Arthur Ravenel Bridge project. When they broke ground, the Chairman of Transportation Commission said, “This is “Nikki’s project.” And it was. Lexington Medical Center is near and dear. It is the crown jewel of Senate District 26, and we believe it is the best medical facility in all of South Carolina. Restructuring the Conservation Bank -- millions of dollars into our area for the expansion of the Riverwalk, for the Congaree Heritage Preserve and for the bridge across the river. Some of my most impactful work has been as Chairman of the Joint Bond Review Committee Oversight subcommittee. I submit to you, working with Rick Harmon, needs to continue. It is critical. One of the most impactful things for me, hiring Deanne Gray and Alisa Painter. Removing the Confederate Flag -- after voting to take down the confederate flag, the next election flyers against me said “No votes for turncoats.” Chairing the Senate Education Committee was a dream of my life. I loved it. Working on Higher Educations matters, USC. I do not have to tell you how much I love the University of South Carolina -- I think Coach Tanner is in the audience,

Coach Staley and others are here -- Technical education system, Ports Authority and moving what was SCANA now Dominion Energy headquarters to Cayce. I met with the President of SCANA when it was located in Columbia. They were looking to move somewhere. I said come to Cayce, and he liked the idea. They moved to Cayce.

I think all of that is important. All of that is meaningful. But the most important part is every day you serve in this Body you get to change and touch the lives of somebody and make it better. What other thing could we want to do other than that?

I have had a number of people that have impacted my life. My parents, of course, being an only child. My family, my former desk mates and my constituents. I had a constituent named Glenn Poole, who was a Fire Chief in rural Aiken County, Hollow Creek. He came to me for money to help the fire department survive. He also needed a fire truck. That man worked every day for somebody else. He put himself last. Every time he called, I would go out of my way to help the man and I was able to help with the fire department, the fire truck and in other ways. He is deceased now, and it really hurt me when he died.

The teachers of South Carolina have impacted my life. I have two daughters that are teachers and my wife taught until we started having children. Teachers in South Carolina do not do it for the pay, as much as we are trying to raise their pay. They do it because of the love of children. We cannot ever forget that. Teachers see that the children have food on weekends and get the things they need that they do not get at home. They are a crown jewel in South Carolina.

Harry Lightsey, Jr., who I mentioned earlier, was a mentor of mine. He impacted my life tremendously. The late Joe Taylor of Richland County, while our politics were not the same, he was my dear friend. He was a visionary. Mayor Tem Miles, who is in the audience and from West Columbia, agrees Joe Taylor changed our side of the river with his vision. Randy Davis who has been with me for forty-eight years means more than he will ever realize. Then two people who are probably going to surprise you. I do not know if they are here, but it is Essie and Kenny. Essie came to my office yesterday and brought me this card. It says I am going to miss you. She says she loves me and Ada Jane, and she gave me her telephone number. Kenny, in the mail department, spoke words to me when my mother died that I have never forgotten.

My legacy will be my work in this Body. Each person will have to judge that. In closing, I will leave you with a couple of thoughts as you go forward. These are my thoughts. I understand you may not agree. We are elected to do our job no matter what happens internally. If you lose a

committee chairmanship, subcommittee chairmanship, whatever it may be, we still have the responsibility to do our job. As I said earlier, politics and life are a system of addition, not subtraction.

As I leave, I hope that you will deal with the issue of dark money. Dark money on issues in South Carolina is a tragedy. It is going to continue to be a tragedy. I am not talking about only in political races but also in issues. Constituents get information from out-of-state special interest groups, and they do not know who they are. Nobody knows who they are. I understand the Supreme Court said you cannot regulate them. But they have not said you cannot make them report it. At least bring sunshine to it.

Charter schools, you heard me during the budget debate, I was the sponsor of Charter School legislation, but it is out of control. You need to regulate management companies, and you need to regulate the authorizers. If you do not do that, the lid will blow off. When it does, it will be ugly, and you are going to wish you had.

Also, the issue that I have mentioned is the growing divide between urban and rural South Carolina. It gets worse every day. The needs in rural South Carolina. I have been blessed for the entire forty-eight years I have served to have districts that are partial rural and partial urban. That has been a true blessing to me.

I think those are some things I hope you will address. I always say to Senator DAVIS and others, it is not about making the deal. It is about the details of the deal. You have to be sure what the details of the deal are. If you do not check the details before you do the deal, six months, a year later, you are going to get bitten. True in-depth oversight is critical.

We represent people. We do not represent parties. Last time I voted -- I have never gone in to vote where I saw a party standing there passing -- giving a registration card to vote. We run under a party label, but we represent people. We need to vote what is in the best interest of the people that we represent, not what some party tells us to. Bipartisanship, in my opinion, is the key to success and hallmark of a great public servant.

What you do at this podium is your integrity. Protect, please, the institution of the Senate. All of you know that is near and dear to my heart. The rules, traditions and customs -- it is up to you to not let Senate become the House of Representatives in how it operates. I respect the House and its leadership and get along with them, but the Senate is not the House of Representatives.

Respect every member and their views, no matter whether you agree or not. There are some of us whose views are probably 360 degrees apart, but I respect the views of others because they are elected by their people.

Listen to the person at the podium. I have tried to preserve and protect the institution of the Senate every day I am here. Part of what I say today is so you know the history. If you do not know where you have been, you do not know where you are going.

Today, that mantle of protecting the institution of the Senate falls to you, who are going to continue to be here. Together we have accomplished a lot, improved lives of South Carolinians -- education, job, health care, infrastructure, conservation. That mantle today is passing to the new Senate in November.

I challenge those who are leaving with me, whether voluntarily or involuntary, that we continue to support the members of the Senate and work together to make South Carolina the greatest State it can be. To those who will continue to serve, I challenge you to respect and build upon the work of those that have served in this Body before you. John F. Kennedy said, “Change is the law of life. Those who look only to the past and present are certain to miss the future.” Look forward, Senators, as you move forward.

I was Nikki when I came to this Body, I will be Nikki when I leave. Being a South Carolina State Senator has been an incredible journey that I have loved every minute of. But at the end of this journey, my journey on this life, my greatest accomplishment will be as a Daddy and Pop Pop. Thank you and God bless you.

On motion of Senator HUTTO, with unanimous consent, the remarks of Senator SETZLER were ordered printed in the Journal.

Remarks by Senator SHEALY

Senator SHEALY rose to make brief remarks regarding her service in the Senate.

Remarks by Senator SHEALY

Ladies and gentlemen, this may be the last time I get to come up here which is kind of sad. Twelve years ago, when I ran for the Senate, I didn't know if I was going to win or not because I had run before and, you know, I had been beaten before. Losing is never a fun thing. It's kind of like an empty feeling in your heart but I never grew up thinking I wanted to be in the Senate anyway, so, um, losing yesterday was -- it wasn't that empty feeling anymore. It was kind of like a weight lifted. But the only thing I hate is looking around this room and seeing my friends, and I'm probably going to cry some so I'll tell you that up front because I haven't cried because I only cry when I see people that I love to work with and

there's some people in here I don't love to work with. I'm just going to be honest but -- I'm still a comedian -- but when I see the people I love to work with and I see the people that have helped me so much -- helped children and helped families and helped the disabled and, you know, we've helped women and we've helped veterans, and what I'm so worried about is who is going to do that now? Which one of you will step up to the plate and take over what I've been doing for the last twelve years? Because everybody in here has their little niche.

Everybody has what they work on and everybody has what they do and I know what I did and I've done a good job. My opponent spent the last six months lying about me and telling people what a bad job I've done and it's not true and I promised myself when I came to the Senate that I would never ever embarrass my family or my grandchildren. The legacy I wanted to leave here was that my grandchildren would be proud, and I wanted to make my grandchildren proud, and I've read billboards that said I was a baby killer. I would never hurt a child. I have saved more children since I have been in the South Carolina Legislature than probably anybody else, I think. I have taken children out of foster homes, out of group homes and I have literally saved their lives from being beaten to death with a window blind. I have saved children's lives and to watch what Personhood South Carolina has done to me is just cruel and unheard of. I hope the lobbyists for those groups are happy with themselves, because my grandchildren aren't embarrassed because of me. My grandchildren stood last night and said, thank God I get my Mema back. I see the people that should be most ashamed got up and left the room because they are ashamed of what they've done. And, you know, the rest of you, I love how hard you've worked for me this week and the money that some of you have put into my campaign. The caucuses worked hard for me, both sides. I'm not going to lie, my Democrat sisters and my Democrat friends and my Republican friends all of you'll have worked so hard for me, because you know what I do. You know how I stand up for people, and I just want to know which one of you is going to do it? I hope -- Senator YOUNG, you got a big job over there in the Family and Veterans' Services Committee. It used to be the other committee or whatever it was, but now it has a title, it has a job, and I'm going to call you and harass the hell out of you if you don't do it. Because I want families and veterans and children to be taken care of. I'm still going to be out there. I'm going to find some other way for me to save the world, and I'm going to do it. Somebody is going to be out there saying Senator SHEALY -- oh, my opponent who is not yet a Senator by the way, I'm going to be aggravating you, too. What are you

doing for Lexington County? But I'm always going to be a Senator, Mr. Kennedy. I'm always going to be a Senator. Oh, and by the way, are those Kennedys related to the ones that you kept abusing me about?

You know, the one thing I did was look out for women. I was looking out for girls and, you know, the future of South Carolina and we weren't allowed to, um, bring our -- Profile and Courage award into the Chamber because it's too controversial. We weren't allowed to put it in the anti-chamber because it's too controversial and we weren't allowed to put it in the State House because it was too controversial. Well, let me tell you how expensive it is before I put on these white gloves. It is $36,000 -- worth of white gloves that I'm putting on to pick it up. Here it is. It's beautiful and I'm proud of it and I am proud of losing this Senate race just to get this, because I stood up for the right thing. I stood up for women. I stood up for children. I stood up for South Carolina, and for all of the sister Senators here with me. We are not ashamed to be called sister Senators. We're not ashamed of anything we did. If you don't think this says a lot, it says, "Profile and Courage award presented to KATRINA SHEALY, MARGIE BRIGHT MATTHEWS, MIA McLEOD, SANDY SENN and PENRY GUSTAFSON in recognition of their distinguished public service example they have set, of political courage in American public life October 29, 2023." By God I'm proud of it and there is nothing anybody can do to hurt me now. This is what a Senate seat costs. I'm proud of it. So somebody better do the job I'm leaving because I'm going to be watching you and I'm going to be out there saving children and families some other way, and I just appreciate all of you in here that love me and care about me and all I've done in the past and you all better suck it up and get busy is all I've got to say. Thank you.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator SHEALY were ordered printed in the Journal.

Remarks by Senator HARPOOTLIAN

Senator HARPOOTLIAN rose to make brief remarks regarding his service in the Senate.

Remarks by Senator HARPOOTLIAN

Unlike Senator SHEALY, my opponent didn't have to lie to beat me. He out worked me and to be frank he had strategy that was superior to mine. I would like to say he lied about me. I would like to blame it on something other than the truth, but the fact of the matter is I was not up

to the task. I am a trial lawyer. I have tried cases for 50 years. I win some, I lose some. I am someone who does not bemoan the fact I lost.

Now, I do bemoan the fact that she lost. I think there are people like Katrina who live what they say and believe. I am not necessarily one of those people. On occasion I rise to meet that, but she does it every day. I will not be here, but if I were here I would miss her. She is the conscience of this Body and she lost because she voted her conscience. Many of us here vote what we believe to be the politically convenient position. I am going to talk about that in a minute. Let me say this before I go any further. I was sworn in six years ago. I ran for a Senate seat where the previous Senator had been indicted for public corruption. I was sworn in in November. The election had been over. I really didn't know what I was getting into and had no idea what a Senator did. I was angry with the Department of Revenue for not helping me shut down bars in Five Points. It was as simple as that. I would like to tell you I had some big plan -- that I was going to confront issues that were going to matter statewide, but I was pissed, pardon me. So, without talking to my wife or my family I announced I was running, and stranger things have happened, but I won. And so I began that January sitting in this Chamber listening to my fraternity brother of sixty years ago speak about this Chamber -- this side of that rail as hallowed ground. I thought he had broken into my college stash. I had no idea what he was talking about. I could not in any way comprehend hallowed ground. Hallowed ground is Omaha beach. How could this be hallowed ground? How could this in any way be comparable to that and yet over the last six years I learned that this is indeed hallowed ground. Things happen here that matter to millions of people, sometimes good, sometimes bad in my opinion. In those six years I am proud of many, many things I have done.

Before I get to that, before I start talking about my favorite topic, me -- I want to talk to you about the people that I have worked with here and who have helped me during this process. Somewhere up there in that balcony are Heather Hardy and Holli Miller. Stand up. Stand up because these folks are going to find this amazing. It has been thirty years with me for Ms. Miller, and twenty or twenty-five years for Ms. Hardy who working at my law office. They run my day-to-day life. Well, since my wife has been overseas, they run my day to day and nighttime life. They run my life, and make sure that I eat healthy and that I do all the things one ought to do when you are living as a bachelor, and trying to practice law, and be in the Senate, and run for re-election. So they are responsible significantly for whatever successes I have had. They are loyal, good, hard-working, and great, great, great assistants and paralegals. Holli was

our paralegal on the Murdaugh case to the extent that we had any successes during that process -- not many, but to the extent we had some, she was responsible. She is the one who prepared the documents, got us the witness summaries, and did all of that which is a very difficult thing to do. Heather worked on other cases with me as well. They really do keep the shop going. Where is Javell Bynoe? Javell works in an office with me and ROSS TURNER. She has kept my Senate office going which is extraordinarily frustrating because I am not focused on constituent services. Thank you, Javell. She is great. I counted this morning how we watch people, recognize people, and present Resolutions. In six years, I have done that five times -- five times. That may be a record of the least number of times of times that has been done by a Senator. I have not really been focused on that piece of legislative service. I also want to thank WES CLIMER and apologize to his wife Marty for the insinuations in the recent Post & Courier editorial that Wes and I were closer than just colleagues. Marty, you are safe. Marty, if you are listening, you are safe. Wes and I just work very closely together. The Post & Courier said bipartisan. There are a bunch of other folks I want to thank. Let me tell you something, THOMAS ALEXANDER is the nicest guy I have ever met anywhere, anytime, in any context. He is a gentleman. He is considerate. He goes out of his way to see if he can help you in any way. I mean he is the perfect guy for this job, and I cannot tell you how lucky we are to have him here. Likewise, Jeff Gossett has gone out of his way to be helpful, kind, and considerate. I do not know if you have noticed or not, I can be a little contentious, but Jeff has guided me in a very calm voice as has Thomas to not be as confrontational as perhaps I wanted to be. There are several Senators here who have all been great pals to me. I have known DARRELL JACKSON for forty years. I have known the Chairman of Senate Finance, HARVEY PEELER, for almost sixty years. And back there is GREG HEMBREE who was an assistant solicitor with me thirty or forty years ago? We both learned a lot about ourselves while prosecuting cases and making very tough decisions in very tough circumstances. You know, he left my office, became solicitor in Horry County, and then became a state Senator. I mean he has had an extraordinary career. He is one of the brightest people that have ever worked for me, and his career exemplified that brilliance, if you will, of understanding very complicated things and digesting them and spitting them back out in a simplified way. Of course, no operation runs properly without the other person. Where is SHANE MARTIN? We do not agree on anything. I do not think. At one time he and his daughter were down in the parking

garage, and he needed a ride somewhere and I gave him a ride. Shane convinced his daughter I was an uber driver. It is true. So, while we do not agree on much if anything, he has always been courteous, listened to my arguments, and rejected them most of the time, but he was kind enough to listen and express whatever his opinion was. So, again, this exemplifies what is good about this Body and why this is again, hallowed ground. Senator SETZLER, he is a man of tremendous seriousness of thought. His one word to me -- if there is one word he repeated in those six years 10,000 times, it was "patience." Patience which did not take hold much. He is what typifies a public servant. He is someone who has not only talked the talk but walked the walk. So, it has been my extreme pleasure. I did not know Nikki very well before I got to the Senate, but I am better off for having known him and his beautiful bride. The real people that run this place are back behind the rail. Alex back there who accommodated Wes and I every day getting some minion to go get us coffee. You do not have any idea how that was the high point of my day. Thank you, thank you for that. Because there was some bloviating going on in here, it is hard to stay awake. There are a number of people I have got listed here, but it is getting late and the one thing that I complained about every day we were here was how some fool got up here and went on and on and on about nothing. So I do not think my last day here ought to make me one of those fools who get up here and go on and on and on about nothing.

I do want to talk about being a Senator. You know I have been a county councilman, a solicitor, a chairman of a party, and a Senator at my age. I think my quote the morning after I lost the race was that it was a tragedy that a budding political career had been nipped so early in the bud. But at my age I can be philosophical about this. Nobody died; I lost an election. I have lost elections before. I will not lose another election, nor will I win one. I am about politicked out, and by that I mean this. I want to transition into something that is important to talk about, and this is serious stuff. It is going to offend people and I would say I am sorry, but I am not. I think these are some hard truths we ought to think about. Let me talk about something offensive to my friends first and then I will get to you guys.

Let me give you a little history. In 1986 I ran for county council At large in Richland County. No single member districts, At large. I campaigned with a guy named Willie Rogers who was a well-respected African American educator who had a daughter named Abigail. Abigail worked for me and became a family court judge, great family. Very bright guy. Much more qualified to be on county council than me. I had

been an assistant solicitor, practiced law for a couple of years with Jack Swerling doing criminal law, and when Jim Barber, a friend of mine said he was not running again, I ran for the seat. We campaigned together like brothers; Willie and I did. He took me to black churches and black gatherings, and I took him to Shandon neighborhood council meetings and rotary clubs and those sorts of things. On election day, I led the ticket. There were six seats to be filled. Willie came in number seven; he lost. No black person was elected to Richland County Council that year because white people would not vote for black people. It is just as simple as that. It is just as simple as that. The Justice Department came in and decided the way to correct this was to create single member districts. The single member districts had to be majority African American to ensure the community of color had a voice in who gets elected, and we did that. We got John Scott in that class, along with Bernice Scott, and Harriet Gardin Fields. I mean a tremendous class, if you will, of African Americans. City white folks were more concerned about the art museum than we were about health care in Lower Richland or up Monticello Road where African Americans lived in impoverished conditions; that changed. Bernice educated me almost at the end of a stick about what her community needed as opposed to what did she call us, "the white wine and pate crowd". With Bernice, I saw a world I did not see in Shandon downtown. She took me down to Lower Richland. She educated me about paving roads, county roads that were dirt and when it rained you could not get an ambulance to them. It truly was needed. They were needed, these single member districts, no question about it. It was necessary they be significant African American majorities; it was a corrective remedial measure. It meant that this would transition us into a society where African Americans could get white votes. Like any remedial or corrective measure like a cast put on a leg, if you leave it on too long the leg atrophies. It is deleterious to the health of the body politic. Over the last five months as I campaigned in this race, I saw that we have two societies in South Carolina now. We have African American officials who really do not need to talk to white people in most instances, and then we have white candidates in many instances that do not have to talk to black people. Because of gerrymandering we have resegregated our society where there is no communication between the races of any meaningful sense. Now that I think about it, I attended several African American churches. I will confess I am not someone who attends church every Sunday -- my home church. I do not need anybody talking to me telling me what God says. I can talk to God directly. Many of these African American churches have no white members. I do not

know about Senator JACKSON'S church, but the churches I attended in rural South Carolina -- rural Lexington County and rural Calhoun County -- have no white members. I found that the most segregated hour of the week is Sunday morning. We are not talking. By we, I mean black folks and white folks. And we are institutionalizing that by reapportionment and gerrymandering. I spoke against it when we did reapportionment. I litigated against it in 1992 and later in 2002 and I testified in a recent reapportionment case. I think it is unhealthy. I think the long-term results of that are unhealthy and I am not blaming my white Republican friends for it. A lot of the fault goes to African American elected officials who do not want a lot of white people in their district. I get it; I understand you want to get reelected. But the long-term cost of that is deleterious to the State and to this Country. I will not be here for the next reapportionment. I might can bring a lawsuit, though. Which I am thinking about.

But let me move to this side of the Chamber. The other thing I discovered, and I am just astounded by as I campaigned in this election, was that I occasionally ran into a Republican. When I say a Republican, I am saying a Republican who believes that the 2020 Election was bogus. I am very concerned about this. Everyone from Donald Trump's Attorney General to everybody that looks at it. The facts are Biden won; Trump lost. Anyone watching this that thinks that did not happen is over in the House where they put on aluminum foil hats. You are entitled to your opinion -- your own opinion. What you are not entitled to is your own facts. I would not care if you did not think we landed on the moon. I would not care if you thought that aliens are occupying the White House. I do not care about that, but I do care about when you have an opinion that sheds and shades your belief and everyone else's belief in the electoral process. You threaten our democracy. Our democracy. And that is what is going on. If I met one, I met fifteen that told me they believed that. Their facts are based on some whacko pillow salesman who posted something on the internet or was interviewed, on some right-wing show. They call themselves conservatives. They are not conservatives. Conservatives believe in the Constitution. Conservatives believe in the validity and sanctity of the electoral process. That is one problem I have, because they are challenging this democracy. We had a trial a few weeks ago and the guy got convicted. Suddenly, the judicial system is corrupt. Now, I represented this guy last year. You may have been familiar with it. His name was Alec Murdaugh. He got convicted and did we have a press conference saying this is corrupt and we know everything was fixed? No. We did not do that. What did we discover earlier this year?

The clerk of court was caught trying to fix the jury. Did we have a press conference saying it is corrupt? No. We did something. I know this sounds radical. We abided by the system. We filed an appeal, we filed briefs, and we had legal arguments, because this is a legal process. So, if you challenge the electoral process and the judicial process and you convince a majority of the people that neither one is fair and both are corrupt, what does that do? I mean the next thing is going to be when you run and you win; you fixed it. You were corrupt. It is not good once you begin debating the validity of our democracy's two major pillars, elections and the judicial system. If you honestly believe Biden did not win in 2020, then you should go out there and agree with these folks. I believe these folks are not basing their decisions on facts. There is something wrong if you believe that the way to challenge a judicial decision is to riot, or in some way indicate that you are a political prisoner. There are actual political prisoners, and those folks are not one of them. Agree with them if you want. If not, you have a moral responsibility to say, "Look, I am voting for the guy" if that is what you want to do. But the election was valid in 2020 and he has an appellate process on what is occurring in the judicial system. I am not going to sit here and placate you by saying that you are right about that. If you do that, simply deal with the facts, you will do much for this country and for this State. So, I have offended everybody here today, the goal I have had for six years.

In all seriousness, let me close by saying this. One of the major accomplishments I have had in this Body dealt with the Department of Commerce because when they sold the Panthers deal to us. I raised questions. I hired my own person to analyze the benefits of it and found out it was bogus, and it turned out to be bogus. When I asked for other information from the Department of Commerce, they would not give it to me, so I sued them. Henry McMaster and I have known each other for forty or fifty years. We used to be chairmen of opposite parties. We debated each other and even traveled together. I have a great relationship with Henry and Peggy. I think the best decision he has ever made was to get Harry Lightsey as the Chairman of the Department of Commerce; he sat down with me and worked through our issues. Now we heard Nikki talk about Harry Lightsey, Sr., who I had as a professor in law school, and was the brightest guy I have ever met. Harry Lightsey, Jr. has brought a new prospective on the Department of Commerce and a new approach to the Department of Commerce and I want to say that he is doing yeoman's work there. The Scout Project is obviously big to this county here.

Another one of my proudest achievements is the quantum computer project here in the City of Columbia. I want to thank Senator PEELER for the $15 million that he allowed to go through the budget and the Governor for signing it. I think is an investment in the intellectual capital of our State. Four kids that are using that program competed in something called a Quantum Hack-A-Thon at MIT. The number one team was from Yale and Harvard. The number two team was a group of physicists from Stanford. The number three team was from the University of South Carolina business school; they trained here using the program that we funded last year. This is a big deal. Oakridge labs in Tennessee sponsors the Hack-A-Thon. They are going to have the competition here this year, where kids and scientists from all over the country will compete by using scientific computers to solve very complicated problems. I am proud of that. There is nothing else I have done that will generate this tremendous amount of benefit to kids from South Carolina. They are working with kids from Clemson, Carolina, Allen, Benedict, and SC State. It is going to be bright kids that want to use access to quantum. Ten years from now they will not be using supercomputers, they will be using quantum computers. I could talk about it all day long, but I will not.

In conclusion -- no applause! In conclusion, I want to say, this is sort of the last thing. In losing this race, I must say I felt relieved the next day because my life became simpler. Now I can practice law. I think my wife will finally come home from Slovenia now that she knows I am not going to be running and campaigning all fall. I am going to over to see her in a couple weeks. I can enjoy life a little bit more, and at our stage, enjoying life a little bit more is probably the best thing we ought to be doing. I forgot to mention one person, SANDY SENN sitting back there, another one of the Sister Senators. She and I go way back. Sandy is a great lawyer, a good person, and she got dealt with the same way you did, Katrina -- horrible. And you know, you are one of the good guys. You are one of the people that if I wanted to come back, I would want to come back to. Without you and Katrina here, I am not sure it will be the kind of place I wanted to come back to anyway. The rest of you are just okay.

I am sort of a music aficionado and over the years I have prided myself on meeting several different rock and roll people. I am a rock and roll aficionado. I have hung out with the Allman Brothers before they were the Allman Brothers and did some things that I really do not want to admit to. I got to know several people that were in that genre. Lately I have taken to listening to Johnny Cash. You might find that shocking. But Johnny Cash did a cover of a Trent Reznor song. Trant Reznor is the

lead singer of a group called Nine Inch Nails. Senator PEELER, they are not a Motown group. I was listening to Johnny Cash the other morning and he was singing this song and it sort of exemplifies how I feel leaving here. I am going to read these lyrics to you and that will be the end of this, and me. This is the last time I will appear in this Body at this podium; it is bittersweet. A little more sweet than bitter. But at the same time, I want you to understand how I feel about it. The name of the song is "Hurt". "What have I become, my sweetest friend? Everyone I know goes away in the end. And you can have it all, my empire of dirt. I will let you down. I will make you hurt." Thank you.

On motion of Senator CLIMER, with unanimous consent, the remarks of Senator HARPOOTLIAN were ordered printed in the Journal.

Expression of Personal Interest

Senator HUTTO rose for an Expression of Personal Interest.

Remarks by Senator GUSTAFSON

Senator GUSTAFSON rose to make brief remarks regarding her service in the Senate.

Remarks by Senator GUSTAFSON

By the grace of God and to his glory, I stand here today. I am honored to have served the people of District 27 in Kershaw, Chesterfield and Lancaster Counties and what a privilege to share this chamber with all of you.

When Todd and I moved to Camden on Feb. 5, 2015, there was no hint of what was to come. I was a stay-at-home mom of three, and very involved in my community helping with homelessness and other problems. The South Carolina Senate has been an adventure, and it's been an education -- like a civics lesson every day. There is always something to learn -- like graduate school for politicians. Senator SHEALY has always advised me that, "Senators don't cry," and I did not cry on primary night. I will have you know. But I did cry last night as I watched her stand with fierce, stoic resolve against an unlikely and frankly, despicable outcome.

This farewell is conflicted because I don't want to go. But no one loses 82-18% without a chunk of responsibility, so I'll claim that right now publicly and formally. But I am no martyr. I've been asked if the abortion debate was the hardest thing I've ever done. Truthfully, the answer is "no." The toughest times of my life have been punctuated by

extreme hardships including financial struggles with a really hard divorce and starting over with only a car and some debt in my 30s. Then, amid all this my only brother, Troy, was murdered.

Each of us carries some kind of scar tissue from whatever your trauma has been, whatever you've gone through in life, good and bad, and you carry it. We each can build our own reservoir of courage that comes with time, effort and practice. Moral capital is built in the same way. The more you stand up and do what you say you're going to do, lead your own life, step into this arena, and take risks the easier it gets. This is true for every human alive. I promise you when that crucial moment appears, you'll be ready.

All that heartache mentioned before led to my greatest blessing who was introduced today, Todd. We have three grown children, William, Maggie and Drew. Another blessing is my dad, Tom Morgan. I have a gratifying job, a home and a country I love.

So, let's address the elephant in the room. Why did the "Sister Senators" story attract so much attention and criticism? We five decided to stand by our shared beliefs about women, about motherhood and yes, about politics. We did not compromise; we collaborated amid one of the most divisive subjects of our time.

Believe me when I say the easiest route for me was to go along party lines no matter what and just vote "yes." No matter the lack of hearings and medical testimony, no matter if Legislators would not accept facts given by their female colleagues, and no matter if the Bill was chopped up and changed dramatically before it came back to us. The pressure from all sides has been enormous, but ultimately, I voted "no" to the final Bill coming after voting "yes" to every other piece of abortion legislation (including S. 474 itself before it went to the South Carolina House).

I did not seek the media; they sought me. As a public servant, I felt obligated to answer as many requests as possible, as a Legislator and as a Senator for all people. Whoever wished to hear from me -- I talked with them. I even spoke with a Japanese news outlet, Canada and all over the country and local, of course. But by God, I dared to do an interview on CNN. I had no idea there would be negative repercussions from doing what I perceived to be yet another interview or two.

The Kershaw County Republican Party and the Chesterfield County Republican Party responded by censuring me for appearing on CNN, if you can believe that. They censured me while leaders within the state party, not speaking about the leadership in this chamber, called for the replacement of all female republican Senators. Congratulations, because we are gone now.

I want to walk out these doors with dignity and grace, like the lady I was raised to be. Really and truly, gratitude does fill my heart. Allow me to mention and say thank you to a number of people who have been very special in this journey.

The first Senators I ever knew were Senator GARRETT, Senator DAVIS and Senator SHEALY. The first time I saw the Senator from Beaufort, he was explaining medical marijuana. This was years ago, so he's been advocating a long time. I recall speaking with him after a woman's club meeting at length, and I thought, man, he cared enough to go to our little club. It was small with maybe fifteen people there that day. I have supported that legislation ever since then and still do.

Now Senator GARRETT, he's kind of different, and most people do not know why I know you so well and why you know me so well. He was my divorce attorney, and it was a horrible time. He knows more about me than anybody else in this room. Shhhhh -- just keep that professionalism, okay? You've been very good for four years; thank you for not sharing my darkest secrets. I met Senator SHEALY from Lexington at another women's republican group meeting, and she was talking about, surprise, Katrina's Kids. That was our first-time meeting in person, so I had some sort of connection with those three.

In 2018, I ran for the South Carolina House Seat 52 against an established democratic incumbent, and nobody knew me. They couldn't pronounce my name, they couldn't say my name, they couldn't spell my name, but I did get 43% of that vote that year which was encouraging. Most first-time candidates do not win. That's why I encourage anyone who wants to run for office -- better plan on running twice. So, I had planned to run for the House again in 2020 for the same job. Then, someone strongly suggested that I run for the Senate. I thought they had lost their mind! A lot of convincing by facts, figures and numbers was needed. Finally, after considering the numbers and votes, I thought I could do it. Now, please understand nobody else did. Nobody on the planet thought I was going to win that race. It must have been upsetting to the people in this body that a long-standing member would be leaving so unexpectedly. My flipping this seat over a democrat incumbent millionaire lawyer who ran for Governor twice was huge for the Republican Party and the South Carolina Senate. I have a lot more empathy than I did four years ago. In 2020, I won by less than 900 votes, but two weeks ago I had arguably the biggest defeat of any incumbent in South Carolina political history.

All my life I've made lists, goals and plans. If a plan does not work, then another is created. I usually reach the goals, but the South Carolina

General Assembly is quite different, isn't it? Everything is slow, but I've learned the system better and better every year. I've become a better Senator. Instead of tackling these items, urgent needs in my district hit me right in the face. These urgent issues are not on the republican platform, nothing sexy. We're talking water, sewer, dangerous roads, problems with funding fire, problems with our coroners, expanding law enforcement and our bursting school systems. These technical problems were unknown at my arrival, but all of this has been the bulk of my work in the district. Water and sewer capacity issues and dangerous roads where my constituents were dying took highest priority. For example, there is a new stoplight intersection at the corner of Dove Sutton Road and Love's Truck Plaza in Pageland. This may seem like a small success because you have done remarkable feats in this body. For me, that light installation was remarkable, because getting SCDOT to do it as quickly as possible was not easy. My efforts made the difference, and I am proud I was part of the solution.

Unfortunately, my views and votes have been twisted. I know, that's politics, y'all. I have thick skin; it's okay. I have been pounded for four years, but is it over? Are y'all going to continue to beat up on me on Facebook? Please stop. I'm done.

Let me set a couple of things straight. Number one, I did not kill Constitutional Carry. How many thousands received mailers of deceit? We debated two gun Bills since 2020, just two, and I voted "yes" for both of them. I also voted "yes" to send it out of committee to be placed on the calendar this year. However, my no vote on an amendment to the Open Carry with Training Bill in 2021 caught the eye of the most fervent gun rights activists. Most of us voted against this amendment proven by the fact it did not pass. The Palmetto Gun Rights group and others made sure to inform the public in a very ugly way that I was "anti 2A" and against gun rights, gun people and killed constitutional carry. They've printed it over and over again. The fact that I recognize the problems of gun violence and spoke openly about my brother's murder was held against me by extreme groups. My views have evolved, but the vote is what matters, and I was a yes vote. The NRA even gave me an "A" rating and an endorsement. Fascinating that people now say, oh, what has come of the NRA to endorse her? I just couldn't win on this topic no matter what my votes prove. Those are the facts, and I won't be talking about it anymore.

I'm also not a baby killer. Also, I am a conservative republican as proven by the votes. Party politics has been brutal, and the toxic nature of our political environment is what drew me to seek office in the first

place. To solve internal problems, we are often told to step up into the arena and work from within. So, I joined my local GOP and eventually became its First Vice Chair. I even came to be an elected state delegate and a National Delegate to the RNC. Then I ran for office and ran again. I've tried my best and done as much as I can to improve from within.

There are few regrets but the yes vote for Scout Motors is one of them. There was no time to debate this multi-billion-dollar investment. After discussing the deal with Director Lightsey and lawyers, I supported this project that would be phenomenal for our State. Frankly, EVs are not going to take off the way they were expected to just a few years ago. We may be on our way to a different kind of transportation revolution, and EVs may only be a stepping stone to whatever that is. Technology moves fast.

But I am proud of legislation including over twenty-seven sponsored Bills being made into law. The Fentanyl Trafficking Bill was very important, but the Drug Induced Homicide Bill stalled in the House. I supported the repeal of certificate of need and bond reform limiting catch and release; that's something my constituents definitely wanted. All kinds of effective legislation came out of the Family and Veterans' Services Committee, of which I serve. Veterans no longer have to pay taxes on their state income, and we passed the biggest tax cut ever in 2022.

I supported and sponsored two School Choice Bills, because I believe in choice. That's yet another reason why I ran twice because there were no choices on the ballot. Nobody was stepping up to run, but I did, and I provided, if nothing else, a choice for the voting public. It is important that all incumbents have some kind of opposition, because it makes better leaders and Legislators.

I'm thankful for so many, but I'm not naming them all, because the people closest to me know who you are. Staying true to myself and living an honest and full life have been worthy goals. I promise to persist in advocating for the issues that touch our lives. It just won't be in this arena, but I do look forward to seeing where it will be. I have absolutely loved this time in the Senate and thank those who voted for me. These four years have been such an honor.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator GUSTAFSON were ordered printed in the Journal.

Remarks by Senator SENN

Senator SENN rose to make brief remarks regarding her service in the Senate.

Remarks by Senator SENN

I just want you to know that was very moving and I know everybody is feeling a little melancholy, I guess. I don't know what is wrong with me. I feel liberated. I just do. I love y'all. I will miss y'all. I really will. It was a gut punch to have lost by thirty-one votes, but that is thirty more than the guy needed to beat me. So just like four other Senators who have stood up here today, they have gone ahead and said, "You know what we lost…we lost." There is going to be life after losing and I really only felt gut punched for a couple of days. All these people were calling me saying I need this, we need this, remember after your election you said you would help with this. And all of a sudden, I just went -- this is not my burden anymore. It is not my burden. It will be somebody's burden and it needs to be somebody's burden.

What I do hope is that we are going to have a lot more women who are going to run for office. We have a bunch that are running now in the general election. Again, like I said to you before, I don't want any of my colleagues to feel like I want you to lose just because I want more women to run. I do however feel like we need to have more of a balance and not just women to men, but Republicans to Democrats. Because one thing I have learned is if one party is in such extreme control there is no room for negotiation and why would you? You can't make great law when there is nobody willing to negotiate.

Now I know most of you probably were not riveted sitting by your computers and your TVs when we accepted the award that we accepted. I would not have changed that for the world. But one of the things I did mention is that you have in today's environment the extreme left and the extreme right, and yet most people in this world fall somewhere in the middle, in the reasonable middle -- not in crazy chaos, election deniers. There is room for all of us to get together in the middle of all those things. So, in between chaos versus dignity, I believe I'm just going to take dignity every single time and sit back now and watch the rest of the rodeo from Abaco by the way. If anybody wants to come see me that's where I will be, in Abaco smiling and enjoying life.

I do want to thank a couple of people. First of all, Deana, my wonderful staff member. She is fantastic. All the staff members here are. My son is in the balcony and my husband, my sign warrior. Where would I have been without them? I do love them dearly.

Now, I want you to know that I don't regret a single vote that I ever took, and I would make the vote again. I would. But now the weight of the world is off my shoulders. Women, somebody else is going to have to stand up. Somebody else is going to have to come and make things right. Now I have no doubt but that we were able to hold off a total ban on abortion for a year. I am sure that there are going to be those that are going to be coming straight after -- not only a total ban on abortion, but they are going to want criminal penalties and they are going to want no exceptions. That is coming. That is not going to be my problem. It is going to be the problem, though, of others and so I do hope that we are going to find more people willing to come together in the middle -- not necessarily because they have to because you are going to have the numbers to be able to ram anything down our throats -- but because you know it is the right thing to do. And some of you who sit on the back row back there who didn't really like the way you voted sometimes, but you held your nose, and you did it anyway because it was the safe thing to do, you now no longer have us taking the bullets for you. So, if you really do feel the way I know that some of you do feel, you are going to have some tough decisions to make next year. You are going to have to figure out exactly how you're going to handle it with those of us on the front line not taking the bullets for you. We did have courage, but every single one of us in this room has had courage. Anybody that has ever put their name on a ballot has courage.

Every single one of you are wonderful colleagues, I would ask you to consider this one thing. Where is that trophy? Y'all took it away. Alright, well it was a $38,000 trophy. She belittled it. I think she said $36,000. I think it was a $38,000 trophy -- that time and accepting that award was wonderful. That is something that you know -- maybe y'all will get it, maybe you won't -- but I kind of doubt anyone else in this room is going to get that award and I think it's pretty special. For those of you who don't, I want you to think though that there are going to be a lot of women and children who do think it is special. They do think that award is special. So, for us to be told that there is not a place in the State House of honor for us to keep that trophy, is an insult. So, I do hope that at some point if it is not going to be those of you who are in office next year or maybe the following year or the year after -- that you will consider we five "Sister Senators." We will remain here in this Body forever because of the things that we did during our period of time here. That is something that whether you liked it or not -- you ought to consider it. Y'all don't like to remove statues. I mean, I don't. I think that history is history. It is what it is and maybe sure we were not John C. Calhoun or

anything of that nature, but still we did something here in the South Carolina Senate. I do hope that at some point those of you who control whether a trophy, since we only have one, can be put somewhere in the State House. I hope that you will consider that in our favor. I love each and every one of you. Thank you so much.

On motion of Senator MATTHEWS, with unanimous consent, the remarks of Senator SENN were ordered printed in the Journal.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 1360 Sen. Devine

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1369 -- Senator Hutto: A SENATE RESOLUTION TO CONGRATULATE THOMAS B. SCOTT III UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS TWENTY-NINE YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0758km-vc24.docx

The Senate Resolution was adopted.

S. 1370 -- Senators Young, Adams, Alexander, Allen, Bennett, Matthews, Campsen, Cash, Climer, Corbin, Cromer, Davis, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Tedder, Turner, Verdin and Williams: A SENATE RESOLUTION TO CONGRATULATE SHERIFF MICHAEL E. HUNT, SR. UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0768km-vc24.docx

The Senate Resolution was adopted.

S. 1371 -- Senators Young, Adams, Alexander, Allen, Bennett, Matthews, Campsen, Cash, Climer, Corbin, Cromer, Davis, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Tedder, Turner, Verdin and Williams: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MAYOR RICK OSBON FOR HIS SERVICE TO THE CITY OF AIKEN AND TO COMMEND HIM FOR HIS MANY YEARS OF SERVICE IN AIKEN COUNTY.

sr-0765km-vc24.docx

The Senate Resolution was adopted.

S. 1372 -- Senator Devine: A CONCURRENT RESOLUTION TO CONGRATULATE THE BOOKER T. WASHINGTON HIGH SCHOOL FOUNDATION UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE COLUMBIA COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0771km-vc24.docx

The Concurrent Resolution was adopted, ordered sent to the House.

S. 1373 -- Senator Tedder: A SENATE RESOLUTION TO CONGRATULATE BEATRICE MYERS GIVENS ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

sr-0770km-vc24.docx

The Senate Resolution was adopted.

S. 1374 -- Senator Hembree: A SENATE RESOLUTION TO RECOGNIZE JUNE 16-22, 2024, AS WASTE AND RECYCLING WORKERS WEEK IN HONOR OF SOLID WASTE AND RECYCLING COLLECTORS' HARD WORK AND DEPENDABILITY THAT PROVIDE AN INVALUABLE SERVICE TO COMMUNITIES ACROSS SOUTH CAROLINA.

sr-0766km-vc24.docx

The Senate Resolution was adopted.

S. 1375 -- Senators Matthews, Campsen, Hutto, Stephens, Adams, Alexander, Allen, Bennett, Cash, Climer, Corbin, Cromer, Davis, Devine, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Jackson, K. Johnson, M. Johnson, Kimbrell, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Senn, Setzler, Shealy, Talley, Tedder, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF KENNETH ARTHUR "K.C." CAMPBELL, JR. AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

sr-0767km-vc24.docx

The Senate Resolution was adopted.

S. 1376 -- Senator Martin: A SENATE RESOLUTION TO CONGRATULATE LIEUTENANT RUSSELL THOMPSON UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0763km-vc24.docx

The Senate Resolution was adopted.

S. 1377 -- Senator Williams: A SENATE RESOLUTION TO CONGRATULATE MAE FRANCES MASON STEVENSON ON THE OCCASION OF HER EIGHTIETH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

sr-0764km-vc24.docx

The Senate Resolution was adopted.

S. 1378 -- Senator Fanning: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE LEWISVILLE HIGH SCHOOL SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN EXTRAORDINARY SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2024 SOUTH CAROLINA CLASS A STATE CHAMPIONSHIP TITLE.

lc-0635cm-gm24.docx

The Senate Resolution was adopted.

S. 1379 -- Senator Fanning: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF MARY E. PRAILLEAU OF WINNSBORO, TO CELEBRATE HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.
lc-0483vr-rm24.docx

The Senate Resolution was adopted.

S. 1380 -- Senator Matthews: A SENATE RESOLUTION TO CONGRATULATE MAJOR GENERAL DAVID WILSON FOR BECOMING THE FIRST AFRICAN AMERICAN GRADUATE FROM THE CITADEL TO BE PROMOTED TO THE RANK OF MAJOR GENERAL, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.
sr-0772km-vc24.docx

The Senate Resolution was adopted.

S. 1381 -- Senator Tedder: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF FRED BROUGHTON OF ORANGEBURG AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.
lc-0356ha-rm24.docx

The Senate Resolution was adopted.

Appointments Reported

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointments

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2021, and to expire June 30, 2025

Massage/Bodywork Therapist:

Janet Shaw, 802 Pinedale Road, West Columbia, SC 29170-2638

Received as information.

Reappointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2021, and to expire June 30, 2025

Massage/Bodywork Therapist:

Gloria Lee Smith, 201 Corley Woods Drive, Lexington, SC 29072-3845

Received as information.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2022, and to expire June 30, 2026

7th Congressional District:

Bryan H. Dowd, 1931 Osprey Drive, P. O. Box 5090, Florence, SC 29501-8133

Received as information.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2023, and to expire June 30, 2027

3rd Congressional District:

Timothy W. Roberts, 2907 Rambling Path, Anderson, SC 29621

Received as information.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2023, and to expire June 30, 2027

At-Large, Physician:

Jon F. Lucas, 12 Paddock Run Lane, Simpsonville, SC 29681-5368

Received as information.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2022, and to expire June 30, 2026

3rd Congressional District:

Andrew Osborne, 304 Greenville Church Road, Donalds, SC 29638-9306 *VICE* William J. D'Andrea

Received as information.

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2022, and to expire June 30, 2026

Barber:

Renee H. Patton, 5535 Highway 9, Suite C, Inman, SC 29349

Received as information.

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2022, and to expire June 30, 2026

Master Hair Care Specialist:

Paul E. Robinson, Jr., 4441 Deerfield Dr., Orangeburg, SC 29118

Received as information.

Reappointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2023, and to expire March 20, 2027

Cosmetologist:

LaQuita W. Horton, 1210 Cheraw Rd., Cassatt, SC 29032

Received as information.

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence March 31, 2024, and to expire March 31, 2028

Cosmetologist:

Tiffiny Q. Jones, 400 Oak Ridge Place, Easley, SC 29642-9088 *VICE* Patricia Walters

Received as information.

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2022, and to expire March 20, 2026

Cosmetologist:

Adrienne MacLeod, 3142 Cannon Road, Greer, SC 29651-5328 *VICE* Eddie L. Jones

Received as information.

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2023, and to expire March 20, 2027

Esthetician:

Elizabeth Anne Postilis, Browning Studio, LLC, 1941 D Woodruff Road, Greenville, SC 29607-5938 *VICE* Marcia R. Delaney

Received as information.

Initial Appointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2023, and to expire November 27, 2027

Master Social Worker:

Alicia Nix, 312 Winding Way, Columbia, SC 29212-1347 *VICE* Catherine M. Buchanan

Received as information.

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2023, and to expire June 30, 2027

Massage/Bodywork Therapist:

Alicia Roberts, 202 Cedar Lane, Conway, SC 29527-6031 *VICE* Denise Van Nostran

Received as information.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2024, and to expire May 31, 2027

Licensed or Certified Appraiser:

Carlton Segars, Jr., 1713 Bradley Dr., Columbia, SC 29201 *VICE* Christopher Barczak

Received as information.

Initial Appointment, South Carolina State Board of Barber Examiners, with the term to commence March 30, 2023, and to expire March 30, 2027

Barber:

Tony Holloman, 1003 Watson Drive, Elgin, SC 29045-8915 *VICE* Christopher Javis

Received as information.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2023, and to expire June 30, 2027

5th Congressional District:

Christy B. Rhyne, 726 Poston Drive, Rock Hill, SC 29732-7838

Received as information.

Reappointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2023, and to expire November 27, 2027

General Public:

Dean S. Stephens, 102 Golf View Lane, Greenville, SC 29609-6911

Received as information.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.212, H. 4248 by a vote of 98 to 11:

(R212, H4248) -- Reps. Rose and Robbins: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-4-50, RELATING TO THE SALE OF BEER, ALE, PORTER, OR WINE TO UNDERAGED PERSONS, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE; AND BY AMENDING SECTION 61-6-4080, RELATING TO THE SALE OF ALCOHOLIC LIQUORS TO AN UNDERAGED PERSON, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

HOUSE CONCURRENCE

S. 1372 -- Senator Devine: A CONCURRENT RESOLUTION TO CONGRATULATE THE BOOKER T. WASHINGTON HIGH SCHOOL FOUNDATION UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE COLUMBIA COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 1356 -- Senator McElveen: A CONCURRENT RESOLUTION TO CONGRATULATE ELIZABETH DUBOSE "BETTY" BROGDON ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY, TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS, AND TO NAME OCTOBER 15, 2024, AS "BETTY BROGDON DAY" IN THE STATE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.

May 21, 2024

The Honorable Thomas C. Alexander
President of the Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval R-200, S. 1166 which seeks to require prosecutors in South Carolina to dismiss all pending charges for unlawful possession of a handgun pursuant to Section 16-23-20 of the South Carolina Code of Laws, as recently amended by the S.C. Constitutional Carry/Second Amendment Preservation Act of 2024, if those charges "were nullified" by that Act.

As a former United States Attorney and South Carolina Attorney General, I have great respect and admiration for prosecutors and recognize the important role that prosecutorial discretion plays in our criminal justice system. I am therefore wary of any attempt to limit that authority and discretion. Every case is unique, and the prosecutors in our State should be permitted to evaluate each case based on the law and the facts. Some charges might warrant dismissal; other charges may warrant continued prosecution. Unfortunately, S. 1166 would universally strip prosecutors of the ability to make such individualized determinations.

I am also skeptical of, and opposed to, S. l166's mandatory, blanket dismissals of pending criminal charges for another reason: When the defendants who would benefit from these dismissals committed their alleged crimes, their alleged actions were, in fact, unlawful. To be sure,

those actions might not be illegal today, but that distinction misses the critical point that such actions were illegal at the time they were committed. I have repeatedly noted by belief in the importance of upholding and adhering to the Rule of Law, which requires not only that everyone follow the law as written but also that the law apply equally to every person. If a person disobeys the law, consequences including potentially criminal prosecution-may follow, even if a person believes a law should be changed. If that law is ultimately changed, blanket dismissals are rarely the answer for previous violations of that law, and they are not the answer here.

For the foregoing reasons, I am respectfully vetoing R-200, S. 1166 and returning the same without my signature.

Yours very truly,
Henry McMaster

VETO OVERRIDDEN

(R200, S1166) -- Senators Tedder, Stephens and Rice: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS THAT OCCURRED BEFORE THE ENACTMENT OF THE S.C. CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THIS ACT, TO PROVIDE THE DISMISSAL OF THESE CHARGES DOES NOT MANDATE THE DISMISSAL OF OTHER RELATED CHARGES OR MAY SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.

The veto of the Governor was taken up for immediate consideration.

Senator TEDDER moved that the veto of the Governor be overridden.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

VETO OVERRIDDEN

(R212, H4248) -- Reps. Rose and Robbins: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-4-50, RELATING TO THE SALE OF BEER, ALE, PORTER, OR WINE TO UNDERAGED PERSONS, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE; AND BY AMENDING SECTION 61-6-4080, RELATING TO THE SALE OF ALCOHOLIC LIQUORS TO AN UNDERAGED PERSON, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE.

The veto of the Governor was taken up for immediate consideration.

Senator HUTTO moved that the veto of the Governor be overridden.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 5

AYES

Alexander	Allen	Bennett
Cash	Climer	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Gustafson
Harpootlian	Hembree	Hutto
Jackson	*Johnson, Kevin*	*Johnson, Michael*
Malloy	Matthews	McElveen
McLeod	Peeler	Rankin
Sabb	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Williams	Young

Total--33

NAYS

Corbin	Massey	Reichenbach
Rice	Verdin	

Total--5

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

H. 5014 -- Reps. Caskey, Ballentine, Calhoon, Forrest, Kilmartin, May, McCabe, Ott, Taylor, White and Wooten: A BILL TO EXTEND THE ONE PERCENT SALES TAX IMPOSED BY ACT 378 OF 2004, AS AMENDED, THE LEXINGTON COUNTY SCHOOL DISTRICT

PROPERTY TAX RELIEF ACT, FOR AN ADDITIONAL SEVEN YEARS.

On motion of Senator SETZLER.

H. 5014--Ordered to a Third Reading

On motion of Senator SETZLER, H. 5014 was ordered to receive a third reading on the next legislative day.

THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

S. 142--FREE CONFERENCE POWERS GRANTED FREE CONFERENCE COMMITTEE APPOINTED REPORT OF THE COMMITTEE OF FREE CONFERENCE ADOPTED

S. 142 -- Senators Shealy, Gustafson, Goldfinch, Hutto, Jackson, Campsen, McLeod, Setzler and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-2010, RELATING TO THE DEFINITION OF "SEX TRAFFICKING", SO AS TO EXPAND THE DEFINITION TO INCLUDE SEXUAL EXPLOITATION OF A MINOR AND PROMOTING OR PARTICIPATING IN PROSTITUTION OF A MINOR; AND BY AMENDING SECTION 16-3-2020, RELATING TO TRAFFICKING IN PERSONS, PENALTIES, MINOR VICTIMS AND DEFENSES, SO AS TO PROVIDE THAT A SEX TRAFFICKING VICTIM MAY RAISE DURESS AND COERCION AS AN AFFIRMATIVE DEFENSE TO NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM MAY NOT BE CONVICTED FOR NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, AND TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM CANNOT BE FOUND IN VIOLATION OF OR BE THE SUBJECT OF A DELINQUENCY PETITION IF THE MINOR'S CONDUCT WAS A DIRECT RESULT OF OR INCIDENTAL TO OR RELATED TO TRAFFICKING; AND SO AS TO PROVIDE THAT THE PROVISIONS IN THIS ACT ARE RETROACTIVE.

On motion of Senator HUTTO, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator HUTTO spoke on the report.

S. 142--Free Conference Powers Granted
Free Conference Committee Appointed

Senator HUTTO asked to be granted Free Conference Powers.

The question then was granting of Free Conference Powers.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

Free Conference Powers were granted.

Whereupon, Senators HUTTO, GUSTAFSON and ADAMS were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

The question then was adoption of the Report of the Committee of Free Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Committee of Free Conference Report was adopted as follows:

S. 142--Conference Report

The General Assembly, Columbia, S.C., June 03, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 142 -- Senators Shealy, Gustafson, Goldfinch, Hutto, Jackson, Campsen, McLeod, Setzler and Garrett: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-2010, RELATING TO THE DEFINITION OF “SEX TRAFFICKING”, SO

AS TO EXPAND THE DEFINITION TO INCLUDE SEXUAL EXPLOITATION OF A MINOR AND PROMOTING OR PARTICIPATING IN PROSTITUTION OF A MINOR; AND BY AMENDING SECTION 16-3-2020, RELATING TO TRAFFICKING IN PERSONS, PENALTIES, MINOR VICTIMS AND DEFENSES, SO AS TO PROVIDE THAT A SEX TRAFFICKING VICTIM MAY RAISE DURESS AND COERCION AS AN AFFIRMATIVE DEFENSE TO NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM MAY NOT BE CONVICTED FOR NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, AND TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM CANNOT BE FOUND IN VIOLATION OF OR BE THE SUBJECT OF A DELINQUENCY PETITION IF THE MINOR'S CONDUCT WAS A DIRECT RESULT OF OR INCIDENTAL TO OR RELATED TO TRAFFICKING; AND SO AS TO PROVIDE THAT THE PROVISIONS IN THIS ACT ARE RETROACTIVE.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 16-3-2010(7) of the S.C. Code is amended to read:

(7) "Sex trafficking" means the recruitment, harboring, transportation, provision, or obtaining of a person for one of the following when it is induced by force, fraud, or coercion or the person performing the act is under the age of eighteen years and anything of value is given, promised to, or received, directly or indirectly, by any person:

(a) criminal sexual conduct pursuant to Section 16-3-651;

(b) criminal sexual conduct in the first degree pursuant to Section 16-3-652;

(c) criminal sexual conduct in the second degree pursuant to Section 16-3-653;

(d) criminal sexual conduct in the third degree pursuant to Section 16-3-654;

(e) criminal sexual conduct with a minor pursuant to Section 16-3-655;

(f) engaging a child for sexual performance pursuant to Section 16-

3-810;

(g) producing, directing, or promoting sexual performance by a child pursuant to Section 16-3-820;

(h) sexual battery pursuant to Section 16-3-651;

(i) sexual conduct pursuant to Section 16-3-800; ~~or~~

(j) sexual performance pursuant to Section 16-3-800;

(k) sexual exploitation of a minor pursuant to Section 16-15-395, 16-15-405, or 16-15-410; or

(l) promoting or participating in prostitution of a minor pursuant to Section 16-15-415 or 16-15-425.

SECTION 2. Sections 16-3-2020(F) and (G) of the S.C. Code are amended to read:

(F) In a prosecution or adjudication of a person who is a victim of trafficking in persons, it is an affirmative defense that he was under duress or coerced into committing the offenses for which he is subject to prosecution or adjudication, if the offenses were committed as a direct result of, or ~~incidental or related to,~~interrelated to trafficking. A victim of trafficking in persons convicted or adjudicated delinquent of a violation of this article, ~~or~~ prostitution, or any other nonviolent misdemeanor or Class F felony offenses may motion the court to ~~vacate the conviction and~~ expunge the record of the conviction or adjudication for a nonviolent misdemeanor or Class F felony offense committed as a direct result of, or interrelated to trafficking. The court may grant the motion on a finding by a preponderance of evidence that the person's participation in the offense was a direct result of~~being a victim.~~ or interrelated to being a victim of trafficking. The court may consider any prior rulings made by a court on the petitioners use of the affirmative defense provided in this section. An alleged victim of trafficking who files a motion to expunge the record pursuant to this subsection must file reasonable notice of the motion with the original prosecuting agency for the underlying offense and reasonable notice must be given or attempted to be given to any victims pursuant to the Victim's Bill of Rights. For purposes of this subsection, nonviolent misdemeanor offense or Class F felony means all offenses listed in Section 16-1-20(A)(6)(7)(8) and (9).

(G) If the victim was a minor under the age of eighteen at the time of the offense, the victim of trafficking in persons may not be prosecuted in court ~~pursuant~~ or adjudicated delinquent for a violation of this article, ~~or~~ a prostitution offense, or for any other nonviolent misdemeanor or Class F felony offense if it is determined after investigation that the victim committed the offense as a direct result of, or interrelated to~~incidental or related to,~~ trafficking. For purposes of this subsection,

nonviolent misdemeanor offense or Class F felony means all offenses listed in Section 16-1-20(A)(6)(7)(8) and (9). ~~A person under the age of eighteen who is a victim of trafficking in persons in violation of this title shall not be found in violation of or be the subject of a delinquency petition if it is determined after investigation that the victim's conduct was a direct result of, or incidental or related to, trafficking~~ However, if the victim is still under the age of eighteen, the victim must be referred by law enforcement or the prosecuting agency to the Department of Social Services in accordance with Sections 63-7-20, 63-7-310, 63-7-630, 63-7-980 and 63-11-2400. The department must assess the referral and proceed according to the provisions in Title 63.

SECTION 3. Article 1, Chapter 25, Title 16 of the S.C. Code is amended by adding:

Section 16-25-130. (A) For the purposes of this section:

(1) "Address" means the residential street address, school address, or work address of an individual, as specified on the application for a program participant under this section.

(2) "Address confidentiality program" or "program" means the address confidentiality program established by this section.

(3) "Application assistant" means an employee of an agency or nonprofit organization who provides counseling, referral, shelter, or other specialized services to victims of domestic violence, dating violence, human trafficking, sexual offenses, stalking, or harassment and who has been designated by the Attorney General to assist persons with applications to participate in the address confidentiality program.

(4) "Designated address" means the address assigned to a program participant by the Attorney General pursuant to this section.

(5) "Domestic violence" means any act that is described in Chapter 25, Title 16.

(6) "Human trafficking" has the same meaning as provided in Article 19, Chapter 3, Title 16.

(7) "Mailing address" means an address that is recognized for delivery by the United States Postal Service.

(8) "Program participant" means a person certified by the Attorney General to participate in the program.

(9) "Sexual offense" means any act that is described in Articles 7 and 8, Chapter 3, Title 16.

(10) "Stalking" has the same meaning as provided in Article 17, Chapter 3, Title 16.

(11) "Harassment" has the same meaning as provided in Article 17, Chapter 3, Title 16.

(B) The address confidentiality program is established to protect victims of domestic violence, human trafficking, stalking, harassment, or sexual offenses by authorizing the use of designated addresses for such victims. The program is administered by the Attorney General under the following application and certification procedures:

(1) Upon the recommendation of an application assistant, the following persons may apply to the Attorney General for assignation of a designated address:

(a) an individual;

(b) a parent, guardian, custodian, legal counsel, or other appropriate adult acting on behalf of a minor; or

(c) a guardian acting on behalf of an incapacitated person.

(2) The Attorney General may approve an application only if it is filed with the Office of the Attorney General in the manner established and on a form prescribed by the Attorney General. A completed application must contain:

(a) the application's preparation date, the applicant's signature, and the signature and victim service provider number of the application assistant who assisted the applicant in applying to be a program participant;

(b) a designation of the Attorney General as agent for the purposes of service of process and for receipt of first-class, certified or registered mail;

(c) the mailing address where the applicant may be contacted by the Attorney General or his designee and the telephone number or numbers at which the applicant may be called by the Attorney General or his designee; and

(d) one or more addresses or mailing addresses that the applicant requests be concealed, if disclosure may jeopardize the applicant's safety or increase the risk of violence to the applicant or members of the applicant's household.

(3) Upon receipt of a properly completed application, the Attorney General may certify the applicant as a program participant. A program participant is certified for four years following the date of initial certification unless the certification is withdrawn or invalidated before that date. The Attorney General shall send notification of lapsing certification and a reapplication form to a program participant at least four weeks prior to the expiration of the program participant's certification.

(4) The Attorney General shall forward first-class, certified or registered mail to the appropriate program participants.

(5)(a) An applicant may not file an application knowing that it:

(i) contains false or incorrect information; or

(ii) falsely claims that disclosure of the address or mailing address listed in the application threatens the safety of the applicant, the applicant's children, the minor, or incapacitated person on whose behalf the application is made.

(b) An application assistant may not assist or participate in the filing of an application that the application assistant knows:

(i) contains false or incorrect information; or

(ii) falsely claims that disclosure of the address or mailing address listed in the application threatens the safety of the applicant, the applicant's children, the minor, or incapacitated person on whose behalf the application is made.

(C) Certification for the program may be canceled if one or more of the following conditions apply:

(1) a program participant obtains a name change, unless the program participant provides the Attorney General with documentation of a legal name change within thirty business days of the name change;

(2) there is a change in a program participant's residential street address from the address listed on the application, unless the program participant provides the Attorney General with notice of the change in such manner as the Attorney General provides; or

(3) the applicant or program participant files an application knowing that it:

(a) contains false or incorrect information; or

(b) falsely claims that disclosure of the address or mailing address listed in the application threatens the safety of the applicant, the applicant's children, the minor, or incapacitated person on whose behalf the application is made.

(D) Notwithstanding the provisions of subsection (E), state and local government agencies and the courts shall accept and use only the designated address as the program participant's address upon demonstration of a program participant's certification in the program.

(E) As the Attorney General determines appropriate, he may make a program participant's address or mailing address available for use by granting an exemption to:

(1) a law enforcement agency, a commissioner or other chief administrator of a state or local government agency, or the commissioner's or administrator's designee, if:

(a) the agency has a bona fide statutory, administrative, or law enforcement need for the program participant's address or mailing

address such that the agency is unable to fulfill its statutory duties and obligations without the address or mailing address; and

(b) the program participant's address or mailing address will be used only for those statutory, administrative, or law enforcement purposes and otherwise will be kept under seal and excluded from public inspection; or

(2) a person identified in a court order, if the Attorney General receives a court order that specifically orders the disclosure of a particular program participant's address and mailing address and the reasons stated for the disclosure.

(F) A program participant's application and supporting materials, and the program's state email account, are not public record pursuant to Chapter 4, Title 30, the Freedom of Information Act, and must be kept confidential by the Attorney General.

(G) The Attorney General, his employees, application assistance agencies designated under this section, and the employees or volunteers of such agencies shall not be liable for any injury, loss, or damage resulting from any act or omission under this section, except if the injury, loss, or damage is caused by an act or omission pursuant to this section that is criminal, grossly negligent, intentional, or wilful. The State asserts this immunity under Section 15-78-20.

(H) This section does not create, and shall not be construed to create, a new cause of action or substantive legal right against the State or an officer or employee thereof.

(I) A participant in the address confidentiality program may not be mailed an absentee ballot unless the participant has requested an absentee ballot pursuant to Section 7-15-330. The participant's absentee ballot must be the same ballot used in the precinct assigned to the participant's residential street address. The request for an absentee ballot submitted by the participant is not a public record pursuant to Chapter 4, Title 30, the Freedom of Information Act, and must be kept confidential by the county board of voter registration and elections to which the request was made.

SECTION 4.A. Section 16-3-910 of the S.C. Code is amended to read:

Section 16-3-910. ~~Whoever shall~~A person who unlawfully ~~seize, confine, inveigle, decoy, kidnap, abduct or carry away~~ seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away any other person by any means whatsoever without authority of law, except when a minor is seized or taken by his parent, is guilty of a felony and, upon conviction, must be imprisoned for a period not to exceed thirty years ~~unless sentenced for murder as provided in Section 16-3-20~~.

B. Nothing contained in this SECTION may be construed to repeal, replace, or preclude application of any other criminal statute.

SECTION 5. Article 3, Chapter 15, Title 16 of the S.C. Code is amended by adding:

Section 16-15-340. (A) As used in this section, "child" means a person under sixteen years of age.

(B) A person eighteen years of age or older who, with the intent to harm a child or for any other unlawful purpose, lures, entices, or attempts to lure or entice a child, is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned not more than ten years, or both.

(C) Mistake of age is not a defense to prosecution pursuant to the provisions of this section. However, it is an affirmative defense to prosecution pursuant to the provisions of this section if the:

(1) person lured, enticed, or attempted to lure or entice, the child for a lawful purpose; or

(2) person's actions were otherwise reasonable under the circumstances, and the person did not have the intent to harm the child.

(D) The penalties provided in this section are in addition to other penalties as provided by law for kidnapping or any other offense, as warranted. The offense of luring a child is not intended to be a lesser included offense of kidnapping or any other offense.

SECTION 6. The rights delineated under SECTION 2 of this act shall apply retroactively.

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 8. This act takes effect upon approval by the Governor.

Amend title to read:

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-2010, RELATING TO THE DEFINITION OF “SEX TRAFFICKING”, SO AS TO EXPAND THE DEFINITION TO INCLUDE SEXUAL EXPLOITATION OF A MINOR AND PROMOTING OR PARTICIPATING IN

PROSTITUTION OF A MINOR; BY AMENDING SECTION 16-3-2020, RELATING TO TRAFFICKING IN PERSONS, PENALTIES, MINOR VICTIMS AND DEFENSES, SO AS TO PROVIDE THAT A TRAFFICKING VICTIM MAY RAISE DURESS AND COERCION AS AN AFFIRMATIVE DEFENSE TO OFFENSES COMMITTED AS A DIRECT RESULT OR INTERRELATED TO TRAFFICKING, TO PROVIDE THAT A TRAFFICKING VICTIM MAY HAVE CERTAIN OFFENSES EXPUNGED IF THE OFFENSES WERE A DIRECT RESULT OR INTERRELATED TO BEING A VICTIM OF TRAFFICKING, AND TO PROVIDE SIMILAR PROVISIONS FOR MINOR TRAFFICKING VICTIMS AND TO REQUIRE THE MINOR TO BE REFERRED TO THE DEPARTMENT OF SOCIAL SERVICE; BY ADDING SECTION 16-25-130 SO AS TO ESTABLISH THE ADDRESS CONFIDENTIALITY PROGRAM WITHIN THE ATTORNEY GENERAL'S OFFICE TO PROTECT THE VICTIMS OF DOMESTIC VIOLENCE, HUMAN TRAFFICKING, STALKING, HARASSMENT, AND OTHER SEXUAL OFFENSES; BY AMENDING SECTION 16-3-910, RELATING TO KIDNAPPING, SO AS TO ALLOW SENTENCING FOR THE CRIME OF KIDNAPPING AND OTHER CRIMES; BY ADDING SECTION 16-15-340 SO AS TO CREATE THE OFFENSE OF LURING AND PROVIDE A PENALTY AND DEFENSES TO PROSECUTION; AND TO PROVIDE THAT CERTAIN PROVISIONS IN THIS ACT ARE RETROACTIVE.

/s/Sen. Hutto	/s/Rep. Bernstein
/s/Sen. Gustafson	/s/Rep. Guest
/s/Sen. Adams	/s/Rep. Connell
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has requested and was granted Free Conference Powers and has appointed Reps. Bernstein, Guest and Connell to the Committee of Free Conference on the part of the House on:

S. 142 -- Senators Shealy, Gustafson, Goldfinch, Hutto, Jackson, Campsen, McLeod, Setzler and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION

16-3-2010, RELATING TO THE DEFINITION OF "SEX TRAFFICKING", SO AS TO EXPAND THE DEFINITION TO INCLUDE SEXUAL EXPLOITATION OF A MINOR AND PROMOTING OR PARTICIPATING IN PROSTITUTION OF A MINOR; AND BY AMENDING SECTION 16-3-2020, RELATING TO TRAFFICKING IN PERSONS, PENALTIES, MINOR VICTIMS AND DEFENSES, SO AS TO PROVIDE THAT A SEX TRAFFICKING VICTIM MAY RAISE DURESS AND COERCION AS AN AFFIRMATIVE DEFENSE TO NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM MAY NOT BE CONVICTED FOR NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, AND TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM CANNOT BE FOUND IN VIOLATION OF OR BE THE SUBJECT OF A DELINQUENCY PETITION IF THE MINOR'S CONDUCT WAS A DIRECT RESULT OF OR INCIDENTAL TO OR RELATED TO TRAFFICKING; AND SO AS TO PROVIDE THAT THE PROVISIONS IN THIS ACT ARE RETROACTIVE.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Free Conference on:

S. 142 -- Senators Shealy, Gustafson, Goldfinch, Hutto, Jackson, Campsen, McLeod, Setzler and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-2010, RELATING TO THE DEFINITION OF "SEX TRAFFICKING", SO AS TO EXPAND THE DEFINITION TO INCLUDE SEXUAL EXPLOITATION OF A MINOR AND PROMOTING OR PARTICIPATING IN PROSTITUTION OF A MINOR; AND BY AMENDING SECTION 16-3-2020, RELATING TO TRAFFICKING IN PERSONS, PENALTIES, MINOR VICTIMS AND DEFENSES, SO AS TO PROVIDE THAT A SEX TRAFFICKING VICTIM MAY RAISE DURESS AND COERCION AS AN AFFIRMATIVE DEFENSE TO NONVIOLENT OFFENSES

COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM MAY NOT BE CONVICTED FOR NONVIOLENT OFFENSES COMMITTED AS A DIRECT RESULT OR INCIDENT TO THE TRAFFICKING, AND TO PROVIDE THAT A MINOR SEX TRAFFICKING VICTIM CANNOT BE FOUND IN VIOLATION OF OR BE THE SUBJECT OF A DELINQUENCY PETITION IF THE MINOR'S CONDUCT WAS A DIRECT RESULT OF OR INCIDENTAL TO OR RELATED TO TRAFFICKING; AND SO AS TO PROVIDE THAT THE PROVISIONS IN THIS ACT ARE RETROACTIVE.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

S. 142 -- Senators Shealy, Gustafson, Goldfinch, Hutto, Jackson, Campsen, McLeod, Setzler and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-2010, RELATING TO THE DEFINITION OF "SEX TRAFFICKING", SO AS TO EXPAND THE DEFINITION TO INCLUDE SEXUAL EXPLOITATION OF A MINOR AND PROMOTING OR PARTICIPATING IN PROSTITUTION OF A MINOR; BY AMENDING SECTION 16-3-2020, RELATING TO TRAFFICKING IN PERSONS, PENALTIES, MINOR VICTIMS AND DEFENSES, SO AS TO PROVIDE THAT A TRAFFICKING VICTIM MAY RAISE DURESS AND COERCION AS AN AFFIRMATIVE DEFENSE TO OFFENSES COMMITTED AS A DIRECT RESULT OR INTERRELATED TO TRAFFICKING, TO PROVIDE THAT A TRAFFICKING VICTIM MAY HAVE CERTAIN OFFENSES EXPUNGED IF THE OFFENSES WERE A DIRECT RESULT OR INTERRELATED TO BEING A VICTIM OF TRAFFICKING, AND TO PROVIDE SIMILAR PROVISIONS FOR MINOR TRAFFICKING VICTIMS AND TO REQUIRE THE MINOR TO BE REFERRED TO

THE DEPARTMENT OF SOCIAL SERVICES; BY ADDING SECTION 16-25-130 SO AS TO ESTABLISH THE ADDRESS CONFIDENTIALITY PROGRAM WITHIN THE ATTORNEY GENERAL'S OFFICE TO PROTECT THE VICTIMS OF DOMESTIC VIOLENCE, HUMAN TRAFFICKING, STALKING, HARASSMENT, AND OTHER SEXUAL OFFENSES; BY AMENDING SECTION 16-3-910, RELATING TO KIDNAPPING, SO AS TO ALLOW SENTENCING FOR THE KIDNAPPING OFFENSES WHEN ALSO SENTENCED FOR MURDER; BY ADDING SECTION 16-15-340 SO AS TO CREATE THE OFFENSE OF LURING A CHILD AND PROVIDE A PENALTY AND DEFENSES TO PROSECUTION; AND TO PROVIDE THAT CERTAIN PROVISIONS IN THIS ACT ARE RETROACTIVE.

Very respectfully,

Speaker of the House

Received as information.

S. 314--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 314 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-47-40, RELATING TO INFORMATION PROVIDED TO THE JOINT BOND REVIEW COMMITTEE, SO AS TO DELETE THE REQUIREMENT THAT THE COMMISSION ON HIGHER EDUCATION FROM FORWARDING AND COMMENTING ON THE SUBMISSION OF INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 2 47 50, RELATING TO PERMANENT IMPROVEMENT PROJECTS, SO AS TO REVISE THE DEFINITION OF PERMANENT IMPROVEMENT PROJECT; BY ADDING SECTION 2-47-52 SO AS TO EXEMPT CERTAIN PROJECTS FROM BEING CONSIDERED A PERMANENT IMPROVEMENT PROJECT; BY AMENDING SECTION 2-47-55, RELATING TO THE COMPREHENSIVE PERMANENT IMPROVEMENT PLAN, SO AS TO DELETE A REPORTING PROVISION; BY AMENDING SECTION 2-47-56, RELATING TO GIFTS IN KIND FOR ARCHITECTURAL AND ENGINEERING SERVICES, SO AS TO DEFINE "SOURCE OF FUNDS"; BY AMENDING SECTION 59-119-940 AND ACT 518 OF 1980, BOTH RELATING TO BORROWING LIMITATIONS AT CERTAIN INSTITUTIONS, SO AS TO INCREASE THE LIMIT; BY AMENDING SECTION 1-11-55, RELATING TO LEASE AGREEMENTS, SO AS TO INCREASE THE LIMIT OF LEASE

AGREEMENTS FOR CERTAIN INSTITUTIONS; AND BY REPEALING SECTION 59-103-110 RELATING TO THE APPROVAL OF NEW CONSTRUCTION AT CERTAIN INSTITUTIONS.

On motion of Senator TALLEY, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator TALLEY spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

S. 314--Conference Report

The General Assembly, Columbia, S.C., June 25, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 314 -- Senator Talley: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-157-10 SO AS TO PROVIDE CHAPTER DEFINITIONS; BY ADDING SECTION 59-157-30 SO AS TO REQUIRE CERTAIN PERMANENT IMPROVEMENT PROJECTS OVER THRESHOLD AMOUNTS FOR HIGHER INSTITUTIONS TO BE SUBMITTED FOR REVIEW TO THE COMMISSION ON HIGHER EDUCATION AND JOINT BOND REVIEW COMMITTEE AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY FOR APPROVAL AFTER FULL ARCHITECTURE AND ENGINEERING DESIGN WORK IS COMPLETED BUT PRIOR TO THE EXECUTION OF A CONSTRUCTION CONTRACT, TO ALLOW THE CHAIRMAN OF JOINT BOND REVIEW COMMITTEE TO REQUEST A REVIEW AND COMMENT ON ANY OTHER PERMANENT IMPROVEMENT PROJECT; BY ADDING SECTION 59-157-40 SO AS TO EXEMPT CERTAIN HIGHER EDUCATION PERMANENT IMPROVEMENT PROJECTS FROM THE REQUIREMENTS OF SECTION 2-47-50 AND TO REQUIRE THE GOVERNING BOARDS TO REPORT ANNUALLY TO THE COMMISSION ON HIGHER EDUCATION, THE JOINT BOND REVIEW COMMITTEE, AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY OF ALL PROJECTS APPROVED; BY ADDING SECTION 59-157-50 SO AS TO REQUIRE THE BOARD OF TRUSTEES TO PROVIDE ON AN ANNUAL BASIS A REPORT OF PROPERTY ACQUIRED AND ANY CAPITAL PROJECTS THAT ARE EXEMPT BY OPERATION OF SECTION 59-157-40.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 2-47-40 of the S.C. Code is amended to read:

Section 2-47-40. (A) To assist the authority and the Joint Bond Review Committee in carrying out their respective responsibilities, any agency or institution requesting or receiving funds from any source for use in the financing of any permanent improvement project, as a

minimum, shall provide to the authority, in such form and at such times as the authority, after review by the committee, may prescribe:

(1) a complete description of the proposed project;

(2) a statement of justification for the proposed project;

(3) a statement of the purposes and intended uses of the proposed project;

(4) the estimated total cost of the proposed project;

(5) an estimate of the additional future annual operating costs associated with the proposed project;

(6) a statement of the expected impact of the proposed project on the five-year operating plan of the agency or institution proposing the project;

(7) a proposed plan of funding for ~~financing~~ the project, specifically identifying funds proposed from sources other than capital improvement bond authorizations; and

(8) the specification of the priority of each project among those proposed.

(B) ~~All institutions of higher learning shall submit permanent improvement project proposal and justification statements to the authority, through the Commission on Higher Education, which shall forward all such statements and all supporting documentation received to the authority together with its comments and recommendations. The recommendations of the Commission on Higher Education, among other things, shall include all of the permanent improvement projects requested by the several institutions listed in the order of priority deemed appropriate by the Commission on Higher Education without regard to the sources of funds proposed for the financing of the projects requested.~~

The authority shall forward a copy of each project proposal and justification statement and supporting documentation received together with the authority's recommendations on such projects to the committee for its review and action. ~~The recommendations of the Commission on Higher Education shall be included in the materials forwarded to the committee by the authority.~~

(C) No provision in this section or elsewhere in this chapter, shall be construed to limit in any manner the prerogatives of the committee and the General Assembly with regard to recommending or authorizing permanent improvement projects and the funding such projects may require.

SECTION 2. Section 2-47-50 of the S.C. Code is amended to read:

Section 2-47-50. (A) The authority shall establish formally each permanent improvement project before actions of any s~~ort which~~

implement the project in ~~any way may be undertaken and no~~ expenditure of any funds for any services or for any other project purpose contracted for, delivered, or otherwise provided prior to the date of the formal action ~~of the authority~~ to establish the project ~~shall be approved. State agencies and institutions may advertise and interview for project architectural and engineering services for a pending project so long as the architectural and engineering contract is not awarded until after a state project number is assigned. After~~ the committee has reviewed ~~the form to be used to request the~~ establishment of permanent improvement projects ~~and has reviewed the time schedule for considering such requests as proposed by the authority, requests to establish permanent improvement projects shall~~ be made in such form and at such times as the ~~authority~~ may require.

(B) Any proposal to ~~finance~~ all or any part of any project using any funds not previously authorized specifically for the project ~~by the General Assembly or~~ using any funds not previously approved for the project ~~by the authority and reviewed by the committee shall~~ be referred to the committee for review prior to approval by the ~~authority~~.

(C) Any proposed revision of the scope or ~~of~~ the budget of an established permanent improvement project deemed ~~by the authority~~ to be substantial ~~shall~~ be referred to the committee for its review prior to any final action ~~by the authority. In making their determinations regarding changes in project scope, the authority, and the committee shall utilize the~~ permanent improvement project proposal ~~and~~ justification statements, ~~together with~~ any supporting documentation, considered at the time the project was authorized or established ~~originally~~. Any proposal to increase the budget of a previously approved project using any funds not previously approved for the project ~~by the authority and reviewed by the committee shall~~ in all cases be deemed to be a substantial revision of a project budget ~~which shall~~ be referred to the committee for review. The committee ~~shall~~ be advised promptly of all actions taken ~~by the authority which~~ approve revisions in the scope ~~of~~ or the budget of any previously established permanent improvement project not deemed substantial ~~by the authority~~.

(D) For purposes of this chapter, a ~~with regard to all institutions of higher learning,~~ permanent improvement or a permanent improvement project is any improvement meeting the definition of a capital improvement under generally accepted accounting principles including, without limitation ~~defined as~~:

(1) acquisition of land ~~, regardless of cost, with staff level review of the committee and the State Fiscal Accountability Authority, up to two hundred fifty thousand dollars~~;

(2) acquisition, as opposed to the construction, of buildings or other structures~~, regardless of cost, with staff level review of the committee and the State Fiscal Accountability Authority, up to two hundred fifty thousand dollars~~;

(3) ~~work on existing facilities for any given project including their renovation, repair, maintenance, alteration, or demolition in those instances in which the total cost of all work involved is one million dollars or more;~~

~~(4) architectural and engineering and other types of planning and design work, regardless of cost, which is intended to result in a permanent improvement project. Master plans and feasibility studies are not permanent improvement projects and are not to be included;~~

~~(5)~~ capital lease purchase of any~~a~~ facility acquisition or construction ~~in which the total cost is one million dollars or more~~;

(4) new construction;

(5) work on existing facilities including their renovation, repair, maintenance, alteration, or demolition;

(6) architectural and engineering and other types of planning and design work that is intended to result in a permanent improvement project; excluding, however, master plans and feasibility studies;

(7)~~(6)~~ equipment that either becomes a permanent fixture of a facility or does not become permanent but is included in the construction contract ~~shall be included as a part of a project in which the total cost is one million dollars or more~~; and

(8)~~(7)~~ any project ~~new construction of a facility that exceeds a total cost of five hundred thousand dollars.~~

~~(E) Any permanent improvement project that meets the above definition must become a project, regardless of the source of funds. However, an institution of higher learning that has been~~ authorized ~~or~~ by the General Assembly including, without limitation, any project funded by appropriated capital improvement bond funds, capital reserve funds, ~~or~~ state appropriated funds, or state infrastructure bond funds ~~by the General Assembly for capital improvements shall process a permanent improvement project, regardless of the amount~~.

(E) Any capital improvement that meets the above definition must be established as a permanent improvement project in accordance with the provisions of this chapter, regardless of the source of funds.

~~(F) For purposes of establishing permanent improvement projects, Clemson University Public Service Activities (Clemson PSA) and South Carolina State University Public Service Activities (SC State PSA) are subject to the provisions of this chapter.~~

SECTION 3. Chapter 47, Title 2 of the S.C. Code is amended by adding:

Section 2-47-52. (A) For purposes of this chapter, except as provided in subsection (B), permanent improvement projects are subject to review by the committee and approval by the authority where the costs of the permanent improvements exceed two hundred fifty thousand dollars; provided, however, that acquisitions of land, buildings or other structures, and capital lease purchases of facility acquisitions or construction as defined in items (1), (2), and (3) of Section 2-47-50(D) are subject to review by the committee regardless of cost.

(B) For purposes of this chapter, permanent improvement projects proposed by public institutions of higher learning as defined in Section 59-103-5, including their related public service activities, are exempt from the requirements of Section 2-47-50 where the costs of the permanent improvements do not exceed ten million dollars for research universities as identified in Section 11-51-30(5) or two million five hundred thousand dollars for all other public institutions of higher learning so long as the institution's governing board votes to approve the project in a public session; provided, however, that acquisitions of land, buildings or other structures, and capital lease purchases of facility acquisitions or construction as defined in items (1), (2), and (3) of Section 2-47-50(D) are subject to review by the committee regardless of cost. Institutions shall provide a report of projects approved by their governing boards pursuant to this subsection, and work on existing facilities including their renovation, repair, maintenance, alteration, or demolition, to the Joint Bond Review Committee and the State Fiscal Accountability Authority of the previous fiscal year's approved projects that meet the same criteria of this subsection by November fifteenth of each year.

(C) State agencies and institutions may advertise, interview, and engage the services of professional firms for architectural, engineering, planning, and design work as set forth in Section 2-47-50(D)(6) to inform the project estimate prior to the review of the committee; provided, however, that the costs of such engagements do not exceed ten million dollars for research universities as identified in Section 11-51-30(5), two million five hundred thousand dollars for all other public institutions of higher learning, or two hundred fifty thousand dollars for all other agencies subject to the provisions of this chapter.

(D) Notwithstanding any other provision of this section, the committee may establish reporting and other requirements.

(E) Where the funding for a proposed permanent improvement project

includes proceeds from the issuance of bonds or other indebtedness, including any obligation for an agency or institution to make payments pursuant to a lease or other agreement securing indebtedness in connection with or on behalf of the permanent improvement project, approval of the permanent improvement project is the responsibility of the Department of Administration, and approval of the issuance of bonds, where required pursuant to the applicable bond enabling act, or other indebtedness in accordance with the provisions of this subsection, is the responsibility of the State Fiscal Accountability Authority.

SECTION 4. Section 2-47-55 and Section 2-47-56 are amended to read:

Section 2-47-55. ~~(A)~~ All state agencies and institutions of higher learning responsible for providing and maintaining physical facilities are required to ~~submit~~ maintain a Comprehensive Permanent Improvement Plan (CPIP). The CPIP must include all of the agency's or institution's permanent improvement projects anticipated and proposed over the ~~next~~ five succeeding years ~~beginning with the fiscal year starting July first~~ after submission. ~~The purpose of the CPIP process is to provide the authority and the committee with an outline of each agency's permanent improvement activities for the next five years.~~ Agencies and institutions of higher learning must submit a CPIP to the Department of Administration by September first of each year. The department must compile the plans and submit a comprehensive statewide permanent improvement plan to the committee and the authority ~~on or before a date to be determined by the committee and the authority. The CPIP for each higher education agency, including the technical colleges, must be submitted through the Commission on Higher Education which must review the CPIP and provide its recommendations to the authority and the committee~~ by January first of each year. The authority and the committee must approve the ~~CPIP~~ comprehensive statewide permanent improvement plan after submission and may develop policies and procedures to implement and accomplish the purposes of this section.

~~(B) The State shall define a permanent improvement only in terms of capital improvements, as defined by generally accepted accounting principles, for reporting purposes to the State.~~

Section 2-47-56. ~~Each state agency and institution may accept gifts in kind for architectural and engineering services and construction of a value less than two hundred fifty thousand dollars with the approval of the Commission of Higher Education or its designated staff, the director of the department, and the Joint Bond Review Committee or its designated staff. No other approvals or procedural requirements, including the provisions of Section 11-35-10, may be imposed on the~~

~~acceptance of such gifts.~~ For purposes of this chapter, the term "source of funds" includes, without limitation, gifts, gifts-in-kind, and donations; and when used as a financial resource to defray any cost of a permanent improvement project, the amount of the source of funds from such gifts, gifts-in-kind, and donations is the value of the gift, gift-in-kind, or donation. Each state agency and institution may accept gifts-in-kind for architectural and engineering services and construction following review by the committee or its designated staff in accordance with the provisions of Section 2-47-52. Such gifts are exempt from the provisions of Section 11-35-10.

SECTION 5.A. Section 59-119-940 of the S.C. Code is amended to read:

Section 59-119-940. Upon receiving the approval of the State Fiscal Accountability Authority or the Department of Administration, as appropriate, and upon review by the Joint Bond Review Committee, the trustees may from time to time borrow such sums as necessary to accomplish the purpose of this article and to evidence such borrowings by bonds issued pursuant to this article in the aggregate principal amount as they determine, except that other provisions of this article to the contrary notwithstanding, there must not be outstanding at any time bonds issued pursuant to this article in the aggregate principal amount as they determine, except that other provisions of this article to the contrary notwithstanding, there must not be outstanding at any time bonds issued pursuant to this article in excess of ~~two~~ five hundred million dollars.

B. SECTION 9D. of Act 518 of 1980, as last amended by Act 17 of 2007, is further amended to read:

D. May Issue Bonds.

Subject to obtaining the approval of the state board expressed by resolution duly adopted, the trustees are authorized to issue from time to time not exceeding ~~two~~ five hundred million dollars of bonds for the purpose of acquiring, constructing, reconstructing, renovating, or equipping athletic facilities and for the purpose of refunding any previous series of bonds authorized by this section. If the trustees, in authorizing the issuance of bonds pursuant to this section, prescribe by resolution that there must be on deposit in the Bond Reserve Fund certain sums at the time of the delivery of the bonds, the trustees are empowered to utilize a portion of the proceeds of any series of bonds issued pursuant to this section in order to meet the requirement.

SECTION 6. Section 1-11-55(2) of the S.C. Code is amended to read:

(2) The Division of General Services of the Department of Administration is hereby designated as the single central broker for the

leasing of real property for governmental bodies. No governmental body shall enter into any lease agreement or renew any existing lease except in accordance with the provisions of this section. However, a technical college, with the approval by the State Board for Technical and Comprehensive Education, and a public institution of higher learning, may enter into any lease agreement or renew any lease agreement up to ~~one~~ two hundred thousand dollars annually for each property or facility.

SECTION 7. Section 59-103-110 of the S.C. Code is repealed.

SECTION 8. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 9. This act takes effect upon approval by the Governor.

Amend title to read:

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-47-40, RELATING TO INFORMATION PROVIDED TO THE JOINT BOND REVIEW COMMITTEE, SO AS TO DELETE THE REQUIREMENT THAT THE COMMISSION ON HIGHER EDUCATION FROM FORWARDING AND COMMENTING ON THE SUBMISSION OF INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 2-47-50, RELATING TO PERMANENT IMPROVEMENT PROJECTS, SO AS TO REVISE THE DEFINITION OF PERMANENT IMPROVEMENT PROJECT; BY ADDING SECTION 2-47-52 SO AS TO EXEMPT CERTAIN PROJECTS FROM BEING CONSIDERED A PERMANENT IMPROVEMENT PROJECT; BY AMENDING SECTION 2-47-55, RELATING TO THE COMPREHENSIVE PERMANENT IMPROVEMENT PLAN, SO AS TO DELETE A REPORTING PROVISION; BY AMENDING SECTION 2-47-56, RELATING TO GIFTS IN KIND FOR ARCHITECTURAL AND ENGINEERING SERVICES, SO AS TO DEFINE "SOURCE OF FUNDS"; BY AMENDING SECTION 59-119-940 AND ACT 518 OF 1980, BOTH RELATING TO BORROWING LIMITATIONS AT CERTAIN

INSTITUTIONS, SO AS TO INCREASE THE LIMIT; BY AMENDING SECTION 1-11-55, RELATING TO LEASE AGREEMENTS, SO AS TO INCREASE THE LIMIT OF LEASE AGREEMENTS FOR CERTAIN INSTITUTIONS; AND BY REPEALING SECTION 59-103-110 RELATING TO THE APPROVAL OF NEW CONSTRUCTION AT CERTAIN INSTITUTIONS.

/s/Sen. Peeler	/s/Rep. Ballentine
/s/Sen. Talley	/s/Rep. Cobb-Hunter
/s/Sen. Setzler	/s/Rep. Taylor
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 314 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-47-40, RELATING TO INFORMATION PROVIDED TO THE JOINT BOND REVIEW COMMITTEE, SO AS TO DELETE THE REQUIREMENT THAT THE COMMISSION ON HIGHER EDUCATION FROM FORWARDING AND COMMENTING ON THE SUBMISSION OF INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 2 47 50, RELATING TO PERMANENT IMPROVEMENT PROJECTS, SO AS TO REVISE THE DEFINITION OF PERMANENT IMPROVEMENT PROJECT; BY ADDING SECTION 2-47-52 SO AS TO EXEMPT CERTAIN PROJECTS FROM BEING CONSIDERED A PERMANENT IMPROVEMENT PROJECT; BY AMENDING SECTION 2-47-55, RELATING TO THE COMPREHENSIVE PERMANENT IMPROVEMENT PLAN, SO AS TO DELETE A REPORTING PROVISION; BY AMENDING SECTION 2-47-56, RELATING TO GIFTS IN KIND FOR ARCHITECTURAL AND ENGINEERING SERVICES, SO AS TO DEFINE “SOURCE OF FUNDS”; BY AMENDING SECTION 59-119-940 AND ACT 518 OF 1980, BOTH RELATING TO BORROWING LIMITATIONS AT CERTAIN INSTITUTIONS, SO AS TO INCREASE THE LIMIT; BY AMENDING SECTION 1-11-55, RELATING TO LEASE AGREEMENTS, SO AS TO INCREASE THE LIMIT OF LEASE

AGREEMENTS FOR CERTAIN INSTITUTIONS; AND BY REPEALING SECTION 59-103-110 RELATING TO THE APPROVAL OF NEW CONSTRUCTION AT CERTAIN INSTITUTIONS.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

S. 314 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-47-40, RELATING TO INFORMATION PROVIDED TO THE JOINT BOND REVIEW COMMITTEE, SO AS TO DELETE THE REQUIREMENT THAT THE COMMISSION ON HIGHER EDUCATION FROM FORWARDING AND COMMENTING ON THE SUBMISSION OF INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 2 47 50, RELATING TO PERMANENT IMPROVEMENT PROJECTS, SO AS TO REVISE THE DEFINITION OF PERMANENT IMPROVEMENT PROJECT; BY ADDING SECTION 2-47-52 SO AS TO EXEMPT CERTAIN PROJECTS FROM BEING CONSIDERED A PERMANENT IMPROVEMENT PROJECT; BY AMENDING SECTION 2-47-55, RELATING TO THE COMPREHENSIVE PERMANENT IMPROVEMENT PLAN, SO AS TO DELETE A REPORTING PROVISION; BY AMENDING SECTION 2-47-56, RELATING TO GIFTS IN KIND FOR ARCHITECTURAL AND ENGINEERING SERVICES, SO AS TO DEFINE “SOURCE OF FUNDS”; BY AMENDING SECTION 59-119-940 AND ACT 518 OF 1980, BOTH RELATING TO BORROWING LIMITATIONS AT CERTAIN INSTITUTIONS, SO AS TO INCREASE THE LIMIT; BY AMENDING SECTION 1-11-55, RELATING TO LEASE AGREEMENTS, SO AS TO INCREASE THE LIMIT OF LEASE AGREEMENTS FOR CERTAIN INSTITUTIONS; AND BY REPEALING SECTION 59-103-110 RELATING TO THE

APPROVAL OF NEW CONSTRUCTION AT CERTAIN INSTITUTIONS.
Very respectfully,
Speaker of the House

Received as information.

S. 577--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 577 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-8-530, SECTION 12-8-540, SECTION 12-8-570, SECTION 12-8-580, AND SECTION 12-8-595, ALL RELATING TO THE WITHHOLDING OF INCOME TAXES, SO AS TO UPDATE A REFERENCE TO THE TOP MARGINAL INCOME TAX RATE.

On motion of Senator SETZLER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator SETZLER spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens

Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

S. 577--Conference Report
The General Assembly, Columbia, S.C., June 25, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 577 -- Senator Alexander: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-8-530, SECTION 12-8-540, SECTION 12-8-570, SECTION 12-8-580, AND SECTION 12-8-595, ALL RELATING TO THE WITHHOLDING OF INCOME TAXES, SO AS TO UPDATE A REFERENCE TO THE TOP MARGINAL INCOME TAX RATE.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 12-8-530(A) of the S.C. Code is amended to read:

(A) A person distributing prizes or winnings to a resident or nonresident of five hundred dollars or more shall withhold ~~seven percent~~ a percentage equal to the maximum individual tax rate of each distribution made to an individual, partnership, trust, or estate and five percent of each distribution made to a corporation or other entity.

SECTION 2. Section 12-8-540(A) of the S.C. Code is amended to read:

(A) A person making rent or royalty payments to a nonresident of twelve hundred dollars in any calendar year or more annually for the use or privilege of using property in this State shall withhold ~~seven percent~~ a percentage equal to the maximum individual tax rate of each payment to a nonresident individual, partnership, trust, or estate and five percent of each payment to a nonresident corporation or any other nonresident entity.

SECTION 3. Section 12-8-570(A) of the S.C. Code is amended to read:

(A) A trust or estate making a distribution of South Carolina taxable

income to a nonresident beneficiary must withhold ~~seven percent~~ a percentage equal to the maximum individual tax rate of the beneficiary's distribution which is attributable to South Carolina taxable income. The amounts withheld must be remitted to the department at the time estimated tax payments are due.

SECTION 4. Section 12-8-580(A) of the S.C. Code is amended to read:

(A)(1) A person who purchases real property, or real property and associated tangible personal property, from a nonresident seller shall withhold:

(a) ~~seven percent~~ a percentage equal to the maximum individual tax rate of the gain recognized on the sale by a nonresident individual, partnership, trust, or estate and five percent for a nonresident corporation or other nonresident entity if the seller provides the buyer with an affidavit, described in subsection (E), stating the amount of gain;

(b) ~~seven percent~~ a percentage equal to the maximum individual tax rate of the amount realized on the sale for a nonresident individual, partnership, trust, or estate and five percent by a nonresident corporation or any other nonresident entity if the seller does not provide the buyer with an affidavit described in subsection (E); or

(c) the entire net proceeds payable to the nonresident seller, if the amount required to be withheld in subitem (1) or (2) exceeds the net proceeds payable to the seller.

(2) If a seller finances all or part of the transaction, in lieu of remitting the tax due on each installment payment, the seller may give the buyer an affidavit stating that, for state income tax purposes, he will elect out of installment sales treatment, as defined by Section 453 of the Internal Revenue Code, and remit the entire amount of tax to be due over the period of the installment agreement.

SECTION 5. Section 12-8-595(A) of the S.C. Code is amended to read:

(A) A withholding agent, as defined in Section 12-8-10, shall withhold state income tax at the same rate ~~of seven percent~~ as the maximum individual income tax rate of the amount of compensation paid to an individual, which compensation is reported on Form 1099 and with respect to which the individual has:

(1) failed to provide a taxpayer identification number or social security number;

(2) failed to provide a correct taxpayer identification number or social security number; or

(3) provided an Internal Revenue Service issued taxpayer identification number issued for nonresident aliens.

SECTION 6. Section 12-2-140(A) and (B) of the S.C. Code is amended

to read:

(A) Each state agency and each political subdivision of the State, is authorized, as necessary to comply with Internal Revenue Service Publication 1075, including amendments thereto and publications replacing Publication 1075, to obtain state and national criminal history background checks and investigations performed by the State Law Enforcement Division and the Federal Bureau of Investigation on all applicants, prospective employees, employees, subcontractors, and contractors with access to federal tax information. The State Law Enforcement Division is authorized to conduct fingerprint-based state and national background checks for state agencies, state institutions, and political subdivisions of the State which have access to federal tax information in order to comply with Publication 1075.

(B) An applicant, prospective employee, employee, subcontractor, or contractor of a state agency or a political subdivision of the State with access to or that uses federal tax information must:

(1) agree to a national background check and the release of all investigative records to the applicable state agency or political subdivision for the purpose of verifying criminal history information for noncriminal justice purposes; and

(2) supply a fingerprint sample and submit to a state criminal history background check and investigation to be conducted by the State Law Enforcement Division, and then submit to a national criminal history background check to be conducted by the Federal Bureau of Investigation.

SECTION 7. This act takes effect upon approval by the Governor..

Amend title to read:

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-8-530, SECTION 12-8-540, SECTION 12-8-570, SECTION 12-8-580, AND SECTION 12-8-595, ALL RELATING TO THE WITHHOLDING OF INCOME TAXES, SO AS TO UPDATE A REFERENCE TO THE TOP MARGINAL INCOME TAX RATE; AND BY AMENDING SECTION 12-2-140, RELATING TO ACCESS TO FEDERAL TAX INFORMATION, SO AS TO REQUIRE CERTAIN INDIVIDUALS WITH SUCH ACCESS TO HAVE RECEIVED A BACKGROUND CHECK.

/s/Sen. Peeler	/s/Rep. Whitmire
/s/Sen. Alexander	/s/Rep. Hayes
/s/Sen. Setzler	/s/Rep. Willis
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 577 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-8-530, SECTION 12-8-540, SECTION 12-8-570, SECTION 12-8-580, AND SECTION 12-8-595, ALL RELATING TO THE WITHHOLDING OF INCOME TAXES, SO AS TO UPDATE A REFERENCE TO THE TOP MARGINAL INCOME TAX RATE; AND BY AMENDING SECTION 12-2-140, RELATING TO ACCESS TO FEDERAL TAX INFORMATION, SO AS TO REQUIRE CERTAIN INDIVIDUALS WITH SUCH ACCESS TO HAVE RECEIVED A BACKGROUND CHECK.

Very respectfully,

Speaker of the House

Received as information.

S. 577--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

S. 577 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-8-530, SECTION 12-8-540, SECTION 12-8-570, SECTION 12-8-580, AND SECTION 12-8-595, ALL RELATING TO THE WITHHOLDING OF INCOME TAXES, SO AS TO UPDATE A REFERENCE TO THE TOP MARGINAL INCOME TAX RATE.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

S. 862--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 862 -- Senators Shealy and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-30, RELATING TO CAREGIVER REQUIREMENTS, SO AS TO PROVIDE FOR EDUCATIONAL AND PRE-SERVICE TRAINING REQUIREMENTS.

On motion of Senator SHEALY, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator SHEALY spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

S. 862--Conference Report

The General Assembly, Columbia, S.C., June 06, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

S 862 -- Senators Shealy and Gustafson: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-30,

RELATING TO CAREGIVER REQUIREMENTS, SO AS TO PROVIDE FOR EDUCATIONAL AND PRE-SERVICE TRAINING REQUIREMENTS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 63-13-30 of the S.C. Code is amended to read:

Section 63-13-30. (A) A caregiver who begins employment in a licensed or approved childcare center in South Carolina after June 30, 1994, must have at least a high school diploma ~~or General Educational Development (GED)~~, a high school equivalency credential recognized by the State Board of Education, Certificate of Completion, or a South Carolina High School Employability Credential ~~and at least six months' experience as a caregiver in a licensed or approved childcare facility. If a caregiver does not meet the experience requirements, the caregiver must be directly supervised for six months by a staff person with at least one year experience as a caregiver in a licensed or approved childcare facility~~. Within ~~six months~~ thirty days of being employed, a caregiver must ~~have six clock hours of training in child growth and development and early childhood education or shall continue to be under the direct supervision of a caregiver who has at least one year of experience as a caregiver in a licensed or approved childcare facility~~complete fifteen hours of health and safety service provider training. The caregiver shall be directly supervised for a period of at least thirty days by a staff person with at least one year of experience as a caregiver in a licensed or approved childcare facility and until such time as the caregiver has completed the required health and safety service provider training, provided the caregiver is also in compliance with Section 63-13-40 relating to required background checks.

(B) A caregiver who has ~~two years'~~ a high school diploma, a high school equivalency credential recognized by the State Board of Education, Certificate of Completion, or a South Carolina High School Employability Credential and at least six months' experience as a caregiver in a licensed or approved facility and is employed as of July 1, 1994, in a licensed or approved childcare center in South Carolina is exempt from the ~~high school diploma and General Educational Development (GED)~~ requirements of subsection (A).

SECTION 2. Section 63-13-20(22), (23), and (26) of the S.C. Code is amended to read:

(22) "Regular approval" means a written notice issued by the department for a ~~two-year~~ three-year period to a department, agency, or institution of the State, or a county, city, or other political subdivision, approving the operation of a public childcare center or group childcare home in accordance with the provisions of the notice, this chapter, and the regulations of the department. The department shall begin issuing the written notices for regular approval beginning with the Calendar Year 2025.

(23) "Regular license" means a license issued by the department for ~~two~~ three years to an operator of a private childcare center or group childcare home or a family childcare home which elects to be licensed showing that the licensee is in compliance with the provisions of this chapter and the regulations of the department at the time of issuance and authorizing the licensee to operate in accordance with the license, this chapter, and the regulations of the department. The department shall begin issuing the written notices for regular approval beginning with the Calendar Year 2025.

(26) "Renewal" means in regard to childcare centers and group childcare homes, to grant an extension of a regular license or regular approval for another ~~two-year~~ three-year period provided an investigation of such facilities verifies that they are in compliance with the applicable regulations, in regard to family childcare homes, to place the name of the operator on the registration list for another year provided procedures indicated in this chapter have been completed. The department shall begin issuing the written notices for regular approval beginning with the Calendar Year 2025.

SECTION 3. This act takes effect five business days after approval by the Governor.

Amend title to read:

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-30, RELATING TO CAREGIVER REQUIREMENTS, SO AS TO PROVIDE FOR EDUCATIONAL AND PRESERVICE TRAINING REQUIREMENTS; AND BY AMENDING SECTION 63-13-20, RELATING TO CHILDCARE FACILITY DEFINITIONAL TERMS, SO AS TO CHANGE CERTAIN DEFINITIONS.

/s/Sen. Shealy	/s/Rep. Erickson
/s/Sen. Young	/s/Rep. Hartnett
/s/Sen. McElveen	/s/Rep. J.L. Johnson
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 862 -- Senators Shealy and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-30, RELATING TO CAREGIVER REQUIREMENTS, SO AS TO PROVIDE FOR EDUCATIONAL AND PRE-SERVICE TRAINING REQUIREMENTS.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

S. 862 -- Senators Shealy and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-30, RELATING TO CAREGIVER REQUIREMENTS, SO AS TO PROVIDE FOR EDUCATIONAL AND PRESERVICE TRAINING REQUIREMENTS; AND BY AMENDING SECTION 63-13-20, RELATING TO CHILDCARE FACILITY DEFINITIONAL TERMS, SO AS TO CHANGE CERTAIN DEFINITIONS.

Very respectfully,

Speaker of the House

Received as information.

S. 969--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 969 -- Senators Alexander, Peeler, Setzler, K. Johnson, Young, Malloy, Senn, Stephens, McLeod and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING

SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.

On motion of Senator DAVIS, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator DAVIS spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

S. 969--Conference Report

The General Assembly, Columbia, S.C., June 24, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 969 -- Senators Alexander, Peeler, Setzler, K. Johnson, Young, Malloy, Senn, Stephens, McLeod and Gustafson: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 12-6-1140(6) of the S.C. Code is amended to read:

(6) a subsistence allowance of ~~eight~~ sixteen dollars a day for federal, state, and local law enforcement officers paid by a political subdivision of this State, the government of this State, or the federal government, for each regular work day in a taxable year and full-time firefighters and emergency medical service personnel may deduct as a subsistence allowance ~~eight~~ sixteen dollars a day for each regular work day in a taxable year;

SECTION 2. Section 12-6-1140(10)(b) of the S.C. Code is amended to read:

(b) An individual may receive only one deduction pursuant to this item. The Revenue and Fiscal Affairs Office annually shall estimate a maximum deduction that may be permitted under this section for a taxable year based on an individual income tax revenue loss of three million one hundred thousand dollars attributable to this deduction and shall certify that maximum deduction to the Department of Revenue and for the applicable taxable year, the maximum deduction amount must not exceed the lesser of the certified estimate or ~~three~~ six thousand dollars.

SECTION 3.A. Section 12-6-3800(A), (B), and (C) of the S.C. Code is amended to read:

(A) For the purposes of this section:

(1) "Independent institution of higher learning" has the same meaning as provided in Section 59-113-50.

(2) "Medical school-required clinical rotation", "physician assistant program-required clinical rotation", or "advanced practice nursing program-required clinical rotation" means a clinical rotation for a public teaching institution or independent institution of higher learning that:

(a) is established for a student who is enrolled in a South Carolina public teaching institution or an independent institution of higher learning, including:

(i) medical school;

(ii) a physician assistant program;

(iii) an advanced practice nursing program; and

(b) includes a minimum of one hundred sixty hours of instruction in one of the following clinical settings:

(i) family medicine;

(ii) internal medicine;

(iii) pediatrics;

(iv) obstetrics and gynecology;

(v) emergency medicine;

(vi) psychiatry; ~~or~~

(vii) general surgery under the guidance of a physician, advanced practice registered nurse, or physician assistant; or

(viii) specialty care including, but not limited to, dermatology, hematology, neurology, and oncology.

(3) "Preceptor" means a physician, advanced practice nurse practitioner, or physician assistant who provides supervision and instruction during student clinical training experiences, is otherwise not compensated for doing so, and provides a minimum of two required clinical rotations within a calendar year.

(B)~~(1)~~ There is allowed an income tax credit for each clinical rotation a physician serves as the preceptor for a medical school-required clinical rotation, advanced practice nursing program-required clinical rotation, and physician assistant program-required clinical rotation.

~~(2) If at least fifty percent of~~ If the physician's practice ~~consists of a combined total of~~ includes Medicaid insured~~,~~ or Medicare insured~~, and self-pay patients,~~ then the credit is equal to one thousand dollars for each rotation served, not to exceed four thousand dollars a year. The provider must be a Medicaid-participating provider and have a minimum of at least one hundred Medicaid and Medicare patients combined or be a free clinic.

~~(3) If at least thirty percent of the physician's practice consists of a combined total of Medicaid insured, Medicare insured, and self-pay patients, then the credit is equal to seven hundred fifty dollars for each rotation served, not to exceed three thousand dollars a year.~~

~~(4) If less than thirty percent of the physician's practice consists of a combined total of Medicaid insured, Medicare insured, and self-pay patients, then the credit is disallowed.~~

~~(5) The credits allowed by this subsection are not cumulative and may not be combined.~~

(C)~~(1)~~ There is allowed an income tax credit for each clinical rotation an advanced practice registered nurse or physician assistant serves as the preceptor for an advanced practice nursing or physician assistant-required clinical rotation. The credit is equal to one thousand dollars for each rotation served, not to exceed four thousand dollars a year. The provider must be a Medicaid-participating provider and have a minimum of at least one hundred Medicaid and Medicare patients combined or be a free clinic.

~~(2) If at least fifty percent of the advanced practice registered nurse's or physician assistant's practice consists of a combined total of Medicaid insured, Medicare insured, and self-pay patients, then the credit is equal to seven hundred fifty dollars for each rotation served, not to exceed three thousand dollars a year.~~

~~(3) If at least thirty percent of the advanced practice registered nurse's or physician assistant's practice consists of a combined total of Medicaid insured, Medicare insured, and self-pay patients, then the credit is equal to five hundred dollars for each rotation served, not to exceed two thousand dollars a year.~~

~~(4) If less than thirty percent of the advance practice registered nurse's or physician assistant's practice consists of a combined total of Medicaid insured, Medicare insured, and self-pay patients, then the credit is disallowed.~~

~~(5) The credits allowed by this subsection are not cumulative and may not be combined.~~

B. SECTION 4 of Act 45 of 2019 is amended to read:

SECTION 4. This act takes effect upon approval by the Governor and shall apply to Tax Years 2020 through ~~2025~~2029. Section 12-6-3800 and Section ~~12-6-1140( )~~ 12-6-1140(14) are repealed January 1, ~~2026~~2030.

C. This SECTION takes effect upon approval by the Governor and applies to Tax Years beginning after 2024.

SECTION 4.A. Section 4-37-30(A)(9) of the S.C. Code is amended to read:

(9) The tax authorized by this section is in addition to all other local sales and use taxes and applies to the gross proceeds of sales in the applicable jurisdiction which are subject to the tax imposed by Chapter 36 ~~of,~~ Title 12 and the enforcement provisions of Chapter 54 ~~of,~~ Title 12. The gross proceeds of the sale of items subject to a maximum tax in Chapter 36 ~~of,~~ Title 12 are exempt from the tax imposed by this section. The gross proceeds of the sale of food lawfully purchased with United States Department of Agriculture food stamps are exempt from the tax imposed by this section. For any tax authorized by this section pursuant to a referendum held on or after November 5, 2024, unprepared food items eligible for purchase with United States Department of Agriculture food coupons may be exempt from the tax imposed pursuant to this section at the election of the governing body of a county as may be provided in the authorizing ordinance required by item (1). The tax imposed by this section also applies to tangible personal property subject to the use tax in Article 13, Chapter 36 ~~of,~~ Title 12.

B. This SECTION takes effect upon approval by the Governor.

SECTION 5. This act takes effect upon approval by the Governor and applies to tax years beginning after 2023.

Amend title to read:

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS; BY AMENDING SECTION 12-6-3800, RELATING TO THE TAX CREDIT FOR SERVING AS A PRECEPTOR, SO AS TO AMEND DEFINITIONS AND ELIGIBILITY REQUIREMENTS; BY AMENDING ACT 45 OF 2019, RELATING TO THE PRECEPTOR TAX CREDIT, SO AS TO EXTEND THE PRECEPTOR TAX CREDIT FOR FOUR ADDITIONAL YEARS; AND BY AMENDING SECTION 4-37-30, RELATING TO SALES AND USE TAXES OR TOLLS AS REVENUE FOR TRANSPORTATION FACILITIES, SO AS TO PROVIDE FOR CERTAIN EXEMPTIONS FOR UNPREPARED FOOD ITEMS.

/s/Sen. Davis	/s/Rep. Herbkersman
/s/Sen. Turner	/s/Rep. B. Newton
/s/Sen. McElveen	/s/Rep. Dillard
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 969 -- Senators Alexander, Peeler, Setzler, K. Johnson, Young, Malloy, Senn, Stephens, McLeod and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.

Very respectfully,

Speaker of the House

Received as information.

S. 969--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

S. 969 -- Senators Alexander, Peeler, Setzler, K. Johnson, Young, Malloy, Senn, Stephens, McLeod and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

S. 1031--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

On motion of Senator MALLOY, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator MALLOY spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley

Tedder	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

S. 1031--Conference Report
The General Assembly, Columbia, S.C., June 04, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 1031 -- Senator Cromer: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Chapter 11, Title 35 of the S.C. Code is amended to read:

CHAPTER 11

South Carolina ~~Anti-Money Laundering~~Uniform Money Services Act

Article 1

General Provisions

Section 35-11-100. This chapter may be cited as the "South Carolina ~~Anti-Money Laundering~~ Uniform Money Services Act".

Section 35-11-105. As used in this chapter:

(1) "Acting in concert" means persons knowingly acting together with a common goal of jointly acquiring control of a licensee whether or not pursuant to an express agreement.

~~(1)~~(2) "Applicant" means a person that files an application for a

license pursuant to this act.

~~(2)~~(3) "Authorized delegate" means a person a licensee designates to provide money services on behalf of the licensee.

~~(3) "Bank" means an institution organized under federal or state law which:~~

~~(a) accepts demand deposits or deposits that the depositor may use for payment to third parties and which engages in the business of making commercial loans; or~~

~~(b) engages in credit card operations and maintains only one office that accepts deposits, does not accept demand deposits or deposits that the depositor may use for payments to third parties, does not accept a savings or time deposit less than one hundred thousand dollars, and does not engage in the business of making commercial loans.~~

(4) "Average daily money transmission liability" means the amount of the licensee's outstanding money transmission obligations in this State at the end of each day in a given period of time, added together, and divided by the total number of days in the given period of time. For purposes of calculating average daily money transmission liability under this chapter for any licensee required to do so, the given period of time must be the quarters ending March thirty-first, June thirtieth, September thirtieth, and December thirty-first.

(5) "Bank Secrecy Act" means the Bank Secrecy Act, 31 U.S.C. Section 5311, et seq., and its implementing regulations, as amended and recodified from time to time.

(6) "Closed-loop stored value" means stored value that is redeemable by the issuer only for goods or services provided by the issuer or its affiliate or franchisee of the issuer or its affiliate, except to the extent required by applicable law to be redeemable in cash for its cash value.

~~(4)~~(7) "Commissioner" means the South Carolina Attorney General.

~~(5)~~(8)(a) "Control" means:

~~(a)~~(i) ~~ownership of, or~~ the power to vote, directly or indirectly, at least twenty-five percent of ~~a class of voting securities~~ the outstanding voting shares or voting interests of a licensee or person in control of a licensee;

~~(b)~~(ii) the power to elect or appoint a majority of key individuals or executive officers, managers, directors, trustees, or other persons exercising managerial authority of a licensee or person in control of a licensee; or

~~(c)~~(iii) the power to exercise, directly or indirectly, a controlling influence over the management or policies of a licensee or person in control of a licensee.

(b)(i) A person is presumed to exercise a controlling influence when the person holds the power to vote, directly or indirectly, at least ten percent of the outstanding voting shares or voting interests of a licensee or person in control of a licensee.

(ii) A person presumed to exercise a controlling influence as defined by this subitem can rebut the presumption of control if the person is a passive investor.

(c) For purposes of determining the percentage of a person controlled by any other person, the person's interest must be aggregated with the interest of any other immediate family member, including the person's spouse, parents, children, siblings, mothers- and fathers-in-law, sons- and daughters-in-law, brothers- and sisters-in-law, and any other person who shares such person's home.

~~(6)~~(9) "Currency exchange" means receipt of revenues from the exchange of money of one government for money of another government.

(10) "Eligible rating" means a credit rating of any of the three highest rating categories provided by an eligible rating service, whereby each category may include rating modifiers such as "plus" or "minus" for S&P, or the equivalent for any other eligible rating service. Long-term credit ratings are considered to be eligible if the rating is equal to A- or higher by S&P, or the equivalent from any other eligible rating service. Short-term credit ratings are deemed eligible if the rating is equal to or higher than A-2 or SP-2 by S&P, or the equivalent from any other eligible rating service. In the event that ratings differ among eligible rating services, the highest rating shall apply when determining whether a security bears an eligible rating.

(11) "Eligible rating service" means any Nationally Recognized Statistical Rating Organization (NRSRO) as defined by the U.S. Securities and Exchange Commission, and any other organization designated by the Commissioner by rule or order.

~~(7)~~(12) "Executive officer" means a president, chairperson of the executive committee, chief financial officer, responsible individual, or other individual who performs similar functions.

(13) "Federally insured depository financial institution" means a bank, credit union, savings and loan association, trust company, savings association, savings bank, industrial bank, or industrial loan company organized under the laws of the United States or any state of the United States, when such bank, credit union, savings and loan association, trust company, savings association, savings bank, industrial bank, or industrial loan company has federally insured deposits.

(14) "In this State" means at a physical location within this State for a transaction requested in person. For a transaction requested electronically or by phone, the provider of the money transmission may determine if the person requesting the transaction is "in this State" by relying on other information provided by the person regarding the location of the individual's residential address or a business entity's principal place of business or other physical address location, and any records associated with the person that the provider of money transmission may have that indicate such location including, but not limited to, an address associated with an account.

(15) "Individual" means a natural person.

(16) "Key individual" means any individual ultimately responsible for establishing or directing policies and procedures of the licensee, such as an executive officer, manager, director, or trustee.

~~(8)~~(17) "Licensee" means a person licensed pursuant to this act.

(18) "Material litigation" means litigation, that according to United States Generally Accepted Accounting Principles, is significant to a person's financial health and would be required to be disclosed in the person's annual audited financial statements, report to shareholders, or similar records.

~~(9)~~(19) "Monetary value" means a medium of exchange, whether or not redeemable in money.

~~(10)~~(20) "Money" means a medium of exchange that is authorized or adopted by the United States or a foreign government. The term includes a monetary unit of account established by an intergovernmental organization or by agreement between two or more governments.

~~(11)~~(21) "Money services" means money transmission or currency exchange.

~~(12)~~(22)(a) "Money transmission" means any of the following:

(i) selling or issuing payment instruments to a person located in this State~~,~~;

(ii) selling or issuing stored value to a person located in this State~~,~~; or

(iii) receiving money ~~or monetary value~~ for transmission in this State.

(b) The term does not include the provision solely of delivery, online or telecommunications services, or network access.

(23) "MSB - accredited state" means a state agency that is accredited by the Conference of State Bank Supervisors and Money Transmitter Regulators Association for money transmission licensing and supervision.

(24) "Multistate licensing process" means any agreement entered into by and among state regulators relating to coordinated processing of applications for money transmission licenses, applications for the acquisition of control of a licensee, control determinations, or notice and information requirements for a change of key individuals.

(25) "NMLS" means the Nationwide Multistate Licensing System and Registry developed by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators and owned and operated by the State Regulatory Registry, LLC, or any successor or affiliated entity, for the licensing and registration of persons in financial services industries.

~~(13)~~(26) "Outstanding money transmission obligation"~~, with respect to a payment instrument, means issued or sold by or for the licensee and reported as sold but not yet paid by or for the licensee~~ is established and extinguished in accordance with applicable state law and means:

(a) any payment instrument or stored value issued or sold by the licensee to a person located in the United States or reported as sold by an authorized delegate of the licensee to a person that is located in the United States that has not yet been paid or refunded by or for the licensee, or escheated in accordance with applicable abandoned property laws; or

(b) any money received for transmission by the licensee or an authorized delegate in the United States from a person located in the United States that has not been received by the payee or refunded to the sender or escheated in accordance with applicable abandoned property laws.

(c) For purposes of this subsection, "in the United States" includes, to the extent applicable, a person in any state, territory, or possession of the United States; the District of Columbia; the Commonwealth of Puerto Rico; or a U.S. military installation that is located in a foreign country.

(27) "Passive investor" means a person that:

(a) does not have the power to elect a majority of key individuals or executive officers, managers, directors, trustees, or other persons exercising managerial authority of a person in control of a licensee;

(b) is not employed by and does not have any managerial duties of the licensee or person in control of a licensee;

(c) does not have the power to exercise, directly or indirectly, a controlling influence over the management or policies of a licensee or person in control of a licensee; and

(d) either:

(i) attests to subitems (a), (b), and (c), in a form and in a medium

prescribed by the Commissioner; or

(ii) commits to the passivity characteristics of subitems (a), (b), and (c), in a written document.

~~(14)~~(28) "Payment instrument" means a written or electronic check, draft, money order, traveler's check, or other written or electronic instrument for the transmission or payment of money or monetary value, whether or not negotiable. The term does not include ~~a credit card voucher, letter of credit, or instrument that is redeemable by the issuer in goods or services.~~ stored value or any instrument that (A) is redeemable by the issuer only for goods or services provided by the issuer or its affiliate or franchisee of the issuer or its affiliate, except to the extent required by applicable law to be redeemable in cash for its cash value; or (B) not sold to the public but issued and distributed as part of a loyalty, rewards, or promotional program.

(29) "Payroll processing services" means delivering wages or salaries on behalf of employers to employees or facilitating the payment of payroll taxes to state and federal agencies, making payments relating to employee benefit plans, making distributions of other authorized deductions from wages or salaries, transmitting other funds on behalf of an employer in connection with transactions related to employees, an employer performing payroll processing services on its own behalf or on behalf of its affiliate, or a professional employment organization subject to regulation under other applicable state law.

~~(15)~~(30) "Person" means an individual, corporation, ~~business trust, estate,~~ trust, general partnership, limited partnership, limited-liability company, association, joint ~~venture~~stock corporation, ~~government, governmental subdivision, agency or instrumentality, public corporation, or another legal or commercial entity~~ or other corporate entity identified by the Commissioner.

~~(16)~~(31) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

~~(17)~~(32) ~~"Responsible individual" means an individual who is employed by a licensee and has principal managerial authority over the provision of money services by the licensee in this State.~~ "Receiving money for transmission" or "money received for transmission" means receiving money or monetary value in the United States for transmission within or outside the United States by electronic or other means.

~~(18)~~(33) "State" means a state, ~~of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or a~~ territory, or ~~insular~~ possession ~~subject to the jurisdiction~~ of the United States, the

District of Columbia, or the Commonwealth of Puerto Rico.

~~(19)~~(34) "Stored value" means monetary value ~~that is evidenced by an electronic record.~~representing a claim against the issuer evidenced by an electronic or digital record, and that is intended and accepted for use as a means of redemption for money or monetary value, or payment for goods or services. The term includes, but is not limited to, "prepaid access" as defined by 31 C.F.R. Section 1010.100, as amended or recodified from time to time. Notwithstanding the foregoing, the term "stored value" does not include a payment instrument or closed-loop stored value, or stored value not sold to the public but issued and distributed as part of a loyalty, rewards, or promotional program.

(35) "Tangible net worth" means the aggregate assets of a licensee excluding all intangible assets, less liabilities, as determined in accordance with United States Generally Accepted Accounting Principles.

~~(20)~~(36) "Unsafe or unsound practice" means a practice or conduct by a person licensed to engage in money transmission or an authorized delegate of such a person, which creates the likelihood of material loss, insolvency, or dissipation of the licensee's assets, or otherwise materially prejudices the interests of its customers.

Section 35-11-110. (A) This chapter does not apply to:

(1) the United States or a department, agency, or instrumentality ~~of the United States~~thereof, or its agent;

(2) money transmission by the United States Postal Service or by ~~a contractor on behalf~~ an agent of the United States Postal Service;

(3) a state, county, city, or ~~another~~ any other governmental agency or governmental subdivision or instrumentality of a state, or its agent;

(4) ~~a bank, bank holding company, office of an international banking corporation, branch of a foreign bank, corporation organized pursuant to the Bank Service Corporation Act, 12 U.S.C. Section 1861-1867 (Supp. V 1999), or corporation organized under the Edge Act, 12 U.S.C. Section 611-633 (1994 & Supp. V 1999), under the laws of a state or the United States if it does not issue, sell, or provide payment instruments or stored value through an authorized delegate who is not such a person~~a federally insured depository financial institution, bank holding company, office of an international banking corporation, foreign bank that establishes a federal branch pursuant to the International Bank Act, 12 U.S.C. Section 3102, as amended or recodified from time to time, corporation organized pursuant to the Bank Service Corporation Act, 12 U.S.C. Sections 1861-1867, as amended or recodified from time to time, or corporation organized under the Edge Act, 12 U.S.C. Sections

611-633, as amended or recodified from time to time;

(5) electronic funds transfer of governmental benefits for a federal, state, county, or governmental agency by a contractor on behalf of the United States or a department, agency, or instrumentality ~~of the United States~~thereof, or on behalf of a state or governmental subdivision, agency, or instrumentality ~~of a state~~thereof;

(6) a board of trade designated as a contract market under the federal Commodity Exchange Act, 7 U.S.C. Section 1-25 ~~(1994)~~ as amended or recodified from time to time, or a person that, in the ordinary course of business, provides clearance and settlement services for a board of trade to the extent of its operation as or for a board of trade;

(7) a registered futures commission merchant under the federal commodities laws to the extent of its operation as a futures commission merchant;

~~(8) a person who provides clearance or settlement services pursuant to a registration as a clearing agency or an exemption from that registration granted under the federal securities laws to the extent of its operation as a provider of clearance or settlement services;~~

~~(9)~~(8) an operator of a payment system to the extent that it provides processing, clearing, or settlement services, between or among persons ~~excluded~~ exempted by this section, in connection with wire transfers, credit card transactions, debit card transactions, stored-value transactions, automated clearing house transfers, or similar funds transfers;

~~(10)~~(9) a person registered as a securities broker-dealer under federal or state securities laws to the extent of his operation as a securities broker-dealer; ~~or~~

~~(11)~~(10) ~~a credit union regulated and insured by the National Credit Union Association.~~an individual employed by a licensee, authorized delegate, or any person exempted from the licensing requirements of this chapter when acting within the scope of employment and under the supervision of the licensee, authorized delegate, or exempted person as an employee and not as an independent contractor;

(11) a person expressly appointed as a third-party service provider to, or agent of, an entity exempt under Section 35-11-110(A)(4), solely to the extent that:

(a) such service provider or agent is engaging in money transmission on behalf of and pursuant to a written agreement with the exempt entity that sets forth the specific functions that the service provider or agent is to perform; and

(b) the exempt entity assumes all risk of loss and all legal

responsibility for satisfying the outstanding money transmission obligations owed to purchasers and holders of the outstanding money transmission obligations upon receipt of the purchaser's or holder's money or monetary value by the service provider or agent;

(12) a person appointed as an agent of a payee to collect and process a payment from a payor to the payee for goods or services, other than money transmission itself, provided to the payor by the payee, provided that:

(a) there exists a written agreement between the payee and the agent directing the agent to collect and process payments from payors on the payee's behalf;

(b) the payee holds the agent out to the public as accepting payments for goods or services on the payee's behalf; and

(c) payment for the goods and services is treated as received by the payee upon receipt by the agent so that the payor's obligation is extinguished and there is no risk of loss to the payor if the agent fails to remit the funds to the payee;

(13) a person that acts as an intermediary by processing payments between an entity that has directly incurred an outstanding money transmission obligation to a sender, and the sender's designated recipient, provided that the entity:

(a) is properly licensed or exempt from licensing requirements under this chapter;

(b) provides a receipt, electronic record, or other written confirmation to the sender identifying the entity as the provider of money transmission in the transaction; and

(c) bears sole responsibility to satisfy the outstanding money transmission obligation to the sender, including the obligation to make the sender whole in connection with any failure to transmit the funds to the sender's designated recipient;

(14) a person exempt by regulation or order if the Commissioner finds such exemption to be in the public interest and that the regulation of such person is not necessary for the purposes of this chapter; or

(15) payroll processing services.

(B) The Commissioner may require that a person claiming to be exempt from licensing pursuant to this section provide information and documentation to the Commissioner demonstrating that it qualifies for any claimed exemption.

Article 2

Money Transmission Licenses

Section 35-11-200. (A) A person may not engage in the business of

money transmission or advertise, solicit, or hold himself out as providing money transmission unless the person is:

(1) licensed under this ~~chapter or approved to engage in money transmission pursuant to Section 35-11-210~~article;

(2) an authorized delegate of a person licensed pursuant to this article; or

(3) ~~an authorized delegate of a person approved to engage in money transmission pursuant to Section 35-11-210~~exempted under Section 35-11-110.

(B) A license issued pursuant to this chapter is not transferable or assignable.

Section 35-11-205. (A) ~~In this section, "material litigation" means litigation that according to generally accepted accounting principles is significant to an applicant's or a licensee's financial health and would be required to be disclosed in the applicant's or licensee's annual audited financial statements, report to shareholders, or similar records.~~

~~(B)~~ A person applying for a license pursuant to this article shall do so in a form and in a medium prescribed by the ~~commissioner~~Commissioner. Each form must contain content as set forth by regulation, order, instruction, or procedure of the Commissioner and may be changed or updated by the Commissioner in accordance with applicable law in order to carry out the purposes of this chapter and maintain consistency with NMLS licensing standards and practices. The application must state or contain:

(1) the legal name, residential and business addresses of the applicant, and any fictitious or trade name used by the applicant in conducting its business;

(2) a list of any criminal convictions of the applicant and any material litigation in which the applicant has been involved in the ten-year period next preceding the submission of the application;

(3) a description of any money services previously provided by the applicant and the money services that the applicant seeks to provide in this State;

(4) a list of the applicant's proposed authorized delegates and the locations in this State where the applicant and the applicant's authorized delegates propose to engage in money transmission or provide other money services;

(5) a list of other states in which the applicant is licensed to engage in money transmission or provide other money services and any license revocations, suspensions, or other disciplinary action taken against the applicant in another state;

(6) information concerning a bankruptcy or receivership proceeding affecting the licensee or a person in control of a licensee;

(7) a sample form of contract for authorized delegates, if applicable~~, and~~;

(8) a sample form of payment instrument ~~or instrument upon which stored value is recorded~~, if applicable;

~~(8)~~(9) the name and address of any ~~bank~~ federally insured depository financial institution through which the ~~applicant's payment instruments and stored value will be paid~~applicant plans to conduct money transmission; and

~~(9) a description of the source of money and credit to be used by the applicant to provide money services; and~~

(10) other information the commissioner reasonably requires with respect to the applicant.

~~(C)~~(B) If an applicant is a corporation, limited liability company, partnership, or other legal entity, the applicant also shall provide:

(1) the date of the applicant's incorporation or formation and state or country of incorporation or formation;

(2) if applicable, a certificate of good standing from this State and the state or country in which the applicant is incorporated or formed;

(3) a brief description of the structure or organization of the applicant, including a parent entity or subsidiary of the applicant, and whether a parent entity or subsidiary is publicly traded;

(4) the legal name, a fictitious or trade name, all business and residential addresses, and the employment, in the ten-year period next preceding the submission of the application of each executive officer, manager, director, or person who has control of the applicant;

(5) a list of criminal convictions and material litigation in which an executive officer, a manager, director, or person in control of, the applicant has been involved in the ten-year period next preceding the submission of the application;

(6) a copy of the applicant's audited financial statements for the most recent fiscal year and, if available, for the two-year period next preceding the submission of the application or, if determined to be acceptable to the Commissioner, certified unaudited financial statements for the most recent fiscal year or other period acceptable to the Commissioner;

(7) a ~~copy of the applicant's unconsolidated financial statements for the current fiscal year, whether audited or not, and, if available, for the two year period next preceding the submission of the application~~certified copy of unaudited financial statements of the

applicant for the most recent fiscal quarter;

(8) if the applicant is publicly traded, a copy of the most recent report filed with the United States Securities and Exchange Commission pursuant to Section 13 of the federal Securities Exchange Act of 1934, 15 U.S.C. Section 78m ~~(1994 & Supp. V 1999),~~as amended or recodified from time to time;

(9) if the applicant is a wholly owned subsidiary of a:

(a) corporation publicly traded in the United States, a copy of audited financial statements for the parent corporation for the most recent fiscal year or a copy of the parent corporation's most recent report filed pursuant to Section 13 of the federal Securities Exchange Act of 1934, 15 U.S.C. Section 78m ~~(1994 & Supp. V 1999),~~as amended or recodified from time to time; or

(b) corporation publicly traded outside the United States, a copy of similar documentation filed with the regulator of the parent corporation's domicile outside the United States;

(10) ~~if the applicant has a registered agent in this State,~~ the name and address of the applicant's registered agent in this State; and

(11) other information the ~~commissioner~~ Commissioner reasonably requires with respect to the applicant.

~~(D)~~(C) A nonrefundable application fee of one thousand five hundred dollars and a license fee of ~~seven hundred fifty~~one thousand six hundred dollars must accompany an application for a license pursuant to this article. The license fee must be refunded if the application is denied.

~~(E)~~(D) The ~~commissioner~~ Commissioner may waive one or more requirements of subsections ~~(B)~~(A) and ~~(C)~~(B) or permit an applicant to submit other information in lieu of the required information.

Section 35-11-210. (A) ~~A person who is licensed to engage in money transmission in at least one other state, with the approval of the commissioner and in accordance with this section, may engage in money transmission and currency exchange in this State without being licensed pursuant to Section 35-11-205 if the:~~

~~(1) state in which the person is licensed has enacted the Uniform Money Services Act or the commissioner determines that the money transmission laws of that state are substantially similar to those imposed by the law of this State;~~

~~(2) person submits to, and in the form required by, the commissioner:~~

~~(a) in a record, an application for approval to engage in money transmission and currency exchange in this State without being licensed pursuant to Section 35-11-205;~~

~~(b) a nonrefundable fee of one thousand dollars; and~~

~~(c) a certification of license history in the other state.~~

~~(B) When an application for approval pursuant this section is complete, the commissioner shall promptly notify the applicant in a record, of the date on which the request was determined to be complete and:~~

~~(1) the commissioner shall approve or deny the request within one hundred twenty days after that date; or~~

~~(2) if the request is not approved or denied within one hundred twenty days after that date the:~~

~~(a) request is approved; and~~

~~(b) approval takes effect as of the first business day after expiration of the one hundred twenty-day period.~~

~~(C) A person who engages in money transmission and currency exchange in this State pursuant to this section shall comply with the requirements of, and is subject to the sanctions provided in this chapter, as if the person were licensed pursuant to Section 35-11-220.~~ Any individual in control of a licensee or applicant, any individual that seeks to acquire control of a licensee, and each key individual shall furnish to the Commissioner through NMLS the following items:

(1) the individual's fingerprints for submission to the Federal Bureau of Investigation and the Commissioner for purposes of a national criminal history background check unless the person currently resides outside of the United States and has resided outside of the United States for the last ten years; and

(2) personal history and experience in a form and in a medium prescribed by the Commissioner, to obtain the following:

(a) an independent credit report from a consumer reporting agency unless the individual does not have a Social Security number, in which case, this requirement must be waived;

(b) information related to any criminal convictions or pending charges; and

(c) information related to any regulatory or administrative action and any civil litigation involving claims of fraud, misrepresentation, conversion, mismanagement of funds, breach of fiduciary duty, or breach of contract.

(B) If the individual has resided outside of the United States at any time in the last ten years, the individual also shall provide an investigative background report prepared by an independent search firm that meets the following requirements:

(1) at a minimum, the search firm shall:

(a) demonstrate that it has sufficient knowledge, resources, and employs accepted and reasonable methodologies to conduct the research of the background report; and

(b) not be affiliated with or have an interest with the individual it is researching;

(2) at a minimum, the investigative background report must be written in the English language and must contain the following:

(a) if available in the individual's current jurisdiction of residency, a comprehensive credit report, or any equivalent information obtained or generated by the independent search firm to accomplish such report, including a search of the court data in the countries, provinces, states, cities, towns, and contiguous areas where the individual resided and worked;

(b) criminal records information for the past ten years including, but not limited to, felonies, misdemeanors, or similar convictions for violations of law in the countries, provinces, states, cities, towns, and contiguous areas where the individual resided and worked;

(c) employment history;

(d) media history, including an electronic search of national and local publications, wire services, and business applications; and

(e) financial services-related regulatory history including, but not limited to, money transmission, securities, banking, insurance, and mortgage-related industries.

Section 35-11-215. (A) ~~Except as otherwise provided in subsection (B),~~An applicant for a money transmission license must provide, and a licensee at all times must maintain, security consisting of a surety bond, letter of credit, or other similar security in a form acceptable to the ~~commissioner~~ Commissioner~~in the amount of fifty thousand dollars plus ten thousand dollars for each location, not exceeding a total addition of two hundred fifty thousand dollars, must accompany an application for a license~~.

(B) ~~Security must be in a form satisfactory to the commissioner and payable to the State for the benefit of a claimant against the licensee to secure the faithful performance of the obligations of the licensee with respect to money transmission.~~The amount of the required security must be:

(1) the greater of one hundred thousand dollars or an amount equal to one hundred percent of the licensee's average daily money transmission liability in this State calculated for the most recently completed three-month period, up to a maximum of five hundred thousand dollars; or

(2) in the event that the licensee's tangible net worth exceeds ten percent of total assets, the licensee shall maintain a surety bond of one hundred thousand dollars.

(C) ~~The aggregate liability on a surety bond may not exceed the principal sum of the bond. A claimant against a licensee may maintain an action on the bond, or the commissioner may maintain an action on behalf of the claimant.~~ A licensee that maintains a bond in the maximum amount provided for in Section 35-11-215(B)(1) or (2) may not be required to calculate its average daily money transmission liability for purposes of this section.

(D) ~~A surety bond must cover claims for so long as the commissioner specifies, but for at least five years after the licensee ceases to provide money services in this State. However, the commissioner may permit the amount of security to be reduced or eliminated before the expiration of that time to the extent the amount of the licensee's payment instruments or stored value obligations outstanding in this State is reduced. The commissioner may permit a licensee to substitute another form of security acceptable to the commissioner for the security effective at the time the licensee ceases to provide money services in this State.~~A licensee may exceed the maximum required bond amount pursuant to Section 35-11-605(A)(5).

~~(E) In lieu of the security prescribed in this section, an applicant for a license or a licensee may provide security in a form prescribed by the commissioner.~~

~~(F) The commissioner may increase the amount of security required to a maximum of one million dollars if the financial condition of a licensee so requires, as evidenced by reduction of net worth, financial losses, or other relevant criteria.~~

Section 35-11-220. (A) When an application for an original license is filed and considered complete pursuant to this article, the ~~commissioner~~ Commissioner shall investigate the applicant's financial condition and responsibility, financial and business experience, character, and general fitness. The ~~commissioner~~ Commissioner may conduct an on-site investigation of the applicant, the reasonable cost of which the applicant must pay. The ~~commissioner~~ Commissioner shall issue a license to an applicant pursuant to this article if the ~~commissioner~~ Commissioner finds that all of the following conditions have been fulfilled:

(1) the applicant has complied with Sections 35-11-205, 35-11-215, and 35-11-230; and

(2) the financial condition and responsibility, financial and business experience, competence, character, and general fitness of the applicant;

and the competence, experience, character, and general fitness of the executive officers, managers, directors, and persons in control of the applicant indicate that it is in the interest of the public to permit the applicant to engage in money transmission.

(B) When an application for an original license pursuant to this article is complete, the ~~commissioner~~ Commissioner promptly shall notify the applicant in a record of the date on which the application was determined to be complete and:

(1) the ~~commissioner~~ Commissioner shall approve or deny the application within one hundred twenty days after that date; or

(2) if the application is not approved or denied within one hundred twenty days after that date the:

(a) application is considered approved; and

(b) ~~commissioner~~ Commissioner shall issue the license pursuant to this article, to take effect as of the first business day after expiration of the one hundred twenty-day period.

(C) The ~~commissioner~~ Commissioner may for good cause extend the application period.

(D) A determination by the Commissioner that an application is complete and is accepted for processing means only that the application, on its face, appears to include all of the items, including the Criminal Background Check response from the FBI, and addresses all of the matters that are required, and is not an assessment of the substance of the application or of the sufficiency of the information provided.

(E) The Commissioner shall issue a formal written notice of the denial of a license application. The Commissioner shall set forth in the notice of denial the specific reasons for the denial of the application. An applicant whose application is denied by the ~~commissioner~~ Commissioner pursuant to this ~~article~~ section may ~~appeal~~request a hearing, within thirty days after receipt of the written notice of the denial~~, from the denial and request a hearing~~ pursuant to Section 35-11-710.

(F) The initial license term begins on the day the application is approved. The license expires on December thirty-first of the year in which the license term began, unless the initial license date is between November first and December thirty-first, in which instance the initial license term runs through December thirty-first of the following year.

Section 35-11-225. (A) A ~~person licensed pursuant to this article shall pay an annual renewal fee of seven hundred fifty dollars no later than thirty days before the anniversary of the issuance of the license or, if the last day is not a business day, on the next business day.~~license issued under this chapter must be renewed annually.

(1) An annual renewal fee of one thousand six hundred dollars must be paid no more than sixty days before the license expiration.

(2) The renewal term must be for a period of one year and begins on January first of each year after the initial license term and expires on December thirty-first of the year the renewal term begins.

(B) A licensee under this article shall submit a renewal report with the renewal fee, in a form and in a medium prescribed by the ~~commissioner~~Commissioner. The renewal report must state or contain~~:~~

~~(1) a copy of the licensee's most recent audited annual financial statement or, if the licensee is a wholly owned subsidiary of another corporation, the most recent audited consolidated annual financial statement of the parent corporation or the licensee's most recent audited consolidated annual financial statement;~~

~~(2) the number and monetary amount of payment instruments and stored value sold by the licensee in this State which have not been included in a renewal report, and the monetary amount of payment instruments and stored value currently outstanding;~~

~~(3)~~ a description of each material change in information submitted by the licensee in its original license application which has not been reported to the ~~commissioner~~ Commissioner on a required report~~;~~

~~(4) a list of the licensee's permissible investments and a certification that the licensee continues to maintain permissible investments pursuant to the requirements set forth in Sections 35-11-600 and 35-11-605;~~

~~(5) proof that the licensee continues to maintain adequate security as required by Section 35-11-215; and~~

~~(6) a list of the locations in this State where the licensee or an authorized delegate of the licensee engages in money transmission or provides other money services~~.

(C) ~~If a licensee does not file a renewal report or pay its renewal fee by the renewal date or an extension of time granted by the commissioner, the commissioner shall send the licensee a notice of suspension. Unless the licensee files the report and pays the renewal fee before expiration of ten days after the notice is sent, the licensee's license is suspended ten days after the commissioner sends the notice of suspension. The suspension must be lifted if, within twenty days after its license is suspended, the licensee:~~

~~(1) files the report and pays the renewal fee; and~~

~~(2) pays one hundred dollars for each day after suspension that the commissioner did not receive the renewal report and the renewal fee.~~

~~(D)~~ The ~~commissioner~~ Commissioner for good cause may grant an extension of the renewal date.

(D) The Commissioner is authorized and encouraged to utilize NMLS to process license renewals provided that such functionality is consistent with this section.

Section 35-11-230. ~~A person licensed pursuant to this article shall maintain a net worth of at least two hundred fifty thousand dollars determined in accordance with generally accepted accounting principles.~~(A) A licensee under this chapter shall maintain at all times a tangible net worth of the greater of one hundred thousand dollars or three percent of total assets for the first one hundred million dollars, two percent of additional assets for one hundred million dollars to one billion dollars, and one-half of one percent of additional assets for over one billion dollars.

(B) Tangible net worth must be demonstrated at initial application by the applicant's most recent audited or unaudited financial statements pursuant to Section 35-11-205(B)(6).

(C) Notwithstanding the foregoing provisions of this section, the Commissioner shall have the authority, for good cause shown, to exempt, in whole or in part, from the requirements of this section any applicant or licensee.

Section 35-11-235. (A) If a licensee does not continue to meet the qualifications or satisfy the requirements that apply to an applicant for a new money transmission license, the Commissioner may suspend or revoke the licensee's license pursuant to Section 35-11-700 or 35-11-710 or other applicable state law for such suspension or revocation.

(B) An applicant for a money transmission license must demonstrate that it meets or will meet, and a money transmission licensee must at all times meet, the requirements in Sections 35-11-215, 35-11-230 and 35-11-600 of this chapter.

Article 3

Currency Exchange Licenses

Section 35-11-300. (A) A person may not engage in currency exchange or advertise, solicit, or hold himself out as providing currency exchange for which the person receives revenues equal or greater than five percent of total revenues unless the person is:

(1) licensed pursuant to this ~~chapter~~article;

(2) licensed for money transmission pursuant to Article 2~~, or approved to engage in money transmission pursuant to Section 35-11-210~~; or

(3) an authorized delegate of a person licensed pursuant to Article 2~~; or~~.

~~(4) an authorized delegate of a person approved to engage in money~~

~~transmission pursuant to Section 35-11-210.~~

(B) A license issued pursuant to this chapter is not transferable or assignable.

Section 35-11-305. (A) A person applying for a license pursuant to this article shall do so in a form and in a medium prescribed by the ~~commissioner~~Commissioner. The application shall state or contain:

(1) the legal name and residential and business addresses of the applicant, if the applicant is an individual or, if the applicant is not an individual, the name of each partner, executive officer, manager, and director;

(2) the location of the principal office of the applicant;

(3) complete addresses of other locations in this State where the applicant proposes to engage in currency exchange, including all limited stations and mobile locations; and

~~(4) a description of the source of money and credit to be used by the applicant to engage in currency exchange; and~~

~~(5)~~(4) other information the ~~commissioner~~ Commissioner reasonably requires with respect to the applicant, but not more than the ~~commissioner~~ Commissioner may require pursuant to Article 2.

(B) A nonrefundable application fee of one thousand five hundred dollars and a license fee of ~~seven hundred fifty~~one thousand six hundred dollars must accompany an application for a license pursuant to this article. The license fee must be refunded if the application is denied.

(C) The Commissioner may waive one or more requirements of subsection (A) or permit an applicant to submit other information in lieu of the required information.

Section 35-11-310. (A) When a person applies for a license pursuant to this article, the ~~commissioner~~ Commissioner shall investigate the applicant's financial condition and responsibility, financial and business experience, character, and general fitness. The ~~commissioner~~ Commissioner may conduct an on-site investigation of the applicant, the reasonable cost of which the applicant must pay. The ~~commissioner~~ Commissioner shall issue a license to an applicant pursuant to this article if the ~~commissioner~~ Commissioner finds that all of the following conditions have been fulfilled:

(1) the applicant has complied with Section 35-11-305; and

(2) the financial condition and responsibility, financial and business experience, competence, character, and general fitness of the applicant; and the competence, experience, character, and general fitness of the executive officers, managers, directors, and persons in control of the applicant indicate that it is in the interest of the public to permit the

applicant to engage in currency exchange.

(B) When an application for an original license pursuant to this article is complete, the ~~commissioner~~ Commissioner promptly shall notify the applicant in a record of the date on which the application was determined to be complete and:

(1) the ~~commissioner~~ Commissioner shall approve or deny the application within one hundred twenty days after that date; or

(2) if the application is not approved or denied within one hundred twenty days after that date the:

(a) application is considered approved; and

(b) ~~commissioner~~ Commissioner shall issue the license pursuant to this article, to take effect as of the first business day after expiration of the period.

(C) The ~~commissioner~~ Commissioner may for good cause extend the application period.

(D) The Commissioner shall issue a formal written notice of the denial of a license. The Commissioner shall set forth in the notice of denial the specific reasons for the denial of the application. An applicant whose application is denied a license by the ~~commissioner~~ Commissioner pursuant to this article may ~~appeal~~request a hearing, within thirty days after receipt of the written notice of the denial pursuant to Section 35-11-710~~, from the denial and request a hearing~~.

Section 35-11-315. (A) ~~A person licensed pursuant to this article shall pay a biennial renewal fee of seven hundred fifty dollars no later than thirty days before each biennial anniversary of the issuance of the license or, if the last day is not a business day, on the next business day.~~ All licenses issued pursuant to this article expire on December thirty-first of each year. A person licensed pursuant to this article shall pay a renewal fee of one thousand six hundred dollars on or before December first of each year.

(B) A person licensed pursuant to this article shall submit a renewal report with the renewal fee, in a form and in a medium prescribed by the ~~commissioner~~Commissioner. The renewal report must state or contain a:

(1) description of each material change in information submitted by the licensee in its original license application which has not been reported to the ~~commissioner~~ Commissioner on a required report; and

(2) list of the locations in this State where the licensee or an authorized delegate of the licensee engages in currency exchange, including limited stations and mobile locations.

~~(C) If a licensee does not file a renewal report and pay its renewal fee by the renewal date or an extension of time granted by the commissioner,~~

~~the commissioner shall send the licensee a notice of suspension. Unless the licensee files the report and pays the renewal fee before expiration of ten days after the notice is sent, the licensee's license is suspended ten days after the commissioner sends the notice of suspension.~~

~~(D)~~(C) The ~~commissioner~~ Commissioner for good cause may grant an extension of the renewal date.

Article 4

Authorized Delegates

Section 35-11-400. (A) In this section, "remit" means to make direct payments of money to a licensee or its representative authorized to receive money or to deposit money in a bank in an account specified by the licensee.

(B) ~~A contract between a licensee and an authorized delegate must require the authorized delegate to operate in full compliance with this chapter. For such contracts initiated on or after the effective date of this act, the licensee shall provide to each authorized delegate information sufficient for compliance with this chapter.~~Before a licensee is authorized to conduct business through an authorized delegate or allows a person to act as the licensee's authorized delegate, the licensee must:

(1) adopt, and update as necessary, written policies and procedures reasonably designed to ensure that the licensee's authorized delegates comply with applicable state and federal law;

(2) enter into a written contract that complies with Section 35-11-400(D); and

(3) conduct a reasonable risk-based background investigation sufficient for the licensee to determine whether the authorized delegate has complied and will likely comply with applicable state and federal law.

(C) ~~An authorized delegate shall remit all money owing to the licensee in accordance with the terms of the contract between the licensee and the authorized delegate.~~An authorized delegate must operate in full compliance with this chapter.

(D) ~~If a license is suspended or revoked or a licensee does not renew its license, the commissioner shall notify all authorized delegates of the licensee whose names are in a record filed with the commissioner of the suspension, revocation, or nonrenewal. After notice is sent or publication is made, an authorized delegate shall immediately cease to provide money services as a delegate of the licensee.~~ The written contract required by Section 35-11-400(B) must be signed by the licensee and the authorized delegate and, at a minimum, must:

(1) appoint the person signing the contract as the licensee's

authorized delegate with the authority to conduct money transmission on behalf of the licensee;

(2) set forth the nature and scope of the relationship between the licensee and the authorized delegate and the respective rights and responsibilities of the parties;

(3) require the authorized delegate to agree to fully comply with all applicable state and federal laws, rules, and regulations pertaining to money transmission, including this chapter and regulations implementing this chapter, relevant provisions of the Bank Secrecy Act and the USA Patriot Act;

(4) require the authorized delegate to remit and handle money and monetary value in accordance with the terms of the contract between the licensee and the authorized delegate;

(5) impose a trust on money and monetary value net of fees received for money transmission for the benefit of the licensee;

(6) require the authorized delegate to prepare and maintain records as required by this chapter or regulations implementing this chapter, or as reasonably requested by the Commissioner;

(7) acknowledge that the authorized delegate consents to examination or investigation by the Commissioner;

(8) state that the licensee is subject to regulation by the Commissioner and that, as part of that regulation, the Commissioner may suspend or revoke an authorized delegate designation or require the licensee to terminate an authorized delegate designation; and

(9) acknowledge receipt of the written policies and procedures required under Section 35-11-400(B)(1).

(E) ~~An authorized delegate may not provide money services outside the scope of activity permissible under the contract between the authorized delegate and the licensee, except activity in which the authorized delegate is authorized to engage in pursuant to Article 2 of this chapter. An authorized delegate of a licensee holds in trust for the benefit of the licensee all money net of fees received from money transmission.~~If the licensee's license is suspended, revoked, surrendered, or expired, the licensee must, within five business days, provide documentation to the Commissioner that the licensee has notified all applicable authorized delegates of the licensee whose names are in a record filed with the Commissioner of the suspension, revocation, surrender, or expiration of a license. Upon suspension, revocation, surrender, or expiration of a license, applicable authorized delegates shall immediately cease to provide money transmission as an authorized delegate of the licensee.

(F) An authorized delegate of a licensee holds in trust for the benefit of the licensee all money net of fees received from money transmission. If any authorized delegate commingles any funds received from money transmission with any other funds or property owned or controlled by the authorized delegate, all commingled funds and other property shall be considered held in trust in favor of the licensee in an amount equal to the amount of money net of fees received from money transmission.

~~(F)~~(G) An authorized delegate may not use a subdelegate to conduct money services on behalf of a licensee.

Section 35-11-405. A person may not provide money services on behalf of a person not licensed pursuant to this chapter or not exempt pursuant to Section 35-11-110. A person that engages in that activity provides money services to the same extent as if the person were a licensee and is jointly and severally liable with the unlicensed or nonexempt person.

Article 5

Examinations, Reports, and Records

Section 35-11-500. (A) The ~~commissioner~~ Commissioner may conduct an ~~annual~~ examination or investigation of a licensee or of any of the licensee's authorized delegates ~~on a forty-five day notice in a record to the licensee~~or otherwise take independent action authorized by this chapter or by a rule or order issued under this chapter as reasonably necessary or appropriate to administer and enforce this chapter, regulations implementing this chapter, and other applicable law, including the Bank Secrecy Act and the USA Patriot Act. The Commissioner may:

(1) conduct an examination either on-site or off-site as the Commissioner may reasonably require;

(2) conduct an examination in conjunction with an examination conducted by representatives of other state agencies or agencies of another state or of the federal government;

(3) accept the examination report of another state agency or an agency of another state or of the federal government, or a report prepared by an independent accounting firm, which on being accepted is considered for all purposes as an official report of the Commissioner; and

(4) summon and examine under oath a key individual or employee of a licensee or authorized delegate and require the person to produce records regarding any matter related to the condition and business of the licensee or authorized delegate.

(B) ~~The commissioner may examine a licensee or its authorized~~

~~delegate, at any time, without notice, if the commissioner has reason to believe that the licensee or authorized delegate is engaging in an unsafe or unsound practice or has violated or is violating this chapter or a rule adopted or an order issued pursuant to this chapter.~~ A licensee or authorized delegate shall provide, and the Commissioner shall have full and complete access to, all records the Commissioner may reasonably require to conduct a complete examination. The records must be provided at the location and in the format specified by the Commissioner, provided, the Commissioner may utilize multistate record production standards and examination procedures when such standards will reasonably achieve the requirements of this section.

(C) If the ~~commissioner~~ Commissioner concludes that an ~~on-site~~ examination is necessary pursuant to subsection (A), the licensee shall pay the reasonable cost of the examination.

(D) Information obtained during an examination pursuant to this chapter may be disclosed only as provided in Section 35-11-530.

Section 35-11-505. ~~The commissioner may consult and cooperate with other state money services regulators in enforcing and administering this act. They jointly may pursue examinations and take other official action that they are otherwise empowered to take.~~(A) To efficiently and effectively administer and enforce this chapter and to minimize regulatory burden, the Commissioner is authorized and encouraged to participate in multistate supervisory processes established between states and coordinated through the Conference of State Bank Supervisors, Money Transmitter Regulators Association, and affiliates and successors thereof for all licensees that hold licenses in this State and other states. As a participant in multistate supervision, the Commissioner shall:

(1) cooperate, coordinate, and share information with other state and federal regulators in accordance with Section 35-11-530;

(2) enter into written cooperation, coordination, or information-sharing contracts or agreements with organizations the membership of which is made up of state or federal governmental agencies; and

(3) cooperate, coordinate, and share information with organizations the membership of which is made up of state or federal governmental agencies, provided that the organizations agree in writing to maintain the confidentiality and security of the shared information in accordance with Section 35-11-530.

(B) The Commissioner may not waive, and nothing in this section constitutes a waiver of, the Commissioner's authority to conduct an

examination or investigation or otherwise take independent action authorized by this chapter, or a rule adopted or order issued under this chapter, to enforce compliance with applicable state or federal law.

(C) A joint examination or investigation, or acceptance of an examination or investigation report, does not waive an examination assessment provided for in this chapter.

Section 35-11-510. (A) A licensee shall file with the ~~commissioner~~ Commissioner within fifteen business days any material changes in information provided in a licensee's application as prescribed by the ~~commissioner~~Commissioner.

(B) ~~A licensee shall file with the commissioner within forty-five days after the end of each fiscal quarter a current list of all authorized delegates, and locations in this State where the licensee or an authorized delegate of the licensee provides money services, including limited stations and mobile locations. The licensee shall state the name and street address of each location and authorized delegate.~~ Each licensee shall submit a report of authorized delegates within forty-five days of the end of the calendar quarter. The Commissioner is authorized and encouraged to utilize NMLS for the submission of the report required by this subsection provided that such functionality is consistent with the requirements of this subsection. The authorized delegate report must include, at a minimum, each authorized delegate's:

(1) company legal name;

(2) taxpayer employer identification number;

(3) principal provider identifier;

(4) physical address;

(5) mailing address;

(6) any business conducted in other states;

(7) any fictitious or trade name;

(8) contact person's name, phone number, and email;

(9) start date as licensee's authorized delegate;

(10) end date acting as licensee's authorized delegate, if applicable; and

(11) any other information the Commissioner reasonably requires with respect to the authorized delegate.

(C) A licensee shall file a report with the ~~commissioner~~ Commissioner within ~~three~~ one business ~~days~~ day after the licensee has reason to know of the occurrence of any of the following events:

(1) the filing of a petition by or against the licensee under the United States Bankruptcy Code, 11 U.S.C. Section 101-110 ~~(1994 & Supp. V 1999),~~as amended or recodified from time to time, for bankruptcy or

reorganization;

(2) the filing of a petition by or against the licensee for receivership, the commencement of another judicial or administrative proceeding for its dissolution or reorganization, or the making of a general assignment for the benefit of its creditors; or

(3) the commencement of a proceeding to revoke or suspend its license in a state or country in which the licensee engages in business or is licensed~~;~~.

~~(4) the cancellation or other impairment of the licensee's bond or other security;~~

(D) A licensee shall file a report with the Commissioner within three business days after the licensee has reason to know of the occurrence of any of the following events:

~~(5)~~(1) a charge or conviction of the licensee or of ~~an executive officer, manager, director,~~a key individual or person in control of the licensee for a felony; or

~~(6)~~(2) a charge or conviction of an authorized delegate for a felony.

(E) Each licensee shall submit a report of condition within forty-five days of the end of the calendar quarter, or within any extended time as the Commissioner may prescribe. The report of condition must include:

(1) financial information at the licensee level;

(2) nationwide and state-specific money transmission transaction information in every jurisdiction in the United States where the licensee is licensed to engage in money transmission;

(3) permissible investments report;

(4) transaction destination country reporting for money received for transmission, if applicable, which shall only be included in a report of condition submitted within forty-five days of the end of the fourth calendar quarter; and

(5) any other information the Commissioner reasonably requires with respect to the licensee. The Commissioner is authorized and encouraged to utilize NMLS for the submission of the report required by this subsection and is authorized to change or update as necessary the requirements of this subsection to carry out the purposes of this chapter and maintain consistency with NMLS reporting.

(F) Each licensee, within ninety days after the end of each fiscal year, or within any extended time as the Commissioner may prescribe, shall file with the Commissioner:

(1) an audited financial statement of the licensee for the fiscal year prepared in accordance with United States Generally Accepted Accounting Principles, prepared by an independent certified public

accountant or independent public accountant who is satisfactory to the Commissioner, which must include or be accompanied by a certificate of opinion of the independent certified public accountant or independent public accountant that is satisfactory in form and content to the Commissioner. If the certificate or opinion is qualified, the Commissioner may order the licensee to take any action as the Commissioner may find necessary to enable the independent or certified public accountant or independent public accountant to remove the qualification; and

(2) any other information as the Commissioner may reasonably require.

Section 35-11-515. (A) ~~A licensee shall:~~

~~(1) give the commissioner notice in a record of a proposed change of control within fifteen days after learning of the proposed change of control;~~

~~(2) request approval of the acquisition; and~~

~~(3) submit a nonrefundable fee of one thousand dollars with the notice.~~

~~(B) After review of a request for approval pursuant to subsection (A), the commissioner may require the licensee to provide additional information concerning the proposed persons in control of the licensee. The additional information must be limited to the same types required of the licensee or persons in control of the licensee as part of its original license or renewal application.~~

~~(C) The commissioner shall approve a request for change of control pursuant to subsection (A) if, after investigation, the commissioner determines that the person or group of persons requesting approval has the competence, experience, character, and general fitness to operate the licensee or person in control of the licensee in a lawful and proper manner and that the public interest will not be jeopardized by the change of control.~~

~~(D) When an application for a change of control pursuant to this article is complete, the commissioner shall notify the licensee in a record of the date on which the request was determined to be complete and:~~

~~(1) the commissioner shall approve or deny the request within one hundred twenty days after that date; or~~

~~(2) if the request is not approved or denied within one hundred twenty days after that date:~~

~~(a) the request is considered approved; and~~

~~(b) the commissioner shall permit the change of control under this section to take effect as of the first business day after expiration of the~~

~~period.~~

~~(E) The commissioner, by rule of order, may exempt a person from any of the requirements of subsection (A)(2) and (3) if it is in the public interest to do so.~~

~~(F) Subsection (A) does not apply to a public offering of securities.~~

~~(G) Before filing a request for approval to acquire control of a licensee or person in control of a licensee, a person may request in a record a determination from the commissioner as to whether the person would be considered a person in control of a licensee upon consummation of a proposed transaction. If the commissioner determines that the person would not be a person in control of a licensee, the commissioner shall enter an order to that effect and the proposed person and transaction is not subject to the requirements of subsections (A) through (C).~~Any person, or group of persons acting in concert, seeking to acquire control of a licensee shall obtain the written approval of the Commissioner prior to acquiring control. An individual is not deemed to acquire control of a licensee and is not subject to these acquisition of control provisions when that individual becomes a key individual in the ordinary course of business.

(B) A person, or group of persons acting in concert, seeking to acquire control of a licensee, in cooperation with the licensee, shall:

(1) submit an application in a form and in a medium prescribed by the Commissioner; and

(2) submit a nonrefundable fee of one thousand dollars with the request for approval.

(C) Upon request, the Commissioner may permit a licensee or the person, or group of persons acting in concert, to submit some or all information required by the Commissioner pursuant to Section 35-11-515(B)(1) without using NMLS.

(D) The application required by Section 35-11-515(B)(1) must include information required by Section 35-11-210 for any new key individuals that have not previously completed the requirements of Section 35-11-210 for a licensee.

(E) When an application for acquisition of control under this section appears to include all the items and addresses all of the matters that are required, the application must be considered complete and the Commissioner shall promptly notify the applicant in a record of the date on which the application was determined to be complete and:

(1) the Commissioner shall approve or deny the application within sixty days after the completion date; or

(2) if the application is not approved or denied within sixty days

after the completion date:

(a) the application is approved;

(b) the person, or group of persons acting in concert, are not prohibited from acquiring control; and

(c) the Commissioner may for good cause extend the application period.

(F) A determination by the Commissioner that an application is complete and is accepted for processing means only that the application, on its face, appears to include all of the items and address all of the matters that are required, and is not an assessment of the substance of the application or of the sufficiency of the information provided.

(G) When an application is filed and considered complete under subsection (E), the Commissioner shall investigate the financial condition and responsibility, financial and business experience, character, and general fitness of the person, or group of persons acting in concert, seeking to acquire control. The Commissioner shall approve an acquisition of control pursuant to this section if the Commissioner finds that all of the following conditions have been fulfilled:

(1) the requirements of subsections (B) and (D) have been met, as applicable; and

(2) the financial condition and responsibility, financial and business experience, competence, character, and general fitness of the person, or group of persons acting in concert, seeking to acquire control; and the competence, experience, character, and general fitness of the key individuals and persons that would be in control of the licensee after the acquisition of control indicate that it is in the interest of the public to permit the person, or group of persons acting in concert, to control the licensee.

(H) The Commissioner shall issue a formal written notice of the denial of an application to acquire control within thirty days of the decision to deny the application. The Commissioner shall set forth in the notice of denial the specific reasons for the denial of the application. An applicant whose application is denied by the Commissioner under this section may request a hearing within thirty days after receipt of the written notice of the denial pursuant to Section 35-11-710.

(I) The requirements of subsections (A) and (B) do not apply to any of the following:

(1) a person that acts as a proxy for the sole purpose of voting at a designated meeting of the shareholders or holders of voting shares or voting interests of a licensee or a person in control of a licensee;

(2) a person that acquires control of a licensee by devise or descent;

(3) a person that acquires control of a licensee as a personal representative, custodian, guardian, conservator, or trustee, or as an officer appointed by a court of competent jurisdiction or by operation of law;

(4) a person that is exempt under Section 35-11-110(A)(4);

(5) a person that the Commissioner determines is not subject to subsection (A) based on the public interest;

(6) a public offering of securities of a licensee or a person in control of a licensee; or

(7) an internal reorganization of a person in control of the licensee where the ultimate person in control of the licensee remains the same.

(J) Persons in subsection (I)(2), (3), (4), (6), and (7), in cooperation with the licensee, shall notify the Commissioner within fifteen days after the acquisition of control.

(K)(1) The requirements of subsections (A) and (B) do not apply to a person that has complied with and received approval to engage in money transmission under this chapter or was identified as a person in control in a prior application filed with and approved by the Commissioner or by an MSB-accredited state pursuant to a multistate licensing process, provided that:

(a) the person has not had a license revoked or suspended or controlled a licensee that has had a license revoked or suspended while the person was in control of the licensee in the previous five years;

(b) if the person is a licensee, the person is well managed and has received at least a satisfactory rating for compliance at its most recent examination by an MSB-accredited state if such rating was given;

(c) the licensee to be acquired is projected to meet the requirements of Sections 35-11-215, 35-11-230, and 35-11-600 after the acquisition of control is completed, and if the person acquiring control is a licensee, that licensee is also projected to meet the requirements of Sections 35-11-215, 35-11-230, and 35-11-600 after the acquisition of control is completed;

(d) the licensee to be acquired will not implement any material changes to its business plan as a result of the acquisition of control, and if the person acquiring control is a licensee, that licensee also will not implement any material changes to its business plan as a result of the acquisition of control; and

(e) the person provides notice of the acquisition in cooperation with the licensee and attests to subsection (K)(1)(a), (b), (c), and (d) in a form and in a medium prescribed by the Commissioner.

(2) If the notice is not disapproved within thirty days after the date

on which the notice was determined to be complete, the notice is deemed approved.

(L) Before filing an application for approval to acquire control of a licensee a person may request in writing a determination from the Commissioner as to whether the person would be considered a person in control of a licensee upon consummation of a proposed transaction. If the Commissioner determines that the person would not be a person in control of a licensee, the proposed person and transaction is not subject to the requirements of subsections (A) and (B).

(M)(1) A licensee adding or replacing any key individual shall:

(a) provide notice in a manner prescribed by the Commissioner within fifteen days after the effective date of the key individual's appointment; and

(b) provide information as required by Section 35-11-210 within forty-five days of the effective date.

(2) Within ninety days of the date on which the notice provided pursuant to item (1) was determined to be complete, the Commissioner may issue a notice of disapproval of a key individual if the competence, experience, character, or integrity of the individual would not be in the best interest of the public or the customers of the licensee to permit the individual to be a key individual of such licensee.

(3) A notice of disapproval must contain a statement of the basis for disapproval and must be sent to the licensee and the disapproved individual. A licensee may request a hearing regarding a notice of disapproval, within thirty days after receipt of such notice of disapproval pursuant to Section 35-11-710.

(4) If the notice provided pursuant to item (1) is not disapproved within ninety days after the date on which the notice was determined to be complete, the key individual is deemed approved.

Section 35-11-520. (A) A licensee shall maintain the following records for determining its compliance with this ~~act~~ chapter for at least three years:

(1) a record of each ~~payment instrument or stored value~~outstanding money transmission obligation sold;

(2) a general ledger posted at least monthly containing all asset, liability, capital, income, and expense accounts;

(3) bank statements and bank reconciliation records;

(4) records of outstanding ~~payment instruments and stored value~~money transmission obligations;

(5) records of each ~~payment instrument and stored value~~money transmission obligation paid within the three-year period;

(6) a list of the last known names and addresses of all of the licensee's authorized delegates; and

(7) other records the ~~commissioner~~ Commissioner reasonably requires by rule.

(B) The items specified in subsection (A) may be maintained in any form of record.

(C) Records may be maintained outside this State if they are made accessible to the ~~commissioner~~ Commissioner on a seven business-day notice that is sent in a record.

(D) All records maintained by the licensee as required in subsections (A) through (C) are open to inspection by the ~~commissioner~~ Commissioner pursuant to Section 35-11-500.

Section 35-11-525. (A) A licensee and an authorized delegate shall file with the ~~commissioner~~ Commissioner all reports required by federal currency reporting, recordkeeping, and suspicious transaction reporting requirements as set forth in ~~31 U.S.C. Section 5311 (1994), 31 C.F.R. Section 103 (2000)~~the Bank Secrecy Act and other federal and state laws pertaining to money laundering.

(B) The timely filing of a complete and accurate report required pursuant to subsection (A) with the appropriate federal agency is in compliance with the requirements of subsection (A), unless the ~~commissioner~~ Commissioner notifies the licensee that reports of this type are not being regularly and comprehensively transmitted by the federal agency to the ~~commissioner~~Commissioner.

Section 35-11-530. (A) ~~Unless otherwise specified in this section, all information filed with the Securities Commissioner shall be available for public inspection pursuant to rules promulgated by the commissioner consistent with state and federal law governing the disclosure of public information.~~ Except as otherwise provided in subsection (B), all information or reports obtained by the Commissioner from an applicant, licensee, or authorized delegate, and all information contained in or related to an examination, investigation, operating report, or condition report prepared by, on behalf of, or for the use of the Commissioner, or financial statements, balance sheets, or authorized delegate information, are confidential and are not subject to disclosure under Section 30-4-10, et seq.

(B) ~~Except for reasonably segregable portions of information and records that by law would routinely be made available to a party other than an agency in litigation with the commissioner, the commissioner shall not publish or make available:~~

~~(1) information contained in reports, summaries, analyses, letters,~~

~~or memoranda arising out of, in anticipation of, or in connection with an investigation, examination, or inspection of the books and records of a person;~~

~~(2) interagency or intra-agency memoranda or letters, including without limitation:~~

~~(a) records that reflect discussions between or consideration by the commissioner or members of the commissioner's staff, or both, of an action taken or proposed to be taken by the commissioner or by a member of the commissioner's staff; and~~

~~(b) reports, summaries, analyses, conclusions, or any other work product of the commissioner or of attorneys, accountants, analysts, or other members of the commissioner's staff, prepared in the course of an:~~

~~(i) inspection of the books or records of a person whose affairs are regulated by the commissioner; or~~

~~(ii) examination, investigation, or litigation conducted by or on behalf of the commissioner;~~

~~(3) personnel files, medical files, and similar files if disclosure would constitute a clearly unwarranted invasion of personal privacy, including without limitation:~~

~~(a) information concerning all employees of the South Carolina Securities Division and all persons subject to regulation by the division; and~~

~~(b) personal information reported to the commissioner under the division's rules concerning registration about employees of applicants, licensees, or their agents;~~

~~(4)(a) investigatory records compiled for law enforcement purposes to the extent that production of the records would:~~

~~(i) interfere with enforcement proceedings;~~

~~(ii) deprive a person of a right to a fair trial or an impartial adjudication; or~~

~~(iii) disclose the identity of a confidential source;~~

~~(b) the commissioner also may withhold investigatory records that would:~~

~~(i) constitute an unwarranted invasion of personal privacy;~~

~~(ii) disclose investigative techniques and procedures; or~~

~~(iii) endanger the life or physical safety of law enforcement personnel;~~

~~(c) as used in this section, "investigatory records" includes:~~

~~(i) all documents, records, transcripts, correspondence, and related memoranda and work products concerning examinations and other investigations and related litigation as authorized by law that~~

~~pertain to or may disclose the possible violation by a person of a provision of the statutes or rules administered by the commissioner; and~~

~~(ii) all written communications from or to a person confidentially complaining or otherwise furnishing information about a possible violation, as well as all correspondence and memoranda in connection with the confidential complaint or information;~~

~~(5) information contained in or related to examinations, operating reports, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions, check issuers, money transmitters, money services providers, or money service businesses;~~

~~(6)(a) financial records of an applicant, licensee, or the agent of an applicant or licensee obtained during or as a result of an examination by the commissioner;~~

~~(b) when a record is required to be filed pursuant to this article with the commissioner as part of an application for license, annual renewal, or otherwise, the record, including financial statements prepared by certified public accountants, must be public information unless sections of the information are bound separately and are marked "confidential" by the applicant, licensee, or agent upon filing;~~

~~(c) information pursuant to subitem (b) bound separately and marked "confidential" must be considered nonpublic until ten days after the commissioner has given the applicant, licensee, or agent notice that an order will be entered finding the material public information.~~

~~(d) an applicant, licensee, or agent may seek an injunction from the Richland County Circuit Court ordering the commissioner to withhold the information as nonpublic pending a final order from a court of competent jurisdiction if the order of the commissioner pursuant to subitem (c) is appealed under applicable law;~~

~~(7) trade secrets obtained from a person; or~~

~~(8) another record that is required to be closed to the public and is not considered open to public inspection under other law.~~The Commissioner may disclose information not otherwise subject to disclosure under subsection (A) to representatives of state or federal agencies who promise in a record that they will maintain the confidentiality of the information or where the Commissioner finds that the release is reasonably necessary for the protection and interest of the public in accordance with Section 30-4-10, et seq.

~~(C) The commissioner may disclose information not otherwise subject to disclosure pursuant to subsection (A) to representatives of state or federal agencies who promise in a record that they will maintain the~~

~~confidentiality of the information; or the commissioner finds that the release is reasonably necessary for the protection of the public and in the interests of justice, and the licensee has been given previous notice by the commissioner of the commissioner's intent to release the information.~~

~~(D)~~(C) This section does not prohibit the commissioner from disclosing to the public a list of persons licensed under this chapter or the aggregated financial data concerning those licensees.

(D) Information contained in the records of the Commissioner that is not confidential and may be made available to the public either on the Commissioner's website, upon receipt by the Commissioner of a written request, or in NMLS must include:

(1) the name, business address, telephone number, and unique identifier of a licensee;

(2) the business address of a licensee's registered agent for service;

(3) the name, business address, and telephone number of all authorized delegates;

(4) the terms of or a copy of any bond filed by a licensee, provided that confidential information including, but not limited to, prices and fees for such bond is redacted;

(5) copies of any nonconfidential final orders of the Commissioner relating to any violation of this chapter or regulations implementing this chapter; and

(6) imposition of an administrative fine or penalty under this chapter.

Section 35-11-535. (A) Every licensee shall forward all money received for transmission in accordance with the terms of the agreement between the licensee and the sender unless the licensee has a reasonable belief or a reasonable basis to believe that the sender may be a victim of fraud or that a crime or violation of law, rule, or regulation has occurred, is occurring, or may occur.

(B) If a licensee fails to forward money received for transmission in accordance with this section, the licensee must respond to inquiries by the sender with the reason for the failure unless providing a response would violate a state or federal law, rule, or regulation.

Section 35-11-540. (A) This section does not apply to:

(1) money received for transmission subject to the federal Remittance Rule, 12 C.F.R. Part 1005, Subpart B, as amended or recodified from time to time; or

(2) money received for transmission pursuant to a written agreement between the licensee and payee to process payments for goods

or services provided by the payee.

(B) Every licensee shall refund to the sender within ten days of receipt of the sender's written request for a refund of any and all money received for transmission unless any of the following occurs:

(1) the money has been forwarded within ten days of the date on which the money was received for transmission;

(2) instructions have been given committing an equivalent amount of money to the person designated by the sender within ten days of the date on which the money was received for transmission;

(3) the agreement between the licensee and the sender instructs the licensee to forward the money at a time that is beyond ten days of the date on which the money was received for transmission. If funds have not yet been forwarded in accordance with the terms of the agreement between the licensee and the sender, the licensee shall issue a refund in accordance with the other provisions of this section;

(4) the refund is requested for a transaction that the licensee has not completed based on a reasonable belief or a reasonable basis to believe that a crime or violation of law, rule, or regulation has occurred, is occurring, or may occur; or

(5) the refund request does not enable the licensee to:

(a) identify the sender's name and address or telephone number; or

(b) identify the particular transaction to be refunded in the event the sender has multiple transactions outstanding.

Section 35-11-545. (A) This section does not apply to:

(1) money received for transmission subject to the federal Remittance Rule, 12 C.F.R. Part 1005, Subpart B, as amended or recodified from time to time;

(2) money received for transmission that is not primarily for personal, family, or household purposes;

(3) money received for transmission pursuant to a written agreement between the licensee and payee to process payments for goods or services provided by the payee; or

(4) payroll processing services.

(B) For purposes of this article, "receipt" means a paper receipt, electronic record, or other written confirmation. For a transaction conducted in person, the receipt may be provided electronically if the sender requests or agrees to receive an electronic receipt. For a transaction conducted electronically or by phone, a receipt may be provided electronically. All electronic receipts shall be provided in a retainable form.

(C) Every licensee or its authorized delegate shall provide the sender a receipt for money received for transmission.

(1) The receipt must contain the following information, as applicable:

(a) the name of the sender;

(b) the name of the designated recipient;

(c) the date of the transaction;

(d) the unique transaction or identification number;

(e) the name of the licensee, NMLS Unique ID, the licensee's business address, and the licensee's customer service telephone number;

(f) the amount of the transaction in United States dollars;

(g) any fee charged by the licensee to the sender for the transaction; and

(h) any taxes collected by the licensee from the sender for the transaction.

(2) The receipt required by this section shall be in English and in the language principally used by the licensee or authorized delegate to advertise, solicit, or negotiate, either orally or in writing, for a transaction conducted in person, electronically or by phone, if other than English.

Section 35-11-550. Every licensee or authorized delegate shall include on a receipt or disclose on the licensee's website or mobile application the name and phone number of the South Carolina Office of Attorney General and a statement that the licensee's customers can contact the Commissioner with complaints about the licensee's money transmission services.

Article 6

Permissible Investments

Section 35-11-600. (A) A licensee shall maintain at all times permissible investments that have a market value computed in accordance with generally accepted accounting principles of not less than the aggregate amount of all of its outstanding ~~payment instruments and store-value obligations issued or sold in all states and money transmitted from all states by the licensee~~money transmission obligation.

(B) Except for permissible investments enumerated in Section 35-11-605(A), ~~The commissioner~~the Commissioner, with respect to ~~a~~ any licensee, may, by rule or order, limit the extent to which a ~~type of~~ specific investment maintained by a licensee within a class of permissible investments may be considered a permissible investment, ~~except for money and certificates of deposit issued by a bank. The commissioner by rule may prescribe or by order allow other types of investments that the commissioner determines to have a safety~~

~~substantially equivalent to other permissible investments~~if the specific investment represents undue risk to customers, not reflected in the market value of the investments.

(C) Permissible investments, even if commingled with other assets of the licensee, are held in trust for the benefit of the purchasers and holders of the licensee's ~~outstanding payment instruments and stored value~~money transmission obligations in the event of ~~bankruptcy or receivership of the licensee~~ insolvency, the filing of a petition by or against the licensee under the United States Bankruptcy Code, 11 U.S.C. Section 101-110, as amended or recodified from time to time, for bankruptcy or reorganization, the filing of a petition by or against the licensee for receivership, the commencement of any other judicial or administrative proceeding for its dissolution or reorganization, or in the event of an action by a creditor against the licensee who is not a beneficiary of this statutory trust. No permissible investments impressed with a trust pursuant to this section may be subject to attachment, levy of execution, or sequestration by order of any court, except for a beneficiary of this statutory trust.

(D) Upon the establishment of a statutory trust in accordance with subsection (C) or when any funds are drawn on a letter of credit pursuant to Section 35-11-605(A)(4), the Commissioner shall notify the applicable regulator of each state in which the licensee is licensed to engage in money transmission, if any, of the establishment of the trust or the funds drawn on the letter of credit, as applicable. Notice is deemed satisfied if performed pursuant to a multistate agreement or through NMLS. Funds drawn on a letter of credit, and any other permissible investments held in trust for the benefit of the purchasers and holders of the licensee's outstanding money transmission obligations, are deemed held in trust for the benefit of such purchasers and holders on a pro rata and equitable basis in accordance with statutes pursuant to which permissible investments are required to be held in this State, and other states, as applicable. Any statutory trust established hereunder must be terminated upon extinguishment of all of the licensee's outstanding money transmission obligations.

(E) The Commissioner, by regulation or by order, may allow other types of investments that the Commissioner determines are of sufficient liquidity and quality to be a permissible investment. The Commissioner is authorized to participate in efforts with other state regulators to determine that other types of investments are of sufficient liquidity and quality to be a permissible investment.

Section 35-11-605. (A) ~~Except to the extent otherwise limited by the~~

~~commissioner pursuant to Section 35-11-600, the~~The following investments are permissible pursuant to Section 35-11-600:

(1)~~ cash, a certificate of deposit, or senior debt obligation of an insured depositary institution, as defined in Section 3 of the Federal Deposit Insurance Act, 12 U.S.C. Section 1813 (1994 & Supp. V 1999)~~cash, including demand deposits, savings deposits, and funds in such accounts held for the benefit of the licensee's customers in a federally insured depository financial institution, and cash equivalents including ACH items in transit to the licensee and ACH items or international wires in transit to a payee, cash in transit via armored car, cash in smart safes, cash in licensee-owned locations, debit card or credit card-funded transmission receivables owed by any bank, or money market mutual funds rated "AAA" by S&P, or the equivalent from any eligible rating service;

(2) ~~banker's acceptance or bill of exchange that is eligible for purchase upon endorsement by a member bank of the Federal Reserve System and is eligible for purchase by a Federal Reserve Bank~~certificates of deposit or senior debt obligations of an insured depository institution, as defined in Section 3 of the Federal Deposit Insurance Act, 12 U.S.C. Section 1813, as amended or recodified from time to time, or as defined under the federal Credit Union Act, 12 U.S.C. Section 1781, as amended or recodified from time to time;

(3) ~~an investment bearing a rating of one of the three highest grades as defined by a nationally recognized organization that rates securities~~an obligation of the United States or a commission, agency, or instrumentality thereof; an obligation that is guaranteed fully as to principal and interest by the United States; or an obligation of a state or a governmental subdivision, agency, or instrumentality thereof;

(4)~~ an investment security that is an obligation of the United States or a department, agency, or instrumentality of the United States; an investment in an obligation that is guaranteed fully as to principal and interest by the United States; or an investment in an obligation of a State or a governmental subdivision, agency, or instrumentality of a state~~ the full drawable amount of an irrevocable standby letter of credit for which the stated beneficiary is the Commissioner that stipulates that the beneficiary need only draw a sight draft under the letter of credit and present it to obtain funds up to the letter of credit amount within seven days of presentation of the items required by subsection (A)(4)(c).

(a) The letter of credit must:

(i) be issued by a federally insured depository financial institution, a foreign bank that is authorized under federal law to

maintain a federal agency or federal branch office in a state or states, or a foreign bank that is authorized under state law to maintain a branch in a state that bears an eligible rating or whose parent company bears an eligible rating and is regulated, supervised, and examined by United States federal or state authorities having regulatory authority over banks, credit unions, and trust companies;

(ii) be irrevocable, unconditional, and indicate that it is not subject to any condition or qualifications outside of the letter of credit;

(iii) not contain reference to any other agreements, documents, or entities, or otherwise provide for any security interest in the licensee; and

(iv) contain an issue date and expiration date, and expressly provide for automatic extension, without a written amendment, for an additional period of one year from the present or each future expiration date, unless the issuer of the letter of credit notifies the Commissioner in writing by certified or registered mail or courier mail or other receipted means, at least sixty days prior to any expiration date, that the irrevocable letter of credit will not be extended.

(b) In the event of any notice of expiration or nonextension of a letter of credit issued under subsection (A)(4)(a)(iv), the licensee is required to demonstrate to the satisfaction of the Commissioner, fifteen days prior to expiration, that the licensee maintains and will maintain permissible investments in accordance with Section 35-11-600(A) upon the expiration of the letter of credit. If the licensee is not able to do so, the Commissioner may draw on the letter of credit in an amount up to the amount necessary to meet the licensee's requirements to maintain permissible investments in accordance with Section 35-11-600(A). Any such draw must be offset against the licensee's outstanding money transmission obligations. The drawn funds must be held in trust by the Commissioner or the Commissioner's designated agent, to the extent authorized by law, as agent for the benefit of the purchasers and holders of the licensee's outstanding money transmission obligations.

(c) The letter of credit must provide that the issuer of the letter of credit will honor, at sight, a presentation made by the beneficiary to the issuer of the following documents on or prior to the expiration date of the letter of credit:

(i) the original letter of credit, including any amendments; and

(ii) a written statement from the beneficiary stating that any of the following events have occurred:

(A) the filing of a petition by or against the licensee under the United States Bankruptcy Code, 11 U.S.C. Sections 101-110, as

amended or recodified from time to time, for bankruptcy or reorganization;

(B) the filing of a petition by or against the licensee for receivership, or the commencement of any other judicial or administrative proceeding for its dissolution or reorganization;

(C) the seizure of assets of a licensee by a commissioner pursuant to an emergency order issued in accordance with applicable law, on the basis of an action, violation, or condition that has caused or is likely to cause the insolvency of the licensee; or

(D) the beneficiary has received notice of expiration or nonextension of a letter of credit and the licensee failed to demonstrate to the satisfaction of the beneficiary that the licensee will maintain permissible investments in accordance with Section 35-11-600(A) upon the expiration or nonextension of the letter of credit.

(d) The Commissioner may designate an agent to serve on the Commissioner's behalf as beneficiary to a letter of credit so long as the agent and letter of credit meet requirements established by the Commissioner. The Commissioner's agent may serve as agent for multiple licensing authorities for a single irrevocable letter of credit if the proceeds of the drawable amount for the purposes of this section are assigned to the Commissioner.

(e) The Commissioner is authorized and encouraged to participate in multistate processes designed to facilitate the issuance and administration of letters of credit including, but not limited to, services provided by the NMLS and State Regulatory Registry, LLC; and

(5) ~~receivables that are payable to a licensee from its authorized delegates, in the ordinary course of business, pursuant to contracts that are not past due or doubtful of collection if the aggregate amount of receivables under this item does not exceed twenty percent of the total permissible investments of a licensee and the licensee does not hold at one time receivables under this item in any one person aggregating more than ten percent of the licensee's total permissible investments; and~~

~~(6) a share or a certificate issued by an open-end management investment company that is registered with the United States Securities and Exchange Commission under the Investment Companies Act of 1940, 15 U.S.C. Section 80a-1-64 (1994 & Supp. V 1999), and whose portfolio is restricted by the management company's investment policy to investments specified in items (1) through (4).~~ one hundred percent of the surety bond or deposit provided for under Section 35-11-215 that exceeds the average daily money transmission liability in this State.

(B) Unless permitted by the Commissioner by regulation or order to

exceed the limit as set forth herein, ~~The~~ the following investments are permissible pursuant to Section 35-11-600, but only to the extent specified:

(1) ~~an interest-bearing bill, note, bond, or debenture of a person whose equity shares are traded on a national securities exchange or on a national over-the-counter market, if the aggregate of investments under this item does not exceed twenty percent of the total permissible investments of a licensee and the licensee does not at one time hold investments under this item in any one person aggregating more than ten percent of the licensee's total permissible investments~~receivables that are payable to a licensee from its authorized delegates in the ordinary course of business that are less than seven days old, up to fifty percent of the aggregate value of the licensee's total permissible investments;

(2) ~~a share of a person traded on a national securities exchange or a national over-the-counter market or a share or a certificate issued by an open-end management investment company that is registered with the United States Securities and Exchange Commission under the Investment Companies Act of 1940, 15 U.S.C. Section 80a-1-64 (1994 & Supp. V 1999), and whose portfolio is restricted by the management company's investment policy to shares of a person traded on a national securities exchange or a national over-the-counter market, if the aggregate of investments under this item does not exceed twenty percent of the total permissible investments of a licensee and the licensee does not at one time hold investments in any one person aggregating more than ten percent of the licensee's total permissible investments~~of the receivables permissible under item (1), receivables that are payable to a licensee from a single authorized delegate in the ordinary course of business may not exceed ten percent of the aggregate value of the licensee's total permissible investments;

(3) ~~a demand borrowing agreement made to a corporation or a subsidiary of a corporation whose securities are traded on a national securities exchange if the aggregate of the amount of principal and interest outstanding under demand borrowing agreements under this item does not exceed twenty percent of the total permissible investments of a licensee and the licensee does not at one time hold principal and interest outstanding under demand borrowing agreements under this item with any one person aggregating more than ten percent of the licensee's total permissible investments~~the following investments are permissible up to twenty percent for each category and combined up to fifty percent of the aggregate value of the licensee's total permissible investments:

(a) a short-term, up to six months, investment bearing an eligible rating;

(b) commercial paper bearing an eligible rating;

(c) a bill, note, bond, or debenture bearing an eligible rating;

(d) U.S. tri-party repurchase agreements collateralized at one hundred percent or more with U.S. government or agency securities, municipal bonds, or other securities bearing an eligible rating;

(e) money market mutual funds rated less than "AAA" and equal to or higher than "A-" by S&P, or the equivalent from any other eligible rating service; and

(f) a mutual fund or other investment fund composed solely and exclusively of one or more permissible investments listed in subsection (A)(1) through (3); and

(4) ~~another investment the commissioner designates, to the extent specified by the commissioner.~~cash, including demand deposits, savings deposits, and funds in such accounts held for the benefit of the licensee's customers, at foreign depository institutions are permissible up to ten percent of the aggregate value of the licensee's total permissible investments if the licensee has received a satisfactory rating in its most recent examination and the foreign depository institution:

(a) has an eligible rating;

(b) is registered under the Foreign Account Tax Compliance Act;

(c) is not located in any country subject to sanctions from the Office of Foreign Asset Control; and

(d) is not located in a high-risk or noncooperative jurisdiction as designated by the Financial Action Task Force.

~~(C) The aggregate of investments pursuant to subsection (B) may not exceed fifty percent of the total permissible investments of a licensee calculated pursuant to Section 35-11-600.~~

Article 7

Enforcement

Section 35-11-700. (A) The ~~commissioner~~ Commissioner may suspend or revoke a license or order a licensee to revoke the designation of an authorized delegate if:

(1) the licensee violates this chapter or a ~~rule adopted~~ regulation or an order issued pursuant to this ~~act~~chapter;

(2) the licensee does not cooperate with an examination or investigation by the ~~commissioner~~Commissioner;

(3) the licensee engages in fraud, intentional misrepresentation, or gross negligence;

(4) an authorized delegate is convicted of a violation of a state or

federal anti-money laundering statute, or violates a ~~rule adopted~~regulation or an order issued pursuant to this chapter, as a result of the licensee's wilful misconduct or wilful blindness;

(5) the competence, experience, character, or general fitness of the licensee, authorized delegate, person in control of a licensee, or ~~responsible person~~key individual of the licensee or authorized delegate indicates that it is not in the public interest to permit the person to provide money services;

(6) the licensee engages in an unsafe or unsound practice;

(7) the licensee is insolvent, suspends payment of its obligations, or makes a general assignment for the benefit of its creditors; ~~or~~

(8) the licensee does not remove an authorized delegate after the ~~commissioner~~ Commissioner issues and serves upon the licensee a final order including a finding that the authorized delegate has violated this chapter~~.~~; or

(9) the licensee is the subject of a final order, including a denial, suspension, or revocation, by this or any other state or federal financial services regulator, including a state or federal money services regulator, that was entered against the licensee within the past five years.

(B) In determining whether a licensee is engaging in an unsafe or unsound practice, the ~~commissioner~~ Commissioner may consider the size and condition of the licensee's money transmission, the magnitude of the loss, the gravity of the violation of this ~~act~~chapter or a regulation or order issued pursuant to this chapter, and the previous conduct of the person involved.

(C) In determining whether to suspend or revoke a license under subsection (A)(9), the Commissioner may consider if the licensee subject to the final order is currently licensed to conduct business in the jurisdiction where the order was entered.

(D) The Commissioner shall issue a formal written notice of the suspension or revocation. The Commissioner shall set forth in the order the specific reasons for the suspension or revocation. A licensee may request a hearing within thirty days after receipt of the written notice of suspension or revocation pursuant to Section 35-11-710.

Section 35-11-705. (A) The ~~commissioner~~ Commissioner may issue an order suspending or revoking the designation of an authorized delegate, if the ~~commissioner~~ Commissioner finds that the:

(1) authorized delegate violated this chapter or a ~~rule adopted~~regulation or an order issued pursuant to this chapter;

(2) authorized delegate did not cooperate with an examination or investigation by the ~~commissioner~~Commissioner;

(3) authorized delegate engaged in fraud, intentional misrepresentation, or gross negligence;

(4) authorized delegate is convicted of a violation of a state or federal anti-money laundering statute;

(5) competence, experience, character, or general fitness of the authorized delegate or a person in control of the authorized delegate indicates that it is not in the public interest to permit the authorized delegate to provide money services; or

(6) authorized delegate is engaging in an unsafe or unsound practice.

(B) In determining whether an authorized delegate is engaging in an unsafe or unsound practice, the ~~commissioner~~ Commissioner may consider the size and condition of the authorized delegate's provision of money services, the magnitude of the loss, the gravity of the violation of this chapter or a ~~rule adopted~~regulation or order issued pursuant to this chapter, and the previous conduct of the authorized delegate.

(C) The Commissioner shall issue a formal written notice of the suspension or revocation. The Commissioner shall set forth in the order the specific reasons for the suspension or revocation. An authorized delegate may ~~apply for relief from a suspension or revocation of designation as an authorized delegate according to procedures prescribed by the commissioner~~request a hearing within thirty days after receipt of the written notice of suspension or revocation pursuant to Section 35-11-710.

Section 35-11-710. (A) ~~If the commissioner determines that a violation of this chapter or of a rule adopted or an order issued pursuant to this chapter by a licensee or authorized delegate is likely to cause immediate and irreparable harm to the licensee, its customers, or the public as a result of the violation, or cause insolvency or significant dissipation of assets of the licensee, the commissioner may issue an order requiring the licensee or authorized delegate to cease and desist from the violation. The order becomes effective upon service of it upon the licensee or authorized delegate.~~If the Commissioner determines that a person has engaged, is engaging, or is about to engage in an act, practice, or course of business constituting a violation of this chapter or a regulation or order issued under this chapter, the Commissioner may:

(1) issue an order directing the person to cease and desist from engaging in the act, practice, or course of business or to take other action necessary or appropriate to comply with this chapter;

(2) issue an order against a licensee to cease and desist from providing money services through an authorized delegate that is the

subject of a separate order by the Commissioner; or

(3) issue an order under Sections 35-11-220(E), 35-11-235(A), 35-11-310(D), 35-11-515(H), 35-11-515(M), 35-11-700, and 35-11-705.

(B) ~~The commissioner may issue an order against a licensee to cease and desist from providing money services through an authorized delegate that is the subject of a separate order by the commissioner.~~ An order under subsection (A) is effective on the date of issuance. Upon issuance of the order, the Commissioner shall promptly serve each person subject to the order with a copy of the order and a notice that the order has been entered. The order must include a statement of any civil penalty or costs of investigation the Commissioner will seek, a statement of the reasons for the order, and notice that, within fifteen days after receipt of a request in a record from the person, the matter will be scheduled for a hearing. If a person subject to the order does not request a hearing and none is ordered by the Commissioner within thirty days after the date of service of the order, the order, which may include a civil penalty or costs of the investigation if a civil penalty or costs were sought, becomes final as to that person by operation of law. If a hearing is requested or ordered, the Commissioner, after notice of and opportunity for hearing to each person subject to the order, may modify or vacate the order or extend it until final determination.

(C) ~~An order to cease and desist remains effective and enforceable pending the completion of an administrative proceeding pursuant to Section 35-11-700 or 35-11-705.~~If a hearing is requested or ordered pursuant to subsection (B), a hearing must be held. A final order may not be issued unless the Commissioner makes findings of fact and conclusions of law in a record. The final order may make final, vacate, or modify the order issued under subsection (A).

(D) In a final order under subsection (C), the Commissioner may impose a civil penalty against a person that violates this chapter or a regulation or order issued pursuant to this chapter in an amount not to exceed one thousand dollars per day for each day the violation is outstanding, plus this state's costs and expenses for the investigation and prosecution of the matter, including reasonable attorney's fees.

(E) If a petition for judicial review of a final order is not filed in accordance with Section 35-11-830, the Commissioner may file a certified copy of the final order with the clerk of court of competent jurisdiction. The order so filed has the same effect as a judgment of the court and may be recorded, enforced, or satisfied in the same manner as a judgment of the court.

(F) If a person does not comply with an order under this section, the

Commissioner may petition a court of competent jurisdiction to enforce the order. The court may not require the Commissioner to post a bond in an action or proceeding under this section. If the court finds, after service and opportunity for hearing, that the person was not in compliance with the order, the court may adjudge the person in civil contempt of the order. The court may impose a further civil penalty against the person for contempt in an amount not less than five hundred dollars but not greater than five thousand dollars for each violation and may grant any other relief the court determines is just and proper in the circumstances.

(G) A hearing in an administrative proceeding under this chapter must be conducted in public unless the Commissioner, for good cause consistent with this chapter, determines that the hearing will not be so conducted.

Section 35-11-715. The ~~commissioner~~ Commissioner may enter into a consent order at any time with a person to resolve a matter arising pursuant to this chapter or a ~~rule adopted~~regulation or order issued pursuant to this chapter. A consent order must be signed by the person to whom it is issued or by the person's authorized representative, and must indicate agreement with the terms contained in the order. A consent order may provide that it does not constitute an admission by a person that this chapter or a ~~rule adopted~~regulation or an order issued pursuant to this chapter has been violated.

Section 35-11-720. ~~The commissioner may assess a civil penalty against a person that violates this chapter or a rule adopted or an order issued pursuant to this chapter in an amount not to exceed one thousand dollars per day for each day the violation is outstanding, plus this state's costs and expenses for the investigation and prosecution of the matter, including reasonable attorney fees~~ Reserved.

Section 35-11-725. (A) A person who intentionally makes a false statement, misrepresentation, or false certification in a record filed or required to be maintained pursuant to this chapter, who intentionally makes a false entry or omits a material entry in that record, or violates a rule promulgated or order issued pursuant to this chapter is guilty of a Class B felony.

(B) A person who knowingly engages in an activity for which a license is required pursuant to this chapter without being licensed pursuant to this chapter and who receives more than five hundred dollars in compensation within a thirty-day period from this activity is guilty of a Class B felony.

(C) A person who knowingly engages in an activity for which a license is required pursuant to this chapter without being licensed pursuant to

this chapter and who receives no more than five hundred dollars in compensation within a thirty-day period from this activity is guilty of a Class A misdemeanor.

Section 35-11-730. (A) If the ~~commissioner~~ Commissioner has reason to believe that a person ~~has violated or is violating Section 35-11-200 or 35-11-300, the commissioner may issue an order to show cause why an order to cease and desist should not be issued requiring the person to cease and desist from the violation of Section 35-11-200 or 35-11-300.~~engaged or is about to engage in an act or practice constituting a violation of this chapter or a regulation or order issued pursuant to this chapter, the Commissioner may summarily issue an order to cease and desist pursuant to Section 35-11-710.

(B) ~~In an emergency, the commissioner may petition the Richland County Circuit Court for the issuance of a temporary restraining order ex parte pursuant to the rules of civil procedure.~~The Commissioner may apply to the Richland County Court of Common Pleas to:

(1) temporarily or permanently enjoin an act or practice that violates this chapter or a regulation or order issued pursuant to this chapter; or

(2) enforce compliance with this chapter or a regulation or order issued or pursuant to this chapter.

(C) ~~An order to cease and desist becomes effective upon service of the order on the person.~~ A person that is served with an order to cease and desist for violating Section 35-11-200 or 35-11-300 may petition the Richland County Court of Common Pleas for a judicial order setting aside, limiting, or suspending the enforcement, operation, or effectiveness of the order pending the completion of an administrative proceeding pursuant to Section 35-11-710.

~~(D) An order to cease and desist remains effective and enforceable pending the completion of an administrative proceeding pursuant to Sections 35-11-800 and 35-11-805.~~

Section 35-11-735. (A) Whenever a licensee has refused or is unable to pay its obligations generally as they become due or whenever it appears to the ~~commissioner~~ Commissioner that a licensee is in an unsafe or unsound condition, the ~~commissioner~~ Commissioner may apply to the Richland County ~~Circuit~~ Court of Common Pleas or to the circuit court of any county in which the licensee is located for the appointment of a receiver for the licensee. The court may require the receiver to post a bond in an amount that appears necessary to protect claimants of the licensee.

(B) The receiver, subject to the approval of the court, shall take possession of the books, records, and assets of the licensee and shall take

an action with respect to employees, agents, or representatives of the licensee or other action that may be necessary to conserve the assets of the licensee or ensure payment of instruments issued by the licensee pending further disposition of its business as provided by law. The receiver shall sue and defend, compromise, and settle all claims involving the licensee and exercise the powers and duties that are necessary and consistent with the laws of this State applicable to the appointment of receivers.

(C) The receiver, from time to time, but in no event less frequently than once each calendar quarter, shall report to the court with respect to all acts and proceedings in connection with the receivership.

Section 35-11-740. (A)(1) A person who, knowing that the property involved in a financial transaction represents the proceeds of, or is derived directly or indirectly from the proceeds of unlawful activity, conducts or attempts to conduct such a financial transaction that in fact involves the proceeds:

(a) with the intent to promote the carrying on of unlawful activity; or

(b) knowing that the transaction is designed in whole or in part to conceal or disguise the nature, location, sources, ownership, or control of the proceeds of unlawful activity is guilty of a felony and, upon conviction, must be punished as follows:

(i) for a Class F felony if the transactions exceed three hundred dollars but are less than twenty thousand dollars in a twelve-month period;

(ii) for a Class E felony for transactions that total or exceed twenty thousand dollars but are less than one hundred thousand dollars in a twelve-month period; or

(iii) for a Class C felony for transactions that total or exceed one hundred thousand dollars in a twelve-month period.

In addition to penalties, a person who is found guilty of or who pleads guilty or nolo contendere to having violated this section may be sentenced to pay a fine not to exceed two hundred fifty thousand dollars, or twice the value of the financial transactions, whichever is greater; however, for a second or subsequent violation of this section, the fine may be up to five hundred thousand dollars, or quintuple the value of the financial transactions, whichever is greater.

(2) A person who transports, transmits, or transfers, or attempts to transport, transmit, or transfer a monetary instrument or funds from a place in South Carolina to or through a place outside the United States or to a place in South Carolina from or through a place outside the United

States:

(a) with the intent to promote the carrying on of unlawful activity; or

(b) knowing that the monetary instrument or funds involved in the transportation represent the proceeds of unlawful activity and knowing that the transportation is designed in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of unlawful activity is guilty of a felony and, upon conviction, must be punished as follows:

(i) for a Class F felony if the transactions exceed three hundred dollars but are less than twenty thousand dollars in a twelve-month period;

(ii) for a Class E felony for transactions that total or exceed twenty thousand dollars but are less than one hundred thousand dollars in a twelve-month period; or

(iii) for a Class C felony for transactions that total or exceed one hundred thousand dollars in a twelve-month period.

In addition to penalties, a person who is found guilty of or who pleads guilty or nolo contendere to having violated this section may be sentenced to pay a fine not to exceed two hundred fifty thousand dollars or twice the value of the financial transactions, whichever is greater; however, for a second or subsequent violation of this section, the fine may be up to five hundred thousand dollars, or quintuple the value of the financial transactions, whichever is greater.

(3) A person with the intent:

(a) to promote the carrying on of unlawful activity; or

(b) to conceal or disguise the nature, location, source, ownership, or control of property believed to be the proceeds of unlawful activity, conducts or attempts to conduct a financial transaction involving property represented by a law enforcement officer to be the proceeds of unlawful activity, or property used to conduct or facilitate unlawful activity is guilty of a felony and, upon conviction, must be punished as follows:

(i) for a Class F felony if the transactions exceed three hundred dollars but are less than twenty thousand dollars in a twelve-month period;

(ii) for a Class E felony for transactions that total or exceed twenty thousand dollars but are less than one hundred thousand dollars in a twelve-month period; or

(iii) for a Class C felony for transactions that total or exceed one hundred thousand dollars in a twelve-month period.

In addition to penalties, a person who is found guilty of or who pleads guilty or nolo contendere to having violated this section may be sentenced to pay a fine not to exceed two hundred fifty thousand dollars or twice the value of the financial transactions, whichever is greater; however, for a second or subsequent violation of this section, the fine may be up to five hundred thousand dollars or quintuple the value of the financial transactions, whichever is greater.

For purposes of this subitem, the term "represented" means a representation made by a law enforcement officer or by another person at the direction of, or with the approval of, a state official authorized to investigate or prosecute violations of this section.

(B) A person who conducts or attempts to conduct a transaction described in subsection (A)(1), or transportation described in subsection (A)(2), is liable to the State for a civil penalty of not more than the greater of:

(1) the value of the property, funds, or monetary instruments involved in the transaction; or

(2) ten thousand dollars.

A court may issue a pretrial restraining order or take another action necessary to ensure that a bank account or other property held by the defendant in the United States is available to satisfy a civil penalty under this section.

(C) As used in this section:

(1) the term "conducts" includes initiating, concluding, or participating in initiating or concluding a transaction;

(2) the term "transaction" includes a purchase, sale, loan, pledge, gift, transfer, delivery, or other disposition and, with respect to a financial institution, includes a deposit, withdrawal, transfer between accounts, exchange of currency, loan, extension of credit, purchase or sale of a stock, bond, certificate of deposit, or other monetary instrument, or another payment, transfer, or delivery by, through, or to a financial institution, by whatever means effected;

(3) the term "financial transaction" means a transaction involving the movement of funds by wire or other means or involving one or more monetary instruments;

(4) the term "monetary instruments" means coin or currency of the United States or of another country, travelers' checks, personal checks, bank checks, money orders, investment securities in bearer form or otherwise in that form that title to it passes upon delivery, and negotiable instruments in bearer form or otherwise in that form that title to it passes upon delivery;

(5) the term "financial institution" has the definition given that term in Section 5312(a)(2), Title 31, United States Code, and the regulations promulgated thereunder.

(D) Nothing in this section supersedes a provision of law imposing criminal penalties or affording civil remedies in addition to those provided for in this section, and nothing in this section precludes reliance in the appropriate case upon the provisions set forth in Section 44-53-475.

Section 35-11-745. (A) The Commissioner may:

(1) conduct public or private investigations within or outside of this State which the Commissioner considers necessary or appropriate to determine whether a person has violated, is violating, or is about to violate this chapter or a regulation or order issued pursuant to this chapter, or to aid in the enforcement of this chapter or in the adoption of rules and forms under this chapter;

(2) require or permit a person to testify, file a statement, or produce a record, under oath or otherwise as the Commissioner determines, as to all the facts and circumstances concerning a matter to be investigated or about which an action or proceeding is to be instituted; and

(3) publish a record concerning an action, proceeding, or an investigation under, or a violation of, this chapter or a regulation or order issued pursuant to this chapter if the Commissioner determines it is necessary or appropriate in the public interest.

(B) For the purpose of an investigation under this chapter, the Commissioner or its designated officer may administer oaths and affirmations, subpoena witnesses, seek compulsion of attendance, take evidence, require the filing of statements, and require the production of any records that the Commissioner considers relevant or material to the investigation.

(C) If a person does not appear or refuses to testify, file a statement, produce records, or otherwise does not obey a subpoena as required by the Commissioner under this chapter, the Commissioner may apply to the Richland County Court of Common Pleas or a court of another state to enforce compliance. The court may:

(1) hold the person in contempt;

(2) order the person to appear before the Commissioner;

(3) order the person to testify about the matter under investigation or in question;

(4) order the production of records;

(5) grant injunctive relief;

(6) impose a civil penalty of not less than five hundred dollars and

not greater than five thousand dollars for each violation; and

(7) grant any other necessary or appropriate relief.

(D) This section does not preclude a person from applying to the Richland County Court of Common Pleas for relief from a request to appear, testify, file a statement, produce records, or obey a subpoena.

Article 8

Administrative Procedures

Section 35-11-800. ~~All administrative proceedings pursuant to this chapter must be conducted in accordance with Article 3, Chapter 23, Title 1.~~ In order to carry out the purposes of this chapter, the Commissioner may, subject to the provisions of Section 35-11-530:

(1) enter into agreements or relationships with other governmental officials or federal and state regulatory agencies and regulatory associations in order to improve efficiencies and reduce regulatory burden by standardizing methods or procedures, and sharing resources, records, or related information obtained under this chapter;

(2) use, hire, contract, or employ analytical systems, methods, or software to examine or investigate any person subject to this chapter;

(3) accept, from other state or federal governmental agencies or officials, licensing, examination, or investigation reports made by such other state or federal governmental agencies or officials; and

(4) accept audit reports made by an independent certified public accountant or other qualified third-party auditor for an applicant or licensee and incorporate the audit report in any report of examination or investigation.

Section 35-11-805. ~~Except as otherwise provided in Sections 35-11-225(C), 35-11-315(C), 35-11-710, and 35-11-730, the commissioner~~The Commissioner may not suspend or revoke a license, issue an order to cease and desist, suspend or revoke the designation of an authorized delegate, or assess a civil penalty without notice and an opportunity to be heard pursuant to Section 35-11-710. The ~~commissioner~~ Commissioner also shall hold a hearing when requested to do so by an applicant whose application for a license is denied.

Section 35-11-810. This chapter is administered by the ~~commissioner~~ Commissioner who may employ such additional assistants as he deems necessary. The ~~commissioner~~ Commissioner may delegate any or all of his duties pursuant to this chapter to members of his staff, as he deems necessary or appropriate.

Section 35-11-815. The commissioner may promulgate and amend regulations or issue orders necessary to carry out the purposes of this chapter in order to provide for the protection of the public and to assist

licensees in interpreting and complying with this chapter.

Section 35-11-820. The Commissioner may establish reasonable fees for filings required or permitted by regulation or order adopted pursuant to this chapter, and other miscellaneous filings for which no fees are otherwise specified by law.

Section 35-11-825. The Commissioner may retain all fees, assessments, and fines received under this chapter for the administration of this chapter.

Section 35-11-830. A person aggrieved by a final order of the Commissioner may obtain a review of the order in the Richland County Court of Common Pleas by filing in the court, within thirty days after entry of the order, a written petition praying that the order may be modified or set aside in whole or in part. The aggrieved person, upon filing a petition, may move before the court in which the petition is filed to stay the effectiveness of the Commissioner's final order until such time as the court has reviewed the order. If the court orders a stay, the aggrieved person must post any bond set by the court in which a petition is filed. A copy of the petition must be served upon the Commissioner, and the Commissioner shall certify and file in court a copy of the filing and evidence upon which the order was entered. When these have been filed, the court has exclusive jurisdiction to affirm, modify, enforce, or set aside the order, in whole or in part. The findings of the Commissioner as to the facts, if supported by competent, material, and substantial evidence, are conclusive.

Article 9

Miscellaneous Provisions

Section 35-11-900. In applying and construing this Uniform Act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Section 35-11-905. (A) A person licensed in this State to engage in the business of money transmission may not be subject to the amended provisions of this chapter, to the extent that they conflict with the prior law or establish new requirements not imposed under the prior law, until the first January first after the effective date of this chapter.

(B) Notwithstanding subsection (A), a licensee only must be required to amend its authorized delegate contracts for contracts entered into or amended after the effective date of the amendments to this chapter or the completion of any transition period contemplated under subsection (A). Nothing herein may be construed as limiting an authorized delegate's obligations to operate in full compliance with this chapter as required by Section 35-11-400(C).

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor.

Amend title to conform.

/s/Sen. Malloy	/s/Rep. Blackwell
/s/Sen. Gambrell	Rep. Gatch
/s/Sen. Garrett	/s/Rep. Jefferson
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO

PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

Very respectfully,
Speaker of the House

Received as information.

RECESS

At 4:59 P.M., on motion of Senator HUTTO, the Senate receded from business not to exceed 20 minutes.

At 5:28 P.M., the Senate resumed.

S. 1046--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson,

Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF

EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

On motion of Senator RANKIN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator RANKIN spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Gustafson	Harpootlian	Hembree
Hutto	Jackson	*Johnson, Kevin*
Johnson, Michael	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

S. 1046--Conference Report

The General Assembly, Columbia, S.C., June 26, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO

MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Chapter 19, Title 2 of the S.C. Code is amended to read:

CHAPTER 19

South Carolina Judicial Merit Selection Commission

Screening and Election of Justices and Judges

Section 2-19-5. (A) There is created the South Carolina Judicial Merit Selection Commission composed of twelve members who must be appointed as follows:

(1) four members appointed by the Speaker of the House of Representatives and of these appointments:

(a) three members must be members of the House of Representatives; and

(b) one member must be selected from the South Carolina Bar who must be a member of the Bar in good standing with ten years' experience in the practice of law;

(2) four members appointed by the Senate and of these appointments:

(a) two members must be appointed by the President of the Senate one of whom must be a member of the Senate and one of whom must be selected from the South Carolina Bar and must be a member in good standing with ten years' experience in the practice of law; and

(b) two members must be appointed by the Chairman of the

Senate Judiciary Committee both of whom must be members of the Senate; and

(3) four members appointed by the Governor all of which must be members in good standing of the South Carolina Bar with at least ten years' experience in the practice of law.

(B) No person is eligible for appointment if he individually contributed to a campaign of one of the appointing authorities in the most recent election. Nonlegislative members may not be a public employee or serve in another elected office.

(C) Members of the commission shall serve for a term of two years and may serve no more than two consecutive terms. However, a member of the House of Representatives or Senate who ceases to serve as a member of the General Assembly will have his service on the commission terminated upon the end of his service in the General Assembly. Additionally, a member appointed to fill a vacancy in an unexpired term may serve two full terms thereafter. The initial appointments must be made as follows:

(1) one member each appointed by the Speaker of the House of Representatives pursuant to subsection (A)(1)(a) and (b) shall serve an initial term of one year and may be reappointed to a following two-year term;

(2) one member each appointed by the President of the Senate and the Chairman of the Senate Judiciary Committee pursuant to subsection (A)(2)(a) and (b) shall serve an initial term of one year and may be reappointed to a following two-year term; and

(3) two members appointed by the Governor pursuant to subsection (A)(3)(b) shall serve an initial term of one year and may be reappointed to a following two-year term.

(D) In making appointments to the commission, race, gender, national origin, and other demographic factors shall be considered to ensure nondiscrimination to the greatest extent possible as to all segments of the population of the State.

(E) A vacancy on the commission must be filled for the remainder of the unexpired term in the same manner as provided for the original selection.

(F) Members of the Judicial Merit Selection Commission serving on the effective date of this act who have served more than four years on the commission are not eligible for appointment to the commission pursuant to the provisions of this act except for the current chairman and vice chairman who can serve a two-year term but then may not serve a successive term.

(G) No member of the commission shall receive any compensation for commission services, except those set by law for travel, board, and lodging expenses incurred in the performance of commission duties.

(H) No member of the commission is eligible for nomination and appointment as a judge or justice of the state court system or administrative law court while serving on the commission and for a period of one year thereafter. If a candidate is a family member of a member of the commission, the member must resign. For the purposes of this subsection, "family member" means a spouse, parent, brother, sister, child, step-child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, or grandchild.

Section 2-19-10. ~~(A) Whenever~~When an election is to be held by the General Assembly in Joint Session, for members of the judiciary, ~~a~~ the South Carolina Judicial Merit Selection Commission, composed of ~~ten~~twelve members, shall ~~be appointed, in the manner prescribed by this section, to~~ consider the qualifications of the candidates. The ~~Judicial Merit Selection Commission~~commission shall meet at least once annually and at other times as may be designated by the chairman. The commission, at its first meeting and then annually, shall elect a chairman and a vice chairman who shall serve for a term of one year and until their successors are elected and qualified, and adopt rules necessary to the purposes of the commission. These rules shall address, among other things:

(1) the confidentiality of records and other information received concerning candidates for judicial office;

(2) the conduct of proceedings before the commission;

(3) receipt of public statements in support of or in opposition to any of the candidates;

(4) procedures to review the qualifications of retired judges for continued judicial service;

(5) contacting incumbent judges regarding their desire to seek ~~re-election~~reelection;

(6) prohibition against candidates communicating with individual members of the commission concerning the qualifications of candidates unless specifically authorized by the commission~~.~~; and

(7) format and use of anonymous surveys by the commission.

~~A member may succeed himself as chairman or vice chairman~~. ~~Six~~Seven members of the commission constitute a quorum at all meetings.

~~(B) Notwithstanding any other provision of law, the Judicial Merit~~

~~Selection Commission shall consist of the following individuals:~~

~~(1) five members appointed by the Speaker of the House of Representatives and of these appointments:~~

~~(a) three members must be serving members of the General Assembly; and~~

~~(b) two members must be selected from the general public;~~

~~(2) three members, appointed by the Chairman of the Senate Judiciary Committee, who must be serving members of the Senate; and~~

~~(3) two members, appointed by the President of the Senate, who must be selected from the general public.~~

~~(C) In making appointments to the commission, race, gender, national origin, and other demographic factors should be considered to ensure nondiscrimination to the greatest extent possible as to all segments of the population of the State.~~

~~(D) The term of office of a member of the commission who is not a member of the General Assembly shall be for four years subject to a right of removal at any time by the person appointing him, and until his successor is appointed and qualifies. A member of the commission who is a serving member of the General Assembly shall serve for the term of office to which he has been elected.~~

~~(E) A vacancy on the Judicial Merit Selection Commission must be filled for the remainder of the unexpired term in the same manner as provided for the original selection.~~

~~(F) No member of the commission shall receive any compensation for commission services, except those set by law for travel, board, and lodging expenses incurred in the performance of commission duties.~~

~~(G) No member of the Judicial Merit Selection Commission is eligible for nomination and appointment as a judge or justice of the state court system or administrative law judge division while serving on the commission and for a period of one year thereafter.~~

Section 2-19-20. (A) It is the responsibility of the South Carolina Judicial Merit Selection Commission to determine when judicial vacancies are to occur in the ~~administrative law judge division~~Administrative Law Court and on the family court, circuit court, court of appeals, or Supreme Court and to expeditiously investigate in advance the qualifications of those who seek ~~nomination~~the position. For purposes of this chapter, a vacancy is created in the ~~administrative law judge division~~ Administrative Law Court or on the family court, circuit court, court of appeals, or Supreme Court when any of the following occurs: a term expires; a new judicial position is created; or a judge can no longer serve due to resignation, retirement, disciplinary

action, disability, or death.

(B) The commission, upon receiving notice of a judicial vacancy, ascertaining that a judicial vacancy shall occur, or receiving the decision of an incumbent judge regarding his seeking ~~re-election~~reelection, shall notify the Supreme Court of the vacancy for publication in the advance sheets provided by the Clerk of the Supreme Court at least thirty days prior to closing applications for the vacancy. The commission shall, if practicable, also notify the South Carolina Bar, other professional legal organizations it considers appropriate, and each newspaper of this State with daily circulation of the vacancy at least thirty days prior to closing applications for the vacancy. This notice must include, but not be limited to, the judicial office in which the vacancy occurs, the address to which, and the date by which interested candidates may apply.

(C) The ~~Judicial Merit Selection Commission~~commission shall announce and publicize vacancies and forthcoming vacancies in the ~~administrative law judge division~~ Administrative Law Court, on the family court, circuit court, court of appeals, and Supreme Court. A person who desires to be considered for ~~nomination~~a position as justice or judge may make application to the commission. ~~No person may concurrently seek more than one judicial vacancy.~~ The commission shall announce the names of those persons who have applied.

(D) Any person wishing to seek a judicial office, which is elected by the General Assembly, shall file a notice of intention to seek the office with the ~~Judicial Merit Selection Commission~~commission. Upon receipt of the notice of intention, the commission shall begin to conduct the investigation of the candidate as it considers appropriate and may in the investigation utilize the services of any agency of state government. This agency shall, upon request, cooperate fully with the commission.

Section 2-19-25. (A) The South Carolina Judicial Merit Selection Commission is authorized to investigate and obtain information relative to any candidate for an ~~administrative law~~ Administrative Law Court judgeship or a family court, circuit court, court of appeals, or Supreme Court judgeship from any state agency or other group including, but not limited to, court administration and any law enforcement agency, to the extent permitted by law. And, as part of the investigation, candidates for election to judicial office or reelection to judicial office must disclose any sanctions, including private reprimands, to the commission.

(B) The chairman of the commission shall notify the President of the South Carolina Bar of the judgeships to be filled and of the candidates for those judgeships no later than four weeks before the scheduled date for the public hearing. The chairman of the commission shall also

request the South Carolina Bar to offer the commission an assessment of each candidate's qualifications for the judgeship sought, and the date by which the assessment must be returned to the commission. This assessment must specify the bar's finding as to whether each candidate is qualified or unqualified for the judgeship sought and the reasons for that finding. The commission may receive the bar's assessment in that form and at that time it desires but shall attach the assessments to its findings of fact in such form as the commission considers appropriate. Failure of the bar to return the assessment by the date requested is not a ground for delaying the applicable hearings or election.

(C) The commission shall forward the names of justices and judges who are at the midpoint in their terms to the committee in order for the committee to conduct midterm reviews utilizing the electronic ballot box survey polling or other forms of electronic surveys as it deems appropriate. The results of the midterm reviews must be forwarded to the Chief Justice of the Supreme Court. Midterm reviews also must be provided to the commission at the next public screening of each judicial candidate.

Section 2-19-30. (A) Upon completion of the investigation, the Chairman of the South Carolina Judicial Merit Selection Commission shall schedule a public hearing concerning the qualifications of the candidates. Any person who desires to testify at the hearing, including candidates, shall furnish a written statement of his proposed testimony to the commission no later than two weeks prior to the date and time set for the hearing unless sufficient cause is determined by the ~~Judicial Merit Selection Commission~~commission for allowing the submitting individual's testimony after the deadline. The commission shall determine the persons who shall testify at the hearing. All testimony, including documents furnished to the commission, must be submitted under oath and persons knowingly furnishing false information either orally or in writing are subject to the penalties provided by law for perjury and false swearing.

(B) During the course of the investigation, the commission may schedule an executive session at which each candidate, and other persons whom the commission wishes to interview, may be interviewed by the commission on matters pertinent to the candidate's qualification for the office to be filled.

(C) ~~A~~At a reasonable time thereafter the commission shall render its tentative findings as to whether the candidate is qualified for the office to be filled and its reasons therefor as to each candidate.

(D) As soon as possible after the completion of the hearing, a verbatim

copy of the testimony, documents submitted at the hearing, and findings of fact must be transcribed and published or otherwise made available in a reasonable number of copies to the members of both houses prior to the date of the scheduled election, and a copy ~~thereof~~ shall be furnished to each candidate and anyone else upon request. A charge for these copies may be made as authorized in the Freedom of Information Act.

(E) A candidate may withdraw at any ~~stage of the proceedings and in this event no further inquiry or consideration of his candidacy shall be made~~ time prior to the public hearing or after the draft report is issued to members of the General Assembly. ~~All materials concerning that candidate including his report, transcript, application, materials, and other information gathered during the commission's investigation must be kept confidential and destroyed as soon as possible after the candidate's written notification to the commission of his withdrawal.~~ The information concerning a withdrawn candidate also shall be exempt from disclosure pursuant to Chapter 4 of Title 30. However, all materials concerning the candidate must be retained and may not be destroyed by the commission.

(F) All of the commission's public hearings shall be live streamed except for the portions of the hearings conducted in executive session.

Section 2-19-35. (A) The responsibility of the South Carolina Judicial Merit Selection Commission is to investigate and consider the qualifications of the candidates for judicial office in ~~the administrative law judge division~~Administrative Law Court or on the family court, circuit court, court of appeals, or Supreme Court. Investigations and consideration of the commission should include, but are not limited to, the following areas:

(1) constitutional qualifications;
(2) ethical fitness;
(3) professional and academic ability;
(4) character;
(5) reputation;
(6) physical health;
(7) mental stability;
(8) experience; and
(9) judicial temperament.

(B) ~~In making nominations, race~~Race, gender, national origin, and other demographic factors ~~should~~shall be considered by the commission to ensure nondiscrimination to the greatest extent possible as to all segments of the population of the State.

Section 2-19-40. ~~Notwithstanding the provisions of this chapter, when~~

~~there is no known opposition to a candidate, and there appears to be no substantial reason for having a public hearing, whether or not a candidate is an incumbent, and no request is made by at least six members of the Judicial Merit Selection Commission for a public hearing, the commission chairman upon recommendation of the commission may determine that the public hearing is unnecessary and it may not be held.~~ Reserved.

Section 2-19-50. All records, information, and other material that the South Carolina Judicial Merit Selection Commission has obtained or used to make its findings of fact, except materials, records, and information presented under oath at the public hearing, must be kept strictly confidential. ~~After the commission has reported its findings of fact, all records, information, and material required to be kept confidential must be destroyed.~~ The information required to be kept confidential also shall be exempt from disclosure pursuant to Chapter 4 of Title 30.

Section 2-19-60. (A)The South Carolina Judicial Merit Selection Commission in the discharge of its duties may administer oaths and affirmations, take depositions, and issue subpoenas to compel the attendance of witnesses and the production of books, papers, correspondence, memoranda, and other records considered necessary in connection with the investigation of the candidate.

(B) No person shall be excused from attending and testifying or from producing books, papers, correspondence, memoranda, or other records before the ~~Judicial Merit Selection Commission~~commission on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no individual shall be prosecuted or subjected to any criminal penalty based upon testimony or evidence submitted or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that the individual so testifying shall not be exempt from prosecution and punishment for perjury and false swearing committed in so testifying.

(C) In case of contumacy by any person or refusal to obey a subpoena issued to any person, any circuit court of this State or circuit judge ~~thereof~~ within the jurisdiction of which the person guilty of contumacy or refusal to obey is found, resides, or transacts business, upon application by the ~~Judicial Merit Selection Commission~~commission may issue to this person an order requiring him to appear before the

commission to produce evidence if so ordered or to give testimony touching the matter under investigation. Any failure to obey an order of the court may be punished as a contempt ~~hereof~~. Subpoenas shall be issued in the name of the South Carolina Judicial Merit Selection Commission and shall be signed by the commission chairman. Subpoenas shall be issued to those persons as the commission may designate.

Section 2-19-70. (A) No member of the General Assembly may be elected to a judicial office while he is serving in the General Assembly nor shall that person be elected to a judicial office for a period of one year after he either:

(1) ceases to be a member of the General Assembly; or

(2) fails to file for election to the General Assembly in accordance with Section 7-11-15.

(B) The privilege of the floor in either house of the General Assembly may not be granted to any candidate or any immediate family member of a candidate unless the family member is serving in the General Assembly, during the time the candidate's application is pending before the commission and during the time his nomination by the commission for election to a particular judicial office is pending in the General Assembly.

(C) No ~~candidate for judicial office~~person may seek, directly or indirectly, the pledge of a member of the General Assembly's vote or, directly or indirectly, contact a member of the General Assembly regarding screening for the judicial office until the qualifications of all candidates for that office have been determined by the Judicial Merit Selection Commission and the commission has formally released its report as to the qualifications of all candidates for the vacancy to the General Assembly. No member of the General Assembly may offer his pledge to any person until the qualifications of all candidates for that office have been determined by the Judicial Merit Selection Commission and until the commission has formally released its report as to the qualifications of its nominees to the General Assembly. The formal release of the report of qualifications shall occur no earlier than ~~forty-eight hours~~twelve days after the nominees have been initially released to members of the General Assembly. For purposes of this section, indirectly seeking a pledge means the candidate, or someone acting on behalf of and at the request of the candidate, requesting a person to contact a member of the General Assembly on behalf of the candidate before nominations for that office are formally made by the commission. Prior to the formal release of the report as to the qualifications of judicial

candidates, a person may not request that a member of the General Assembly, nor may a member of the General Assembly offer to, act on behalf of a candidate in furtherance of the candidate's candidacy in any capacity including, but not limited to, acting as a vote counter for a candidate. The prohibitions of this section do not extend to an announcement of candidacy by the ~~candidate~~a person and statements by the candidate detailing the candidate's qualifications.

(D) No member of the General Assembly may trade anything of value, including pledges to vote for legislation or for other candidates now or in the future, in exchange for another member's pledge to vote for a candidate for judicial office or as an inducement for a candidate to withdraw.

(E) Violations of this section may be considered by the merit selection commission when it considers the candidate's qualifications and until the time set for election of candidates. Violations of this section by members of the General Assembly shall be reported by the commission to the House or Senate Ethics Committee, as may be applicable. Violations of this section by nonlegislative commission members shall be reported by the commission to the State Ethics Commission. A violation of this section is a misdemeanor and, upon conviction, the violator must be fined not more than one thousand dollars or imprisoned not more than ninety days. Cases tried under this section may not be transferred from general sessions court pursuant to Section 22-3-545.

Section 2-19-80. (A) The commission shall make nominations to the General Assembly of candidates and their qualifications for election to the Supreme Court, court of appeals, circuit court, family court, and the administrative law judge division. It shall review the qualifications of all applicants for a judicial office and select therefrom and submit to the General Assembly the names and qualifications of ~~the three~~not more than six candidates whom it considers best qualified for the judicial office under consideration. If fewer than ~~three~~ six persons apply to fill a vacancy or if the commission concludes there are fewer than ~~three~~ six candidates qualified for a vacancy, it shall submit to the General Assembly only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than ~~three~~ six names.

(B) The nominations of the commission for any judgeship are binding on the General Assembly, and it shall not elect a person not nominated by the commission. Nothing shall prevent the General Assembly from rejecting all persons nominated. In this event, the commission shall submit another group of names and qualifications for that position.

Further ~~nominations~~procedures in the manner required by this chapter must be made until the office is filled.

(C)(1) If the commission does not find the incumbent justice or judge qualified for the judicial office held and sought, his name shall not be submitted to the General Assembly for ~~re-election~~ reelection and upon expiration of his then current term of office, he shall cease serving in that judicial position.

(2) If the commission finds an incumbent judge not qualified for the office sought, or if an incumbent judge dies, withdraws, or becomes otherwise disqualified for the office sought between the time he makes application for the office and the date of the election ~~therefor~~, the election for the office may not be held at that scheduled time, and the commission shall proceed in accordance with the provisions of this chapter to make other nominations for the office as though a new vacancy without an incumbent exists in that office, including reopening the application process with all required notices. Nothing prevents the commission from including in its new nominations the names and qualifications of persons other than the incumbent judge it included in its previous nominations.

(D) The commission shall accompany its nominations to the General Assembly with reports ~~or recommendations~~ as to the qualifications of particular candidates and the particular reasons a candidate or candidates were not found qualified.

(E) A period of at least ~~two weeks~~ twenty-two days must elapse between the date of the commission's nominations to the General Assembly and the date the General Assembly conducts the election for these judgeships.

Section 2-19-90. The General Assembly shall meet in joint session for the election of judges. The date and time for the joint session shall be set by concurrent resolution upon the recommendation of the South Carolina Judicial Merit Selection Commission. The Chairman of the Judicial Merit Selection Commission shall announce the commission's nominees for each judicial race, and no further nominating or seconding speeches shall be allowed by members of the General Assembly. In order to be elected, a candidate must receive a majority of the vote of the members of the General Assembly voting in joint session.

Section 2-19-100. In order to be eligible for appointment by the Chief Justice to serve, any retired justice or judge of this State must have been reviewed by the South Carolina Judicial Merit Selection Commission under procedures it shall establish to review retired judges' qualifications for continued judicial service and be found by the commission to be qualified to serve in these situations within four years of the date of his

appointment to serve, except that if a justice or judge retired before the expiration of his then current term, no further review of that justice or judge is required until that term would have expired.

Section 2-19-110. Upon a vacancy in the office of master-in-equity, candidates ~~therefor~~ shall submit an application to the South Carolina Judicial Merit Selection Commission. Upon completion of reports and recommendations, the commission shall submit such reports and recommendations on all qualified master-in-equity candidates to the appropriate county legislative delegations. The county legislative delegations ~~shall~~ may then submit the name of a candidate to the Governor for consideration for appointment. Nothing shall prevent the delegation from rejecting a candidate and directing the commission to reopen the process. ~~Nothing~~And, nothing shall prevent the Governor from rejecting the person nominated by the delegation. In this event, the delegation shall submit another name for consideration. No person found not qualified by the commission may be appointed to the office of master-in-equity. For purposes of this section, a vacancy is created in the office of the master-in-equity when any of the following occurs: a term expires, a new judicial position is created, or a judge no longer can serve due to resignation, retirement, disciplinary action, disability, or death. The ~~Judicial Merit Selection Commission~~commission may begin screening prior to the actual date of the vacancy in the case of an expiration of term, resignation, or retirement pursuant to written notice ~~thereof~~.

Section 2-19-120. ~~(A) The Chairman of the Judicial Merit Selection Commission, upon the advice of the commission, shall select members to serve on Citizens Committees on Judicial Qualifications for each geographic district set by the commission. These committees shall, under the rules adopted by the commission, advise the commission concerning judicial candidates. The committees shall report their findings to the commission in such form as prescribed by the commission.~~

~~(B) The members appointed to the Citizens Committees on Judicial Qualifications shall be compensated with an emolument of one hundred dollars per round of screening.~~

SECTION 2. This act takes effect on July 1, 2025.

Amend title to conform.

/s/Sen. Rankin	/s/Rep. W. Newton
/s/Sen. Malloy	/s/Rep. Caskey
/s/Sen. Massey	/s/Rep. Stavrinakis
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN

FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT

SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS

FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

Very respectfully,

Speaker of the House

Received as information.

H. 3728--FREE CONFERENCE POWERS FAILED

H. 3728 -- Reps. Felder, A.M. Morgan, Leber, Magnuson, Haddon, Harris, Taylor, S. Jones, Landing, McCravy, Lowe, Jordan, Bradley, Herbkersman, Bannister, W. Newton, Elliott, B.J. Cox, Willis, Hewitt, West, Long, Burns and T.A. Morgan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA TRANSPARENCY AND INTEGRITY IN EDUCATION ACT"; BY ADDING ARTICLE 5 TO CHAPTER 29, TITLE 59 SO AS TO EXPRESS RELATED INTENTIONS OF THE GENERAL ASSEMBLY, TO PROVIDE NECESSARY DEFINITIONS, TO PROHIBIT CERTAIN CONCEPTS FROM BEING INCLUDED IN PUBLIC SCHOOL INSTRUCTION AND PROFESSIONAL DEVELOPMENT, TO PROVIDE MEANS FOR ADDRESSING VIOLATIONS, AND TO PROVIDE PROCEDURES FOR PUBLIC REVIEW OF PUBLIC SCHOOL CURRICULUM AND INSTRUCTIONAL MATERIALS; AND BY AMENDING SECTION 59-28-180, RELATING TO PARENTAL EXPECTATIONS IN THE PARENTAL INVOLVEMENT IN THEIR CHILDREN'S EDUCATION ACT, SO AS TO PROVIDE PARENTS ARE EXPECTED TO BE THE PRIMARY SOURCE OF THE EDUCATION OF THEIR CHILDREN REGARDING MORALS, ETHICS, AND CIVIC RESPONSIBILITY, AND TO PROVIDE A PARENTAL PLEDGE OF EXPECTATIONS MUST BE PROVIDED TO PARENTS AS PART OF THE REGISTRATION AND ENROLLMENT PROCESS.

On motion of Senator HEMBREE, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator HEMBREE spoke on the report.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 25; Nays 13

AYES

Alexander	Bennett	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Grooms	Gustafson	Hembree
Johnson, Michael	Kimbrell	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Shealy
Talley	Turner	Verdin
Young		

Total--25

NAYS

Allen	Devine	Fanning
Harpootlian	Hutto	Jackson
Johnson, Kevin	Matthews	McElveen
McLeod	Sabb	Stephens
Tedder		

Total--13

Free Conference Powers Failed.

H. 3865--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 3865 -- Reps. Hiott, Collins, Rutherford, Carter and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

On motion of Senator SABB, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator SABB spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

H. 3865--Conference Report

The General Assembly, Columbia, S.C., June 25, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3865 -- Reps. Hiott, Carter, Collins, Rutherford and Robbins: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. The effective date of Act No. 56 of 2023, which enacted the "Law Enforcement and Personal Privacy Protection Act" and the "Judicial Privacy Protection Act", is delayed from July 1, 2024, until July 1, 2025.

SECTION 2. This act takes effect upon approval by the Governor.

Amend title to conform.

/s/Sen. M. Johnson	/s/Rep. W. Newton
/s/Sen. Sabb	/s/Rep. Hiott
/s/Sen. Adams	/s/Rep. Rutherford
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3865 -- Reps. Hiott, Collins, Rutherford, Carter and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 3865 -- Reps. Hiott, Collins, Rutherford, Carter and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-130, RELATING TO CORONER QUALIFICATIONS, SO AS TO INCLUDE LICENSED PARAMEDICS WITH AT LEAST THREE YEARS OF EXPERIENCE AS ONE OF THE ADDITIONAL QUALIFICATIONS A CORONER MUST HAVE.

Very respectfully,
Speaker of the House

Received as information.

H. 3988--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 3988 -- Reps. Davis, M.M. Smith, B.J. Cox, Pedalino, Forrest, Wheeler, Kirby and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTS THAT CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO LOWER THE VACCINATION RECIPIENT AGE TO TWELVE YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST-ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE “JOINT PHARMACIST ACCESS COMMITTEE” AND MAKE OTHER CONFORMING CHANGES; AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS

AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

On motion of Senator HUTTO, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator HUTTO spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

H. 3988--Conference Report

The General Assembly, Columbia, S.C., June 10, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3988 -- Reps. Davis, B.J. Cox, Pedalino, M.M. Smith, Forrest, Wheeler, Kirby and Guffey: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTIONS THAT CONSTITUTE THE PRACTICE OF PHARMACY AND TO DEFINE THE TERM "DIRECT SUPERVISION"; BY AMENDING SECTION 40-43-40, RELATING TO THE BOARD OF PHARMACY, SO AS TO REVISE THE COMPOSITION OF THE BOARD; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REVISE SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS OR PRESCRIPTIONS, SO AS TO LOWER THE AUTHORIZED VACCINATION RECIPIENT AGE TO SIXTEEN YEARS, TO PROVIDE INFORMED CONSENT REQUIREMENTS, TO PROVIDE PHARMACY TECHNICIANS MAY ADMINISTER VACCINATIONS UNDER PHARMACIST SUPERVISION, TO REVISE REQUIREMENTS FOR PHARMACY INTERNS TO MAKE VACCINATIONS, AND TO MAKE CONFORMING CHANGES TO RECORDKEEPING REQUIREMENTS; AND BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST ADMINISTERED VACCINES COMMITTEE, SO AS TO REVISE QUALIFICATION REQUIREMENTS FOR COMMITTEE MEMBERS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 40-43-30(73) of the S.C. Code is amended to read:

(73) "Practice of pharmacy" means the:

(a) interpretation, evaluation, and dispensing of prescription drug orders in the patient's best interest;

(b) participation in drug and device selection, drug administration, prospective drug reviews, and drug or drug-related

research;

(c) provision of patient counseling and the provision of those acts or services necessary to provide pharmacy care and drug therapy management; ~~and~~

(d) responsibility for compounding and labeling of drugs and devices, (except labeling by a manufacturer, repackager, or distributor or nonprescription drugs and commercially packaged legend drugs and devices) proper and safe storage of drugs and devices and maintenance of proper records for them; ~~or~~

(e) initiation, ordering, and administration of flu and COVID tests. Pharmacists may delegate the task of administering tests provided for in this subsection to a trained pharmacy technician or pharmacy intern, but the pharmacist must perform any interpretation of the results;

(f) reporting of a person's flu or COVID test results and the referral of that patient for follow-up care to the health care provider identified by the patient or if none is identified, to an appropriate health care provider; or

(g) the offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, education, management, and control of pharmacy.

SECTION 2. Section 40-43-30 of the S.C. Code is amended by adding:

(93) "Direct supervision" means a pharmacist is readily and immediately available to the person who they are supervising during all professional activities.

SECTION 3. Section 40-43-40(A) and (B) of the S.C. Code is amended to read:

(A) There is created the State Board of Pharmacy to be composed of ~~nine~~ten members, appointed by the Governor with advice and consent of the Senate, one of whom must be a lay member from the State at large, one of whom must be a state-certified pharmacy technician from the State at large, one of whom must be a pharmacist from the State at large, and seven of whom must be pharmacists representing each of the seven congressional districts. However, if no hospital pharmacist is selected to represent any of the seven congressional districts, the Governor shall appoint a hospital pharmacist as the pharmacist at large.

(B) The pharmacist at large, the state-certified pharmacy technician, and the lay member shall serve coterminously with the appointing Governor and until their successors are appointed and qualify. The certified pharmacy technician must be actively engaged as a certified pharmacy technician. The board shall conduct an election to nominate three pharmacists from each congressional district to be submitted to the

Governor for consideration for appointment. The Governor shall appoint one pharmacist to represent each congressional district from among the nominees submitted for that district. The election shall provide for participation by all pharmacists currently licensed and residing in the congressional district for which the nomination is being made. The pharmacists must be residents of the congressional district they represent, licensed, in good standing to practice pharmacy in this State, and actively engaged in the practice of pharmacy in this State. The members of the board representing the seven congressional districts shall serve terms of six years and until their successors are appointed and qualify. No member may serve more than two successive terms of office except that a member serving an unexpired term may be reelected and reappointed for two successive terms.

SECTION 4. Section 40-43-84(C) of the S.C. Code is amended to read:

(C) An intern/extern may engage in the practice of pharmacy if such activities are under the direct supervision of a licensed pharmacist. ~~A pharmacist must be in continuous personal eye and voice contact with, and actually giving instructions to, the intern/extern during all professional activities throughout the entire period of the internship/externship.~~ The pharmacist shall physically review the prescription drug order and the dispensed product before the product is delivered to the patient or the patient's agent. The pharmacist is responsible for the work of the intern/extern. A pharmacist may not supervise more than one intern at any one time.

Pharmacy interns/externs shall not be left in sole charge of a prescription department or other approved site at any time. Violation of this may result in cancellation of any and all internship/externship hours toward licensure that may have been accrued by the intern/extern, and may, in the discretion of the board, cause the board after sufficient notice to the pharmacy intern/extern, to revoke or suspend the internship certificate as provided above. The supervising pharmacist or designated pharmacist may also be subject to disciplinary action by the board.

An applicant for licensure, who is guilty of compounding or dispensing a prescription of a practitioner or selling legend drugs or medicines while not under the supervision of a licensed pharmacist may be refused licensure.

SECTION 5. Section 40-43-190 of the S.C. Code is amended to read:

Section 40-43-190. (A)(1) Upon recommendation of the Joint Pharmacist Administered Vaccines Committee, the Board of Medical Examiners shall determine whether a specific vaccine is appropriate for administration by a pharmacist without a written order or prescription of

a practitioner pursuant to this section. If a vaccine is approved, the Board of Medical Examiners shall issue a written protocol for the administration of vaccines by pharmacists without an order or prescription of a practitioner.

(2) The administration of vaccines as authorized in this section must not be to a person under the age of ~~eighteen~~sixteen years; provided, however, that:

(a) the influenza vaccine may be administered to a person twelve years of age or older pursuant to protocol issued by the Board of Medical Examiners;

(b) the influenza vaccine may be administered to a person under the age of twelve pursuant to protocol issued by the Board of Medical Examiners upon recommendation of the Joint Pharmacist Administered Vaccines Committee; ~~and~~

(c) a pharmacist who has completed the training described in subsection (B)(1) may administer other vaccines approved by the Centers for Disease Control to a person of any age pursuant to a written order or prescription of a practitioner for a specific patient of that practitioner; and

(d) if the person receiving a vaccine is under the age of eighteen years, a pharmacist must inform the patient and their caregiver of the importance of mental health and routine well care visits with a pediatrician or other licensed primary care provider and refer patients as appropriate.

(e) a pharmacist shall only administer a vaccine to a person less than sixteen years of age if that person's caretaker (with written parental consent), parent, or legal guardian is present at the time the vaccine is administered.

(3) The written protocol must further authorize pharmacists to administer without an order or prescription of a practitioner those medications necessary in the treatment of adverse events. These medications must be used only in the treatment of adverse events and must be limited to those delineated within the written protocol.

(4) The Board of Medical Examiners must issue the written protocol upon its approval of the vaccine for administration pursuant to this section.

(5) A pharmacist who has completed the training described in subsection (B)(1) may administer a vaccine approved by the Centers for Disease Control pursuant to written order or prescription of a practitioner for a specific patient of that practitioner.

(B) The written protocol must provide that:

(1) A pharmacist seeking authorization to administer a vaccine approved pursuant to this section shall successfully complete a course of training accredited by the Accreditation Council for Pharmacy Education or a similar health authority or professional body approved by the Board of Pharmacy and the Board of Medical Examiners. Training must comply with current Centers for Disease Control guidelines and must include study materials, hands-on training, and techniques for administering vaccines and must provide instruction and experiential training in the following content areas:

(a) mechanisms of action for vaccines, contraindications, drug interactions, and monitoring after vaccine administration;

(b) standards for adult vaccination practices;

(c) basic immunology and vaccine protection;

(d) vaccine-preventable diseases;

(e) recommended vaccination schedules;

(f) vaccine storage management;

(g) biohazard waste disposal and sterile techniques;

(h) informed consent;

(i) physiology and techniques for vaccine administration;

(j) prevaccine and postvaccine assessment and counseling;

(k) vaccination record management;

(l) management of adverse events, including identification, appropriate response, emergency procedures, documentation, and reporting;

(m) understanding of vaccine coverage by federal, state, and local entities;

(n) needle-stick management.

(2) A pharmacist administering vaccinations without an order or prescription of a practitioner pursuant to this section shall:

(a) obtain the ~~signed written~~informed consent of the person being vaccinated or that person's guardian;

(b) maintain a copy of the vaccine administration in that person's record and provide a copy to the person or the person's guardian;

(c) notify that person's designated physician or primary care provider of a vaccine administered;

(d) report administration of all vaccinations to the South Carolina Immunization Registry in compliance with regulations established by the Department of Health and Environmental Control as the department may require; provided, however, that the phase-in schedule provided in Regulation 61-120 for reporting vaccinations does not apply to vaccinations administered pursuant to this section;

(e) maintain a current copy of the written protocol at each location at which a vaccination is administered pursuant to this section.

(3) ~~A pharmacist may not delegate the administration of vaccines to a pharmacy technician or certified pharmacy technician.~~ For purposes of this section, "informed consent" means a written document that is signed and dated by an individual; or if the individual is a minor, by a parent or legal guardian; or if the individual is incapacitated or without sufficient mental capacity, by a designated health care agent pursuant to a health care power of attorney, that at a minimum includes:

(a) an explanation of the vaccine or treatment that is written in language that is understandable to the average lay person;

(b) language that clearly indicates that the individual agrees to the administration of the vaccine or treatment, that the individual has had time to thoughtfully and voluntarily accept or decline the vaccine or treatment free from coercion; and

(c) if the vaccine or treatment is an investigational medical product or is made available through an Emergency Use Authorization by the federal Food and Drug Administration, a statement acknowledging its investigational nature and the civil liability protections afforded it by law.

(4) A pharmacy intern or pharmacy technician may administer vaccinations under the direct supervision~~, as defined in Section 40-43-84(C),~~ of a pharmacist who has completed vaccination training as required by item (1) if the pharmacy intern or pharmacy technician:

(a) is certified through a basic life support or CPR provider-level course that is ~~jointly~~ approved by the Board of Medical Examiners and the Board of Pharmacy~~;Joint Pharmacy Access Committee~~ and completes a practical training program that is approved by the Accreditation Council for Pharmacy Education (ACPE) which includes, at a minimum, hands-on injection technique and the recognition and treatment of emergency reactions to vaccines; and

(b) ~~completes this course of training described in item (1).~~if a pharmacy technician, the pharmacy technician must be:

(i) state-certified; or

(ii) nonstate-certified but administered vaccinations and received training pursuant to the federal Public Readiness and Emergency Preparedness (PREP) Act prior to the effective date of this section and registers with the Board of Pharmacy as an authorized vaccination provider.

(5) A pharmacist or pharmacy technician administering vaccinations shall, as part of the current continuing education

requirements ~~pursuant to Section 40-43-130~~, complete no less than one hour of continuing education each license year regarding administration of vaccinations.

(C) Informed consent must be documented in accordance with the written protocol ~~for vaccine administration~~ issued pursuant to this section.

(D) All records required by this section must be maintained in the pharmacy for a period of at least ten years from the date of the last vaccination or dispensing for adults and at least thirteen years from the date of the last vaccination or dispensing for minors.

(E) All documentation, records, and copies required by this section may be stored electronically.

SECTION 6. Section 40-43-200 of the S.C. Code is amended to read:

Section 40-43-200. (A) There is created a Joint Pharmacist Administered Vaccines Committee as a committee to the Board of Medical Examiners which consists of seven members ~~with experience regarding vaccines~~. The committee is comprised of two physicians selected by the Board of Medical Examiners, two pharmacists selected by the Board of Pharmacy, and two advanced practice nurse practitioners selected by the Board of Nursing. One member of the Department of Health and Environmental Control designated by the director of the department also shall serve on the committee. Members of the committee may not be compensated for their service on the board and may not receive mileage, per diem, and subsistence as otherwise authorized by law for members of state boards, committees, and commissions.

(B) The committee shall meet at least once annually and at other times as may be necessary. Five members constitute a quorum for all meetings. At its initial meeting, and at the beginning of each year thereafter, the committee shall elect from its membership a chairperson to serve for a one-year term.

(C) The committee shall assist and advise the Board of Medical Examiners in determining whether a specific vaccine is appropriate for administration by a pharmacist without a written order or prescription of a practitioner pursuant to Section 40-43-190. For a specific vaccine recommended by the committee to the Board of Medical Examiners, the committee also must submit a proposed written protocol for the purpose of authorizing pharmacists to administer the vaccine~~as authorized by Section 40-43-190. The committee must submit its initial recommendations to the board no later than four months after the passage of this act, and periodically thereafter as determined by the committee~~.

SECTION 7. The Joint Pharmacist Administered Vaccines Committee

must submit its initial recommendations to the board no later than four months after the passage of this act, and periodically thereafter as determined by the committee.

SECTION 8. This act takes effect upon approval by the Governor.

Amend title to conform.

/s/Sen. Hutto	/s/Rep. Davis
/s/Sen. Cromer	/s/Rep. M.M. Smith
/s/Sen. Martin	/s/Rep. W. Jones
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3988 -- Reps. Davis, M.M. Smith, B.J. Cox, Pedalino, Forrest, Wheeler, Kirby and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTS THAT CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO LOWER THE VACCINATION RECIPIENT AGE TO TWELVE YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST-ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE “JOINT PHARMACIST ACCESS

COMMITTEE" AND MAKE OTHER CONFORMING CHANGES; AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 3988 -- Reps. Davis, M.M. Smith, B.J. Cox, Pedalino, Forrest, Wheeler, Kirby and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTS THAT CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO LOWER THE VACCINATION RECIPIENT AGE TO TWELVE YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST-ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE "JOINT PHARMACIST ACCESS

COMMITTEE" AND MAKE OTHER CONFORMING CHANGES; AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

Very respectfully,
Speaker of the House

Received as information.

H. 4087--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 4087 -- Reps. G.M. Smith, West, Kirby, Ballentine, Robbins, Hewitt, M.M. Smith, Davis, Hiott, Long, Hager, Ott, Weeks, Dillard, W. Jones, Brewer, Hartnett and Murphy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3410, RELATING TO CORPORATE INCOME TAX CREDIT FOR CORPORATE HEADQUARTERS, SO AS TO PROVIDE CHANGES TO STAFFING REQUIREMENTS AND CERTAIN TIMING; BY AMENDING SECTION 12-6-3460, RELATING TO THE RECYCLING FACILITY TAX CREDIT DEFINITIONS, SO AS TO LOWER THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED RECYCLING FACILITY AND TO INCLUDE CERTAIN PRODUCTS TO THE DEFINITION OF "POSTCONSUMER WASTE MATERIAL"; BY AMENDING SECTIONS 12-10-20; 12-10-30, 12-10-40, 12-10-45, 12-10-50, 12-10-60, AND 12-10-80, ALL RELATING TO THE ENTERPRISE ZONE ACT OF 1995, SO AS TO ALLOW REMOTE EMPLOYEES WORKING IN SOUTH CAROLINA TO BE INCLUDED IN CERTAIN JOB CREATION REQUIREMENTS AND TO CREATE A NEW PROVISION TO INCENTIVIZE CERTAIN COMPANIES; AND BY AMENDING SECTION 12-10-95, RELATING TO THE ENTERPRISE ZONE ACT CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO PROVIDE WHO IS ELIGIBLE FOR THE CREDIT AND THE AMOUNT OF THE CREDIT ALLOWED.

On motion of Senator SETZLER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator SETZLER spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

H. 4087--Conference Report

The General Assembly, Columbia, S.C., June 04, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4087 -- Reps. G.M. Smith, West, Kirby, Ballentine, Robbins, Hewitt, M.M. Smith, Davis, Hiott, Long, Hager, Ott, Weeks, Dillard, W. Jones, Brewer, Hartnett and Murphy: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3410, RELATING TO CORPORATE INCOME TAX CREDIT FOR CORPORATE HEADQUARTERS, SO AS TO PROVIDE CHANGES TO STAFFING REQUIREMENTS AND CERTAIN TIMING; BY AMENDING SECTION 12-6-3460, RELATING TO THE

RECYCLING FACILITY TAX CREDIT DEFINITIONS, SO AS TO LOWER THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED RECYCLING FACILITY AND TO INCLUDE CERTAIN PRODUCTS TO THE DEFINITION OF "POSTCONSUMER WASTE MATERIAL"; BY AMENDING SECTIONS 12-10-20, 12-10-30, 12-10-40, 12-10-45, 12-10-50, 12-10-60, AND 12-10-80, ALL RELATING TO THE ENTERPRISE ZONE ACT OF 1995, SO AS TO ALLOW REMOTE EMPLOYEES WORKING IN SOUTH CAROLINA TO BE INCLUDED IN CERTAIN JOB CREATION REQUIREMENTS AND TO CREATE A NEW PROVISION TO INCENTIVIZE CERTAIN COMPANIES; AND BY AMENDING SECTION 12-10-95, RELATING TO THE ENTERPRISE ZONE ACT CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO PROVIDE WHO IS ELIGIBLE FOR THE CREDIT AND THE AMOUNT OF THE CREDIT ALLOWED.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 12-6-3410 of the S.C. Code is amended to read:

Section 12-6-3410. (A) A ~~corporation~~ taxpayer or a business unit of a taxpayer establishing a ~~corporate~~ headquarters facility in this State, or expanding or adding to an existing ~~corporate~~ headquarters facility, is allowed a credit against any tax due pursuant to Section 12-6-510, Section 12-6-530, Section 12-11-20, or Section 12-20-50 ~~as set forth in this section~~ or any combination thereof.

(B) In order to qualify for this credit, each of the following criteria must be satisfied:

(1) The qualifying real property costs of the ~~corporate~~ headquarters facility ~~establishment,~~ or expansion~~, or addition~~ must be at least fifty thousand dollars. Qualifying real property costs are:

(a) costs incurred in the design, preparation, and development of establishing~~,~~ or expanding~~, or adding to~~ a ~~corporate~~ headquarters facility; and

(b)(i) direct construction costs; or

(ii) with respect to leased facilities, direct-lease costs during the first five years of operations for the ~~corporate~~ headquarters facility.

(2) The headquarters establishment or~~,~~ expansion~~, or addition~~ must result in the creation of~~:~~

~~(a)~~ at least forty new full-time jobs that are:

(a) performing headquarters-related functions and services; ~~or research and development related functions and services. These jobs must be permanent, full-time positions located in this State; and~~

(b) ~~at least twenty of the above-referenced new jobs must be classified as headquarters staff employees~~ have gross wages equal to or greater than twice the per capita income of this State based on the most recent per capita income data available as of the end of the taxpayer's taxable year in which the jobs are filled and are subject to withholding pursuant to Chapter 8 of this title; and

(c) are provided a benefits package, including health care.

(C) The amount of the credit is equal to the sum of:

(1) twenty percent of the qualifying real property costs listed in subsection (B)(1)~~.~~; and

(2) ~~(D) A headquarters establishment, expansion, or addition which meets the criteria of subsection (B) of this section is entitled to an additional credit equal to~~ twenty percent of the cost for tangible personal property if ~~the following conditions are met~~:

~~(1)~~(a) the personal property is:

~~(a)~~(i) capitalized as personal property for income tax purposes under the Internal Revenue Code; and

~~(b)~~(ii) purchased for the establishment~~,~~ or expansion~~, or addition~~ of ~~a corporate~~ the taxpayer's or business unit's headquarters facility~~, or for the establishment, expansion, or addition of a research and development facility which is part of the same corporate project as the headquarters establishment, addition, or expansion~~; and

~~(c)~~(iii) used for ~~corporate~~ headquarters-related functions and services ~~or research and development related functions and services~~ in South Carolina.

~~(2) The establishment, expansion, or addition of a corporate headquarters or research and development facility must result in the creation of at least seventy-five new full-time jobs performing either:~~

~~(a) headquarters related functions and services; or~~

~~(b) research and development related functions and services.~~

~~The seventy-five required jobs must have an average cash compensation level of more than twice the per capita income of this State based on the most recent per capita income data available as of the end of the taxpayer's taxable year in which the jobs are filled.~~

(D) Reserved.

(E)(1)(a) For headquarters facilities which are constructed, the credit can only be claimed for the taxable year when the ~~headquarters establishment, expansion, or addition, and the research and development~~

~~facility establishment, expansion, or addition, in the case of corporations qualifying under subsection (D),~~ facility is placed in service for federal income tax purposes. For ~~construction projects~~ facilities completed in phases and placed in service for federal income tax purposes in more than one taxable year, the ~~corporation~~ credit can be ~~claim~~ claimed ~~the credit on the South Carolina income tax return~~ for the taxable year in which ~~property, which qualifies for the credit,~~that phase of the headquarters facility is placed in service for federal income tax purposes. Credits cannot be obtained for costs incurred more than three taxable years after the taxable year in which the first property for which the credit is claimed is placed in service. Notwithstanding any other provisions of this subsection, if the entire project is not completed by the end of the three taxable years, the ~~corporation may claim the~~ credit may be claimed for all property placed in service within the time limitation set forth in the preceding sentence. The credit may not be claimed for personal property which is replacing personal property for which the credit can be claimed. The department may for good cause extend the time for incurring additional costs and for claiming the credit if the project is not completed within the time period allowed by this subsection. For purposes of this subsection the term "property" includes qualifying real property and~~, where the conditions of subsection (D) are met,~~ qualifying personal property.

(b) for leased real property the credit must be claimed in the taxable year in which the first direct lease costs are incurred.

(2) The ~~corporation~~ taxpayer must meet the staffing requirements of ~~subsections~~ subsection (B)(2) ~~and, if applicable, (D)(2),~~ by the end of the second taxable year following the last taxable year for which the credit is claimed. The ~~corporation~~ taxpayer must have documented plans to meet the initial staffing requirements at the time the credit is claimed. If the ~~corporation~~ taxpayer fails to meet the staffing requirements within the time required by this subsection, the ~~corporation~~ taxpayer must increase its tax liability for the current taxable year by an amount equal to the amount of credit, or any portion of the credit for which the ~~corporation~~ taxpayer would not qualify, which was used to reduce tax in the earlier years.

(F) The credit provided in this section is nonrefundable, but an unused credit may be carried forward for ten years. ~~An unused credit may be carried forward fifteen years if the criteria set forth in subsection (D)(2) are met.~~ In addition, a taxpayer may assign its rights to the unused credit to a succeeding taxpayer if the taxpayer transfers all or substantially all of the assets of the taxpayer or all or substantially all of the assets of a

trade, business, or operating division of a taxpayer to the succeeding taxpayer, and the succeeding taxpayer maintains the ~~corporate~~ headquarters facility ~~of the taxpayer~~. No credit may be claimed for a taxable year during which the taxpayer or succeeding taxpayer fails to meet the qualifying employment requirements provided in this section and the carry-forward period is not extended for any year in which the credit may not be claimed for failure to meet the employment requirements. The credit may be claimed for a taxable year in the unextended carry-forward period if the taxpayer or succeeding taxpayer requalifies for the credit by meeting the employment requirements during that taxable year.

(G) If a fee-in-lieu arrangement under Section 4-29-67 is entered into with respect to all or part of property involving a ~~corporate~~ headquarters, and the ~~corporation~~ taxpayer claiming the credit provided under this section is treated as the owner of the property for federal income tax purposes, then the ~~corporation~~ taxpayer must be treated as the owner of the property for purposes of the credit provided by this section.

(H) To the extent that this credit applies to the cost of certain property, the basis of the property for South Carolina income tax purposes must be reduced by the amount of the credit claimed with respect to the property. This basis reduction does not reduce the basis or limit or disallow any depreciation allowable under the law of this State for other than income tax purposes, even if the depreciation is based upon or otherwise relates to income tax depreciation including, without limitation, basis or depreciation which is allowable under this title for property tax purposes. If the ~~corporation~~ taxpayer fails to meet the staffing requirements of subsection ~~(E)~~(B)(2), the ~~corporation~~ taxpayer may increase the basis of the property by the amount of the original basis reduction with regard to that property in the year in which the credit is recaptured.

(I) The amount of a credit allowed under this section must be reduced by the amount of any past-due debt owed this State by the taxpayer.

(J) As used in this section:

(1) "~~Corporate~~ Headquarters" means the facility or portion of a facility where ~~corporate~~ headquarters staff employees are ~~physically~~ employed, and where the ~~majority of the company's or company~~ taxpayer's or the taxpayer's business unit's financial, personnel, legal, planning, information technology, or other headquarters-related functions are handled either on a regional, national, or global basis. A ~~corporate~~ headquarters must be a regional ~~corporate~~ headquarters~~,~~ or a national corporate headquarters~~, or global corporate headquarters~~ as defined below~~; provided, however, for taxpayers which are subject to tax~~

~~under Chapter 11 of Title 12, a corporate headquarters must be a regional corporate headquarters:~~. A taxpayer or taxpayer's business unit doing business solely within South Carolina does not meet the definition of a headquarters.

(a) National ~~corporate~~ headquarters must be the sole ~~corporate headquarters in the nation~~ office or location in the nation or the world for the taxpayer or a business unit of the taxpayer with multistate operations and must handle headquarters-related functions ~~at least~~ on a national or global basis. ~~A national headquarters is considered to handle headquarters-related functions on a national basis from this State if the corporation has a facility in this State from which the corporation engages in interstate commerce by providing goods or services for customers outside of this State in return for compensation.~~ The function and purpose of the national headquarters is to plan, direct, and control all aspects of the taxpayer or taxpayer's business unit's operations, and it has final authority over regional offices, operating facilities, or any other office of the taxpayer or business unit.

(b) Regional ~~corporate~~ headquarters must be the sole ~~corporate headquarters~~ office or location in the region for the taxpayer or a business unit of the taxpayer with multistate operations within the region and must handle headquarters-related functions on a regional basis. A regional headquarters performs a function that is separate from the management of operational facilities within the region. A regional headquarters performs functions similar to the national headquarters, but within a more limited area. For purposes of this section, " region" or "regional" means a geographic area comprised of either:

(i) at least five states, including this State; or

(ii) two or more states, including this State, if the entire business operations of the ~~corporation~~ taxpayer or business unit of the taxpayer are performed within fewer than five states~~; provided, however, that with respect to taxpayers which are subject to tax under Chapter 11 of Title 12, the requirement that "the entire business operations of the corporation are performed within fewer than five states", is replaced with "if all branches of the taxpayer, as defined below, are physically located in fewer than five states". For taxpayers which are subject to tax under Chapter 11 of Title 12, such taxpayer must have two or more branches, as that term is defined in Section 34-25-10(8), in each state within its region~~.

(c) A "~~company~~ business unit" is an organizational unit of a ~~corporation or bank and~~ taxpayer that is defined by the particular product or category of products it sells.

(2) "New job" means a job created by an employer in this State at the time a new facility, or expansion~~, or addition~~ is initially staffed, but does not include a job created when an employee is shifted from an existing location in this State to work in a new or expanded facility. An employee may be employed at a temporary location in this State pending completion of the new facility~~,~~ or expansion~~, or addition~~.

(3) "~~Full-time~~ Full time" means a job requiring a minimum of thirty-five hours of an employee's time a week for the entire normal year of ~~corporate~~ operations or a job requiring a minimum of thirty-five hours of an employee's time for a week for a year in which the employee was initially hired for or transferred to the ~~corporate~~ headquarters ~~or research and development facility~~ in this State.

(4) "Headquarters-related functions and services" are those functions involving financial, personnel, administrative, legal, planning, information technology, or similar business functions.

(5) "Headquarters staff employees" means executive, administrative, or professional workers performing headquarters-related functions and services.

(a) An executive employee is a full-time employee in which at least eighty percent of his business functions involve the management of the enterprise and directing the work of at least two employees. An executive employee has the authority to hire and fire or has the authority to make recommendations related to hiring, firing, advancement, and promotion decisions, and an executive employee must customarily exercise discretionary powers.

(b) An administrative employee is a full-time employee who is not involved in manual work and whose work is directly related to management policies or general headquarters operations. An administrative employee must customarily exercise discretion and independent judgment.

(c) A professional employee is an employee whose primary duty is work requiring knowledge of an advanced type in a field of science or learning. This knowledge is characterized by a prolonged course of specialized study. The work must be original and creative in nature, and the work cannot be standardized over a specific period of time. The work must require consistent exercise of discretion and the employee must spend at least eighty percent of the time performing headquarters-related functions and services.

(6) ~~"Research and development" means laboratory, scientific, or experimental testing and development related to new products, new uses for existing products, or improving existing products, but "research and~~

~~development" does not include efficiency surveys, management studies, consumer surveys, economic surveys, advertising, promotion, banking, or research in connection with literary, historical, or similar projects~~ Reserved.

(7) ~~"Research and development facility" means the building or buildings or portion of a building where research and development functions and services are physically located~~ Reserved.

(8) "Direct-lease costs" are cash lease payments. The term does not include any accrued, but unpaid, costs.

(9) "Remote employee" is a full-time employee of the taxpayer, including an employee who works for a business unit of the taxpayer, who works for the taxpayer performing headquarters-related functions or services either completely or partially from a home office or other residence within the State.

SECTION 2. Section 12-6-3460(A)(3) and (4) of the S.C. Code is amended to read:

(3) "Qualified recycling facility" means a facility certified as a qualified recycling facility by a duly authorized representative of the department which includes all real and personal property incorporated into or associated with the facility located or to be located within this State that will be used by the taxpayer to manufacture or fabricate products for sale composed of at least fifty percent postconsumer waste material by weight or by volume. The minimum level of investment for a qualified recycling facility must be at least ~~three~~ one hundred fifty million dollars incurred by the end of the fifth calendar year after the year in which the taxpayer begins construction or operation of the facility.

(4) "Postconsumer waste material" means any product generated by a business or consumer which has served its intended end use and which has been separated from the solid waste stream for the purpose of recycling and includes, but is not limited to, scrap metal and iron, and used plastics, paper, glass, batteries, solar panels, turbines and related structures, and rubber.

SECTION 3. Sections 12-10-20 through 12-10-80 of the S.C. Code are amended to read:

Section 12-10-20. The General Assembly finds:

(1) that the economic well-being of the citizens of the State is enhanced by the increased development and growth of industry within the State, and that it is in the best interests of the State to induce the location or expansion of manufacturing, processing, services, distribution, warehousing, research and development, corporate offices,

technology intensive, and certain tourism projects within the State to promote the public purpose of creating new jobs within the State;

(2) that the inducement provided in this chapter will encourage the creation of jobs which would not otherwise exist and will create sources of tax revenues for the State and its political subdivisions;

(3) the powers to be granted to the ~~Advisory~~ Coordinating Council for Economic Development by this chapter and the purposes to be accomplished are proper governmental and public purposes and that the inducement of the location or expansion of manufacturing, processing, services, distribution, warehousing, research and development, corporate offices, and certain tourism facilities within the State is of paramount importance.

(4) The state's per capita income has not reached the United States average and certain rural, less developed counties have not experienced capital investment, per capita income, and job growth at a level equal to the state's average. The economic well-being of these areas will not be sustained without significant incentive to induce capital investment and job creation.

Section 12-10-30. As used in this chapter:

(1) "Council" means the Coordinating Council for Economic Development.

(2) "Department" means the South Carolina Department of Revenue.

(3) "Employee" means an employee of the qualifying business who works full time ~~at~~ in this State for the benefit of the project, including a remote employee as defined in item (20).

(4) "Gross wages" means wages subject to withholding.

(5) "Job development credit" means the amount a qualifying business may claim as a credit against employee withholding pursuant to Sections 12-10-80 and 12-10-81 and a revitalization agreement.

(6) "New job" means a job created or reinstated as defined in Section 12-6-3360(M)(3).

(7) "Qualifying business" means a business that meets the requirements of Section 12-10-50 and other applicable requirements of this chapter.

(8) "Project" means an investment for one or more purposes pursuant to this chapter needed for a qualifying business to locate, remain, or expand in this State and otherwise fulfill the requirements of this chapter.

(9) "Preliminary revitalization agreement" means the application by the qualifying business for benefits pursuant to Section 12-10-80 or 12-10-81 if the council approves the application and agrees in writing at the time of approval to allow the approved application to serve as the

preliminary revitalization agreement. The date of the preliminary revitalization agreement is the date of the council approval.

(10) "Revitalization agreement" means an executed agreement entered into between the council and a qualifying business that describes the project and the negotiated terms and conditions for a business to qualify for a job development credit pursuant to Section 12-10-80 or 12-10-81.

(11) "Qualifying expenditures" means those expenditures that meet the requirements of Section 12-10-80(C) or 12-10-81(D).

(12) "Withholding" means employee withholding pursuant to Chapter 8 of this title.

(13) "Technology employee" means an employee at a technology-intensive facility as defined in Section 12-6-3360(M)(14) who is directly engaged in technology-intensive activities at that facility.

(14) "Production employee" means an employee directly engaged in manufacturing or processing at a manufacturing or processing facility as defined in Section 12-6-3360(M).

(15) "Retraining agreement" means an agreement entered into between a business and the council in which a qualifying business is entitled to retraining credit pursuant to Section 12-10-95.

(16) "Retraining credit" means the amount that a business may claim as a credit against withholding pursuant to Section 12-10-95 and the retraining agreement.

(17) "Technology-intensive activities" means the design, development, and introduction of new products or innovative manufacturing processes, or both, through the systematic application of scientific and technical knowledge at a technology intensive facility as defined in Section 12-6-3360(M).

(18) "Significant business" means a qualifying business making a significant capital investment as defined in Section 12-44-30(7).

(19) "Related person" includes any entity or person that bears a relationship to a business as provided in Internal Revenue Code Section 267 or 707(b). The related person must be a "qualifying business" as defined in item (7), except that the related person does not have to meet the requirements of Section 12-10-50(A)(1) or, in case the qualifying business qualifies for the credit against withholding for retraining pursuant to Section 12-10-95 of this chapter, the related person does not have to meet the requirements of Section 12-10-50(B)(1).

(20) "Remote employee" is a full-time employee who is a resident of this State, North Carolina, or Georgia who is subject to withholding pursuant to Chapter 8 who is hired to fill a job for the project and who works either completely or partially from a home office or other

residence within or without this State.

Section 12-10-40. The amount of benefits available to qualified businesses is determined by the county designation as defined in Section 12-6-3360(B), in which the ~~business~~ project is located. For purposes of determining the amount of job development credit that may be claimed for a job filled by a remote employee, the physical location of the project must be used and not the physical location where the remote employee provides services.

Section 12-10-45. A tire manufacturer that has over one billion dollars in capital investment in this State~~,~~ and employs over five thousand workers in this State may, after certification by the council, designate up to two census tracts, but not to exceed four hundred acres per site, in any area of the State as an enterprise zone provided that a capital investment of at least one hundred million dollars be made over a five-year period at each site. The tire manufacturer's capital investment must be based upon the gross cost of assets in South Carolina as shown on the manufacturer's property tax and fee-in-lieu of property tax filings. The council will certify the manufacturer if it determines that the available incentives are appropriate for the new project, the total benefits of the new project exceed the costs to the public, and the qualifying business otherwise fulfills the requirements of this chapter.

Section 12-10-50. (A) To qualify for the benefits provided in this chapter, a business must be located within this State and must:

(1) be engaged primarily in a business of the type identified in Section 12-6-3360;

(2) provide a benefits package, including health care, to full-time employees ~~at~~ hired for the project;

(3) enter into a revitalization agreement that is approved by the council and that describes a minimum job requirement and minimum capital investment requirement for the project as provided in Section 12-10-90; and

(4) have negotiated incentives that the council has determined are appropriate for the project, and the council shall certify that:

(a) the total benefits of the project exceed the costs to the public; and

(b) the business otherwise fulfills the requirements of this chapter.

(B) To qualify for benefits pursuant to Section 12-10-95, a business must:

(1) be engaged in manufacturing or processing operations or technology-intensive activities at a manufacturing, processing, or

technology-intensive facility as defined in Section 12-6-3360(M);

(2) provide a benefits package, including health care, to employees being retrained; and

(3) enter into a retraining agreement with the council.

Section 12-10-60. ~~(A)~~ The council may enter into a revitalization agreement with each qualifying business with respect to the project. The terms and provisions of each revitalization agreement must be determined by negotiations between the council and the qualifying business. The decision to enter into a revitalization agreement with a qualifying business is solely within the discretion of the council based on the appropriateness of the negotiated incentives to the project and the determination that approval of the project is in the best interests of the State. The revitalization agreement must set a date by which the qualifying business shall have ~~completed the project~~ met the required investment and employment levels. ~~Within three months of the completion date~~After meeting the thresholds, the qualifying business shall document the actual costs of the project in a manner acceptable to the council. A business is allowed to count jobs filled by remote employees towards the minimum employment levels. While remote employees count towards a business's minimum employment levels, a business may claim job development credits on a remote employee only to the extent the remote employee was subject to withholdings pursuant to Chapter 8. A business which pays withholdings on a remote employee in South Carolina and some other state can only claim job development credits to the extent of the South Carolina withholdings.

~~(B) If a qualifying business that entered into a revitalization agreement before January 1, 1997, receives council approval to amend its revitalization agreement to increase its minimum job requirement, the law in effect on the date of the amendment determines the amount of job development credit a qualifying business may claim pursuant to Section 12-10-80 for additional jobs created after the date of the amendment. This subsection does not apply to a business whose application for job development fees or credits pursuant to Section 12-10-81 has been approved by council before the effective date of this act.~~

Section 12-10-80. (A) A business that qualifies pursuant to Section 12-10-50(A) and has certified to the council that the business has met the minimum job requirement and minimum capital investment provided for in the revitalization agreement may claim job development credits as determined by this section.

(1) A business may claim job development credits against its withholding on its quarterly state withholding tax return for the amount

of job development credits allowable pursuant to this section.

(2) A business that is current with respect to its withholding tax and other tax due and owing the State and that has maintained its minimum employment and investment levels identified in the revitalization agreement may claim the credit on a quarterly basis beginning with the first quarter after the council's certification to the department that the minimum employment and capital investment levels were met for the entire quarter. If a qualifying business is not current as to all taxes due and owing to the State as of the date of the return on which the credit would be claimed, without regard to extensions, the business may claim the credit only in an amount reduced by the amount of taxes due and owing to the State as of the date of the return on which the credit is claimed.

(3) A qualifying business may claim its initial job development credit only after the council has certified to the department that the qualifying business has met the required minimum employment and capital investment levels.

(4) To be eligible to apply to the council to claim a job development credit, a qualifying business shall create at least ten new, full-time jobs, as defined in Section 12-6-3360(M), at the project described in the revitalization agreement within five years of the effective date of the agreement.

(5) A qualifying business is eligible to claim a job development credit pursuant to the revitalization agreement for not more than fifteen years.

(6) A ~~company's~~ qualifying business's job development credits shall be suspended during any quarter in which the ~~company~~ qualifying business fails to maintain one hundred percent of the minimum job requirement set forth in the ~~company's~~ qualifying business's revitalization agreement. A company only may claim credits on jobs, including a range of jobs approved by the council, as set forth in the company's final revitalization agreement.

(7) Credits may be claimed beginning the quarter subsequent to the council's approval of the ~~company's~~ qualifying business's documentation that the minimum jobs and capital investment requirements have been met.

(8) To the extent any return of an overpayment of withholding that results from claiming job development credits is not used as permitted by subsection (C) or by Section 12-10-95, it must be treated as misappropriated employee withholding.

(9) Job development credits may not be claimed for purposes of this

section with regard to an employee whose job was created in this State before the taxable year of the qualifying business in which it enters into a preliminary revitalization agreement.

(10) If a qualifying business claims job development credits pursuant to this section, it shall make its payroll books and records available for inspection by the council and the department at the times the council and the department request. Each qualifying business claiming job development credits pursuant to this section shall file with the council and the department the information and documentation requested by the council or department respecting employee withholding, the job development credit, and the use of any overpayment of withholding resulting from the claiming of a job development credit according to the revitalization agreement.

(11) Each qualifying business claiming in excess of ten thousand dollars in a calendar year must furnish to the council and to the department a report that itemizes the sources and uses of the funds. The report must be filed with the council and the department no later than June thirtieth following the calendar year in which the job development credits are claimed, except when a qualifying business obtains the written approval by the council for an extension of that date. Extensions may be granted only for good cause shown. The department shall impose a penalty pursuant to Section 12-54-210 for all reports filed after June thirtieth or the approved extension date, whichever is later. The department shall audit each qualifying business with claims in excess of ten thousand dollars in a calendar year at least once every three years to verify proper sources and uses of the funds.

(12) Each qualifying business claiming ten thousand dollars or less in any calendar year must furnish a report prepared by the company that itemizes the sources and uses of the funds. This report must be filed with the council and the department no later than June thirtieth following the calendar year in which the job development credits are claimed, except when a qualifying business obtains the written approval by the council for an extension of that date. Extensions may be granted only for good cause shown. The department shall impose a penalty pursuant to Section 12-54-210 for all reports filed after June thirtieth or the approved extension date, whichever is later.

(13) An employer may not claim an amount that results in an employee’s receiving a smaller amount of wages on either a weekly or on an annual basis than the employee would receive otherwise in the absence of this chapter.

(14)(a) For purposes of this chapter, a qualifying business may

designate up to two related persons whose jobs and investments located at the project may be included to determine whether the qualifying business has met and maintained the minimum job requirement and minimum capital investment requirement. Qualified expenditures described in subsection (C) incurred by a related person may be treated as though such qualifying expenditures were incurred by the qualifying business for purposes of claiming the job development credit and each related person may claim the job development credit for the jobs created by such related person and include any qualifying expenditures of the qualifying business or another related person for purposes of claiming the job development credit as if created and made by the related person.

(b) A single-member limited-liability company that is not regarded as an entity separate from its owner and a qualified subchapter "S" subsidiary as defined in Section 1361(b)(3)(B) of the Internal Revenue Code that is not regarded as a separate entity from the "S" corporation that owns its stock, is treated as the qualifying business for all purposes under this chapter, including for purposes of claiming the job development credit against withholding but it counts as a related person for purposes of the limit described in subitem (a).

(B)(1) The maximum job development credit a qualifying business may claim for new employees is limited to the lesser of withholding tax paid to the State on a quarterly basis or the sum of the following amounts:

(a) two percent of the gross wages of each new employee who earns $8.74 or more an hour but less than $11.64 an hour;

(b) three percent of the gross wages of each new employee who earns $11.65 or more an hour but less than $14.55 an hour;

(c) four percent of the gross wages of each new employee who earns $14.56 or more an hour but less than $21.84 an hour; and

(d) five percent of the gross wages of each new employee who earns $21.85 or more an hour.

(2) The hourly gross wage figures in item (1) must be adjusted annually by an inflation factor determined by the Revenue and Fiscal Affairs Office.

(C) To claim a job development credit, the qualifying business must incur qualified expenditures at the project or for utility or transportation improvements that serve the project. To be qualified, the expenditures must be:

(1) incurred during the term of the revitalization agreement, including a preliminary revitalization agreement, or within sixty days before the council's receipt of an application for benefits pursuant to this section;

(2) authorized by the revitalization agreement; and

(3) used for any of the following purposes:

(a) training costs and facilities;

(b) acquiring and improving real property whether constructed or acquired by purchase, or in cases approved by the council, acquired by capital or operating lease with at least a five-year term or otherwise;

(c) improvements to both public and private utility systems including water, sewer, electricity, natural gas, and telecommunications;

(d) fixed transportation facilities including highway, rail, water, and air;

(e) construction or improvements of real property and fixtures constructed or improved primarily for the purpose of complying with local, state, or federal environmental laws or regulations;

(f) employee relocation expenses, but only for those employees to whom the company is paying gross wages at least two times the lower of the per capita income for either the state or the county in which the project is located;

(g) financing the costs of a purpose described in items (a) through (f);

(h) training for all relevant employees that enable a company to export or increase a company's ability to export its products, including training for logistics, regulatory, and administrative areas connected to the company's export process and other export process training that allows a qualified company to maintain or expand its business in this State;

(i) apprenticeship programs;

(j) quality improvement programs of the South Carolina Quality Forum.

(D)(1) The amount of job development credits a qualifying business may claim for its use for qualifying expenditures is limited according to the designation of the county as defined in Section 12-6-3360(B), as follows:

(a) one hundred percent of the maximum job development credits may be claimed by businesses located in counties designated as "Tier IV";

(b) eighty-five percent of the maximum job development credits may be claimed by businesses located in counties designated as "Tier III";

(c) seventy percent of the maximum job development credits may be claimed by businesses located in counties designated as "Tier II"; or

(d) fifty-five percent of the maximum job development credits

may be claimed by businesses located in counties designated as "Tier I".

(2) The amount that may be claimed as a job development credit by a qualifying business is limited by this subsection and by the revitalization agreement. The council may approve a waiver of ninety-five percent of the limits provided in item (1) for~~:~~

~~(a)~~ a significant business as defined in Section 12-10-30(18)~~; and~~

~~(b) a related person to a significant business if the related person is located at the project site of the significant business and qualifies for job development credits pursuant to this chapter.~~

~~For purposes of this item, a related person includes any entity or person that bears a relationship to a significant business as provided in Internal Revenue Code Section 267 and includes, without limitation, a limited liability company of which more than fifty percent of the capital interest or profits is owned directly or indirectly by a significant business or by a person or entity, or group of persons or entities which owns, more than fifty percent of the capital interest or profits in the significant business~~.

(3) The ~~county~~ designation of the county in which the project is located on the date the application for job development credit incentives is received in the ~~Office~~ office of the ~~Coordinating Council~~ council remains in effect for the entire period of the revitalization agreement~~, except as to additional jobs created pursuant to an amendment to a revitalization agreement entered into before June 1, 1997, as provided in Section 12-10-60. In that case the county designation on the date of the amendment remains in effect for the remaining period of the revitalization agreement as to any additional jobs created after the effective date of the amendment~~.

(E) The council shall certify to the department the maximum job development credit for each qualifying business. After receiving certification, the department shall remit an amount equal to the difference between the maximum job development credit and the job development credit actually claimed to the State Rural Infrastructure Fund as defined and provided in Section 12-10-85.

(F) Any job development credit of a qualifying business permanently lapses upon expiration or termination of the revitalization agreement. If an employee is terminated, the qualifying business immediately must cease to claim job development credits as to that employee.

(G) For purposes of the job development credit allowed by this section, an employee is a person whose job was created in this State.

(H) Job development credits may not be claimed by a governmental employer who employs persons at a closed or realigned military

installation as defined in Section 12-10-88(E).

(I) A taxpayer who qualifies for the job development credit pursuant to the provisions of this section and who is located in a multicounty business or industrial park jointly established pursuant to Section 13 of Article VIII of the Constitution of this State is allowed a job development credit equal to the amount allowed pursuant to subsection (D) for the designation of the county which has the lowest development status of the counties containing the park if:

(1) the park is developed and established on the geographical boundary of adjacent counties; and

(2) the written agreement, pursuant to Section 4-1-170, requires revenue from the park to be allocated to each county on an equal basis.

(J) Where the qualifying business that creates new jobs under this section is a qualifying service-related facility as defined in Section 12-6-3360(M)(13), the determination of the number of jobs created for purposes of eligibility must be based on the total number of new jobs created within five years of the effective date of the revitalization agreement, without regard to monthly or other averaging.

(K) For purposes of this section, the job and per capita income thresholds contained in the definition of "qualifying service-related facility" as set forth in Section 12-6-3360(M)(13)(b) must be modified to read as set forth in the item below:

(1) a business, other than a business engaged in legal, accounting, banking, or investment services (including a business identified under NAICS Section 55) or retail sales, which has a net increase of at least:

(a) one hundred twenty-five jobs ~~at~~ on the payroll for a single location;

(b) one hundred jobs at a single location comprised of a building or portion of a building that has been vacant for at least twelve consecutive months before the ~~taxpayer's~~ business's investment;

(c) seventy-five jobs ~~at~~ on the payroll for a single location and the jobs have an average cash compensation level of more than one and one-half times the lower of state per capita income or per capita income in the county where the jobs are located;

(d) fifty jobs ~~at~~ on the payroll for a single location and the jobs have an average cash compensation level of more than twice the lower of state per capita income or per capita income in the county where the jobs are located; or

(e) twenty-five jobs ~~at~~ on the payroll for a single location and the jobs have an average cash compensation level of more than two and one-half times the lower of state per capita income or per capita income

in the county where the jobs are located.

(L) For purposes of this section and notwithstanding the provisions of Section 12-10-50(A)(1), subject to the discretion of the council, the definition of "qualifying service-related facility" as defined in Section 12-6-3360(M)(13), as modified by Section 12-10-80(K)(1), shall also include the following:

(1) a business engaged in legal, accounting, banking, or investment services operating at a single facility if the single facility would otherwise qualify as a qualifying service-related facility as defined in Section 12-6-3360(M)(13)(b), as modified by subsections (J) and (K) above, if not for the exclusions contained in Section 12-6-3360(M)(13)(b);

(2) a business generally engaged in retail sales at a single facility if that single facility would otherwise qualify as a qualifying service-related facility as defined in Section 12-6-3360(M)(13)(b), as modified by subsections (J) and (K) above, if not for the exclusions contained in Section 12-6-3360(M)(13)(b) and provided that no retail sales are conducted at that single facility; and

(3) In making a determination with regard to Section 12-10-80(L)(1) or Section 12-10-80(L)(2), the council may consider the following:

(a) the percentage of such business's annual gross receipts from services or other income-producing activity derived from customers or clients located outside of South Carolina for the twelve months preceding the month in which such business applies to the council to claim a job development credit and such percentage may not be less than seventy-five percent;

(b) the nature of the new jobs to be created at the project;

(c) the wages of the new jobs to be created at the project;

(d) the capital investment of the project; and

(e) the potential for expansion or growth of the business or industry.

(M) If the council approves an operating lease as an eligible expenditure under Section 12-10-80(C) for a qualifying business that qualifies pursuant to subsections (K) or (L) and will create at least twenty-five jobs for a project and all of the jobs will have a cash compensation level of more than two and one-half times the per capita income in the county where the project is located, the qualifying business may be reimbursed on an annual basis for lease payments before the certification to the council that the qualifying business has met the minimum job requirement and minimum capital investment provided for

in the revitalization agreement. The reimbursements may begin in the first year in which the business creates at least ten new jobs that meet such wage threshold and may continue for up to ten years. This subsection does not apply to build-to-suit lease payments.

SECTION 4. Section 12-10-95 of the S.C. Code is amended to read:

Section 12-10-95. (A)(1) Subject to the conditions in this section, a business engaged in manufacturing or processing operations or technology-intensive activities at a manufacturing, processing, or technology-intensive facility as defined in Section 12-6-3360(M), or warehousing and distribution, and that meets the requirements of Section 12-10-50(B)(2) ~~may negotiate with a technical college~~, with approval from the State Board for Technical and Comprehensive Education, ~~to~~ may claim as a credit against withholding one thousand dollars a year for the retraining of a production or technology or warehousing and distribution first line employee or immediate supervisor who has been continuously employed by the business for a minimum of ~~two years~~ one year and is a full-time employee, so long as retraining is necessary for the qualifying business to remain competitive or to introduce new technologies. In addition to the yearly limits, the retraining credit claimed against withholding may not exceed five thousand dollars over five consecutive years for each retrained production or technology first line employee or immediate supervisor.

(2) Retraining programs that are eligible for the credit include, but are not limited to:

(a) retraining of current employees on newly installed equipment; ~~and~~

(b) retraining of current employees on newly implemented technology, such as computer platforms, software implementation and upgrades, Total Quality Management, ISO 9000, and self-directed work teams~~.~~; and

(c) retraining of current employees for the purpose of upskilling, management development, or recertification in production-related competencies.

Executive training, ~~management development training, career development,~~ personal enrichment training, and cross-training of employees on equipment or technology that is not new to the company are not eligible for the credit.

(B) A qualifying business is eligible to claim as a retraining credit against withholding the lower amount of the following:

(1) the retraining credit for the applicable withholding period as determined by subsection (A); or

(2) withholding paid to the State for the applicable withholding period.

(C) All retraining must be approved by ~~a technical college under the jurisdiction of the State Board for Technical and Comprehensive Education. A qualifying business must submit a retraining program for approval by the appropriate technical college. The approving technical college may provide the retraining itself, subject to the retraining program, or contract with other training entities to provide the required retraining, or supervise the employer's approved internal training program.~~the State Board for Technical and Comprehensive Education.

(D) An employer may not receive the credit allowed by this section if the employer requires that the employee reimburse or pay the employer for the direct costs of retraining, or if the employee is required to reimburse or pay the employer indirectly through the forfeiture of leave time, vacation time, or other compensable time. Direct costs of retraining include instructor salaries, development of retraining programs, purchase or rental of materials and supplies, textbooks and manuals, instructional media, such as video tapes, presentations, equipment used for retraining only, not to include production equipment, and reasonable travel costs as limited by the state's travel expense reimbursement policy.

(E) The qualifying business must expend at least one dollar ~~fifty cents~~ on retraining eligible employees for every dollar claimed as a credit against withholding for retraining. All training costs, including costs in excess of the retraining credits and matching funds, are the responsibility of the business.

(F) A qualifying business may not claim retraining credit for training provided to the following production or technology first line employees or immediate supervisors:

(a) temporary or contract employees; and

(b) employees who are ~~subject to a~~ included in the minimum job requirement of an ongoing revitalization agreement, including a preliminary revitalization agreement and for which the company is eligible to claim job development credits. A qualifying business may claim retraining credits for employees who are not subject to the job development credit but who are included in the base employment of an ongoing revitalization agreement provided that such employees meet the requirements for retraining eligibility included in this section.

(G) ~~Notwithstanding~~ In addition to another provision of this section, the retraining credit allowed by this section is for:

(1) training included in a registered apprenticeship

~~programs~~program; and

(2) retraining for all relevant employees that enable a company to export or increase its ability to export its products, including training for logistics, regulatory, and administrative areas connected to its export process and other export process training that allows a qualified company to maintain or expand its business in this State.

(H) There is hereby established an annual renewal fee of two hundred fifty dollars to be billed and collected by the department.

(I)(1) All approved programs and training must be reviewed annually by the State Board for Technical and Comprehensive Education.

(2) A qualifying business may contract with the State Board for Technical and Comprehensive Education or a subsidiary technical college to assist with additional program administration beyond what is required in a typical retraining agreement for a quarterly fee not to exceed twenty percent of the retraining credit amount claimed. Fees must be collected on a quarterly basis.

~~(2)~~(3) Every three years, the Department of Revenue must audit any business that claimed the job retraining credit pursuant to this section during that time period, solely for the purpose of verifying proper sources and uses of the credits.

(J) The State Board for Technical and Comprehensive Education shall establish policies and procedures to provide the oversight and review provisions of this section. By November fifteenth of each year, the State Board for Technical and Comprehensive Education shall submit a statewide aggregated report detailing the utilization of the retraining credit pursuant to this section, as well as the board's activities in regard to oversight, to the Governor, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, the Coordinating Council for Economic Development, and the Department of Revenue. Also, the board shall make the report available in a conspicuous place on the website maintained by the board.

SECTION 5. Section 12-6-1120 of the S.C. Code is amended by adding:

(11) For taxable years beginning on or after January 1, 2023, and prior to January 1, 2029, there shall be subtracted from taxable income any grant or subgrant pursuant to the Broadband Equity, Access, and Deployment Program established pursuant to 47 U.S.C. 1702, or the American Rescue Plan Act of 2021, Public Law 117-2, received for the purpose of making investments in broadband infrastructure but only to the extent that such grant or subgrant is included in the corporation's taxable income, as defined under the Internal Revenue Code of 1986.

SECTION 6. This act takes effect upon approval by the Governor and first applies to income tax years beginning after 2023, except that SECTION 3 first applies to income tax years beginning after 2020.

Amend title to read:

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3410, RELATING TO CORPORATE INCOME TAX CREDIT FOR CORPORATE HEADQUARTERS, SO AS TO PROVIDE CHANGES TO STAFFING REQUIREMENTS AND CERTAIN TIMING; BY AMENDING SECTION 12-6-3460, RELATING TO THE RECYCLING FACILITY TAX CREDIT DEFINITIONS, SO AS TO LOWER THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED RECYCLING FACILITY AND TO INCLUDE CERTAIN PRODUCTS TO THE DEFINITION OF "POSTCONSUMER WASTE MATERIAL"; BY AMENDING SECTIONS 12-10-20, 12-10-30, 12-10-40, 12-10-45, 12-10-50, 12-10-60, AND 12-10-80, ALL RELATING TO THE ENTERPRISE ZONE ACT OF 1995, SO AS TO ALLOW REMOTE EMPLOYEES WORKING IN SOUTH CAROLINA TO BE INCLUDED IN CERTAIN JOB CREATION REQUIREMENTS AND TO CREATE A NEW PROVISION TO INCENTIVIZE CERTAIN COMPANIES; BY AMENDING SECTION 12-10-95, RELATING TO THE ENTERPRISE ZONE ACT CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO ADD WAREHOUSING AND DISTRIBUTION AND TO PROVIDE FOR APPROVAL REQUIREMENTS; AND BY AMENDING SECTION 12-6-1120, RELATING TO GROSS INCOME, SO AS TO PROVIDE FOR CERTAIN DEDUCTIONS TO TAXABLE INCOME.

/s/Sen. Davis	/s/Rep. West
/s/Sen. Setzler	/s/Rep. B. Newton
Sen. Massey	/s/Rep. Kirby
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 4087 -- Reps. G.M. Smith, West, Kirby, Ballentine, Robbins, Hewitt, M.M. Smith, Davis, Hiott, Long, Hager, Ott, Weeks, Dillard, W. Jones, Brewer, Hartnett and Murphy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3410, RELATING TO CORPORATE INCOME TAX CREDIT FOR CORPORATE HEADQUARTERS, SO AS TO PROVIDE CHANGES TO STAFFING REQUIREMENTS AND CERTAIN TIMING; BY AMENDING SECTION 12-6-3460, RELATING TO THE RECYCLING FACILITY TAX CREDIT DEFINITIONS, SO AS TO LOWER THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED RECYCLING FACILITY AND TO INCLUDE CERTAIN PRODUCTS TO THE DEFINITION OF "POSTCONSUMER WASTE MATERIAL"; BY AMENDING SECTIONS 12-10-20, 12-10-30, 12-10-40, 12-10-45, 12-10-50, 12-10-60, AND 12-10-80, ALL RELATING TO THE ENTERPRISE ZONE ACT OF 1995, SO AS TO ALLOW REMOTE EMPLOYEES WORKING IN SOUTH CAROLINA TO BE INCLUDED IN CERTAIN JOB CREATION REQUIREMENTS AND TO CREATE A NEW PROVISION TO INCENTIVIZE CERTAIN COMPANIES; AND BY AMENDING SECTION 12-10-95, RELATING TO THE ENTERPRISE ZONE ACT CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO PROVIDE WHO IS ELIGIBLE FOR THE CREDIT AND THE AMOUNT OF THE CREDIT ALLOWED.

Very respectfully,

Speaker of the House

Received as information.

H. 4087--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

H. 4087 -- Reps. G.M. Smith, West, Kirby, Ballentine, Robbins, Hewitt, M.M. Smith, Davis, Hiott, Long, Hager, Ott, Weeks, Dillard, W. Jones, Brewer, Hartnett and Murphy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3410, RELATING TO CORPORATE INCOME TAX CREDIT FOR CORPORATE HEADQUARTERS, SO AS TO PROVIDE CHANGES TO STAFFING REQUIREMENTS AND CERTAIN TIMING; BY AMENDING SECTION 12-6-3460, RELATING TO THE RECYCLING FACILITY TAX CREDIT DEFINITIONS, SO AS TO LOWER THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED RECYCLING FACILITY AND TO INCLUDE CERTAIN PRODUCTS TO THE DEFINITION OF

"POSTCONSUMER WASTE MATERIAL"; BY AMENDING SECTIONS 12-10-20, 12-10-30, 12-10-40, 12-10-45, 12-10-50, 12-10-60, AND 12-10-80, ALL RELATING TO THE ENTERPRISE ZONE ACT OF 1995, SO AS TO ALLOW REMOTE EMPLOYEES WORKING IN SOUTH CAROLINA TO BE INCLUDED IN CERTAIN JOB CREATION REQUIREMENTS AND TO CREATE A NEW PROVISION TO INCENTIVIZE CERTAIN COMPANIES; AND BY AMENDING SECTION 12-10-95, RELATING TO THE ENTERPRISE ZONE ACT CREDIT AGAINST WITHHOLDING FOR RETRAINING, SO AS TO PROVIDE WHO IS ELIGIBLE FOR THE CREDIT AND THE AMOUNT OF THE CREDIT ALLOWED.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

H. 4116--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES

EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITHIN THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO

THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

On motion of Senator CLIMER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CLIMER spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens

Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

H. 4116--Conference Report

The General Assembly, Columbia, S.C., June 02, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4116 -- Reps. Sandifer, M.M. Smith and King: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-305, RELATING TO DEFINITIONS IN THE SAFE CREMATION ACT, SO AS TO REVISE A DEFINITION; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO

PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITHIN THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-230,

RELATING TO QUALIFICATIONS FOR LICENSURE AS AN EMBALMER OR A FUNERAL DIRECTOR, SO AS TO REVISE DISQUALIFICATIONS FOR CRIMINAL CONVICTIONS; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; BY AMENDING SECTION 40-19-265, RELATING TO FUNERAL HOME, BRANCH FUNERAL HOME, AND CREMATORY PERMITTING REQUIREMENTS, SO AS TO REVISE MANAGER RESIDENCY REQUIREMENTS; BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER; AND BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS, FUNERAL DIRECTORS, AND RELATED FACILITIES, SO AS TO REVISE CERTAIN DEFINITIONS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Chapter 19, Title 40 of the S.C. Code is amended by adding:

Section 40-19-295. No licensee whose license has been suspended or revoked, or who has applied for a license but whose application has been denied, may participate in any manner in a business licensed by the board until that person has obtained a license or the person's license has been restored. No business licensed by the board may permit or allow a person whose license has been suspended or revoked, or any person who has applied for a license but whose application has been denied, to participate in any manner in the business licensed by the board.

SECTION 2. Section 32-7-100(A) of the S.C. Code is amended to read:

(A) A person wilfully violating the provisions of this chapter is guilty of a:

(1) misdemeanor, if the value of money obtained or sought to be obtained is ~~two~~ ten thousand dollars or less and, upon conviction or plea, the person ~~must~~may be fined ~~not less than one five~~ up to twenty-five thousand dollars, or imprisoned for not more than ~~thirty days~~ six months, or both;

(2) ~~felony, if the value of money obtained or sought to be obtained is more than two thousand dollars but less than ten thousand dollars, and, upon conviction, the person must be fined in the discretion of the court, or imprisoned for not more than five years, or both;~~

~~(3)~~ felony, if the value of money obtained or sought to be obtained is more than ten thousand dollars ~~or more~~, and, upon conviction or plea, the person must be fined in the discretion of the court in an amount not less than twenty-five thousand dollars, or imprisoned for not more than ten years, or both;

~~(4)~~ (3) in addition, a person convicted of a misdemeanor ~~or a felony~~ pursuant to this section may be prohibited from entering into further preneed funeral contracts, if the department, in its discretion, finds that the offense is sufficiently grievous. A person convicted of a felony pursuant to this chapter is subject to the following additional penalties when the value of the money obtained or sought to be obtained is:

(a) twenty-five thousand dollars or less, upon conviction or plea, the person is subject to a two-year suspension from conducting preneed funeral contract sales, and restitution as may be ordered by the court;

(b) greater than twenty-five thousand dollars, but less than one hundred thousand dollars, upon conviction or plea, the person is subject to a five year suspension from conducting preneed funeral contract sales, and restitution as may be ordered by the court;

(c) greater than one hundred thousand dollars, upon conviction or plea, the person is subject to a ten year suspension from conducting preneed funeral contract sales, and restitution as may be ordered by the court.

SECTION 3. Section 32-7-110(B) of the S.C. Code is amended to read:

(B)(1) Upon its own initiative or upon receipt of a written complaint, the department shall investigate a funeral home, funeral director, individual, or business the department has reason to believe is acting as a provider without a license. In order to conduct its investigation, the department shall review the books, records, and accounts of:

~~(1)~~(a) a funeral home or funeral director licensed by the State Board of Funeral Service even if the funeral home or funeral director is not licensed to sell preneed funeral contracts~~,~~; or

~~(2)~~(b) an individual or business the department has reason to believe is acting as a provider without a license. If the department discovers that a violation of this chapter has occurred by a funeral home, funeral director, individual, or business that is not licensed to sell preneed funeral contracts, the department may initiate an action for a violation of this chapter in the Administrative Law Court for a cease and desist order or assess an administrative fine not to exceed ten thousand dollars, or both.

(2) A person aggrieved by an order of the department may request a contested case hearing before the Administrative Law Court.

SECTION 4. Section 32-8-305(9) of the S.C. Code is amended to read:

(9) "Cremation" means the technical process using either alkaline hydrolysis or heat and flame that reduces human remains to components of either liquid and bone, or bone fragments, and which may include the pulverization of the bone fragments.

SECTION 5. Section 32-8-360(B) of the S.C. Code is amended to read:

(B) A person who violates a provision of this chapter is subject to a civil fine ~~not to exceed five~~ of up to twenty-five thousand dollars. A licensed funeral director or embalmer who violates a provision of this chapter must be reported to the State Board of Funeral Service for immediate investigation and disciplinary proceedings.

SECTION 6. Section 32-8-385 of the S.C. Code is amended to read:

Section 32-8-385. (A) A crematory is required to have in its employ at least one individual who has been trained in performing cremations by the licensed crematory authority who is his employer, and also by the manufacturer of the equipment to be used to perform cremations, or by some other appropriate method as provided by regulation of the board. Upon meeting the ~~above~~ requirements of this section, this individual is considered to be sufficiently trained for the purposes of this chapter. All cremations must be performed by a trained individual who has registered with the board.

(B) To be registered with the board, the individual must:

(1) complete an application in the format prescribed by the board;

(2) successfully complete a crematory operator training course approved by the board of not less than eight hours of instructional time;

(3) have not been convicted of or pled guilty to a crime that directly relates to the duties, responsibilities, or fitness of the occupation or profession; and

(4) pay a fee as established in regulation not to exceed fifty dollars.

(C) Registrations under this section must be renewed every two years by submitting a renewal application and paying a renewal fee established in regulation not to exceed fifty dollars.

(D) Registered, trained individuals, are subject to applicable provisions of Sections 40-1-110, Chapter 19 of Title 40, Chapter 8 of Title 32, and board regulations.

SECTION 7. Section 40-19-20(11) and (21) of the S.C. Code is amended to read:

(11) "Funeral director" means a person licensed by the board to engage for hire, for direct or indirect compensation, or for profit ~~in~~ or benefit, and in exchange for or related to the profession of arranging, directing, or supervising funerals.

(21) "Owner" means a sole proprietor, partnership, limited partnership, corporation, limited liability corporation, or any business entity possessing authority ~~and~~ or control over a funeral establishment or its employees, agents, or representatives.

SECTION 8. Section 40-19-30 of the S.C. Code is amended to read:

Section 40-19-30. (A) It is unlawful for a person to engage in the practice of funeral service unless the person is licensed in accordance with this chapter. A person who engages or participates actively in directing or in the management of a funeral establishment is considered to be in the practice of funeral service.

(B) No permit to operate a funeral home may be issued to a corporation, partnership, or individual when the name of either an unlicensed person or a person whose license has been revoked or is suspended appears in the name of the corporation, partnership, or individually owned business. This prohibition does not apply to established funeral homes existing prior to July 1, 1969.

SECTION 9. Section 40-19-70 of the S.C. Code is amended to read:

Section 40-19-70. In addition to the powers and duties provided for in this chapter, the board also has those powers and duties as set forth in Section 40-1-70. A member of the board, or its committees or employees, may not be liable for acts performed in the course of their official duties, except when gross negligence is shown and proven in a court of competent jurisdiction in this State.

SECTION 10. Section 40-19-80 of the S.C. Code is amended to read:

Section 40-19-80. The board shall employ ~~an inspector~~ at least two inspectors who must be ~~a~~ licensed ~~embalmer~~ embalmers and ~~funeral director~~funeral directors with ~~not~~ no fewer than five consecutive years' experience as a licensee under this chapter but who have not been

disciplined during the time of their past or current licensure under this chapter.

SECTION 11. Section 40-19-110(9) of the S.C. Code is amended to read:

(9) refusing to properly release a dead human body to the custody of the person or entity ~~who~~ that has the legal right to ~~effect~~ affect a release.~~;~~The release must include payment for the actual services provided by the initial funeral home as transferor of the dead human body over to the receiving transferee. The receiving transferee funeral home is responsible for the payment to the transferring funeral home at the time of the transfer of the dead human body;

SECTION 12. Section 40-19-115 of the S.C. Code is amended to read:

Section 40-19-115. The board has jurisdiction over the actions of licensees, unlicensed persons, and former licensees as provided for in Section 40-1-115.

SECTION 13. Section 40-19-200 of the S.C. Code is amended to read:

Section 40-19-200. A person who practices or offers to practice funeral service or who aids and abets any unlicensed person or unlicensed entity to engage in the practice of funeral service in this State in violation of this chapter or who knowingly submits false information for the purpose of obtaining a license is guilty of a misdemeanor and, upon conviction, ~~must~~may be fined ~~not less than five hundred ten thousand dollars or more than twenty-five hundred twenty-five thousand~~ up to twenty-five thousand dollars or imprisoned for not more than six months, or both.

SECTION 14. Section 40-19-230(A) and (B) of the S.C. Code is amended to read:

Section 40-19-230. (A) A person may be issued a license as an embalmer if the person:

(1) is at least eighteen years of age;

(2) has not been convicted of ~~a violent crime or found guilty of a felony or crime of moral turpitude~~or pled guilty to a crime that directly relates to the duties, responsibilities, or fitness of the occupation or profession;

(3) has a high school education or the equivalent of a high school education, the equivalence to be determined by the board;

(4) has completed successfully a regular course in an embalming college accredited by the American Board of Funeral Service Education and approved by the board;

(5) has completed a minimum of twenty-four months of service pursuant to Section 40-19-240 as an embalmer ~~apprentice~~ under the

direct supervision of a licensed embalmer actively engaged in the practice of embalming in this State;

(6) has passed an examination prescribed by the board.

(B) A person may be issued a license as a funeral director if the person:

(1) is at least eighteen years of age;

(2) has not been convicted of ~~a violent crime or found guilty of a felony or crime of moral turpitude~~or pled guilty to a crime that directly relates to the duties, responsibilities, or fitness of the occupation or profession;

(3) has a high school education or the equivalent of a high school education and has a minimum of two years of successful attendance at an accredited academic college or successful completion of a regular course of not less than one year, twelve scholastic months, in an accredited mortuary college;

(4) has completed a minimum of twenty-four months of service pursuant to Section 40-19-240 as an ~~apprentice~~ funeral director under the direct supervision of a licensed funeral director actively engaged in the practice of funeral directing in this State;

(5) has passed an examination prescribed by the board.

SECTION 15. Section 40-19-250 of the S.C. Code is amended to read:

Section 40-19-250. The board shall develop in regulation a continuing education program and each licensee must attend a minimum of ~~three~~ four credit hours annually, of which one credit hour must be an ethics in funeral service course. This continuing education program must be offered, at a minimum, four times a year at locations easily accessible to participants. ~~and three~~Three of the four required hours must be available through correspondence courses, with at least two of the four hours requiring the physical attendance of the licensee. This continuing education requirement does not apply to a person who is not the manager of record of a funeral home, funeral establishment, or mortuary if the person has been licensed for thirty or more years ~~or~~ and is sixty years old or older.

SECTION 16. Section 40-19-265 of the S.C. Code is amended to read:

Section 40-19-265. (A) A permit for a funeral home may be issued if the applicant:

(1) submits an application on a form approved by the board;

(2) submits to and successfully passes an inspection approved by the board;

(3) submits the applicable nonrefundable fee;

(4) designates a manager who meets the requirements of Section 40-19-20(16) and is current and in good standing with the board and lives within a radius of ~~twenty-five~~seventy-five miles of the establishment;

(5) possesses the necessary equipment or merchandise, or both, required by regulation;

(6) is in full compliance with Section 40-19-290.

(B) A permit for a branch funeral home may be issued if the applicant:

(1) submits an application on a form approved by the board;

(2) submits to and successfully passes an inspection approved by the board;

(3) submits the applicable nonrefundable fee;

(4) designates a manager who meets the requirements of Section 40-19-20(16) and is current and in good standing with the board and lives within a radius of ~~twenty-five~~seventy-five miles of the establishment;

(5) possesses the necessary equipment or merchandise, or both, required by regulation;

(6) is in full compliance with Section 40-19-290;

(7) provides the name of the parent funeral home.

(C) A permit for a retail sales outlet may be issued if the applicant:

(1) submits an application on a form approved by the board;

(2) submits to and successfully passes an inspection approved by the board;

(3) submits the applicable nonrefundable fee;

(4) is in full compliance with Section 40-19-290.

(D) A permit for a crematory may be issued if the applicant:

(1) submits an application on a form approved by the board;

(2) submits to and successfully passes an inspection approved by the board;

(3) submits the applicable nonrefundable fee;

(4) designates a manager who meets the requirements of Section 40-19-20(16) and is current and in good standing with the board and lives within a radius of ~~twenty-five~~seventy-five miles of the establishment;

(5) possesses the necessary equipment or merchandise, or both, required by regulation;

(6) is in full compliance with Section 40-19-290;

(7) provides evidence of employment of a factory-trained operator.

(E) An application for a permit issued pursuant to this section must identify every person having the ability to direct the management or policies, or both, of the funeral establishment including, but not limited to, corporate officers employed, shareholders, partners, and other representatives of the corporation or business.

SECTION 17. Section 40-19-20(6) and (7) of the S.C. Code is amended to read:

(6) "Cremation" means ~~the reduction of the dead body by intense heat to residue~~the technical process using either alkaline hydrolysis or heat and flame that reduces human remains to components of either liquid and bone, or bone fragments, and which may include the pulverization of the bone fragments.

(7) "Crematory" means an establishment in which ~~the dead body is reduced to residue by intense heat~~cremation occurs.

SECTION 18. Section 40-19-290(E) of the S.C. Code is amended to read:

(E) Other than payments received for at-need funeral merchandise and funeral services, all payments received by any establishment licensed under this chapter for funeral merchandise being purchased must be placed in a trust account in a federally insured institution until the merchandise is delivered for its intended funeral services use as provided in the contract and in accordance with the sales agreement ~~or in the physical possession of the purchaser~~. Upon its own initiative or upon receipt of a complaint, the South Carolina Department of Consumer Affairs shall undertake investigations; review the books, records, and accounts of any establishment licensed under this chapter; subpoena witnesses; require audits and reports; and conduct hearings to determine if payments are being received in violation of the provisions of Chapter 7, Title 32.

SECTION 19. Section 40-19-20(12)(c) of the S.C. Code is amended to read:

(c) a ~~room containing a displayed stock of at least six adult~~ means of showing photographs or other representations of available caskets and other necessary funeral supplies;

SECTION 20. This act takes effect July 1, 2024.

Amend title to conform.

/s/Sen. Allen	/s/Rep. Sandifer
/s/Sen. Climer	/s/Rep. M.M. Smith
/s/Sen. Goldfinch	/s/Rep. King
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS

EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITHIN THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST

ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Very respectfully,

Speaker of the House

Received as information.

H. 4116--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT

CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITHIN THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL

ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

H. 4386--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 4386 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-5-400 SO AS TO ESTABLISH THE LIMITED COMMERCIAL BLUE CRAB LICENSE AND THE REQUIREMENTS FOR OBTAINING THE LICENSE; BY AMENDING SECTION 50-5-350, RELATING TO THE TRANSFERABILITY OF LICENSES, SO AS TO EXEMPT THE LIMITED COMMERCIAL BLUE CRAB LICENSE FROM THE GENERAL TRANSFER PROHIBITION; BY AMENDING SECTION 50-5-325, RELATING TO COMMERCIAL EQUIPMENT LICENSES AND FEES, SO AS TO REVISE THE FEE STRUCTURE FOR THE COMMERCIAL TRAP LICENSE; BY AMENDING SECTION 50-5-360, RELATING TO LICENSES TO ENGAGE IN SHEDDING PEELER CRABS, SO AS TO REQUIRE THAT AN APPLICANT'S OR LICENSEE'S BUSINESS PREMISES BE CAPABLE OF PEELER SHEDDING OPERATIONS; BY AMENDING SECTION 50-5-545, RELATING TO TRAPS FOR TAKING BLUE CRAB, SO AS TO PROVIDE FOR THE MATERIAL, DIMENSIONS, AND ESCAPE-VENT REQUIREMENTS OF THE TRAPS; BY ADDING SECTION 50-5-1345 SO AS TO PROHIBIT THE USE OF CRAB TRAPS IN THE WATERS OF THIS STATE FROM JANUARY 16 THROUGH JANUARY 29 OF EACH YEAR; BY ADDING SECTION 50-5-1302 SO AS TO ESTABLISH A RECREATIONAL LIMIT OF ONE BUSHEL OF BLUE CRABS PER PERSON PER DAY NOT TO EXCEED TWO BUSHELS PER BOAT; BY AMENDING SECTION 50-5-330, RELATING TO RECREATIONAL EQUIPMENT LIMITS, SO AS TO INCREASE THE NUMBER OF TRAPS THAT MAY BE USED FOR RECREATIONAL PURPOSES FROM TWO TO TEN WITH A RECREATIONAL CRAB TRAP ENDORSEMENT; BY

AMENDING SECTION 50-9-540, RELATING TO RECREATIONAL SALTWATER FISHING LICENSES SO AS TO PROVIDE FOR THE COST OF THE RECREATIONAL CRAB TRAP ENDORSEMENT; AND BY ADDING SECTION 50-13-647 SO AS TO PROHIBIT THE TAKING, HARMING, OR KILLING OF ROBUST REDHORSE.

On motion of Senator McELVEEN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator McELVEEN spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

H. 4386--Conference Report

The General Assembly, Columbia, S.C., June 04, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4386 -- Rep. Forrest: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-13-647 SO AS TO PROHIBIT THE TAKING, HARMING, OR KILLING OF ROBUST REDHORSE.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Article 3, Chapter 5, Title 50 of the S.C. Code is amended by adding:

Section 50-5-400. (A) For the privilege of taking blue crabs by trap for a commercial purpose in the waters of this State, an individual must obtain a limited commercial blue crab license, a commercial saltwater fishing license, and a commercial equipment license for traps.

(B) The cost of a limited commercial blue crab license is one hundred dollars for residents and five hundred dollars for nonresidents.

(C) The following individuals are eligible to obtain a limited commercial blue crab license:

(1) an individual who possessed a valid commercial equipment license for traps during the 2023-2024 license year and who has verifiable documentation of at least five hundred pounds of commercial blue crab landings during the first six months of the 2023-2024 license year, the entirety of the 2022-2023 license year, or the entirety of the 2021-2022 license year;

(2) an individual who is selected via an applicant lottery pursuant to subsection (D); or

(3) an individual who receives a valid limited commercial blue crab license via transfer pursuant to subsection (E).

(D) If the total number of limited commercial blue crab licenses issued by the department in a license year is below one hundred, then the department may award additional licenses, not to exceed one hundred total limited commercial blue crab licenses, via an applicant lottery.

(E) A limited commercial blue crab license may be transferred by the licensee to another individual after providing information relating to the

transfer as required by the department. An individual is limited to one commercial blue crab license and a licensee must not receive a transfer of another limited commercial blue crab license.

(F) The maximum number of traps used for taking blue crab, inclusive of peeler traps, that may be licensed to:

(1) an individual who obtains a limited commercial blue crab license under subsection (C)(1) is the greater of two hundred traps and the highest number of traps licensed by the individual in the three previous license years;

(2) an individual who receives a limited commercial blue crab license via transfer is the greater of two hundred traps and the average number of traps licensed by a holder of the transferred limited commercial blue crab license in the three previous license years; or

(3) an individual who is selected via lottery is two hundred traps.

(G) If the 2024-2025 license year or 2023-2024 license year is used to determine the highest number of traps that may be licensed under subsection (F), then only the first six months of the 2023-2024 license year must be used in the determination.

(H) A limited commercial blue crab license must be renewed annually. Prior to every fourth license year, a licensee must have verifiable documentation of at least four thousand pounds of commercial blue crab landings in at least one of the three previous license years. If a licensee does not meet the documented landings threshold, then the licensee's limited commercial blue crab license must not be renewed by the department.

SECTION 2. Section 50-5-350(B) of the S.C. Code is amended to read:

(B) Licenses and permits<u>, other than a limited commercial blue crab license,</u> are not transferable; however, any licensed commercial saltwater fisherman may operate any licensed commercial equipment with written permission of the owner except:

(1) channel nets; and

(2) any commercial equipment licensed at the resident fee when the nonresident fee is greater if the operator is a nonresident.

SECTION 3. Section 50-5-325(A) of the S.C. Code is amended to read:

(A) Commercial equipment, excluding vessels, used in the salt waters of this State and in fisheries for anadromous and catadromous species in any waters of this State must be licensed by the department. The owner and operator are responsible for obtaining a license:

(1) to use a trawl or trawls, and the cost is one hundred twenty-five dollars for residents and three hundred dollars for nonresidents;

(2) to use traps<u>, other than traps for taking blue crab,</u> and the cost is

twenty-five dollars ~~per~~ for fifty traps and one dollar for each trap thereafter for residents, and one hundred twenty-five dollars ~~per~~ for fifty traps and five dollars for each trap thereafter for nonresidents;

(3) to use traps for taking blue crab, and the cost is two dollars for each trap for residents and ten dollars for each trap for nonresidents;

~~(3)~~(4) to use a channel net for taking shrimp, and the cost is two hundred fifty dollars for each net;

~~(4)~~(5) to use a gill net for taking shad, herring, or sturgeon, and the cost is ten dollars per one hundred net yards or a fraction thereof for residents and fifty dollars per one hundred net yards or a fraction thereof for nonresidents, and to use any other gill net or haul seine the cost is ten dollars per one hundred net feet or a fraction thereof for residents and fifty dollars per one hundred net feet or a fraction thereof for nonresidents;

~~(5)~~(6) to use hand-held equipment to take shellfish, including tongs, rakes, and forks, at no cost;

~~(6)~~(7) to use a drag dredge, and the cost is seventy-five dollars for residents and three hundred seventy-five dollars for nonresidents;

~~(7)~~(8) to use other mechanically operated or boat-assisted equipment, other than equipment used to set or retrieve licensed equipment, and the cost is one hundred twenty-five dollars for residents and six hundred twenty-five dollars for nonresidents;

~~(8)~~(9) to use trotlines with baits or hooks, and the cost is ten dollars for residents and fifty dollars for nonresidents for each line having not more than fifty baits or hooks per line;

~~(9)~~(10) to use any other commercial equipment, and the cost is ten dollars for each type for residents and fifty dollars per type for nonresidents.

SECTION 4. Section 50-5-360(B) of the S.C. Code is amended to read:

(B) In order to engage in shedding peeler crabs, a person or entity must first be a licensed wholesale seafood dealer, ~~and~~ must be licensed for peeler crabs, and the person's or entity's business premises must be capable of peeler shedding operations. The fee for a resident peeler crab license is an additional seventy-five dollars, and the fee for a nonresident license is an additional three hundred seventy-five dollars. Persons holding this license and engaged in shedding peeler crabs are authorized to receive, possess, and sell peeler crabs regardless of size. The department may inspect the business premises of a person or entity applying for a peeler crab license and of a peeler crab licensee to ensure the applicant's or licensee's business premises are capable of peeler shedding operations.

SECTION 5. Section 50-5-545 of the S.C. Code is amended to read:

Section 50-5-545. (A) Except as provided in this section, ~~from June 1 through March 14,~~ a trap used for taking blue crab ~~used~~ for commercial purposes from June 1 through March 14, or for recreational purposes year round, must have at least two unobstructed, circular escape vents (rings) which must be two and three-eighths inches or greater in inside diameter and located on vertical surfaces. At least one vent (ring) must be in the upper chamber. All vents (rings) must be within two inches of the horizontal partition or the base of the trap.

(B) A trap used for taking blue crab constructed of a single chamber must have at least one two and three-eighths inch or larger inside diameter escape vent (ring) located on a vertical surface within two inches of the base of the trap. Peeler traps are exempt year round.

(C) A trap used for taking blue crab, other than peeler traps, must be constructed of wire with a minimum mesh size of one and one-half inches, have throats or entrances located only on a vertical surface, and have a maximum dimension of twenty-four inches by twenty-four inches by twenty-four inches or a volume of eight cubic feet.

SECTION 6. Article 13, Chapter 5, Title 50 of the S.C. Code is amended by adding:

Section 50-5-1345. (A) The department must promulgate regulations establishing criteria for the designation of closed seasons and closed or partially closed areas for the taking of blue crabs by trap. In accordance with the established criteria, the department may designate closed seasons and closed or partially closed areas for the taking of blue crabs by trap upon at least forty-five days' public notice.

(B) A trap that is in the waters of this State during a closed season or in a closed or partially closed area may be confiscated by the department or by an agent of the department.

(C) It is unlawful to take or attempt to take blue crabs by trap during a closed season or in a closed or partially closed area. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than two hundred dollars nor more than five hundred dollars.

(D) Nothing in this section limits the authority of the department under Section 50-5-32.

SECTION 7. Article 13, Chapter 5, Title 50 of the S.C. Code is amended by adding:

Section 50-5-1302. (A) For the purposes of this section, "day" means sunrise on one day to sunrise on the following day.

(B) It is unlawful for a person to take or possess for recreational

purposes more than one bushel of blue crabs in any one day, not to exceed two bushels in any one day on any boat.

(C) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars and not more than five hundred dollars.

SECTION 8. Section 50-5-330(A) of the S.C. Code is amended to read:

(A) A person may fish or use the following in the salt waters of this State solely for recreational purposes without being commercially licensed:

(1) shrimp seines;

(2) hand-operated tongs, rakes except bull rakes, and forks except seed forks, used to harvest shellfish;

(3) hook and line or rod and reel;

(4) minnow traps, drop nets, and dip nets;

(5) cast nets; however, the use must comply with all other provisions of law;

(6) no more than two crab traps without a recreational crab trap endorsement;

(7) no more than five crab traps with a recreational crab trap endorsement;

~~(7)~~(8) no more than two trotlines with a cumulative total of not more than fifty hooks or baits;

~~(8)~~(9) no more than ten bush or pole lines with single hooks or baits.

SECTION 9. Section 50-9-540 of the S.C. Code is amended by adding:

(E) For the privilege of fishing more than two and up to five crab traps recreationally, a recreational saltwater license holder must purchase an annual enhanced recreational crab trap endorsement at a cost of five dollars.

SECTION 10. Section 50-5-555 of the S.C. Code is amended by adding:

(G) The department may impose a civil penalty of up to one hundred dollars for each trap in violation of this section for a first offense, up to three hundred dollars for a second offense, and up to five hundred dollars for a third or subsequent offense.

SECTION 11. Article 6, Chapter 13, Title 50 of the S.C. Code is amended by adding:

Section 50-13-647. It is unlawful to take, harm, or kill robust redhorse (moxostoma robustum) from public waters. Any robust redhorse taken must be returned immediately to the water from which it was taken. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars for a first offense and not more than one thousand dollars

for each subsequent offense.

SECTION 12. Upon approval of this act by the Governor, a moratorium on the issuance of new commercial equipment licenses to use traps for the taking of blue crab takes effect, at which time the department must not issue any new commercial equipment licenses to use traps for the taking of blue crab. This moratorium expires on June 15, 2025. Commercial equipment licenses to use traps for the taking of blue crab in effect for the 2023-2024 license year are extended and do not expire until June 30, 2025.

SECTION 13. Sections 4, 6, 11, and 12 of this act take effect upon approval by the Governor. All other sections take effect on July 1, 2025.

Amend title to read:

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-5-400 SO AS TO ESTABLISH THE LIMITED COMMERCIAL BLUE CRAB LICENSE AND THE REQUIREMENTS FOR OBTAINING THE LICENSE; BY AMENDING SECTION 50-5-350, RELATING TO THE TRANSFERABILITY OF LICENSES, SO AS TO EXEMPT THE LIMITED COMMERCIAL BLUE CRAB LICENSE FROM THE GENERAL TRANSFER PROHIBITION; BY AMENDING SECTION 50-5-325, RELATING TO COMMERCIAL EQUIPMENT LICENSES AND FEES, SO AS TO REVISE THE FEE STRUCTURE FOR THE COMMERCIAL TRAP LICENSE; BY AMENDING SECTION 50-5-360, RELATING TO LICENSES TO ENGAGE IN SHEDDING PEELER CRABS, SO AS TO REQUIRE THAT AN APPLICANT'S OR LICENSEE'S BUSINESS PREMISES BE CAPABLE OF PEELER SHEDDING OPERATIONS; BY AMENDING SECTION 50-5-545, RELATING TO TRAPS FOR TAKING BLUE CRAB, SO AS TO PROVIDE FOR THE MATERIAL, DIMENSIONS, AND ESCAPE-VENT REQUIREMENTS OF THE TRAPS; BY ADDING SECTION 50-5-1345 SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO PROMULGATE CERTAIN REGULATIONS RELATING TO THE TAKING OF BLUE CRABS BY TRAP; BY ADDING SECTION 50-5-1302 SO AS TO ESTABLISH A RECREATIONAL LIMIT OF ONE BUSHEL OF BLUE CRABS PER PERSON PER DAY NOT TO EXCEED TWO BUSHELS PER BOAT; BY AMENDING SECTION 50-5-330, RELATING TO RECREATIONAL EQUIPMENT LIMITS, SO AS TO INCREASE THE NUMBER OF CRAB TRAPS THAT MAY BE USED FOR RECREATIONAL PURPOSES FROM TWO TO FIVE WITH A RECREATIONAL CRAB TRAP ENDORSEMENT; BY AMENDING

SECTION 50-9-540, RELATING TO RECREATIONAL SALTWATER FISHING LICENSES, SO AS TO PROVIDE FOR THE COST OF THE RECREATIONAL CRAB TRAP ENDORSEMENT; BY AMENDING SECTION 50-5-555, RELATING TO TRAP PLACEMENT AND ATTENTION REQUIREMENTS, SO AS TO IMPOSE A CIVIL PENALTY FOR CERTAIN VIOLATIONS RELATING TO TRAP PLACEMENT; AND BY ADDING SECTION 50-13-647 SO AS TO PROHIBIT THE TAKING, HARMING, OR KILLING OF ROBUST REDHORSE.

/s/Sen. Campsen	/s/Rep. Hixon
/s/Sen. Goldfinch	/s/Rep. Forrest
/s/Sen. McElveen	Rep. McDaniel
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 4386 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-13-647 SO AS TO PROHIBIT THE TAKING, HARMING, OR KILLING OF ROBUST REDHORSE.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 4386 -- Rep. Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-5-400 SO

AS TO ESTABLISH THE LIMITED COMMERCIAL BLUE CRAB LICENSE AND THE REQUIREMENTS FOR OBTAINING THE LICENSE; BY AMENDING SECTION 50-5-350, RELATING TO THE TRANSFERABILITY OF LICENSES, SO AS TO EXEMPT THE LIMITED COMMERCIAL BLUE CRAB LICENSE FROM THE GENERAL TRANSFER PROHIBITION; BY AMENDING SECTION 50-5-325, RELATING TO COMMERCIAL EQUIPMENT LICENSES AND FEES, SO AS TO REVISE THE FEE STRUCTURE FOR THE COMMERCIAL TRAP LICENSE; BY AMENDING SECTION 50-5-360, RELATING TO LICENSES TO ENGAGE IN SHEDDING PEELER CRABS, SO AS TO REQUIRE THAT AN APPLICANT'S OR LICENSEE'S BUSINESS PREMISES BE CAPABLE OF PEELER SHEDDING OPERATIONS; BY AMENDING SECTION 50-5-545, RELATING TO TRAPS FOR TAKING BLUE CRAB, SO AS TO PROVIDE FOR THE MATERIAL, DIMENSIONS, AND ESCAPE-VENT REQUIREMENTS OF THE TRAPS; BY ADDING SECTION 50-5-1345 SO AS TO PROHIBIT THE USE OF CRAB TRAPS IN THE WATERS OF THIS STATE FROM JANUARY 16 THROUGH JANUARY 29 OF EACH YEAR; BY ADDING SECTION 50-5-1302 SO AS TO ESTABLISH A RECREATIONAL LIMIT OF ONE BUSHEL OF BLUE CRABS PER PERSON PER DAY NOT TO EXCEED TWO BUSHELS PER BOAT; BY AMENDING SECTION 50-5-330, RELATING TO RECREATIONAL EQUIPMENT LIMITS, SO AS TO INCREASE THE NUMBER OF TRAPS THAT MAY BE USED FOR RECREATIONAL PURPOSES FROM TWO TO TEN WITH A RECREATIONAL CRAB TRAP ENDORSEMENT; BY AMENDING SECTION 50-9-540, RELATING TO RECREATIONAL SALTWATER FISHING LICENSES SO AS TO PROVIDE FOR THE COST OF THE RECREATIONAL CRAB TRAP ENDORSEMENT; AND BY ADDING SECTION 50-13-647 SO AS TO PROHIBIT THE TAKING, HARMING, OR KILLING OF ROBUST REDHORSE.

Very respectfully,

Speaker of the House

Received as information.

H. 4820--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 4820 -- Reps. Forrest, Hixon, Hayes, Chumley, Burns, Haddon, Magnuson, Chapman, McDaniel and Gibson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-580, RELATING TO THE SEASON FOR HUNTING

AND TAKING MALE WILD TURKEYS, BAG LIMITS, TAKING FEMALE WILD TURKEYS, AND ANNUAL REPORTING, SO AS TO ADJUST THE HUNTING AND LIMIT FOR TAKING MALE WILD TURKEYS; AND TO PROVIDE A SUNSET PROVISION.

On motion of Senator McELVEEN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator McELVEEN spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

H. 4820--Conference Report

The General Assembly, Columbia, S.C., June 04, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4820 -- Reps. Forrest, Burns, Chapman, Chumley, Haddon, Hayes, Hixon, Magnuson, McDaniel and Gibson: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-580, RELATING TO THE SEASON FOR HUNTING AND TAKING MALE WILD TURKEYS, BAG LIMITS, TAKING FEMALE WILD TURKEYS, AND ANNUAL REPORTING, SO AS TO ADJUST THE HUNTING AND LIMIT FOR TAKING MALE WILD TURKEYS; AND TO PROVIDE A SUNSET PROVISION.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Section 50-11-580 of the S.C. Code is amended to read:

Section 50-11-580. (A) The season for the hunting and taking ~~a~~ of legal male wild ~~turkey~~turkeys is April 3 through May 3~~:~~

~~(1) in Game Zones 1 and 2, April 1 through May 10; and~~

~~(2) in Game Zones 3 and 4, March 22 through April 30~~.

(B) The season bag limit for legal male wild turkeys is ~~three~~two statewide for residents and two statewide for nonresidents. The daily bag limit is one, provided that~~:~~

~~(1)~~ only one legal male wild turkey may be taken ~~from April 1 through~~prior to April 10~~ from within Game Zones 1 and 2; and~~

~~(2) only one male wild turkey may be taken from March 22 through March 31 from within Game Zones 3 and 4~~.

(C) It is unlawful for a person to take a female wild turkey unless authorized by the department pursuant to Section 50-11-500(3).

(D) The department shall provide an annual report on wild turkey resources in South Carolina to the Chairman of the Senate Fish, Game and Forestry Committee and the Chairman of the House Agriculture and Natural Resources Committee, to include an itemized list of expenditures from the revenues generated from the sale of resident and nonresident wild turkey tags.

SECTION 2. Section 50-11-500 of the S.C. Code is amended by adding:

(10) It is unlawful for a person to hunt, kill, or possess a male wild turkey with a beard less than six inches long and a tail fan that is not fully developed.

SECTION 3. Section 50-11-500 of the S.C. Code is amended by adding:

(11) It is unlawful for a person to stalk a wild turkey while behind a decoy or tail fan. Tail fans include those made of real or synthetic feathers or an image or likeness of a tail fan applied to any material.

SECTION 4. Section 50-11-590 of the S.C. Code is amended to read:

Section 50-11-590. (A) The Saturday and Sunday preceding April 3 ~~the start of a game zone turkey season~~and the Saturday and Sunday following May 3 is declared to be a "Youth Turkey Hunting Weekend" ~~within the game zone~~ for youth turkey hunters under eighteen years of age.

(B) A license or tag requirement is waived for a youth turkey hunter during a Youth Turkey Hunting Weekend.

(C) The total bag limit ~~during Youth Turkey Hunting Weekend~~for the two Youth Turkey Hunting Weekends combined is one legal male wild turkey ~~for the weekend~~ that shall count toward the season bag limit. A youth turkey hunter who has reached the season bag limit on or prior to May 3 must not harvest or attempt to harvest a turkey during the Youth Turkey Hunting Weekend following May 3 but is permitted to call turkeys for another youth turkey hunter. A turkey harvest must be reported to the electronic harvest reporting system pursuant to the provisions of Section 50-11-546.

(D) Youth turkey hunters who have not completed the hunter education program pursuant to Section 50-9-310, and who hunt during a Youth Turkey Hunting Weekend, must be accompanied by an adult who is at least twenty-one years of age. An adult ~~may~~ must not harvest or attempt to harvest ~~turkeys~~ a turkey during a Youth Turkey Hunting Weekend but is permitted to call turkeys for a youth turkey hunter.

SECTION 5. Section 50-9-640 of the S.C. Code is amended to read:

Section 50-9-640. (A) For the privilege of hunting wild turkey, in addition to the required hunting license and big game permit, a person must possess a wild turkey tag issued in the person's name. The fee for a:

(1) resident is ~~five~~ twenty-five dollars for ~~three~~ two tags, one dollar of which may be retained by the license sales vendor; and

(2) nonresident is one hundred twenty-five dollars for two tags, one dollar of which may be retained by the license sales vendor.

(B) There is no cost for wild turkey tags for persons under the age of

sixteen, lifetime licensees, and gratis licensees upon request to the department.

SECTION 6. The amendments contained in SECTIONS 1 and 4 of this act are repealed on May 11, 2028, and the text of these SECTIONS shall revert back to the language contained in the South Carolina Code of Laws as of January 1, 2024.

SECTION 7. SECTION 5 of Act 91 of 2021 is repealed.

SECTION 8. This act takes effect upon approval by the Governor.

Amend title to read:

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-580, RELATING TO THE SEASON FOR HUNTING AND TAKING MALE WILD TURKEYS, BAG LIMITS, TAKING FEMALE WILD TURKEYS, AND ANNUAL REPORTING, SO AS TO ADJUST THE HUNTING SEASON AND LIMIT FOR TAKING MALE WILD TURKEYS; BY AMENDING SECTION 50-11-500, RELATING TO PROVISIONS APPLICABLE TO WILD TURKEY, SO AS TO PROHIBIT HUNTING, KILLING, OR POSSESSING A MALE WILD TURKEY WITH A BEARD LESS THAN SIX INCHES LONG AND A TAIL FAN THAT IS NOT FULLY DEVELOPED, AND STALKING A WILD TURKEY BEHIND A DECOY OR TAILFAN; BY AMENDING SECTION 50-11-590, RELATING TO YOUTH TURKEY HUNTING WEEKEND, SO AS TO ADJUST THE DATES AND TO PROVIDE FOR THE ALLOWED TOTAL BAG LIMIT; BY AMENDING SECTION 50-9-640, RELATING TO WILD TURKEY TAG FEES, SO AS TO INCREASE TAG FEES; TO PROVIDE A SUNSET CLAUSE; AND BY REPEALING SECTION 5 OF ACT 91 OF 2021.

/s/Sen. Campsen	/s/Rep. Hixon
/s/Sen.McElveen	/s/Rep. Forrest
/s/Sen. Goldfinch	/s/Rep. Bauer
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 4820 -- Reps. Forrest, Hixon, Hayes, Chumley, Burns, Haddon, Magnuson, Chapman, McDaniel and Gibson: A BILL TO AMEND

THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-580, RELATING TO THE SEASON FOR HUNTING AND TAKING MALE WILD TURKEYS, BAG LIMITS, TAKING FEMALE WILD TURKEYS, AND ANNUAL REPORTING, SO AS TO ADJUST THE HUNTING AND LIMIT FOR TAKING MALE WILD TURKEYS; AND TO PROVIDE A SUNSET PROVISION.

Very respectfully,
Speaker of the House

Received as information.

H. 4820--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

H. 4820 -- Reps. Forrest, Hixon, Hayes, Chumley, Burns, Haddon, Magnuson, Chapman, McDaniel and Gibson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-580, RELATING TO THE SEASON FOR HUNTING AND TAKING MALE WILD TURKEYS, BAG LIMITS, TAKING FEMALE WILD TURKEYS, AND ANNUAL REPORTING, SO AS TO ADJUST THE HUNTING AND LIMIT FOR TAKING MALE WILD TURKEYS; AND TO PROVIDE A SUNSET PROVISION.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

H. 4843--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 4843 -- Reps. Bailey, Brittain, Guest, J.E. Johnson, Sandifer and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-39-148 SO AS TO AUTHORIZE BUSINESSES WITH A DECK, DOCK, OR OTHER STRUCTURE LOCATED IN A CRITICAL AREA TO USE THE STRUCTURE FOR PURPOSES DIRECTLY RELATED TO THE OPERATION OF THE BUSINESS WITH LOCAL ZONING APPROVAL.

On motion of Senator McELVEEN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator McELVEEN spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

H. 4843--Conference Report

The General Assembly, Columbia, S.C., June 05, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4843 -- Reps. Bailey, Brittain, Guest, J.E. Johnson, Sandifer and Anderson: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-39-148 SO AS TO AUTHORIZE BUSINESSES WITH A DECK, DOCK, OR OTHER STRUCTURE LOCATED IN A CRITICAL AREA TO USE THE STRUCTURE FOR PURPOSES DIRECTLY RELATED TO THE OPERATION OF THE BUSINESS WITH LOCAL ZONING APPROVAL.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. Chapter 39, Title 48 of the S.C. Code is amended by adding:

Section 48-39-148. Notwithstanding any statutory or regulatory provision of law to the contrary, including any provision of or authorized by this chapter, a business that contains a grandfathered or permitted commercial deck or marina that is located in a critical area may utilize such structure for purposes of providing food and beverage services for consumption by patrons of the business.

SECTION 2. This act takes effect upon approval by the Governor.

Amend title to conform.

/s/Sen. Goldfinch	/s/Rep. Bailey
/s/Sen. Campsen	/s/Rep. Hardee
/s/Sen. McElveen	/s/Rep. Anderson
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 4843 -- Reps. Bailey, Brittain, Guest, J.E. Johnson, Sandifer and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-39-148 SO AS TO AUTHORIZE BUSINESSES WITH A DECK, DOCK, OR OTHER STRUCTURE LOCATED IN A CRITICAL AREA TO USE THE STRUCTURE FOR PURPOSES DIRECTLY RELATED TO THE OPERATION OF THE BUSINESS WITH LOCAL ZONING APPROVAL.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 4843 -- Reps. Bailey, Brittain, Guest, J.E. Johnson, Sandifer and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-39-148 SO AS TO AUTHORIZE BUSINESSES WITH A DECK, DOCK, OR OTHER STRUCTURE LOCATED IN A CRITICAL AREA TO USE THE STRUCTURE FOR PURPOSES DIRECTLY RELATED TO THE OPERATION OF THE BUSINESS WITH LOCAL ZONING APPROVAL.

Very respectfully,

Speaker of the House

Received as information.

H. 5100--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 5100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

On motion of Senator PEELER with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator PEELER spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

H. 5100--Conference Report
The General Assembly, Columbia, S.C., June 12, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 5100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:/

Amend title to conform.

/s/Sen. Peeler	/s/Rep. Bannister
/s/Sen. Setzler	/s/Rep. Lowe
/s/Sen. Bennett	/s/Rep. Stavrinakis
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 5100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

H. 5100--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

H. 5100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

H. 5101--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

H. 5101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE

FUND FOR FISCAL YEAR 2023-2024, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

On motion of Senator PEELER with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator PEELER spoke on the report.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Committee of Conference Report was adopted as follows:

H. 5101--Conference Report

The General Assembly, Columbia, S.C., June 26, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 5101 -- WAYS AND MEANS COMMITTEE: TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2023-2024, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the S.C. Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2023-2024 the following amounts:

(1) H630 - Department of Education	
(a) School Facilities Safety Upgrades	$20,000,000
(b) School Safety Mapping	$5,000,000
(2) H670 - Educational Television Commission	
Microwave and Transmitter Upgrades - Phase I	$5,000,000
(3) H640 - Governor's School for Arts and Humanities	
Residence Hall Renovation and Upgrades - Phase II	$5,000,000
(4) H090 - Citadel	
(a) Duckett Hall Renovation	$2,000,000
(b) Engineering Building Replacement	$4,000,000
(c) Renovation of Workforce Housing	$1,000,000
(5) H120 - Clemson University	
College of Veterinary Medicine	$47,000,000
(6) H150 - University of Charleston	
Campus Expansion	$7,000,000
(7) H170 - Coastal Carolina	
Pedestrian Walkway	$5,000,000
(8) H180 - Francis Marion	
(a) Leatherman Science Facility/McNair	

Science Building Renovation	$5,000,000
(b) Applied Behavioral Analysis (ABA) Clinic	$1,000,000
(9) H210 - Lander	
Maintenance, Renovation, and Replacement	$5,000,000
(10) H240 - South Carolina State University	
Replacement of the Whittaker Library	$5,000,000
(11) H270 - USC - Columbia	
Health Sciences Campus	$47,000,000
(12) H290 - USC - Aiken	
(a) Maintenance, Renovation, and Replacement	$1,500,000
(b) Athletic Facilities Relocation	$2,500,000
(13) H340 - USC - Upstate	
(a) Maintenance, Renovation, and Replacement	$2,000,000
(b) School of Nursing Building	$5,000,000
(14) H360 - USC - Beaufort	
New Convocation Center	$11,500,000
(15) H370 - USC - Lancaster	
Maintenance, Renovation, and Replacement	$1,100,000
(16) H380 - USC - Salkehatchie	
Maintenance, Renovation, and Replacement	$412,000
(17) H390 - USC - Sumter	
(a) Maintenance, Renovation, and Replacement	$3,000,000
(b) Facilities Management Center	$2,850,000
(18) H400 - USC - Union	
Maintenance, Renovation, and Replacement	$413,000
(19) H470 - Winthrop	
Maintenance, Renovation, and Replacement	$5,000,000
(20) H510 - Medical University of South Carolina	
College of Medicine Academic Building	$22,000,000
(21) H590 - Board for Technical and Comprehensive Education	
(a) Aiken Technical College	

Maintenance, Renovation, and Replacement	$1,500,000
(b) Central Carolina Technical College	
Maintenance, Renovation, and Replacement	$1
(c) Florence-Darlington Technical College	
(i) Industrial Trades Training Facility	$2,200,000
(ii) Darlington County Campus	$2,200,000
(d) Greenville Technical College	
Maintenance, Renovation, and Replacement	$4,500,000
(e) Horry-Georgetown Technical College	
Health Professions Training Complex	$5,000,000
(f) Northeastern Technical College	
Maintenance, Renovation, and Replacement	$750,000
(g) Orangeburg-Calhoun Technical College	
Maintenance, Renovation, and Replacement	$2,361,096
(h) Piedmont Technical College	
Maintenance, Renovation, and Replacement	$2,300,000
(i) Spartanburg Community College	
Maintenance, Renovation, and Replacement	$1,800,000
(j) Technical College of the Lowcountry	
Maintenance, Renovation, and Replacement	$1,300,000
(k) Tri-County Technical College	
Maintenance, Renovation, and Replacement	$500,000
(l) Trident Technical College	
Maintenance, Renovation, and Replacement	$4,500,000
(m) Williamsburg Technical College	
Maintenance, Renovation, and Replacement	$513,902
(n) York Technical College	
Maintenance, Renovation, and Replacement	$2,300,000

(22) H790 - Department of Archives and History	
Exhibit Hall and Meeting	
Space Expansion	$1,000,000
(23) J120 - Department of Mental Health	
Stone VA Nursing Home	$5,000,000
(24) P210 - SC State University	
Public Service Activities	
Construction of the South Carolina	
Limnology Research Center	$2,000,000
(25) P240 - Department of Natural Resources	
Waterfowl Impoundments Infrastructure	
Maintenance	$1,200,000
(26) P320 - Department of Commerce	
SC Nexus	$5,000,000
(27) P400 - Conservation Bank	
(a) Conservation Grant Funding	$6,000,000
(b) Working Ag Lands	
Grant Funding	$1,000,000
(28) N040 - Department of Corrections	
(a) Cell Phone Interdiction	$7,058,000
(b) Security and Maintenance Funds	$4,500,000
(29) R400 - Department of Motor Vehicles	
SCDMV IT System Modernization	$2,528,884
(30) Y140 - State Ports Authority	
North Charleston Economic Development	
Land Acquisition	$55,000,000
(31) A170 - Legislative Services Agency	
Network Infrastructure	$753,766
(32) D300 - Office of Resilience	
Disaster Relief and Resilience	
Reserve Fund	$4,000,000
(33) D500 - Department of Administration	
Healthcare Campus Relocation	$14,511,113
(34) E240 - Adjutant General	
(a) SCEMD - State EOC Expansion	$1
(b) Armory Revitalization	$3,300,000
(35) E260 - Department of Veterans' Affairs	
(a) Veteran Homes - Capital	
Improvements	$20,000,000
(b) MJ "Dolly" Cooper State	
Veterans' Cemetery - Committal	

Shelter II	$1,280,000
(c) Military Enhancement Fund	$2,000,000
(d) Veteran Trust Fund	$1,000,000

SECTION 2. The Comptroller General shall post the appropriations contained in this joint resolution as provided in Section 11-11-320(D) of the S.C. Code. Unexpended funds appropriated pursuant to this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 3. This joint resolution takes effect thirty days after the completion of the 2023-2024 Fiscal Year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(D)(1) of the S.C. Code.

Amend title to conform.

/s/Sen. Peeler	/s/Rep. Bannister
/s/Sen. Setzler	/s/Rep. Lowe
/s/Sen. Bennett	/s/Rep. Stavrinakis
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 26, 2024

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 5101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2023-2024, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Very respectfully,
Speaker of the House

Received as information.

H. 5101--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

H. 5101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2023-2024, AND TO ALLOW

UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session.

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointments were confirmed in open session:

Reappointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2021, and to expire June 30, 2025

Massage/Bodywork Therapist:

Janet Shaw, 802 Pinedale Road, West Columbia, SC 29170-2638

On motion of Senator DAVIS, the question was confirmation of Janet Shaw.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn

Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Janet Shaw was confirmed.

Initial Appointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2023, and to expire June 30, 2027

Massage/Bodywork Therapist:

Alicia Roberts, 202 Cedar Lane, Conway, SC 29527-6031 *VICE* Denise Van Nostran

On motion of Senator DAVIS, the question was confirmation of Alicia Roberts.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Alicia Roberts was confirmed.

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2022, and to expire March 20, 2026

Cosmetologist:

Adrienne MacLeod, 3142 Cannon Road, Greer, SC 29651-5328 *VICE* Eddie L. Jones

On motion of Senator DAVIS, the question was confirmation of Adrienne MacLeod.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Adrienne MacLeod was confirmed.

Reappointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2023, and to expire March 20, 2027

Cosmetologist:

LaQuita W. Horton, 1210 Cheraw Rd., Cassatt, SC 29032

On motion of Senator DAVIS, the question was confirmation of LaQuita W. Horton.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of LaQuita W. Horton was confirmed.

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2022, and to expire June 30, 2026

Barber:

Renee H. Patton, 5535 Highway 9, Suite C, Inman, SC 29349

On motion of Senator DAVIS, the question was confirmation of Renee H. Patton.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0; Abstain 1

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

ABSTAIN

Hutto

Total--1

The appointment of Renee H. Patton was confirmed.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2021, and to expire May 31, 2024

Licensed or Certified Appraiser:

Hezekiah E. Thompson, 200 Edward Street, Murrells Inlet, SC 29576-6003 *VICE* Michael B. Dodds

On motion of Senator DAVIS, the question was confirmation of Hezekiah E. Thompson.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Hezekiah E. Thompson was confirmed.

Reappointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2024, and to expire May 31, 2027

Licensed or Certified Appraiser:

Hezekiah E. Thompson, 200 Edward Street, Murrells Inlet, SC 29576-6003

On motion of Senator DAVIS, the question was confirmation of Hezekiah E. Thompson.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Hezekiah E. Thompson was confirmed.

Initial appointment, South Carolina Board of Real Estate Appraisers, with the term to commence April 30, 2021, and to expire April 30, 2024

Appraisal Management Company:

Mark Chapman, 197 Green Valley Road, Greenville, SC 29617-7014

On motion of Senator DAVIS, the question was confirmation of Mark Chapman.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian

Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Mark Chapman was confirmed.

Reappointment, South Carolina Board of Real Estate Appraisers, with the term to commence April 30, 2024, and to expire April 30, 2027

Appraisal Management Company:

Mark Chapman, 197 Green Valley Road, Greenville, SC 29617-7014

On motion of Senator DAVIS, the question was confirmation of Mark Chapman.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens

Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Mark Chapman was confirmed.

Reappointment, Advisory Panel for Massage/Bodywork Therapy, with the term to commence June 30, 2021, and to expire June 30, 2025

Massage/Bodywork Therapist:

Gloria Lee Smith, 201 Corley Woods Drive, Lexington, SC 29072-3845

On motion of Senator DAVIS, the question was confirmation of Gloria Lee Smith.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Gloria Lee Smith was confirmed.

Initial Appointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2023, and to expire November 27, 2027

Master Social Worker:

Alicia Nix, 312 Winding Way, Columbia, SC 29212-1347 *VICE* Catherine M. Buchanan

On motion of Senator DAVIS, the question was confirmation of Alicia Nix.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Alicia Nix was confirmed.

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2022, and to expire June 30, 2026

Master Hair Care Specialist:

Paul E. Robinson, Jr., 4441 Deerfield Dr., Orangeburg, SC 29118

On motion of Senator DAVIS, the question was confirmation of Paul E. Robinson, Jr.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0; Abstain 1

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

ABSTAIN

Hutto

Total--1

The appointment of Paul E. Robinson, Jr. was confirmed.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2023, and to expire May 31, 2026

Licensed or Certified Appraiser:

Pledger Bishop III, Valbridge Property Advisors, 1250 Fairmont Ave., Mt. Pleasant, SC 29464 *VICE* Christopher Donato

On motion of Senator DAVIS, the question was confirmation of Pledger Bishop III.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Pledger Bishop III was confirmed.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2023, and to expire June 30, 2027

3rd Congressional District:

Timothy W. Roberts, 2907 Rambling Path, Anderson, SC 29621

On motion of Senator DAVIS, the question was confirmation of Timothy W. Roberts.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Timothy W. Roberts was confirmed.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2023, and to expire June 30, 2027

At-Large, Physician:

Jon F. Lucas, 12 Paddock Run Lane, Simpsonville, SC 29681-5368

On motion of Senator DAVIS, the question was confirmation of Jon F. Lucas.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett

Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Jon F. Lucas was confirmed.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2022, and to expire June 30, 2026

3rd Congressional District:

Andrew Osborne, 304 Greenville Church Road, Donalds, SC 29638-9306 *VICE* William J. D'Andrea

On motion of Senator DAVIS, the question was confirmation of Andrew Osborne.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach

Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Andrew Osborne was confirmed.

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2023, and to expire March 20, 2027

Esthetician:

Elizabeth Anne Postilis, Browning Studio, LLC, 1941 D Woodruff Road, Greenville, SC 29607-5938 *VICE* Marcia R. Delaney

On motion of Senator DAVIS, the question was confirmation of Elizabeth Anne Postilis.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens

Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Elizabeth Anne Postilis was confirmed.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2022, and to expire June 30, 2026

7th Congressional District:

Bryan H. Dowd, 1931 Osprey Drive, P. O. Box 5090, Florence, SC 29501-8133

On motion of Senator DAVIS, the question was confirmation of Bryan H. Dowd.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Bryan H. Dowd was confirmed.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2022, and to expire May 31, 2025

Licensed Real Estate Broker:

Damian V. Burris, Broker in Charge, Executive Realty Group, 700 Huger Street, Columbia, SC 29201-3663 *VICE* Ann R. King

On motion of Senator DAVIS, the question was confirmation of Damian V. Burris.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Damian V. Burris was confirmed.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2023, and to expire June 30, 2027

5th Congressional District:

Christy B. Rhyne, 726 Poston Drive, Rock Hill, SC 29732-7838

On motion of Senator DAVIS, the question was confirmation of Christy B. Rhyne.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Christy B. Rhyne was confirmed.

Initial Appointment, South Carolina State Board of Barber Examiners, with the term to commence March 30, 2023, and to expire March 30, 2027

Barber:

Tony Holloman, 1003 Watson Drive, Elgin, SC 29045-8915 *VICE* Christopher Javis

On motion of Senator DAVIS, the question was confirmation of Tony Holloman.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0; Abstain 1

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Jackson	*Johnson, Kevin*
Johnson, Michael	Kimbrell	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Tedder	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

ABSTAIN

Hutto

Total--1

The appointment of Tony Holloman was confirmed.

Initial Appointment, South Carolina Board of Real Estate Appraisers, with the term to commence May 31, 2024, and to expire May 31, 2027

Licensed or Certified Appraiser:

Carlton Segars, Jr., 1713 Bradley Dr., Columbia, SC 29201 *VICE* Christopher Barczak

On motion of Senator DAVIS, the question was confirmation of Carlton Segars, Jr.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Carlton Segars, Jr. was confirmed.

Reappointment, South Carolina State Board of Social Work Examiners, with the term to commence November 27, 2023, and to expire November 27, 2027

General Public:

Dean S. Stephens, 102 Golf View Lane, Greenville, SC 29609-6911

On motion of Senator DAVIS, the question was confirmation of Dean S. Stephens.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Dean S. Stephens was confirmed.

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence March 31, 2024, and to expire March 31, 2028

Cosmetologist:

Tiffiny Q. Jones, 400 Oak Ridge Place, Easley, SC 29642-9088 *VICE* Patricia Walters

On motion of Senator DAVIS, the question was confirmation of Tiffiny Q. Jones.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Alexander	Allen	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	*Johnson, Michael*	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The appointment of Tiffiny Q. Jones was confirmed.

LOCAL APPOINTMENTS
Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Aiken County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Timothy Thorton, 1828 Bolin Road, North Augusta, SC 29841 *VICE* Sheridan Lynn

Initial Appointment, Anderson County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Stacy Mark Blair, 2526 Getsinger Road, Anderson, SC 29625-3241 *VICE* Jeremey Pickens

Initial Appointment, Barnwell County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Carla B. Deering, 221 Clemson Street, Williston, SC 29853-6505 *VICE* Judge Stapleton

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Mary Paige Adams, 6 Twin Oaks Lane, Isle of Palms, SC 29451-2718 *VICE* Thomas E. Lynn

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Thomas O. Sanders, 23 Lord Calvert Drive, Charleston, SC 29407-6963 *VICE* Tiffany Spann-Wilder

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Patrick M. Smith, 211 Rutledge Court, McClellanville, SC 29458-9703 *VICE* Frances Lee Cain-Lofton

Reappointment, Chesterfield County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

John A. Davis, 206 Chapman Street, Chesterfield, SC 29709-1102

Reappointment, Chesterfield County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

John K. Melton, 104 Clyde Ave., Cheraw, SC 29520-3026

Reappointment, Chesterfield County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Vivian L. Patrick, 519 Sandpiper Circle, Cheraw, SC 29520-6891

Initial Appointment, Darlington County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Valerie Gardner, 205 Loring Drive, Hartsville, SC 29550-5167

Reappointment, Georgetown County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Johnathan Guiles, 32 Genesis Dr., Georgetown, SC 29440-9398

Reappointment, Georgetown County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Gwendolyn R. McNeil, P.O. Box 694, Andrews, SC 29510-0694

Initial Appointment, Georgetown County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Mary C. Vanderhost, 2520 Folly Grove Road, Hemingway, SC 29554-4078 *VICE* Isaac Pyatt

Initial Appointment, Horry County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

William Larkin Lynch, 280 Haley Brooke Drive, Conway, SC 29526-6399 *VICE* Gerald Whitley

Reappointment, Kershaw County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Carrie Tanner, 29 Ascot Drive, Camden, SC 29020-7313

Initial Appointment, Lexington County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Kyliene Lee Keesley, 1501 Alpine Dr., West Columbia, SC 29169-6005 *VICE* Albert J. Dooley III

Initial Appointment, Lexington County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Larry Saunders, Jr., 100 Cherokee Isle Court, Lexington, SC 29072-7137 *VICE* Scott Whittle

Initial Appointment, Orangeburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Kimberly Roache, 1371 Tolly Ganly Circle, Orangeburg, SC 29118-3136 *VICE* Stephanie McKune-Grant

Initial Appointment, Pickens County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Charles Edward James, 103 Oak Circle, Easley, SC 29640-2220 *VICE* Michael Gillespie

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Billy Odom, 115 Paula Court, Cowpens, SC 29330-9183 *VICE* Olin D. Ledford, Jr.

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Edward Gene Addington, P. O. Box 1301, Cowpens, SC 29330-1301

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

James E. Crook, 622 Mosswood Lane, Spartanburg, SC 29301-5352 *VICE* Issac Dickson

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Erin Dobbins, 523 Kennet Court, Spartanburg, SC 29301-5377 *VICE* Paul D. Abbott, Jr.

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Theokli Clair Psilinakis Bourland, 309 Dunkineely Way, Moore, SC 29369-9499 *VICE* Tina McMillan

Reappointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Matthew Skinner, 1600 Roddy Road, Campobello, SC 29322-8515

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Christopher Paul Thompson, 518 Jonas Circle, Chesnee, SC 29323-9415 *VICE* Karry Guillory

Motion Adopted

On motion of Senator CORBIN, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator K. JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Reverend George Phillip Windley, Sr. of Manning, S.C. Rev. Windley earned his Bachelor of Divinity degree from Morris College and continued his studies at Colgate Rochester Crozer Divinity School. He served in the United States Navy during the Vietnam War. Rev. Windley was the founder and former president of the Clarendon County Ministerial Alliance, was a member of the Baptist E&M Convention, National Baptist Convention, instructor of the S.C. Baptist Congress of Christian Education, served as an instructor for the Morris College School of Religion and was the first African American Senior Chaplain with the South Carolina Department of Corrections to mention a few. Rev. Windley became pastor of Ebenezer Missionary Baptist Church where he served for forty-three years. Rev. Windley was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator RANKIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Michael "Mike" A. Marino of Myrtle Beach, S.C. Mike worked in real estate and was a long-time member of Dunes Golf and Beach Club. He enjoyed traveling with his family and playing golf. Mike was a member of St. Andrews Catholic Church for nearly forty years. Mike was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator HUTTO, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Harry Smoak Bryant of Orangeburg, S.C. Harry graduated from Wofford College where he was a member of the Glee Club and served as president of his sophomore class. He earned his law degree from the University of South Carolina Law School. Harry was a captain in the First Infantry Division in South Vietnam. After leaving the Army, he practiced law with Bryant Fanning and Shuler, LLP in Orangeburg for forty years. Harry also was an adjunct professor at S.C. State University and Orangeburg-Calhoun Technical College. He was a life-long member of First Baptist Church of Orangeburg where he served as a Sunday School teacher, adult choir member and deacon. He served as member and chairman of the Connie Maxwell Children's Home Board of Trustees, president of the Wofford College National Alumni Board of Directors, was a former member of Orangeburg City Council, Board of Directors of the South Carolina Municipal Association and Rotary Club to mention a few. Harry was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator CROMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Victor Edward Terrana of Newberry, S.C. Vic was a gifted and talented professor in mathematics and computer science at Newberry College. He earned his doctorate in Mathematics at Illinois Institute of Technology. Vic was involved in many community programs including the Newberry Rotary Club, Newberry Historical Society, Newberry Republican Party, Pistol Club and he was on the Newberry County Planning and Commission Board. He enjoyed traveling and problem solving and was a genuine, kind and charismatic person. Vic was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator CLIMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Aiden Zachary Anderko of Rock Hill, S.C. Aiden was an honor student at York Preparatory Academy. He was a gifted artist, talented musician and mechanically inclined. Aiden enjoyed reading, skateboarding, bush crafting, hiking, fishing and volunteering at Camp Joy every summer. Aiden was loving son and brother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator DEVINE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Julian Keel of Columbia, S.C. Julian was a three-sport athlete who attended Keenan High School where he enjoyed track, wrestling and football. Julian was a happy person who always looked out for and cared about his teammates. Julian was a loving son and friend who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Thomas Perrin Jones of Sumter, S.C. Thomas graduated from the University of South Carolina and earned his Doctor of Dental Medicine at The Medical University of South Carolina. He was involved in Bible study at First Baptist Church and coached baseball and basketball in the Pinewood community. Thomas was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Jennifer L. Newkirk of Bishopville, S.C. Jennifer found great joy in supporting and taking care of her children. She loved cooking, the holidays and country music. Jennifer served at First Lady church as a youth advisor, member of the kitchen committee and a vacation Bible school teacher. Jennifer was a loving wife and devoted mother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator K. JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Barbara F. King of St. Matthews, S.C. Barbara was a loving mother and grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Leroy Burgess, Sr. of Kingstree, S.C. Leroy was a graduate of South Carolina State University. He was an agriculture educator in Williamsburg County for twenty-two years before becoming an assistant principal at Battery Park High School until he retired. Leroy also served as a magistrate for twenty-eight years. He was a member of Phi Beta Sigma fraternity for over sixty years and was a Future Farmers of America advisor for over thirty years as well as a United States Army veteran. He was a founding member of Wilson Chapel Missionary First Baptist Church where he served as a deacon. Leroy was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of the honorable Kenneth Arthur "K.C." Campbell of Walterboro, S.C. K.C. had a long career practicing law and was a Colleton County magistrate. He graduated from Ohio State University and was a member of the Elks Lodge and served on the Board at Colleton Preparatory Academy for fifteen years. K.C. enjoyed cooking, playing golf, snake hunting, fishing, shopping and traveling with his family. K.C. was a loving fiancé, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Agnes Elizabeth Debois Bright of Colleton County, S.C. Agnes graduated from Claflin University and taught elementary school in Colleton County. She was a member of Alpha Kappa Alpha Sorority, Gamma Nu chapter and was a charter member of the Xi Omega Omega Graduate chapter in Walterboro. Agnes was a member of Isaiah United Methodist Church where she served as past president of the United Methodist Women, past PPRC Chairperson, treasurer and member of the choir. Agnes was a loving wife, devoted mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 6:08 P.M., on motion of Senator CORBIN, the Senate adjourned under the provisions of the *Sine Die* Resolution, S. 1192.

* * *

OFFICERS AND MEMBERS OF THE SENATE
OF THE STATE OF SOUTH CAROLINA

Regular Session Beginning Tuesday, January 9, 2024

OFFICERS OF THE SENATE

Thomas C. Alexander ..... Oconee
President of the Senate

Jeffrey S. Gossett ..... Columbia
Clerk of the Senate

Kenneth M. Moffitt ..... Columbia
Assistant Clerk

John O. Wienges ..... St. Matthews
Reading Clerk

Charles D. "Chuck" Williams, Jr. ..... Columbia
Sergeant-at-Arms and Director of Security

Rev. James I. Saint John ..... Columbia
Chaplain

MEMBERS OF THE SENATE BY DISTRICTS

DISTRICT NO. 1--Oconee, Pickens

Thomas C. Alexander (R)-Businessman/
Owner, Alexander's Office Supply & President
of the Senate
150 Cleveland Dr., Walhalla 29691

DISTRICT NO. 2--Pickens

Rex F. Rice (R)-Businessman
P.O. Box 1706, Easley 29641

DISTRICT NO. 3--Anderson

Richard J. Cash (R)-Businessman
P.O. Box 51034, Piedmont 29673

DISTRICT NO. 4--Anderson, Abbeville, Greenwood

Michael W. "Mike" Gambrell (R)-Self-
employed, M&R Enterprises
400 Filter Plant Rd., Honea Path 29654

DISTRICT NO. 5--Greenville, Spartanburg

Thomas D. "Tom" Corbin (R)-Businessman
1139 Bailey Mill Rd., Travelers Rest 29690

DISTRICT NO. 6--Greenville

Dwight A. Loftis (R)-Retired Insurance Agent
P.O. Box 14784, Greenville 29601

DISTRICT NO. 7--Greenville

Karl B. Allen (D)-Attorney
108 Lavinia Ave., Greenville 29601

DISTRICT NO. 8--Greenville

Ross Turner (R)-Businessman/Pres.
The Turner Agency, Inc.
P.O. Box 16703, Greenville 29606

DISTRICT NO. 9--Laurens, Greenville
Daniel B. “Danny” Verdin III (R)-Owner, Verdin’s Farm and Garden Center
P.O. Box 272, Laurens 29360

DISTRICT NO. 10--McCormick, Abbeville, Greenwood, Saluda
Billy J. Garrett (R)-Attorney and Circuit Court & Family Mediator
109 Oak Ave., Greenwood 29646

DISTRICT NO. 11--Spartanburg
Joshua (Josh) B. Kimbrell (R)-Aviation Leasing & Charter
500 Ammons Rd., Spartanburg 29306

DISTRICT NO. 12--Spartanburg, Greenville
Scott Talley (R)-Attorney
134 Oakland Ave., Spartanburg 29302

DISTRICT NO. 13--Spartanburg, Greenville, Union
Shane R. Martin (R)-Engineer & Business Owner
P.O. Box 575, Pauline 29374

DISTRICT NO. 14--Cherokee, York, Union, Spartanburg
Harvey S. Peeler, Jr. (R)-Dairyman & Businessman
P.O. Box 742, Gaffney 29342

DISTRICT NO. 15--York
David Wesley “Wes” Climer (R)-Financial Advisor
P.O. Box 4898, Rock Hill 29732

DISTRICT NO. 16--York, Lancaster
Michael Johnson (R)-Attorney
1201 Carolina Place, Suite 103, Fort Mill 29708

DISTRICT NO. 17--Fairfield, Chester, York
Michael W. 'Mike" Fanning (D)-Educator &
Exec. Director, Olde English Consortium
7825 Camp Welfare Rd., Great Falls 29055

DISTRICT NO. 18--Newberry, Lexington, Union
Ronnie W. Cromer (R)-Pharmacist
P.O. Box 378, Prosperity 29127

DISTRICT NO. 19--Richland
Tamika Issac Devine (D)-Attorney & Partner
Jabber & Issac, PA
1419 Richland St., Columbia 29201

DISTRICT NO. 20--Richland, Lexington
Richard A. "Dick" Harpootlian (R)-Attorney
512 Gressette Bldg., Columbia 29201

DISTRICT NO. 21--Richland
Darrell Jackson (D)-Senior Pastor, Bible Way
Church of Atlas Road
608 Motley Rd., Hopkins 29061

DISTRICT NO. 22--Richland, Kershaw
Mia S. McLeod (D)-Communications
Consultant; Pres., McLeod Butler
Communications, LLC
P.O. Box 290692, Columbia 29229

DISTRICT NO. 23--Lexington
Katrina Frye Shealy (R)-Insurance Consultant
to Keenan Suggs
P.O. Box 84783, Lexington 29073

DISTRICT NO. 24--Aiken
Tom Young, Jr. (R)-Attorney
P.O. Box 651, Aiken 29802

DISTRICT NO. 25--Edgefield, Aiken, Lexington, McCormick, Saluda
A. Shane Massey (R)-Attorney
P.O. Box 551, Edgefield 29824

DISTRICT NO. 26--Lexington, Aiken, Calhoun, Saluda
Nikki G. Setzler (D)-Attorney
249 Congaree Park Dr., West Columbia 29169

DISTRICT NO. 27--Kershaw, Chesterfield, Lancaster
Penry S. Gustafson (R)-Full-time Legislator
236 Hackamore Lane, Camden 29020

DISTRICT NO. 28--Horry, Dillon
Greg Hembree (R)-Full-time Legislator/
Retired Prosecuting Attorney
P.O. Box 944
North Myrtle Beach 29597

DISTRICT NO. 29--Darlington, Chesterfield, Lee, Marlboro
Gerald Malloy (D)-Attorney
1216 Salem Rd., Hartsville 29550

DISTRICT NO. 30--Marion, Florence, Dillon, Marlboro, Horry
Kent M. Williams (D)-Deputy
County Administrator
4205 Stirk Place, Marion 29571

DISTRICT NO. 31--Florence, Darlington
Mike Reichenbach (R)-Business Owner
P.O. Box 3254, Florence 29502

DISTRICT NO. 32--Williamsburg, Georgetown, Florence, Horry, Berkeley
Ronnie A. Saab (D)-Attorney
P.O. Box 311, Greeleyville 29056

DISTRICT NO. 33--Horry
Luke A. Rankin (R)-Attorney
201 Beaty St., Conway 29526

DISTRICT NO. 34--Georgetown, Charleston, Horry
Stephen L. Goldfinch, Jr. (R)-Attorney
P.O. Box 823, Murrells Inlet 29576

DISTRICT NO. 35--Sumter, Kershaw, Lee, Richland
J. Thomas McElveen III (D)-Attorney
P.O. Box 57, Sumter 29151

DISTRICT NO. 36--Clarendon, Darlington, Sumter, Florence
Kevin L. Johnson (D)-Full-time Legislator
P.O. Box 156, Manning 29102

DISTRICT NO. 37--Berkeley, Charleston
Lawrence K. “Larry” Grooms (R)-Businessman
131 Indian Field Drive, Bonneau 29431

DISTRICT NO. 38--Dorchester, Berkeley, Charleston
Sean Bennett (R)-Financial Planner
122 President Circle, Summerville 29483

DISTRICT NO. 39--Orangeburg, Dorchester, Berkeley, Calhoun, Colleton
Vernon Stephens (D)-Retired Manufacturing Manager
8534 Charleston Hwy., Bowman 29018

DISTRICT NO. 40--Orangeburg, Barnwell, Allendale, Bamberg, Colleton, Hampton
Brad Hutto (D)-Trial Lawyer
P.O. Box 1084, Orangeburg 29116-1084

DISTRICT NO. 41--Charleston, Dorchester
Sandra Jane “Sandy” Senn (R)-Attorney
P.O. Box 12279, Charleston 29422

DISTRICT NO. 42--Charleston & Dorchester
Deon T. Tedder (D)-Attorney
1037 Chuck Dawley Blvd., Bldg. A
Mt. Pleasant 29464

DISTRICT NO. 43--Charleston, Beaufort, Colleton
George E. “Chip” Campsen III (R)-
Businessman & Attorney
305 Gressette Bldg, Columbia
29201

DISTRICT NO. 44--Berkeley, Charleston, Dorchester
Brian Adams (R)-Retired Police Officer/
Co-owner, Tri-County Appraisals
121 Londonderry Rd., Goose Creek 29445

DISTRICT NO. 45--Colleton, Hampton, Charleston,
Beaufort, Jasper, Allendale
Margie Bright Matthews (D)-Attorney,
P.O. Box 142, Columbia 29202

DISTRICT NO. 46--Beaufort, Jasper
Tom Davis (R)-Attorney
P.O. Drawer 1107, Beaufort 29901-1107

ALPHABETICAL LIST OF SENATORS WITH HOME COUNTY AND SENATORIAL DISTRICT

Senator	County of Residence	Senatorial District
Adams, Bryan	Berkeley	44
Alexander, Thomas C.,	Oconee	1
Allen, Karl	Greenville	7
Bennett, Sean	Dorchester	38
Campsen, G.E. “Chip”, III	Charleston	43
Cash, Richard J.	Anderson	3
Climer, David Wesley “Wes”	York	15
Corbin, Thomas D. “Tom”	Greenville	5
Devine, Tameika Isaac	Richland	19
Harpootlian, Richard A. Dick	Richland	20
Cromer, Ronnie W.	Newberry	18
Davis, Tom	Beaufort	46
Fanning, Michael W. “Mike”	Fairfield	17
Gambrell, Michael W.	Anderson	4
Garrett, Billy J.	McCormick	10
Goldfinch, Stephen L.	Georgetown	34
Grooms, L.K. “Larry”	Berkeley	37
Gustafson, Penry S.	Kershaw	27
Hembree, Greg	Horry	28
Hutto, Brad	Orangeburg	40
Jackson, Darrell	Richland	21
Johnson, Kevin L.	Clarendon	36
Johnson, Michael	York	16
Kimbrell, Joshua “Josh” B.	Spartanburg	11
Loftis, Dwight A.	Greenville	6
Malloy, Gerald	Darlington	29
Martin, Shane R.	Spartanburg	13
Massey, A. Shane	Edgefield	25
Matthews, Margie Bright	Colleton	45
McElveen, J. Thomas, III	Sumter	35
McLeod, Mia S.	Richland	22
Peeler, Harvey S., Jr.	Cherokee	14
Rankin, Luke A.	Horry	33
Reichenbach, Mike	Florence	31

ALPHABETICAL LIST OF SENATORS WITH HOME COUNTY AND SENATORIAL DISTRICT

Senator	County of Residence	Senatorial District
Rice, Rex F.	Pickens	2
Saab, Ronnie A.	Williamsburg	32
Senn, Sandra Jane “Sandy”	Charleston	41
Setzler, Nikki G.	Lexington	26
Shealy, Katrina F.	Lexington	23
Stephens, Vernon	Orangeburg	39
Talley, Scott	Spartanburg	12
Tedder, Deon T.	Charleston	42
Turner, Ross	Greenville	8
Verdin, D.B. “Danny”, III	Laurens	9
Williams, Kent M.	Marion	30
Young, Tom, Jr.	Aiken	24

ALPHABETICAL LIST OF COUNTIES COMPRISING SENATORIAL DISTRICTS

County

Abbeville 4, 10
Aiken 24-26
Allendale 40, 45
Anderson 3, 4
Bamberg 40
Barnwell 40
Beaufort 43, 45, 46
Berkeley 32, 37-39, 44
Calhoun 26, 39
Charleston 34, 37, 38, 41-45
Cherokee 14
Chester 17
Chesterfield 27, 29
Clarendon 36
Colleton 39, 40, 43, 45
Darlington 29, 31, 36
Dillon 28, 30
Dorchester 38, 39, 41, 42, 44
Edgefield 25
Fairfield 17
Florence 30-32, 36
Georgetown 32, 34
Greenville 5-9, 12, 13
Greenwood 4, 10
Hampton 40, 45
Horry 28, 30, 32-34
Jasper 45, 46
Kershaw 22, 27, 35
Lancaster 16, 27
Laurens 9
Lee 29, 35
Lexington 18, 20, 23, 25, 26
Marion 30
Marlboro 29, 30
McCormick 10, 25
Newberry 18
Oconee 1

ALPHABETICAL LIST OF COUNTIES COMPRISING
SENATORIAL DISTRICTS

Orangeburg.....39, 40
Pickens.....1, 2
Richland..... 19-22, 35
Saluda 10, 25, 26
Spartanburg..... 5, 11-14
Sumter.....35, 36
Union 13, 14, 18
Williamsburg 32
York..... 14-17

THE SENATE
CLERKS AND ATTACHES

Clerk of the Sen.—Jeffrey S. Gossett
Asst. Clerk—Kenneth M. Moffitt
Reading Clerk—John O. Wienges
Chaplain—Rev. Dr. James I. St. John
Sgt. at Arms—Charles D. "Chuck" Williams, Jr.
Asst. Parliamentarian—John P. Hazzard V
Counsel to the Clerk—Jessica Godwin
Pres.'s Staff—Carolyn Youmans, Kathy Watts, Jennifer Penland
Journal Clerks—Michele Neal, Cynthia Alston
Gen. Desk Clerk—Agnes H. Walker
Calendar Clerk—Lesley Stone
Bill Clerks—Alicia Eatmon, Melissa Roberts
Records Mgmt. Clerk—Ann John
Admin. Asst. to Clerk—Betty Graham
Research Asst.—Victoria Chandler, Hannah Warner
Dir., *Off. of Sen. Fin.*—Beth B. Lamberts
Accounts Mgr.—Jean Tisdale
Payroll Mgr.—Anna Rushing

Committee Research Personnel

Agric. & Natural Resources Com.—Kate Maroney
Banking & Ins. Com.—Steven Gilbert
Corrections & Penology Com.—Lisa Dial
Educ. Com.—Donna Barton, Katie Nilges
Ethics Com.—J.J. Gentry
Fin. Com.—Quentin Hawkins, Rick Harmon, Grant Gibson, Morgan O'Donnell, Olivia Burns, Jake Scoggins, Jessica Wigington
Fish, Game & Forestry Com.—Brian Cohl
Fam. & Veterans' Services Com.—Mason Thomas
Jud.Com.—Andy Fiffick, Paula G. Benson, Erin Crawford, Maura Baker, Madison Faulk, Sharon Wilkinson, Breeden John
Labor, Commerce & Industry Com.—Rebecca Wiesehahn
Med. Affairs Com.—Eugene Hogan
Transportation Com.—David Owens, Logan Hunter
Majority Research—Sam Orr
Minority Research—Amanda Adler, Melanie Wiedel, Kalisha Richardson
Legis. Oversight Committee—Amy Lazenby

THE SENATE
CLERKS AND ATTACHES

Committee Personnel
Administrative Assistants

Agric. & Natural Resources Com.—Allison Helms
Banking & Ins. Com.—Carol Cobb
Corrections & Penology Com.—Pat Hamby
Educ. Com.—Shelby Naillon
Ethics Com.—Stephanie Mood
Fin. Com.—Amy Wiesehahn, Julie Price, Miller Smoak
Fish, Game & Forestry Com.—Julie Bowers
Fam. & Veterans' Services Com.—Janet Holland
Jud. Com.—Marie Waller, Lindi Putnam, Maxine Henry, Susan Gibson, Elizabeth Harrell
Labor, Commerce & Industry Com.—Julie DesChamps
Med. Affairs Com.—Terra Kelly
Rules Com.—Barbara Lengel
Transportation Com.—Louise Spong

Gressette Building Staff

Page Supervisor—Alex Zimmer
Copy Room—Butch Thompson
Bldg. & Operations—David S. Brunson, Brent Walling, Tucker Smoak
Health Care Professional—Jackie Molchan
Nurse—Kay Coughlin
Postmaster—Kenneth Tisdale
Custodial—Roger Robinson, Sandra Blevins, Carlos Whitmore

Security Personnel

Lawrence P. Scott III, Ronnie McGirt, Richard W. Chewning IV, Richard Webb, Wayne Abney, Kelly Randall, Ryan Morris, Aaron Wilson, Jackson Tolar, Jessi Drach, Michael Johnson, Sheldon Herbert, Jose Cardona, Justin DePasquale, Turquoise Williams

THE SENATE
CLERKS AND ATTACHES

Administrative Assistants

Chappell Fennell (*Sens. Corbin & Loftis*), Wanda Thompson (*Sens. Fanning & Kimbrell*), Kathie Marsh (*Sens. Gambrell & Garrett*), Stephanie Plummer (*Sens. Cash & Devine*), Carole Collins (*Sens. McElveen & Tedder*), Alisa Painter (*Sens. Setzler & Hutto*), Ja'Vell Bynoe (*Sens. Turner & Harpootlian*), Blake Lett (*Sens. Malloy & Goldfinch*), Deana Hage (*Sens. Rice & Senn*), Debra Cooper (*Sens. K. Johnson & Adams*), Sonya Bynoe (*Sens. Bright Matthews & M. Johnson*), Shari Tolen (*Sens. McLeod & Reichenbach)*, Linda Pridgen (*Sens. Sabb & Stephens*), Debbie Barthe (*Sens. Williams & Young*), Rachelle Williams (*Sens. Allen & Gustafson*), Ashley Stewart (*Sens. Talley & Jackson*)

STANDING COMMITTEES OF THE SENATE 2024

AGRICULTURE AND NATURAL RESOURCES

Climer, David Wesley, Chm.
Verdin, Daniel B. "Danny", III
Williams, Kent M.
McElveen, J. Thomas, III
Sabb, Ronnie A.
Fanning, Michael "Mike"
Goldfinch, Stephen L., Jr.
Talley, Scott
Harpootlian, Richard A. "Dick"
Loftis, Dwight A.
Garrett, Billy
Gustafson, Penry
Johnson, Michael
Kimbrell, Josh
Stephens, Vernon
Massey, A. Shane
Reichenbach, Mike

BANKING AND INSURANCE

Cromer, Ronnie W., Chairman
Setzler, Nikki G.
Jackson, Darrell
Rankin, Luke A.
Alexander, Thomas C.
Malloy, Gerald
Davis, Tom
Bennett, Sean M.
Williams, Kent M.
Hutto, Brad
Turner, Ross
Gambrell, Michael W. "Mike"
Loftis, Dwight A.
Garrett, Billy
Kimbrell, Josh
Adams, Brian
Allen, Karl B.

CORRECTIONS AND PENOLOGY

Martin, Shane R., Chairman
Allen, Karl B.
Shealy, Katrina F.
Turner, Ross
McLeod, Mia
Rice, Rex F.
Senn, Sandra J. "Sandy"
Hembree, Greg
Adams, Brian
Garrett, Billy
Gustafson, Penry
Johnson, Michael
Stephens, Vernon
Reichenbach, Mike
Fanning, Michael "Mike"
Tedder, Deon
Devine, Tameika Isaac

STANDING COMMITTEES OF THE SENATE 2024

EDUCATION

Hembree, Greg, Chm.
Setzler, Nikki G.
Rankin, Luke A.
Peeler, Harvey S., Jr.
Jackson, Darrell
Grooms, Lawrence K. "Larry"
Malloy, Gerald
Hutto, Brad
Young, Tom, Jr.
Turner, Ross
Rice, Rex F.
Talley, Scott
Massey, A. Shane
Cash, Richard J.
Allen, Karl B.
Loftis, Dwight A.
Johnson, Kevin L.

ETHICS

Bennett, Sean M., Chm.
Peeler, Harvey S., Jr.
Hutto, Brad
Rankin, Luke A.
Jackson, Darrell
Setzler, Nikki G.
Alexander, Thomas C.
Malloy, Gerald
Williams, Kent M.
Grooms, Lawrence K. "Larry"

FAMILY AND VETERANS' SERVICES

Shealy, Katrina F., Chm.
Young, Tom, Jr.
Johnson, Kevin L.
McElveen, J. Thomas, III
Climer, David Wesley "Wes"
Fanning, Michael "Mike"
Talley, Scott
Gambrell, Michael W. "Mike"
Cash, Richard J.
Harpootlian, Richard A. "Dick"
Adams, Brian
Gustafson, Penry
Johnson, Michael
Kimbrell, Josh
Stephens, Vernon
Reichenbach, Mike
Tedder, Deon

STANDING COMMITTEES OF THE SENATE 2024

FINANCE

Peeler, Harvey S., Jr., Chm.
Setzler, Nikki G.
Alexander, Thomas C.
Grooms, Lawrence K., "Larry"
Verdin, Daniel B., "Danny", III
Cromer, Ronnie W.
Jackson, Darrell
Williams, Kent M.
Davis, Tom
Martin, Shane R.
Allen, Karl B.
Bennett, Sean M.
Corbin, Thomas D. "Tom"
Hembree, Greg
Johnson, Kevin L.
McElveen, J. Thomas, III
Shealy, Katrina F.
Turner, Ross
Gambrell, Michael W. "Mike"
Fanning, Michael "Mike"
Goldfinch, Stephen L., Jr.
Young, Tom, Jr.
Matthews, Margie Bright

FISH, GAME AND FORESTRY

Campsen, George E., III, Chm.
Hutto, Brad
Cromer, Ronnie W.
Williams, Kent M.
McElveen, J. Thomas, III
Young, Tom, Jr.
Goldfinch, Stephen L., Jr.
Talley, Scott
Corbin, Thomas D. "Tom"
Bennett, Sean M.
Fanning, Michael "Mike"
Adams, Brian
Davis, Tom
Kimbrell, Josh
Reichenbach, Mike
Tedder, Deon
Devine, Tameika Isaac

INTERSTATE COOPERATION

Alexander, Thomas C., Chairman
Peeler, Harvey S., Jr.
Setzler, Nikki G.
Jackson, Darrell
Hutto, Brad

STANDING COMMITTEES OF THE SENATE 2024

JUDICIARY

Rankin, Luke A., Chm.
Hutto, Brad
Malloy, Gerald
Campsen, George E. "Chip", III
Massey, A. Shane
Sabb, Ronnie A.
Climer, David Wesley "Wes"
McLeod, Mia
Rice, Rex F.
Senn, Sandra J. "Sandy"
Talley, Scott
Cash, Richard J.
Harpootlian, Richard A. "Dick"
Loftis, Dwight A.
Adams, Brian
Garrett, Billy
Gustafson, Penry
Johnson, Michael
Kimbrell, Josh
Stephens, Vernon
Reichenbach, Mike
Tedder, Deon
Devine, Tameika Isaac

LABOR, COMMERCE AND INDUSTRY

Davis, Tom, Chm.
Setzler, Nikki G.
Alexander, Thomas C.
Williams, Kent M.
Massey, A. Shane
Bennett, Sean M.
Corbin, Thomas D. "Tom"
Johnson, Kevin L.
Allen, Karl B.
Sabb, Ronnie A.
Gambrell, Michael W. "Mike"
Climer, David Wesley "Wes"
Senn, Sandra J. "Sandy"
Shealy, Katrina F.
Rice, Rex F.
Turner, Ross
Matthews, Margie Bright

LEGISLATIVE OVERSIGHT

Alexander, Thomas C., Chm.
Setzler, Nikki G.
Jackson, Darrell
Hutto, Brad
Malloy, Gerald
Campsen, George E. "Chip", III
Williams, Kent M.
Massey A. Shane
Davis, Tom
Young, Tom, Jr.
Climer, David Wesley "Wes"
Talley, Scott
Allen, Karl B.

STANDING COMMITTEES OF THE SENATE 2024

MEDICAL AFFAIRS

Verdin, Daniel B., III, Chm.
Peeler, Harvey S., Jr.
Hutto, Brad
Martin, Shane R.
Alexander, Thomas C.
Davis, Tom
Johnson, Kevin L.
Corbin, Thomas D. "Tom"
Matthews, Margie Bright
Gambrell, Michael W. "Mike"
Senn, Sandra J. "Sandy"
Cash, Richard J.
McLeod, Mia
Loftis, Dwight A.
Garrett, Billy
Sabb, Ronnie A.
Tedder, Deon

RULES

Massey, A. Shane, Chm.
Cromer, Ronnie W.
Malloy, Gerald
Martin, Shane R.
Campsen, George E. "Chip", III
Corbin, Thomas D. "Tom"
Young, Tom, Jr.
Sabb, Ronnie A.
Grooms, Lawrence K. "Larry"
Hembree, Greg
McLeod, Mia
Shealy, Katrina F.
Goldfinch, Stephen L., Jr.
Harpootlian, Richard A. "Dick"
Johnson, Michael
Matthews, Margie Bright
Devine, Tameika Isaac

TRANSPORTATION

Grooms, "Larry" K., Chm.
Rankin, Luke A.
Verdin, Daniel B. "Danny", III
Malloy, Gerald
Campsen, George E. "Chip", III
Peeler, Harvey S., Jr.
Bennett, Sean M.
Hembree, Greg
McElveen, J. Thomas, III
Matthews, Margie Bright
Climer, David Wesley "Wes"
Rice, Rex F.
Senn, Sandra J. "Sandy"
Cash, Richard J.
McLeod, Mia
Harpootlian, Richard A. "Dick"
Stephens, Vernon

ADAMS, BRIAN
Banking and Insurance
Corrections and Penology
Family and Veterans' Services
Fish, Game and Forestry
Judiciary

ALEXANDER, THOMAS C.
Banking and Insurance
Ethics
Finance
Interstate Cooperation, Chairman
Labor, Commerce and Industry
Legislative Oversight, Chairman
Medical Affairs

ALLEN, KARL B.
Corrections and Penology
Banking and Insurance
Education
Finance
Labor, Commerce and Industry
Legislative Oversight

BENNETT, SEAN M.
Banking and Insurance
Ethics, Chairman
Finance
Fish, Game and Forestry
Labor, Commerce and Industry
Transportation

CAMPSEN, GEORGE E. "CHIP", III
Fish, Game and Forestry, Chairman
Judiciary
Legislative Oversight
Rules
Transportation

CASH, RICHARD J.
Education
Family and Veterans' Services
Judiciary
Medical Affairs
Transportation

CLIMER, DAVID WESLEY "WES"
Agriculture and Natural Resources, Chairman
Family and Veterans' Services
Judiciary
Labor, Commerce and Industry
Legislative Oversight
Transportation

CORBIN, THOMAS D. "TOM"
Finance
Fish, Game and Forestry
Labor, Commerce and Industry
Medical Affairs
Rules

CROMER, RONNIE W.
Banking and Insurance, Chairman
Finance
Fish, Game and Forestry
Rules

DAVIS, TOM
Banking and Insurance
Finance
Fish, Game and Forestry
Labor, Commerce and Industry, Chairman
Legislative Oversight
Medical Affairs

DEVINE, TAMEIKA ISAAC
Corrections
Fish, Game and Forestry
Judiciary
Rules

FANNING, MICHAEL "MIKE"
Agriculture and Natural Resources
Corrections
Family and Veterans' Services
Finance
Fish, Game and Forestry

GAMBRELL, MICHAEL W. "MIKE"
Banking and Insurance
Family and Veterans' Services
Finance
Labor, Commerce and Industry
Medical Affairs

GARRETT, BILLY
Agriculture and Natural Resources
Banking and Insurance
Corrections and Penology
Judiciary
Medical Affairs

GOLDFINCH, STEPHEN L., JR.
Agriculture and Natural Resources
Finance
Fish, Game and Forestry
Rules

GROOMS, LAWRENCE K. "LARRY"
Education
Ethics
Finance
Rules
Transportation, Chairman

GUSTAFSON, PENRY
Agriculture and Natural Resources
Corrections and Penology
Family and Veterans' Services
Judiciary

HARPOOTLIAN, RICHARD A. "DICK"
Agriculture and Natural Resources
Family and Veterans' Services
Judiciary
Rules
Transportation

HEMBREE, GREG
Corrections and Penology
Education, Chairman
Finance
Rules
Transportation

HUTTO, BRAD
Banking and Insurance
Education
Ethics
Fish, Game and Forestry
Judiciary
Interstate Cooperation
Legislative Oversight
Medical Affairs

JACKSON, DARRELL
Banking and Insurance
Education
Ethics
Finance
Interstate Cooperation
Legislative Oversight

JOHNSON, KEVIN L.
Education
Family and Veterans' Services
Finance
Labor, Commerce and Industry
Medical Affairs

JOHNSON, MICHAEL
Agriculture and Natural Resources
Corrections and Penology
Family and Veterans' Services
Judiciary
Rules

KIMBRELL, JOSH
Agriculture and Natural Resources
Banking and Insurance
Family and Veterans' Services
Fish, Game and Forestry
Judiciary

LOFTIS, DWIGHT A.
Agriculture and Natural Resources
Banking and Insurance
Education
Judiciary
Medical Affairs

MALLOY, GERALD
Banking and Insurance
Education
Ethics
Judiciary
Legislative Oversight
Rules
Transportation

MARTIN, SHANE R.
Corrections and Penology, Chairman
Finance
Medical Affairs
Rules

MASSEY, A. SHANE
Agriculture and Natural Resources
Education
Judiciary
Labor, Commerce and Industry
Legislative Oversight
Rules, Chairman

MATTHEWS, MARGIE BRIGHT
Labor, Commerce and Industry
Finance
Medical Affairs
Rules
Transportation

McELVEEN, J. THOMAS, III
Agriculture and Natural Resources
Family and Veterans' Services
Finance
Fish, Game and Forestry
Transportation

McLEOD, MIA S.
Corrections and Penology
Judiciary
Medical Affairs
Rules
Transportation

PEELER, HARVEY S., JR.
Education
Ethics
Finance, Chairman
Interstate Cooperation
Medical Affairs
Transportation

RANKIN, LUKE A.
Banking and Insurance
Education
Ethics
Judiciary, Chairman
Transportation

RICE, REX F.
Corrections and Penology
Education
Judiciary
Labor, Commerce and Industry
Transportation

REICHENBACH, MIKE
Agriculture and Natural Resources
Corrections and Penology
Family and Veterans' Services
Fish, Game and Forestry
Judiciary

SABB, RONNIE A.
Agriculture and Natural Resources
Judiciary
Labor, Commerce and Industry
Medical Affairs
Rules

SENN, SANDRA J. "SANDY"
Corrections and Penology
Judiciary
Labor, Commerce and Industry
Medical Affairs
Transportation

SETZLER, NIKKI G.
Banking and Insurance
Education
Ethics
Finance
Interstate Cooperation
Labor, Commerce and Industry
Legislative Oversight

SHEALY, KATRINA F.
Corrections and Penology
Family and Veterans' Services, Chairman
Finance
Labor, Commerce and Industry
Rules

STEPHENS, VERNON
Agriculture and Natural Resources
Corrections and Penology
Family and Veterans' Services
Judiciary
Transportation

TALLEY, SCOTT
Agriculture and Natural Resources
Education
Family and Veterans' Services
Fish, Game and Forestry
Judiciary
Legislative Oversight

TEDDER, DEON
Corrections
Family and Veterans' Services
Fish, Game and Forestry
Judiciary
Medical Affairs

TURNER, ROSS
Banking and Insurance
Corrections and Penology
Education
Finance
Labor, Commerce and Industry

VERDIN, DANIEL B. “DANNY”, III
Agriculture and Natural Resources
Finance
Medical Affairs, Chairman
Transportation

WILLIAMS, KENT M.
Agriculture and Natural Resources
Banking and Insurance
Ethics
Finance
Fish, Game and Forestry
Labor, Commerce and Industry
Legislative Oversight

YOUNG, TOM, JR.
Education
Family and Veterans’ Services
Finance
Fish, Game and Forestry
Legislative Oversight
Rules

HOUSE OF REPRESENTATIVES

OFFICERS OF THE HOUSE

G. Murrell Smith, Jr. ..... Sumter
Speaker

Thomas E. "Tommy" Pope ..... York
Speaker Pro Tempore

Charles F. Reid ..... Columbia
Clerk

Donald B. Hottel, Jr. ..... Columbia
Assistant Clerk

James L. M. "Bubba" Cromer ..... Columbia
Reading Clerk

Mitchell G. Dorman ..... Kershaw
Sergeant at Arms

Charles E. Seastrunk, Jr. ..... Columbia
Chaplain

MEMBERS OF THE HOUSE OF REPRESENTATIVES BY DISTRICTS

Members of the House of Representatives are elected from 124 Single Member Districts.

Party affiliation indicated by (D) Democrat and (R) Republican after name.

DISTRICT NO. 1--Oconee-Pickens Counties

William R. "Bill" Whitmire (R), Retired Educator, School District of Oconee County & Owner, S and W Farms
P.O. Box 157, Walhalla, 29691

DISTRICT NO. 2--Oconee-Pickens Counties

William E. "Bill" Sandifer III (R), Businessman
112 Cardinal Drive, Seneca, 29672

DISTRICT NO. 3--Pickens County

Jerry T. Carter (R), Retired CEO of a national non-profit
400 Pershing Avenue, Clemson, 29631

DISTRICT NO. 4--Pickens County

David R. Hiott (R), Owner, Hiott Printing Company
P.O. Box 997, Pickens, 29671

DISTRICT NO. 5--Pickens-Greenville Counties

Neal A. Collins (R), Attorney
P.O. Box 906, Easley, 29641

DISTRICT NO. 6--Anderson County

April Cromer (Mrs. Brent) (R), Internal Operations Auditor, Cromer Food Services, Inc.
P.O. Box 1535, Anderson, 29621

DISTRICT NO. 7--Anderson-Abbeville-Greenville Counties

John Taliaferro "Jay" West IV (R), Businessman & Consultant
402 Brown Avenue, Belton, 29627

DISTRICT NO. 8--Anderson County

Donald G. "Don" Chapman (R), Architect and Builder
341 Maret Road, Townville, 29689

MEMBERS OF THE HOUSE

DISTRICT NO. 9--Anderson County

Anne J. Thayer (Dr. Mark W.) (R), Owner, Thayer Properties, LLC &
Thayer Commercial Properties, LLC
2010 Lindale Road, Anderson, 29621

DISTRICT NO. 10--Anderson-Greenville-Pickens Counties

Thomas Beach (R), Real Estate Agent
P.O. Box 801, Piedmont, 29673

DISTRICT NO. 11--Abbeville-Anderson-Laurens Counties

Craig A. Gagnon (R), Chiropractor
504 Church Street, Abbeville, 29620

DISTRICT NO. 12--Greenwood-McCormick Counties

Daniel Gibson (R), Commercial Pilot
2607 Highway 221 South, Greenwood, 29646

DISTRICT NO. 13--Greenwood-Lauren Counties

John R. McCravy III (R), Attorney & Adjunct Professor
P.O. Box 50658, Greenwood, 29649

DISTRICT NO. 14--Laurens County

Stewart O. Jones (R), Business Owner
P.O. Box 982, Laurens, 29360

DISTRICT NO. 15—Charleston-Berkeley Counties

JA Moore (D), Chef & Business Owner
P.O. Box 62103, North Charleston, 29419

DISTRICT NO. 16--Greenville-Laurens Counties

Mark N. Willis (R), Long Term Care Administrator
201 Quillen Avenue, Fountain Inn, 29644

DISTRICT NO. 17--Greenville County

James Mikell “Mike” Burns (R), Businessman
P.O. Box 222, Tigersville, 29288

MEMBERS OF THE HOUSE

DISTRICT NO. 18--Greenville County
T. Alan Morgan (R), Director, Sales & Technology
116 Calvary Street, Greer, 29650

DISTRICT NO. 19--Greenville County
Patrick B. Haddon (R), Businessman & Farmer
P.O. Box 14884, Greenville, 29610

DISTRICT NO. 20--Greenville County
Adam M. Morgan (R), Attorney & President, Majesty Music, Inc.
803 Ikes Road, Taylors, 29687

DISTRICT NO. 21--Greenville County
Bobby J. Cox (R), Businessman & Military Officer
504 Pennsylvania Avenue, P.O. Box 146, Greer, 29650

DISTRICT NO. 22--Greenville County
Jason Elliott (R), Attorney, Jason Elliott, Attorney at Law, LLC
116 E. Montclair Avenue, Greenville, 29609

DISTRICT NO. 23--Greenville County
Chandra E. Dillard (D), Director of Community Relations, Furman University
5 Alleta Avenue, Greenville, 29607

DISTRICT NO. 24--Greenville County
Bruce W. Bannister (R), Attorney
P.O. Box 10007, Greenville, 29603

DISTRICT NO. 25--Greenville County
Wendell K. Jones (D), Pastor & Business Owner
P.O. Box 3614, Greenville, 29608

DISTRICT NO. 26--York County
R. Raye Felder (Mrs. J. Wayne) (R), Businesswoman & Insurance Sales
116 Mary Mack Lane, Fort Mill, 29715

DISTRICT NO. 27--Greenville County
David Vaughan (R), General Contractor & Businessman
P.O. Box 80008, Simpsonville, 29680

MEMBERS OF THE HOUSE

DISTRICT NO. 28--Greenville County

Ashley B. Trantham (Mrs. Thomas Joseph III) (R), Commercial Real Estate Broker & Businesswoman
P.O. Box 509, Pelzer, 29669

DISTRICT NO. 29--Cherokee-Spartanburg-York Counties

Dennis C. Moss (R), Retired, SC Highway Patrol
306 Silver Circle, Gaffney, 29340

DISTRICT NO. 30--Cherokee-Spartanburg Counties

M. Brian Lawson (R), Controller Shiflett Holdings, Inc.
P.O. Box 189, Chesnee, 29323

DISTRICT NO. 31--Spartanburg County

Dr. Rosalyn D. Henderson-Myers, Ph.D. (the late Mrs. Kenneth) (D), Attorney,
Henderson Law Group
P.O. Box 1311, Spartanburg, 29304

DISTRICT NO. 32--Spartanburg County

Max T. Hyde, Jr. (R), Attorney
360 East Main Street, Suite One, Spartanburg, 29302

DISTRICT NO. 33--Spartanburg County

Travis A. Moore (R), American Legion & Partner at Anderson & Moore, LLC
361 Lancaster Farm Road, Roebuck, 29376

DISTRICT NO. 34--Spartanburg County

Roger A. Nutt (R), Professional Engineer
142 Twin Lakes Drive, Moore, 29369

DISTRICT NO. 35--Spartanburg-Greenville Counties

William M. “Bill” Chumley (R), Landscaping & Farmer
P.O. Box 22, Reidville, 29375

DISTRICT NO. 36--Spartanburg County

Robert J. “Rob” Harris (R), Operating Room Nurse
208 Green Road, Wellford, 29385

MEMBERS OF THE HOUSE

DISTRICT NO. 37--Spartanburg County
Steven Wayne Long (R), Businessman
P.O. Box 161944, Boiling Springs, 29316

DISTRICT NO. 38--Spartanburg County
Josiah Magnuson (R), Businessman
P.O. Box 212, Campobello, 29322

DISTRICT NO. 39—Saluda-Lexington Counties
Cally R. "Cal" Forrest, Jr. (R), Business Owner
137 N. Railroad Avenue, Monetta, 29105

DISTRICT NO. 40--Newberry-Lexington Counties
Joseph S. "Joe" White (R), Retired Businessman
501 Hamms Landing Road, Prosperity, 29127

DISTRICT NO. 41--Fairfield-Chester-Richland Counties
Annie E. McDaniel (D), Retired Accounting, Tax & Public Administration Consultant
Winnsboro

DISTRICT NO. 42--Union-Laurens Counties
Leon D. "Doug" Gilliam (R), Retired Army & JROTC Senior Army Instructor, Union Co. High School
3347 Buffalo-W. Springs Highway, Buffalo, 29321

DISTRICT NO. 43--Chester-York Counties
Thomas R. "Randy" Ligon (R), Realtor, Auctioneer, & Farmer
P.O. Box 4815, Rock Hill, 29732

DISTRICT NO. 44--Lancaster County
James M. "Mike" Neese (R), President and CEO, Greater Indian Land Chamber of Commerce
303 Straightaway Lane, Indian Land, 29707

DISTRICT NO. 45--Lancaster-Kershaw Counties
Brandon Newton (R), Staff, University of S.C. Lancaster
P.O. Box 2501, Lancaster, 29721

DISTRICT NO. 46--York County

Heath Sessions (R), VP, Construction
304A Blatt Building, Columbia, 29201

DISTRICT NO. 47--York County

Thomas E. "Tommy" Pope (R), *Speaker Pro Tempore*, Attorney, Elrod Pope Law Firm
P.O. Box 471, York, 29745

DISTRICT NO. 48--York County

Brandon Guffey (R), Entrepreneur
P.O. Box 37561, Rock Hill, 29732

DISTRICT NO. 49--York County

John Richard C. King (D), Funeral Director, Christopher King's Funeral Home & Bail Bondsman
P.O. Box 11555, Rock Hill, 29731

DISTRICT NO. 50--Lee-Kershaw-Sumter Counties

William W. "Will" Wheeler III (D), Attorney
P.O. Box 106, Bishopville, 29010

DISTRICT NO. 51--Sumter County

J. David Weeks (D), Attorney
2 Marlborough Court, Sumter, 29154

DISTRICT NO. 52--Kershaw County

J. Benjamin "Ben" Connell (R), Attorney, Connell Law Firm, LLC Lugoff
(Resigned 9-13-24)

DISTRICT NO. 53--Chesterfield-Darlington-Lancaster Counties

Richard L. "Richie" Yow (R), Air Force Veteran & Retired ANG
178 Mill Street, Chesterfield, 29709

DISTRICT NO. 54--Marlboro-Chesterfield-Darlington Counties

Patricia Moore "Pat" Henegan (Mrs. Ronald Benjamin, Sr.) (D), Retired Educator & Retired Assistant Superintendent
P.O. Box 41, Bennettsville, 29512

MEMBERS OF THE HOUSE

DISTRICT NO. 55--Dillon-Horry-Marlboro Counties
Jackie E. “Coach” Hayes (D), Director of Operations & Director, School District 4
240 Bermuda Road, Dillon, 29536

DISTRICT NO. 56--Horry County
Timothy A. “Tim” McGinnis (R), Businessman
8476 Juxa Drive, Myrtle Beach, 29579

DISTRICT NO. 57--Marion-Horry-Williamsburg Counties
Lucas Atkinson (D), Consultant
P.O. Box 1019, Marion, 29571

DISTRICT NO. 58--Horry County
Jeffrey E. “Jeff” Johnson (R), Attorney & Businessman
1409 Second Avenue, Conway, 29526

DISTRICT NO. 59--Florence County
Terry Alexander (D), Education Consultant & Pastor
1646 Harris Court, Florence, 29501

DISTRICT NO. 60—Florence County
Phillip D. Lowe (R), Physical Therapist & Developer
507 West Cheves Street, Florence, 29501

DISTRICT NO. 61--Horry County
Carla M. Schuessler (R), Business Development, G3 Engineering & Surveying LLC
1229 38th Avenue N. PMB 392, Myrtle Beach, 29577

DISTRICT NO. 62--Darlington-Florence Counties
Robert Q. Williams (D), Business Development Consultant
2512 Holly Circle, Darlington, 29532

DISTRICT NO. 63--Florence County
Wallace H. “Jay” Jordan, Jr. (R), Attorney
626 W. Evans Street, Florence, 29501

MEMBERS OF THE HOUSE

DISTRICT NO. 64--Clarendon-Sumter Counties

Fawn M. Pedalino (Mrs. Joseph Jason) (R), CFO, Southeastern Technology and Realtor
3 West Boyce Street, Manning, 29102

DISTRICT NO. 65--Darlington-Chesterfield-Kershaw-Lancaster Counties

Cody T. Mitchell (R), Attorney & Businessman
P.O. Drawer 1408, Hartsville 29550

DISTRICT NO. 66--York County

David L. O'Neal (R), Retired
2764 Pleasant Road, Box 10912, Fort Mill, 29708

DISTRICT NO. 67--Sumter County

G. Murrell Smith, Jr. (R), *Speaker*, Attorney
P.O. Box 580, Sumter, 29151

DISTRICT NO. 68--Horry County

Heather Ammons Crawford (Mrs. Cam) (R)
P.O. Box 31385, Myrtle Beach, 29588

DISTRICT NO. 69--Lexington County

Chris Wooten (R), Owner, BodyShop Athletics
5347 B Sunset Boulevard, Lexington, 29072

DISTRICT NO. 70--Richland County

Jermaine L. Johnson, Sr. (D), Owner, DT Consulting Firm, LLC
P.O. Box 461, Hopkins, 29061

DISTRICT NO. 71--Richland-Lexington Counties

Nathan Ballentine (R), Market Leader, Movement Mortgage
108 Tapp Pointe, Chapin, 29036

DISTRICT NO. 72--Richland County

Seth Rose (D), Attorney
1528 Blanding Street, Columbia, 29201

MEMBERS OF THE HOUSE

DISTRICT NO. 73--Richland County
Christopher R. “Chris” Hart (D), Attorney
5219 Burke Avenue, Columbia, 29203

DISTRICT NO. 74--Richland County
J. Todd Rutherford (D), Attorney
1315 Blanding Street, Columbia, 29201

DISTRICT NO. 75--Richland County
Heather Bauer (D), Businesswoman
P.O. Box 7714, Columbia, 29202

DISTRICT NO. 76--Richland County
Leon Howard (D), President, Howard's Garage, Paint and Body Shop and Wrecker Service
2425 Barhamville Road, Columbia, 29204

DISTRICT NO. 77--Richland County
Kambrell H. Garvin (D), Principal Attorney/Owner, Kambrell Garvin Law Firm, LLC
1803 Hampton Street, Columbia, 29201

DISTRICT NO. 78--Richland County
Beth E. Bernstein (Mrs. Knowlton Sanders) (D), Attorney & Partner, Bernstein and Bernstein Attorneys at Law
1019 Assembly Street, Columbia, 29201

DISTRICT NO. 79--Richland County
Ivory Torrey Thigpen (D), Pastor & Chiropractic Physician
P.O. Box 291416, Columbia, 29229

DISTRICT NO. 80--Charleston County
Kathy Landing (Mrs. Joseph M., Sr.) (R), Financial Advisor
2114 Sewee Indian Court, Mount Pleasant, 29466

DISTRICT NO. 81--Aiken County
Bart T. Blackwell (R), President & Owner, B & S Machine Tool, Inc.
P.O. Box 6658, Aiken, 29804

MEMBERS OF THE HOUSE

DISTRICT NO. 82--Aiken-Edgefield-Saluda Counties

William “Bill” Clyburn (D), Public Relations Consultant
Aiken

DISTRICT NO. 83--Aiken-Edgefield Counties

William M. “Bill” Hixon (R), President & Owner, Hixon Realty Co. & President, Hixon Insurance Agency Inc.
P.O. Box 7927, North Augusta, 29861

DISTRICT NO. 84--Aiken County

Melissa Lackey Oremus (Mrs. James T.) (R), Small Business Owner
P.O. Box 7047, Aiken, 29804

DISTRICT NO. 85--Lexington County

John Gregory “Jay” Kilmartin (R), Owner, The Melting Pot Restaurant and Cigar Militia
136 Press Lindler Road, Columbia, 29212

DISTRICT NO. 86--Aiken-Lexington Counties

Bill Taylor (R), Full-time Legislator & Retired Media Consultant
P.O. Box 2646, Aiken, 29802

DISTRICT NO. 87--Lexington County

Paula Rawl Calhoon (Mrs. Donnie V. Myers) (R), Business Owner
P.O. Box 1913, Lexington, 29071

DISTRICT NO. 88--Lexington County

Robert J. “RJ” May III (R), Founder & Owner of Ivory Tusk Consulting
P.O. Box 85924, Lexington, 29073

DISTRICT NO. 89--Lexington County

Micajah P. “Micah” Caskey IV (R), Attorney & Businessman
2811 Dalewood Drive, West Columbia, 29170

DISTRICT NO. 90--Bamberg-Orangeburg Counties

Justin T. Bamberg (D), Attorney, Bamberg Legal, LLC
104 Bridge Street, Bamberg, 29003

MEMBERS OF THE HOUSE

DISTRICT NO. 91--Barnwell-Allendale-Orangeburg Counties
Lonnie Hosey (D), Retired University Administrator
P.O. Box 423, Barnwell, 29812

DISTRICT NO. 92--Berkeley County
Brandon L. Cox (R), President & CEO, Threatt Management Group
106 S. Knightsbridge Court, Goose Creek, 29445

DISTRICT NO. 93--Calhoun-Lexington-Orangeburg Counties
Russell L. Ott (D), Businessman
135 Ott Farm Trail, St. Matthews, 29135

DISTRICT NO. 94--Dorchester-Charleston Counties
Gil Gatch (R), Attorney, Gil Gatch Law
P.O. Box 2160, Summerville, 29484

DISTRICT NO. 95--Orangeburg-Dorchester Counties
Gilda Cobb-Hunter (Mrs. Terry Keith) (D), Social Work Administrator
4188 Five Chop Road, Orangeburg, 29115

DISTRICT NO. 96--Lexington County
Donald Ryan McCabe, Jr. (R), Attorney
1768 Old Charleston Road, Lexington, 29073

DISTRICT NO. 97--Dorchester-Colleton Counties
Robby Robbins (R), Attorney
Summerville

DISTRICT NO. 98--Dorchester County
Chris Murphy (R), Attorney, Murphy Law Firm, LLC
4238 Persimmon Woods Drive, North Charleston, 29420

DISTRICT NO. 99--Berkeley County
Marvin “Mark” Smith (R), Small Business Owner
1125 Pinefield Drive, Daniel Island, 29492

DISTRICT NO. 100--Berkeley County
Sylleste H. Davis (Mrs. Michael) (R), Retired Electric Utility Manager & IT Professional
P.O. Box 1617, Moncks Corner, 29461

MEMBERS OF THE HOUSE

DISTRICT NO. 101--Florence-Berkeley-Williamsburg Counties
Roger K. Kirby (D), Realtor & Appraiser
1690 Johnsonville Highway, Lake City, 29560

DISTRICT NO. 102--Berkeley-Dorchester Counties
Joseph H. Jefferson, Jr. (D), Full-time Legislator & Real Estate Investor
1375 Colonel Maham Drive, Pineville, 29468

DISTRICT NO. 103--Georgetown-Berkeley-Horry Counties
Carl L. Anderson (D), Minister & Insurance Agent
P.O. Box 694, Georgetown, 29442

DISTRICT NO. 104--Horry County
William H. Bailey (R), Retired Public Safety--Law Enforcement & Fire
4476 Lake Circle, Little River, 29566

DISTRICT NO. 105--Horry County
Kevin Hardee (R), Asbestos Abatement Contractor
2082 Cane Branch Road, Loris, 29569

DISTRICT NO. 106--Horry County
Thomas Duval "Val" Guest, Jr. (R), Attorney and Law Partner, Ouverson, Guest & Carter, P.A.
2169 N. Berwick Drive, Myrtle Beach, 29575

DISTRICT NO. 107--Horry County
T. Case Brittain, Jr. (R), Attorney
9329 Cove Drive, Myrtle Beach, 29572

DISTRICT NO. 108--Georgetown-Charleston Counties
W. Lee Hewitt III (R), Realtor
P.O. Box 928, Murrells Inlet, 29576

DISTRICT NO. 109--Charleston-Dorchester Counties

Deon T. Tedder (D), Attorney
2629 Orchid Avenue, North Charleston, 29405
(Resigned 11-17-23)

Tiffany R. Spann-Wilder (D), Attorney
2131 Dorchester Road, North Charleston, 29492
(Elected in Special Election, 4-2-24)

DISTRICT NO. 110--Charleston County

Thomas F. "Tom" Hartnett, Jr. (R), Certified General Real Estate Appraiser
822 O'Sullivan Drive, Mount Pleasant, 29464

DISTRICT NO. 111--Charleston County

Wendell G. Gilliard (D), Public Relations Consultant
P.O. Box 31641, Charleston, 29417

DISTRICT NO. 112--Charleston County

Joseph M. "Joe" Bustos (R), Lt. Col., USA (Retired)
649 King Street, Mount Pleasant, 29464

DISTRICT NO. 113--Charleston County

Marvin R. Pendarvis (D), Attorney
1161 Sumner Avenue, North Charleston, 29406
(resigned 9-16-24)

DISTRICT NO. 114--Charleston-Dorchester Counties

Gary S. Brewer. Jr. (R), VP, Construction Servs. at HDR Engineering of S.C.
2329 S. Lander Lane, Charleston, 29414

DISTRICT NO. 115--Charleston County

Elizabeth "Spencer" Wetmore (Mrs. Burns Malone) (D), Attorney, Wetmore Law Firm
P.O. Box 1085, Folly Beach, 29439

DISTRICT NO. 116--Charleston-Colleton Counties

Matthew W. "Matt" Leber (R), Retired
3805 Marshfield Road, Johns Island, 29455

MEMBERS OF THE HOUSE

DISTRICT NO. 117--Berkeley County
Jordan S. Pace (R), Commercial Real Estate
P.O. Box 1814, Goose Creek, 29445

DISTRICT NO. 118--Beaufort County
William G. “Bill” Herbkersman (R), Eco-Developer & Redeveloper
P.O. Box 2120, Bluffton, 29910

DISTRICT NO. 119--Charleston County
Leonidas E. “Leon” Stavrinakis (D), Attorney
P.O. Box 30099, Charleston, 29417

DISTRICT NO. 120--Beaufort-Jasper Counties
Wm. Weston J. Newton (R), Attorney & Partner, Jones, Simpson and Newton, P.A.
83 Myrtle Island Road, Bluffton, 29910

DISTRICT NO. 121--Beaufort-Colleton Counties
Michael F. Rivers, Sr. (D), Minister & Retired USAF
734 Seaside Road, St. Helena Island, 29920

DISTRICT NO. 122--Hampton-Beaufort-Colleton-Jasper Counties
William “Bill” Hager (R), Retired Engineer
P.O. Box 686, Hampton, 29924

DISTRICT NO. 123--Beaufort-Jasper Counties
Jeffrey A. “Jeff” Bradley (R), Financial Advisor
P.O. Box 11867, Columbia, 29211

DISTRICT NO. 124--Beaufort County
Shannon S. Erickson (Mrs. Kendall F.) (R), Teacher, Businesswoman, & School Director
P.O. Box 1228, Beaufort, 29901-1228

ALPHABETICAL LIST OF COUNTIES COMPRISING HOUSE DISTRICTS

County	*House District*
Abbeville	7, 11
Aiken	81-84, 86
Allendale	91
Anderson	6-11
Bamberg	90
Barnwell	91
Beaufort	118, 120-124
Berkeley	15, 92, 99-103, 117
Calhoun	93
Charleston	15, 80, 94, 108-116, 119
Cherokee	29, 30
Chester	41, 43
Chesterfield	53, 54, 65
Clarendon	64
Colleton	97, 116, 121, 122
Darlington	53, 54, 62, 65
Dillon	55
Dorchester	94, 95, 97, 98, 102, 109, 114
Edgefield	82, 83
Fairfield	41
Florence	59, 60, 62, 63, 101
Georgetown	103, 108
Greenville	5, 7, 10, 16-25, 27, 28, 35
Greenwood	12, 13
Hampton	122
Horry	55-58, 61, 68, 103-107
Jasper	120, 122, 123
Kershaw	45, 50, 52, 65
Lancaster	44, 45, 53, 65
Laurens	11, 13, 14, 16, 42
Lee	50
Lexington	39, 40, 69, 71, 85-89, 93, 96
Marion	57
Marlboro	54, 55
McCormick	12
Newberry	40
Oconee	1, 2
Orangeburg	90, 91, 93, 95

ALPHABETICAL LIST OF COUNTIES

Pickens 1-5, 10
Richland 41, 70-79
Saluda 39, 82
Spartanburg 29-38
Sumter 50, 51, 64, 67
Union 42
Williamsburg 57, 101
York 26, 29, 43, 46-49, 66

LIST OF HOUSE DISTRICTS AND COUNTIES COMPRISING DISTRICTS

House Districts	*County*
1, 2	Oconee, Pickens
3, 4	Pickens
5	Greenville, Pickens
6	Anderson
7	Abbeville, Anderson, Greenville
8, 9	Anderson
10	Anderson, Greenville, Pickens
11	Abbeville, Anderson, Laurens
12	Greenwood, McCormick
13	Greenwood, Laurens
14	Laurens
15	Berkeley, Charleston
16	Greenville, Laurens
17-25	Greenville
26	York
27, 28	Greenville
29	Cherokee, Spartanburg, York
30	Cherokee, Spartanburg
31-34	Spartanburg
35	Greenville, Spartanburg
36-38	Spartanburg
39	Lexington, Saluda
40	Lexington, Newberry
41	Chester, Fairfield, Richland
42	Laurens, Union

LIST OF HOUSE DISTRICTS AND COUNTIES

43 ..... Chester, York
44 ..... Lancaster
45 ..... Kershaw, Lancaster
46-49 ..... York
50 ..... Kershaw, Lee, Sumter
51 ..... Sumter
52 ..... Kershaw
53 ..... Chesterfield, Darlington, Lancaster
54 ..... Chesterfield, Darlington, Marlboro
55 ..... Dillon, Horry, Marlboro
56 ..... Horry
57 ..... Horry, Marion, Williamsburg
58 ..... Horry
59, 60 ..... Florence
61 ..... Horry
62 ..... Darlington, Florence
63 ..... Florence
64 ..... Clarendon, Sumter
65 ..... Chesterfield, Darlington, Kershaw, Lancaster
66 ..... York
67 ..... Sumter
68 ..... Horry
69 ..... Lexington
70 ..... Richland
71 ..... Lexington, Richland
72-79 ..... Richland
80 ..... Charleston
81 ..... Aiken
82 ..... Aiken, Edgefield, Saluda
83 ..... Aiken, Edgefield
84 ..... Aiken
85 ..... Lexington
86 ..... Aiken, Lexington
87-89 ..... Lexington
90 ..... Bamberg, Orangeburg
91 ..... Allendale, Barnwell, Orangeburg
92 ..... Berkeley
93 ..... Calhoun, Lexington, Orangeburg
94 ..... Charleston, Dorchester
95 ..... Dorchester, Orangeburg

LIST OF HOUSE DISTRICTS AND COUNTIES

96 ..... Lexington
97 ..... Colleton, Dorchester
98 ..... Dorchester
99, 100 ..... Berkeley
101 ..... Berkeley, Florence, Williamsburg
102 ..... Berkeley, Dorchester
103 ..... Berkeley, Georgetown, Horry
104-107 ..... Horry
108 ..... Charleston, Georgetown
109 ..... Charleston, Dorchester
110-113 ..... Charleston
114 ..... Charleston, Dorchester
115 ..... Charleston
116 ..... Charleston, Colleton
117 ..... Berkeley
118 ..... Beaufort
119 ..... Charleston
120 ..... Beaufort, Jasper
121 ..... Beaufort, Colleton
122 ..... Beaufort, Colleton, Hampton, Jasper
123 ..... Beaufort, Jasper
124 ..... Beaufort

HOUSE OF REPRESENTATIVES
CLERKS AND ATTACHES

Clerk of the House -- Charles F. Reid
Assistant Clerk and House Research Director -- Donald B. Hottel, Jr.
Chaplain -- Charles E. Seastrunk, Jr.
Reading Clerk -- J. L. Mann "Bubba" Cromer, Jr.
Executive Assistant to Clerk -- Page Chapman
Associate General Counsel for Personnel -- Jennifer Robinson
Chief Amendment Clerk and Page Manager -- Mag S. Rigby
Index and General Clerk -- Rosalind Jamison Harriot
Bill Clerk -- Juanita M. Levy
Journal Clerk -- Mary S. Folger
Assistant Journal Clerk -- Jan Paul
Calendar Clerk -- Djuana B. Wilson
Information Resources Manager -- Olivia Faile Mullins
Information Services Clerk -- Leah Hollingsworth
Recording Clerk -- Debra M. Brooks
Act and General Clerk -- Angie H. Moore
Act and General Clerk -- Kathy M. Watts (resigned 11-16-23); Clarie Gilbert (appointed 1-2-24)
Creative Design/Typography -- Linda T. Hornsby
Design/Typography/Photography Assistant -- Morgan D. Preger
Accounts Manager -- Tona Quinton; Mary C. Bundrick (appointed 9-17-24)
Assistant Accounts Manager -- Anna F. Corley
Accounting Clerks -- Karen H. Rucker, Susan Lewis, Jill Oliver, Terikah Staggers (resigned 11-12-23)
Speaker's Chief of Staff & Legal Counsel to Speaker -- Patrick Dennis (resigned 10-2-24)
Chief of Staff to the Speaker – Steve Davidson
General Counsel to the House and Senior Policy Advisor to the Speaker – Haley Symmes
Communications Director to the Speaker -- Nicolette Walters
Executive Assistant to Speaker -- Jeannie Potter
Special Assistant to the Speaker's Office – Angelico Naso (appointed 11-1-23)
Receptionist to Speaker -- Donna Neal (resigned 11-2-24)
Executive Secretary to Speaker Pro Tempore -- Kami Thordahl
Photographers -- Sam Holland, Kim Kim Foster
Blatt Building Manager -- Howard C. Still
Assistant Blatt Building Manager -- Mason Wells

HOUSE OF REPRESENTATIVES
CLERKS AND ATTACHES

House Research -- Donald B. Hottel, Jr., *Director;* Richard Pearce, *Legal Counsel*; Tom Cone, *Staff Attorney;* Andy Allen, *Research Analyst*; Sherry Wright-Moore, *Research Analyst*
Directors and Staff of Research and Administration -- (Agriculture and Natural Resources): Dustin Stimson, *Chief Legal Counsel*; (Education and Public Works): Pierce McNair, *Director of Research;* Macey Webb, *Counsel*; Emma Hall, *Counsel*; (Ethics): Jane O. Shuler, *Chief Legal Counsel* (resigned 12-31-23); Julia Jones Foster, *Chief Legal Counsel* (appointed 1-2-24) (resigned 9-2-24); Julia Jones Foster, *Asst. Legal Counsel* (resigned 1-2-23); Lauren Trask, *Chief Counsel* (appointed 9-3-24); Lauren Trask, *Asst. Counsel* (resigned 9-2-24); Maggie Chappell, *Asst. Legal Counsel* (appointed 10-1-24); (Judiciary): Jennifer Dobson, *Chief Counsel*; Kate Crater, *Chief Counsel*; James "Jimmy' Hinson, *Deputy Chief Counsel*; (Labor, Commerce and Industry): Brian Triplett, *Chief Legal Counsel*; Erica Starnes, *Asst. Chief Counsel*; (Legislative Oversight): M. Lewis Carter II, *Research Director*; Roland M. Franklin, Jr., C*ounsel;* Riley McCullough, *Research Analyst*; Charlie LaRosa, *Research Analyst* (appointed 8-1-24); Cathy Greer, *Admin. Coordinator*; (Medical, Military, Public and Municipal Affairs): Trey Walpole, *Legal Counsel*; Ava Brumfield, *Research Analyst*; (Operations & Management): Adam Anderson, *Admin. Coordinator*; (Regulations and Administrative Procedures): Allyn Powell, *Research Director*; (Rules): Patrick Dennis, *Chief Counsel* (resigned 10-2-24); Lauren Trask, *Asst. Legal Counsel* (resigned 9-2-24); Maggie Chapell, *Asst. Legal Counsel* (appointed 10-1-24); (Ways and Means): Daniel B. Boan, *Chief of Staff and General Counsel* (resigned 8-1-24); Meredith Ross, *Chief of Staff and General Counsel/Legislation Director* (appointed 8-1-24); Meredith Ross, *Assistant General Counsel/Legislation Director* (resigned 7-31-24); Julia Foster, *General Counsel/Legislation Director* (appointed 9-3-24); Marc Truesdale, *Budget Director* (appointed 11-1-23); Katie Owen Turner, *Budget Director* (resigned 11-1-23)*;* Julia Foster *Counsel/Budget Analyst (*resigned 12-29-23); *Research/Budget Analysts:* Stephanie Meetze, Ryan Tooley, Abby Berquist, Teesha Trapp, Marc Truesdale (resigned 10-31-23); Terikah Staggers (appointed 11-13-23), Jane Leneave (appointed 11-17-23) and Foster Mills Carlton (appointed 11-17-23)
Executive Assistants -- (Agriculture, Natural Resources and Environmental Affairs): Ellie Hayes; (Education and Public Works):

Virginia "Ginger" Lee (resigned 1-22-24), Lauren Nelson Sheron (appointed 11-2-23); (Ethics): Kiara Richardson (resigned 10-18-24); (Interstate Cooperation): Adam Anderson, *Admin. Coordinator*; (Invitations and Memorial Resolutions): Kami Thordahl; (Judiciary): Teague McQueen;

Executive Assistants Cont. -- (Labor, Commerce and Industry): Mary Stella Huffman; (Medical, Military, Public and Municipal Affairs): Sherri G. Fears; (Regulations and Administrative Procedures): Lauren Nelson Sheron (resigned 11-1-23); Donna Neal (appointed 11-2-23); (Rules): Kiara Richardson (resigned 10-18-24); (Ways and Means): Kimberly G. Jackson

Word Processing Center -- Vivian H. Rutland, *Supervisor*; Saranory Scipio, *Asst. Supervisor*; Alfreda F. Crum (resigned 11-1-23), Donna K. Hicks, Allison Cooner (appointed 1-16-24), Margot Brooks (resigned 1-7-24)

Blatt Building Receptionists -- Marcia Legare, Kramer Hanshaw, LaVonne Burgess

Sergeant at Arms -- Mitchell G. Dorman

Asst. Sergeant at Arms -- Herbert L. Jones (resigned 12-31-23)

Sr. Asst. to Sergeant at Arms -- Matthew Steen

Assistants to Sergeant at Arms – Ronald Benjamin (resigned 12-31-23), Anna Fleming, Matthew R. Palyok, Jeffrey Tolar

House Security – Tyler Williams, *Deputy Chief*, David Bishop, Justin Campbell, Brandon Dry, Roger Faulkenberry, Pat Jackson, Kenneth Johnson, Alvin O. Stephens, Tarance West, Kandis Gibson, LaQuinta Jacobs, Todd Sox, Roger Binnicker, Steven Charley, Peter Conklin, Nicklous King (appointed 12-17-23); Margot Brooks, *Executive Assistant* (appointed 1-8-24)

House Chief Mail and Supply Clerk/Page Supervisor/Audio-Visual Specialist -- Blake Wehunt

Assistant House Mail and Supply Clerk -- Paulette Y. Goodwin

LEGISLATIVE COUNCIL

Suite 434, Dennis Bldg. and
First Floor, State House
P.O. Box 11489, Columbia 29211
Tel. (803) 212-4500, Fax (803) 212-4501

Created by Act 294 of 1949 (Section 2-11-10). The Council is responsible for the organization and operation of the research, reference, and bill drafting services for the General Assembly. The Council also codifies and publishes the general and permanent statutory laws of this State in appropriate supplements and volumes (Section 2-13-30). All duties and responsibilities of the State Library were devolved upon the Legislative Council to be maintained as the Legislative Library by Section 2-11-70. The responsibility for the State Register was assigned to the Council by the provisions of Act 176 of 1977.

Members of Council

G. Murrell Smith, Jr., Speaker of the House of Reps.; Thomas C. Alexander, Pres. of the Sen.; J. Mark Hammond, Secy. of State; Luke A. Rankin, *Chm.,* Sen. Jud. Com.; Wm. Weston J. Newton, *Chm.,* House Jud. Com.; Ashley Harwell-Beach, Code Comr. and Dir., Legis. Council

Staff

Admin.: *Office Manager & Asst. to Code Commis.*, Chris Charlton; *Dir. of Code Pub. & Budget Provisos,* Angie Morgan; *Business Dir.*, Hope Ramsey; *Dir. of Bill Services*, Andrea Sparks; *Receptionist*, Tritty Kneece; *Communications & Resolutions*, Bryson Lee

Drafting: *Code Commis. and Dir.*, Ashley Harwell-Beach; *Deputy Director,* David Good; *Chief Counsel*, W. Andrew Beeson; *Attys.*: Carl McIntosh, Heather Anderson, Virginia Ravenel, Samantha J. Allen, Page Hilton, Harrison Brant; *Drafting Assts.*: Gwen Thurmond, Julie Newboult, Anna Rushton, Katie Rogers; *Resolution Writers*, Rosanne McDowell, Gail Moore; *Budget Proviso Coordinator,* Stacey Morris

Bill Editing: *Proofreaders*: Lisa Militello, Donna Fosmire, Cynthia Heyward, Lindsey Knipp, Kathleen Burns

Legislative Reference Library: *Director of Research & Editor, S.C. Code of Laws,* Elizabeth Taylor; *Research Librarian & Human Resources,* Lena Lee; *Asst. to the Research Director,* Holden Robers

State Register: *Editor,* Deirdre M. Brevard-Smith; *Assoc. Editor,* Rebecca Turner

Legis. Cartography: *Dir. of Legis. Cartography,* Will Roberts; *Asst. Dir. Of Legis. Cartography,* Dru Gregory

SPECIAL SERVICES FOR BOTH HOUSES

LEGISLATIVE SERVICES AGENCY (LSA)

1105 Pendleton St., 223 Blatt Bldg.
Columbia 29201, Tel. (803) 212-4490, Fax (803) 212-4450
South Carolina General Assembly WWW Site:
www.scstatehouse.gov

LSA provides non-partisan technology and support to the legislative branch of state government. It creates reciprocal access between citizens and their legislators by empowering the General Assembly with effective infrastructure, institutional capabilities and valuable resources. LSA maintains the official website and data repository for legislative actions and facts. It also manages technical development of a research database containing data from 1975 to the present.

Dir...... TROY POUND
Accounting/HR Mgr...... Sheila Roberts
Chief of Technology..... Jon Postiglione

LEGISLATIVE AUDIT COUNCIL

1331 Elmwood Ave., Suite 315, Columbia 29201
Tel. (803) 253-7612

Created under Act 1136, 1974, amended by Act 157, 1975. The Council shall conduct investigations and audits of the operation of state departments, agencies, or institutions and submit reports of studies of problems as requested by the General Assembly, its members or committees.

(5 mems. elected by General Assembly in Joint Session for 6-yr. terms, 4 ex officio mems., Chm., Sen. Fin. Com. & House Ways & Means Com., Chm., Sen. and House Jud. Coms. or their designee.)

Philip F. Laughridge, CPA, *Chm.* (2025)..... Columbia
Jane Pike Miller, *VC* (2025)..... Beaufort
John B. Dangler, JSC (Ret.) (2023)..... Aiken
Dennis P. Caldwell (2027) ..... Columbia
Charles L.A. Terreni, Esq. (2025). ..... Columbia

LEGISLATIVE AUDIT COUNCIL

Dir. …….. K. EARL POWELL
Dep. Dir. ……Marcia A. Lindsay

COMMITTEE BILLS BY NUMBER AND SIMILAR PRIOR INTRODUCTIONS BY ONE OR MORE SENATORS

The following chart displays, by bill number, the committee bills that passed both the House of Representatives and the Senate during the 2024 Session for which there was an identical or substantially similar prior introduction by one or more Senators.

There were no bills for the 2024 Session that met these criteria.

SENATE AND HOUSE BILLS AND RESOLUTIONS

Regular Session of 2024

HISTORY OF BILLS AND RESOLUTIONS ACTED ON BY THE SENATE

Arranged Numerically

ABBREVIATIONS

Amd ..... Amended
Amd. H. Amdts..... Amend House Amendments
Amdt. ..... Amendment
Amdt. Prop. ..... Amendment Proposed
2d R. ..... Second Reading
3d R. ..... Third Reading
C.O. ..... Carried Over
Com. ..... Committed
Conc. ..... Concurrence
Conf. Com. ..... Conference Committee
Cont. ..... Continued
Enr. ..... Enrolled
Fr. Conf. Com. ..... Free Conference Committee
Int. ..... Introduced
Debate Int ..... Debate Interrupted
M. from H. ..... Message from House
M. to H. ..... Message to House
Mot. ..... Motion
Obj. ..... Objection
Pt. O. ..... Point of Order
Pres. Rls. ..... President Rules
Pres. Vt. ..... President Votes
Rat. ..... Ratified
Recom. ..... Recommitted
Recon. ..... Reconsidered
Rec.Vt..... Roll Call/Recorded Vote
Rej. ..... Rejected
Rep. Com. ..... Committee Report
Rep. Conf. Com. ..... Report of Conference Committee
Ret. by H. ..... Returned by House
Ret. by H. with Amdt. ..... Returned by House with Amendment
Ret. by H. with Conc. ..... Returned by House with Concurrence
S.O. ..... Special Order
Tbld. ..... Tabled

SENATE AND HOUSE BILLS AND RESOLUTIONS

S. 20--Co-Sponsor Added 57.

S. 21--Co-Sponsor Added 1224.

S. 32--Rep. Com. 1228; Point of Order 1275; Co-Sponsor Added 2306; 2d R. 2367; Rec. Vt. 2368; 3d R. 2452.

S. 55--Co-Sponsor Added 1659.

S. 87--Rep. Com. 2204; Obj. 2271; Recommitted 2937.

S. 88—Recommitted 3105.

S. 95—Made Special Order 2114; Debate Interrupted 2153; Co-Sponsor Added 2157; Amended & 2d R. 2174; Rec. Vt. 2175; 3d R. 2226.

S. 99--Rep. Com. 1798; Point of Order 1880; Recommitted 3286.

S. 107--Rep. Com. 1798; Point of Order 1881; Obj. 1924; Carried Over 2057; 2d R. 2103; Rec. Vt. 2103; 3d R. 2128.

S. 109--Co-Sponsor Added 57.

S. 112--M. from H. 3534, 3537; Motion Adopted 3535; Ret. by H. with Amdt. & Amend H. Amend's 3535; Rat. 3669.

S. 124--M. from H. 3083; Motion Adopted 3083; Ret. by H. with Amdt. & Amend H. Amend's 3380; M. from H. 3537.

S. 125--M. from H. 3538; Motion Adopted 3539; Ret. by H. with Amdt. & Conc. in H. Amend 3539; Rat. 670.

S. 142--M. from H. 2929, 3856, 3857, 3858; Carried Over 3034; Ret. by H. with Amdt. & Amend H. Amend's 3370; Rec. Vt. 3372, 3379, 3847, 3848; M. from H. 3540, 3541; Senate Insists 3540; Conf. Com. 3541; Free Conf. Powers & Free Conf. Com. 3846; Report Free Conf. Com. Adopted 3846.

S. 143--Co-Sponsor Added 107, 1117; Recommitted 3055.

S. 148--Co-Sponsor Added 57, 1176.

S. 154--Rep. Com. 2205; Carried Over 2271, 2456, 2578, 2885, 2931, 3000; Committee Amendment Adopted 2330; Amended & 2d R. 2330; Motion Adopted 2334, 2336; Obj. 2643; Recommitted 3095.

S. 161--Co-Sponsor Added 2235; Rep. Com. 2512; Point of Order 2594; Obj. 2666.

S. 165—Recommitted 2579.

INDEX

S. 207--Rat. 3671.

S. 208--Carried Over 2101, 2181, 2265; Amendment Proposed, Carried Over 2130, 2217; Amended, 2d R. Failed 2311; Obj. 2316; Rec. Vt. 2316.

S. 235--Co-Sponsor Added 1256, 1659, 1787; Rep. Com. 1664; Point of Order 1711; Carried Over 1772; Committee Amendment Adopted & 2d R. 1824; Rec. Vt. 1826; 3d R. 1860.

S. 241--Ret. by H. with Amdt. & Conc. in H. Amend 3542; Rat. 3671.

S. 244--Recommitted 3106.

S. 245--M. from H. 1299; Ret. by H. with Amdt. & Conc. in H. Amend. & Enr. 1343; Rec. Vt. 1343; Rat. 1989.

S. 250--Rep. Com. 1665; Point of Order 1711; Committee Amendment Adopted 1773; Amendment Proposed, Obj. 1773; Co-Sponsor Removed 2241.

S. 251--Co-Sponsor Added 1659; Rep. Com. 1665; Point of Order 1712; Obj. 1776.

S. 260--Obj. 117; Recommitted 3105.

S. 266--Co-Sponsor Added 2045, 2198, 2306; Rep. Com. 2205; Obj. 2275, 2643; Committee Amendment Tabled & 2d R. 2373; Motion Adopted 2438; Carried Over 2460, 2578, 2885, 2932; Recommitted 3000.

S. 278--Co-Sponsor Added 2045.

S. 298--M. from H. 1182; Carried Over 1240, 1280, 1342; Ret. by H. with Amdt. & Amend H. Amend's 1392; Rec. Vt. 1393; M. from H. 1807; Rat. 1989.

S. 300--Co-Sponsor Added 2157.

S. 303--Co-Sponsor Removed 947, 2923; Recommitted 3054.

S. 305--Co-Sponsor Added 969, 989, 1117, 1224; Made Special Order 982; Committee Amendment Adopted 1005; Amended & 2d R. 1005; Rec. Vt. 1008, 1241, 1242, 3084; Motion Adopted 1241, 3084; Motion Failed 1242; Amended & 3d R. 1240; M. from H. 3083, 3543; Ret. by H. with Amdt. & Amend H. Amend's 3382.

S. 314--M. from H. 3085; Motion Adopted 3086; Rec. Vt. 3086, 3860; Ret. by H. with Amdt. & Amend H. Amend's 3384; M. from H. 3543, 3545, 3869, 3870; Senate Insists 3544; Conf. Com. 3545; Rep. Conf. Com. Adopted 3859.

S. 393--Co-Sponsor Added 2027.

S. 403--Co-Sponsor Added 2923.

S. 408--Rep. Com. 1181; Point of Order 1234; Committee Amendment Adopted & 2d R. 1271; Rec. Vt. 1273, 3394; Co-Sponsor Added 1294; 3d R. 1301; M. from H. 3087, 3546; Motion Adopted 3087; Ret. by H. with Amdt. & Amend H. Amend's 3393; Rat. 3672.

S. 410--Rat. 1989.

S. 414--Co-Sponsor Added 1224.

S. 418--Co-Sponsor Added 107, 1695; Carried Over 942, 1393, 1686; Recommitted 961; Rep. Com. 1322; Committee Amendment Adopted 1721; Ret. by H. with Amdt. & Amend H. Amend's 1720; Rec. Vt. 1746; M. from H. 1912; Rat. 1990.

S. 423--Special Order Motion Failed 1194; Co-Sponsor Added 1224; Made Special Order 1236; Amended & Debate Int. 1280; Motion Adopted 1289, 1345, 1346, 1348, 1350, 1351, 1352; Debate Int. 1288; Amended & 2d R. 1310; Obj. 1310, 1312, 1344; Rec. Vt. 1194, 1236, 1281, 1312, 1345, 1352, 1353; Amended & 3d R. 1344.

S. 425--Co-Sponsor Added 1224, 2923.

S. 434--Rep. Com. 1852; Obj. 1931; Committee Amendment Adopted & 2d R. 2073; Rec. Vt. 2075; 3d R. 2100; M. from H. 3546; Ret. by H. with Conc. & Conc. in H. Amend 3547; Rat. 3672.

S. 440--Co-Sponsor Added 2923; Amended & Obj. 2935.

S. 445--Rat. 3672.

S. 455--Rat. 3673.

S. 479--Recalled 1659; Adopted 1718; Ret. by H. with Conc. 2494.

S. 481--Co-Sponsor Added 1284, 1315, 1981, 2027, 2307, 2447.

S. 514--Co-Sponsor Added 57.

S. 527--Co-Sponsor Added 57, 2157, 2235.

S. 533--Int. & Com. 2206; Made Special Order 2222; Point of Order 2223; Rec. Vt. 2223, 2300, 2301, 2363; Committee Amendment Tabled, Debate Int. 2298; Carried Over 2362; Motion Adopted 2362, 2363, 2364; Motion Under Rule 15A Failed 2362.

S. 538--Co-Sponsor Added 1079, 1376; Rep. Com. 1322; Point of Order 1369; Committee Amendment Adopted 1385; Carried Over 1385; Obj. 1386, 1678, 1922; 2d R. 2053; Rec. Vt. 2054; 3d R. 2097.

S. 543--Int. & Com. 2206; Obj. 2276, 2336; Recommitted 3114.

S. 556--Co-Sponsor Added 1052.

S. 557--Carried Over 942, 961, 983, 1005, 1028, 1068, 1100, 1135, 1197; Co-Sponsor Added 1224; Ret. by H. with Amdt. & Amend H. Amend's 1237; Rec. Vt. 1239; M. from H. 3547; Rat. 3673.

S. 558--Co-Sponsor Added 1052; Rep. Com. 1181; Point of Order 1235; Committee Amendment Adopted & 2d R. 1273; Rec. Vt. 1275; 3d R. 1301; Rat. 3673.

S. 577--Rep. Com. 1015; Point of Order 1064; 2d R. 1087; Rec. Vt. 1087, 3871; 3d R. 1126; M. from H. 3548, 3549, 3875; Ret. by H. with Amdt. & Non-Concur in H. Amend's 3548; Conf. Com. 3549; Rep. Conf. Com. Adopted 3871.

S. 578--Rep. Com. 1015; Point of Order 1064; Carried Over 1088, 1188, 1271; Obj. 1131, 1234, 1305, 1335, 1369, 1385, 1677, 1708; Committee Amendment Adopted, Carried Over 1676; 2d R. 1770; Rec. Vt. 1770; 3d R. 1809.

S. 586--Co-Sponsor Added 2088.

S. 610--M. from H. 3087, 3549; Motion Adopted 3088; Rec. Vt. 3088, 3418; Ret. by H. with Amdt. & Amend H. Amend's 3395; Rat. 3673.

S. 615--Co-Sponsor Added 1376, 1659, 2307; Rep. Com. 1665; Point of Order 1712.

S. 620--Rep. Com. 1016; Point of Order 1065; Carried Over 1089, 1131, 1188; Committee Amendment Adopted 1821; Amendment Proposed, Carried Over 1821; Amendment Proposed, Obj. 2317; Recommitted 3285.

S. 621--Co-Sponsor Added 1052, 1176; Rep. Com. 1057; Point of Order 1099; Carried Over 1134; Committee Amendment Adopted 1191; Amended & 2d R. 1191; Rec. Vt. 1193; 3d R. 1222; Rat. 3506.

S. 634—Recommitted 3367.

S. 650--Rep. Com. 1798; Point of Order 1881; Obj. 1924, 3114; Carried Over 2057.

S. 697--Rep. Com. 1287; Adopted 1310.

S. 700--Carried Over 1085; 2d R. 1128; Rec. Vt. 1128; 3d R. 1183; Ret. by H. with Amdt. & Conc. in H. Amend 3550; Rat. 3674.

S. 708--Rep. Com. 1016; Point of Order 1065; Co-Sponsor Added 1079; 2d R. 1089; Rec. Vt. 1089; Obj. 1126; Carried Over 1688; Recommitted 2052.

S. 710--Recommitted 118.

S. 711--Recommitted 118.

S. 723--Rep. Com. 2207; Committee Amendment Adopted, Carried Over 2276; Co-Sponsor Added 2307, 2447; Amended & 2d R. 2337; Rec. Vt. 2341; 3d R. 2461.

S. 728--Rep. Com. 2050; Point of Order 2112; Committee Amendment Adopted & 2d R. 2144; Rec. Vt. 2145; 3d R. 2181; Rat. 3674.

S. 738--M. from H. 1058; Ret. by H. with Amdt. & Conc. in H. Amend. & Enr. 1100; Rat. 1992.

S. 746--Rep. Com. 1852; Obj. 1931; Carried Over 2076; 2d R. 2110; Rec. Vt. 2111; 3d R. 2130.

S. 755--Rep. Com. 1666; Point of Order 1713; 2d R. 1777; Rec. Vt. 1778; 3d R. 1810.

S. 767--Co-Sponsor Added 2923.

S. 778--Rep. Com. 1016; Point of Order 1065; Amended 1090; Carried Over 1090, 1132; 2d R. 1188; Rec. Vt. 1188; 3d R. 1230.

S. 780--Rep. Com. 1700; Point of Order 1783; 2d R. 1831; Rec. Vt. 1832; 3d R. 1861.

S. 782--M. from H. 1124; Carried Over 1197; Ret. by H. with Amdt. & Conc. in H. Amend. & Enr. 1239; Rat. 1992.

S. 801--Amended & 2d R. 124; Rec. Vt. 127; 3d R. 141; Rat. 1992.

S. 806--Recalled & Committed 133; Rep. Com. 1016; Point of Order 1066; Co-Sponsor Added 1079, 1117; Carried Over 1091; Amended & 2d R. 1132; Rec. Vt. 1133; 3d R. 1183.

S. 834--Co-Sponsor Added 57, 1224.

S. 839--Int. & Com. 57; Co-Sponsor Added 1256, 1787; Rep. Com. 1667; Point of Order 1714; Carried Over 1778, 1826; 2d R. 1863; Rec. Vt. 1863; Obj. 1921; 3d R. 2053.

S. 840--Int. & Com. 57.

S. 841--Int. & Com. 57; Co-Sponsor Added 2088; Rep. Com. 2207; Obj. 2278; Committee Amendment Adopted & 2d R. 2341; Rec. Vt. 2348; 3d R. 2461.

S. 842--Int. & Com. 58.

S. 843--Int. & Com. 58; Rep. Com. 1124; Point of Order 1193; Committee Amendment Tabled 2266; Amended & Carried Over 2266; Obj. 2318; Amended & 2d R. 2366; Rec. Vt. 2366; 3d R. 2452.

S. 844--Int. & Com. 59; Rep. Com. 2208; Carried Over 2279, 2348, 2438.

S. 845--Int. & Com. 59; Co-Sponsor Added 1659; Rep. Com. 1667; Point of Order 1714; Committee Amendment Adopted & 2d R. 1779; Rec. Vt. 1779; 3d R. 1811; Rat. 3507.

S. 846--Int. & Com. 59; Rep. Com. 1322; Point of Order 1370; Carried Over 2268; Obj. 2318; Committee Amendment Tabled 2368; Amended & 2d R. 2368; Motion Adopted 2371; 3d R. 2453; Rec. Vt. 2453.

S. 847--Int. & Com. 60.

S. 848--Int. & Com. 60.

S. 849--Int. & Com. 61; Co-Sponsor Added 2088; Rep. Com. 2208; Carried Over 2279; Committee Amendment Adopted & 2d R. 2349; Rec. Vt. 2350; 3d R. 2462.

S. 850--Int. & Com. 62.

S. 851--Int. & Com. 62.

S. 852--Int. & Com. 62; Co-Sponsor Added 1294.

S. 853--Int. & Com. 64.

S. 854--Int. & Com. 65.

S. 855--Int. & Com. 65; Co-Sponsor Added 1659.

S. 856--Int. & Com. 66.

S. 857--Int. & Com. 66; Co-Sponsor Added 1659; Rep. Com. 2051; Point of Order 2112; Obj. 2145; Committee Amendment Adopted 2219; Amended, Amendment Proposed, Obj. 2219; Amended & 2d R. 2320; Rec. Vt. 2321; 3d R. 2454.

S. 858--Int. & Com. 67; Co-Sponsor Added 2447; Rep. Com. 2449; Motion Adopted 2449; Committee Amendment Adopted & 2d R. 2471; Rec. Vt. 2474, 3551; 3d R. 2476; M. from H. 3550; Motion Adopted 3551; Ret. by H. with Amdt. & Conc. in H. Amend 3551; Rat. 3674.

S. 859--Int. & Com. 67; Rep. Com. 1799; Point of Order 1881; Obj. 1925; 2d R. 2058; Rec. Vt. 2058; 3d R. 2097.

S. 860--Int. & Com. 67.

S. 861--Int. & Com. 68; Co-Sponsor Added 932, 1224, 1256.

S. 862--Int. & Com. 68; Co-Sponsor Added 1315; Rep. Com. 1323; Point of Order 1370; Committee Amendment Adopted & 2d R. 1386; Rec. Vt. 1387, 1672, 3422, 3876; Amended & 3d R. 1670; M. from H. 3420, 3552, 3553, 3879; Motion Adopted 3420; Ret. by H. with Amdt. & Amend H. Amend's 3421; Senate Insists 3552; Conf. Com. 3553; Rep. Conf. Com. Adopted 3875.

S. 863--Int. & Com. 68.

S. 864--Int. & Com. 69.

S. 865--Int. & Com. 69.

S. 866--Int. & Com. 69; Recalled & Committed 1660; Rep. Com. 2208; Carried Over 2280; Committee Amendment Adopted & 2d R. 2350; Rec. Vt. 2352; 3d R. 2462.

S. 867--Int. & Com. 70.

S. 868--Int. & Com. 70.

S. 869--Int. & Com. 70.

S. 870--Int. & Com. 71.

S. 871--Int. & Com. 71.

S. 872--Int. & Com. 71.

S. 873--Int. & Com. 72.

S. 874--Int. & Com. 72.

S. 875--Int. & Com. 72.

S. 876--Int. & Com. 73.

S. 877--Int. & Com. 73; Co-Sponsor Added 1659; Rep. Com. 1667; Point of Order 1715; Obj. 1780, 1921; Carried Over 1827; Committee Amendment Adopted 1864; Amended & 2d R. 1864; Rec. Vt. 1866; 3d R. 2053.

S. 878--Int. & Com. 74.

S. 879--Int. & Com. 74.

S. 880--Int. & Com. 75.

S. 881--Int. & Com. 75; Co-Sponsor Added 1659, 1787; Rep. Com. 1667; Point of Order 1715; Obj. 1780; Committee Amendment Adopted & 2d R. 1827; Rec. Vt. 1828; 3d R. 1861; Rat. 3675.

S. 882--Int. & Com. 75; Rep. Com. 113; Co-Sponsor Added 57, 107, 133, 932; Carried Over 146, 941; Made Special Order 941; Committee Amendment Adopted, Amended & 2d R. 963; Rec. Vt. 966; 3d R. 983.

S. 883--Int. & Com. 76.

S. 884--Int. & Com. 76.

S. 885--Int. & Com. 77.

S. 886--Int. & Com. 77.

S. 887--Int. & Com. 78; Co-Sponsor Added 2045.

S. 888--Int. & Com. 78.

S. 889--Int. & Com. 78.

S. 890--Int. & Com. 79; Co-Sponsor Added 2088; Rep. Com. 2209; Carried Over 2280; Obj. 2352; Recommitted 3286.

S. 891--Int. & Com. 79.

S. 892--Int. & Com. 79.

S. 893--Int. & Com. 79.

S. 894--Int. & Adopted 80; Ret. by H. with Conc. 139.

S. 895--Int. & Adopted 80.

S. 896--Int. & Adopted 80.

S. 897--Int. & Adopted 80.

S. 898--Int. & Adopted 81; Ret. by H. with Conc. 139.

S. 899--Int. & Adopted 81.

S. 900--Int. & Adopted 81.

S. 901--Int. & Adopted 81.

S. 902--Int. & Adopted 81.

S. 903--Int. & Com. 82; Rep. Com. 1287; Point of Order 1309; 2d R. 1338; Motion Adopted 1338, 1688; Obj. 1363, 1688; 3d R. 1688; Rec. Vt. 1689, 1692.

S. 904--Int. & Com. 82.

S. 905--Int. & Com. 82.

S. 906--Int. & Com. 83.

S. 907--Int. & Com. 84.

S. 908--Int. & Com. 84.

S. 909--Int. & Com. 85.

INDEX

S. 910--Int. & Com. 89; Co-Sponsor Added 133, 932, 1224, 1284; Rep. Com. 1323.

S. 911--Int. & Com. 90.

S. 912--Int. & Com. 90; Recalled & 2d R. 1695; Rec. Vt. 1696, 1763; 3d R. 1763; Rat. 1992.

S. 913--Int. & Com. 90.

S. 914--Int. & Com. 93.

S. 915--Int. & Com. 93; Co-Sponsor Added 1079, 1356, 3071; Rep. Com. 1298; Point of Order 1340, 3638; Made Special Order 1341; Committee Amendment Adopted, Amended & 2d R. 1394; Rec. Vt. 1656, 1687; 3d R. 1686; M. from H. 3632; Motion Adopted 3633; Ret. by H. with Amdt. & Amend H. Amend's 3633.

S. 916--Int. 94; Amended & 2d R. 954; 3d R. 978; Rat. 3507.

S. 917--Int. & Com. 94.

S. 918--Int. & Adopted 94.

S. 919--Int. & Adopted 95.

S. 920--Int. & Adopted 95.

S. 921--Int. & Adopted 95.

S. 922--Int. & Adopted 95.

S. 923--Int. & Adopted 95.

S. 924--Int. & Adopted 96.

S. 925--Int. & Adopted 96.

S. 926--Int. & Adopted 96.

S. 927--Int. & Adopted 96.

S. 928--Int. & Adopted 97.

S. 929--Int. & Adopted 97.

S. 930--Int. & Adopted 97.

S. 931--Int. & Adopted 97.

S. 932--Int. & Adopted 98.

S. 933--Int. & Adopted 98.

S. 934--Int. & Adopted 98.

S. 935--Int. & Adopted 98.

S. 936--Int. & Adopted 99.

S. 937--Int. & Adopted 99; Ret. by H. with Conc. 140.

S. 938--Int. & Adopted 99; Ret. by H. with Conc. 140.

S. 939--Int. & Adopted 108.

S. 940--Int. & Adopted 108.

S. 941--Int. & Adopted 108.

S. 942--Int. & Adopted 109.

S. 943--Int. & Com. 109.

S. 944--Int. & Com. 109; Rep. Com. 1228; Point of Order 1276; Co-Sponsor Added 1294, 1659; Carried Over 1306, 1335; Obj. 1369, 1385; 2d R. 1677; Rec. Vt. 1678; 3d R. 1702.

S. 945--Int. & Com. 110.

S. 946--Int. & Com. 110; Rep. Com. 1323; Point of Order 1370; Carried Over 1388; Committee Amendment Adopted & 2d R. 1679; Rec. Vt. 1681; Amended & 3d R. 1702; Ret. by H. with Amdt. & Non-Concur in H. Amend's 3553.

S. 947--Int. & Com. 110; Co-Sponsor Added 1256, 1659, 1787; Rep. Com. 1668; Point of Order 1715; Carried Over 1781; 2d R. 1828; Rec. Vt. 1829; 3d R. 1861.

S. 948-Int. & Com. 110; Recalled 107; Co-Sponsor Added 133; Adopted 147; Ret. by H. with Conc. 954.

S. 949--Int. & Adopted 111.

S. 950--Int. & Com. 134; Co-Sponsor Added 1052.

S. 951--Int. & Adopted 134.

S. 952--Int. & Com. 134.

S. 953--Int. & Com. 135; Co-Sponsor Added 989, 1117, 1659.

S. 954--Int. & Com. 136; Co-Sponsor Added 1256, 1787; Rep. Com. 1668; Point of Order 1716; Carried Over 1781, 2055; Obj. 1829, 1867, 1923; Committee Amendment Adopted & 2d R. 2101; Motion Adopted 2101; 3d R. 2127.

S. 955--Int. & Com. 136; Rep. Com. 2092; Point of Order 2149; Co-Sponsor Added 2157; Carried Over 2186; Committee Amendment Adopted 2322; Amended & 2d R. 2322; Rec. Vt. 2329; 3d R. 2455.

S. 956--Int. & Adopted 137.

S. 957--Int. & Com. 137; Rep. Com. 1229; Point of Order 1276; Committee Amendment Adopted 1306; Carried Over 1306; 2d R. 1335; Rec. Vt. 1336; 3d R. 1362.

S. 958--Int. & Adopted 933.

S. 959--Int. & Adopted 933.

S. 960--Int. & Adopted 933.

S. 961--Int. & Adopted 933.

S. 962--Int. & Com. 933; Rep. Com. 1229; Point of Order 1277; Obj. 1308, 1921; 2d R. 1861; Rec. Vt. 1862, 3090, 3419; 3d R. 2052; M. from H. 3089, 3554; Motion Adopted 3089; Ret. by H. with Amdt. & Amend H. Amend's 3418; Rat. 3675.

S. 963--Int. & Adopted 934; Ret. by H. with Conc. 977.

S. 964--Int. & Adopted 947; Ret. by H. with Conc. 978.

S. 965--Int. & Com. 948; Rep. Com. 1986; Obj. 2079.

S. 966--Int. & Com. 948.

S. 967--Int. & Com. 948; Co-Sponsor Added 969, 1052; Co-Sponsor Added 1079.

S. 968--Int. & Com. 949; Rep. Com. 1757; Co-Sponsor Added 1787; Point of Order 1834; Committee Amendment Adopted & 2d R. 1876; Rec. Vt. 1879; Obj. 1922; 3d R. 2053; Rat. 3675.

S. 969--Int. & Com. 949; Co-Sponsor Added 1659, 1787, 2045, 3524; Rep. Com. 1799; Point of Order 1882; Obj. 1925; 2d R. 2059; Rec. Vt. 2059, 3880; 3d R. 2097; M. from H. 3554, 3555, 3885; Motion Adopted 3555; Conf. Com. 3556; Rep. Conf. Com. Adopted 3879.

S. 970--Int. & Com. 949.

S. 971--Int. & Com. 948; Recalled & Recommitted 1376; Rep. Com. 2209; 2d R. 2281; Rec. Vt. 2281; 3d R. 2309; Rat. 3507.

S. 972--Int. 951; 2d R. 996; 3d R. 1022; Rat. 3507.

S. 973--Int. & Adopted 970.

S. 974--Int. & Com. 970; Rep. Com. 1324; Point of Order 1371; Carried Over 1388; Committee Amendment Adopted & 2d R. 1682; Rec. Vt. 1683; 3d R. 1703; Rat. 3675.

S. 975--Int. & Com. 970; Co-Sponsor Added 1224, 1904; Rep. Com. 2209; Motion Under Rule 32B Adopted 2597; Committee Amendment Adopted 2597; Amended & Returned to Contested Calendar 2597; Motion Failed 2614; Rec. Vt. 2614.

S. 976--Int. & Com. 972; Co-Sponsor Added 989, 1356.

S. 977--Int. & Com. 972; Co-Sponsor Added 989, 1356.

S. 978--Int. & Com. 973; Recalled 989; Adopted 1028.

S. 979--Int. & Adopted 990.

S. 980--Int. & Adopted 990; Ret. by H. with Conc. 1021.

S. 981--Int. & Com. 990.

S. 982--Int. & Com. 991.

S. 983--Int. & Com. 991; Co-Sponsor Added 1918, 2027.

S. 984--Int. & Com. 991; Recalled & Adopted 1176.

S. 985--Int. & Com. 991; Recalled 1012; Adopted 1067.

S. 986--Int. & Com. 1013.

S. 987--Int. & Com. 1013.

S. 988--Int. & Com. 1013; Recalled 1788; Adopted 1890; Ret. by H. with Conc. 2494.

S. 989--Int. & Com. 1014; Co-Sponsor Added 2016; Recalled & Adopted 2016.

S. 990--Int. & Adopted 1014.

S. 991--Int. & Com. 1014.

S. 992--Int. & Adopted 1052.

S. 993--Int. & Com. 1053.

S. 994--Int. & Com. 1054; Co-Sponsor Added 1176, 1224, 1256, 1284, 1316, 1902, 1904, 1918, 2027, 2198; Rep. Com. 1911; Obj. 1932; Committee Amendment Adopted 2078; Carried Over 2078; Motion Under Rule 32B Adopted 2222; Amended & 2d R. 2231; Motion Adopted 2232, 2295, 2298; Amended & 3d R. 2292.

S. 995--Int. & Com. 1055; Co-Sponsor Added 1079, 1256, 1659, 1787, 2119, 2157; Rep. Com. 1668; Point of Order 1716; Carried Over 1781, 2056, 2102; Obj. 1830, 1867, 1923; Committee Amendment Adopted 2131; Amended & 2d R. 2131; Motion Adopted 2137; Amended & 3d R. 2176; Rec. Vt. 2178, 2298.

S. 996--Int. & Com. 1055; Co-Sponsor Added 1659, 1787, 2046; Rep. Com. 1669; Point of Order 1717; Carried Over 1782, 1830; Committee Amendment Tabled 1868; Amended & 2d R. 1868; Rec. Vt. 1874; Obj. 1922; 3d R. 2053.

S. 997--Int. & Adopted 1056.

S. 998--Int. & Adopted 1056.

S. 999--Int. & Com. 1056; Co-Sponsor Added 1284, 1749.

S. 1000--Int. & Com. 1056; Co-Sponsor Added 1224.

S. 1001--Int. & Com. 1079; Rep. Com. 1361; Point of Order 1390; 2d R. 1684; Rec. Vt. 1684; 3d R. 1704; Rat. 3676.

S. 1002--Int. & Com. 1080; Recalled & Adopted 3071.

S. 1003--Int. & Adopted 1080.

S. 1004--Int. & Adopted 1080.

S. 1005--Int. & Com. 1117; Rep. Com. 1669; Point of Order 1717; 2d R. 1782; Rec. Vt. 1783, 3436; 3d R. 1811; M. from H. 3090, 3556; Motion Adopted 3091; Ret. by H. with Amdt. & Amend H. Amend's 3434; Rat. 3676.

S. 1006--Int. & Com. 1117.

S. 1007--Int. & Com. 1118.

S. 1008--Int. & Com. 1118.

S. 1009--Int. & Adopted 1118; Ret. by H. with Conc. 1183.

S. 1010--Int. & Com. 1118; Recalled 1225; Adopted 1278; Ret. by H. with Conc. 1330.

S. 1011--Int. & Adopted 1118.

S. 1012--Int. & Adopted 1178; Ret. by H. with Conc. 1266.

S. 1013--Int. & Adopted 1178; Ret. by H. with Conc. 1266.

S. 1014--Int. & Com. 1178.

S. 1015--Int. & Com. 1178.

S. 1016--Int. & Com. 1179.

S. 1017--Int. & Com. 1179; Co-Sponsor Added 1695, 2088; Rep. Com. 1800; Point of Order 1882; Obj. 1925, 2060; Amended & 2d R. 2104; Rec. Vt. 2106; 3d R. 2129; M. from H. 3557, 3558; Motion Adopted 3557; Ret. by H. with Amdt. & Non-Concur in H. Amend's 3557; Conf. Com. 3559.

S. 1018--Int. & Adopted 1225.

S. 1019--Int. & Adopted 1225.

S. 1020--Int. & Com. 1225; Co-Sponsor Added 1904.

S. 1021--Int. & Com. 1226; Rep. Com. 1800; Point of Order 1883; Obj. 1926; Co-Sponsor Added 2046, 2088; 2d R. 2060; Rec. Vt. 2061, 3560; 3d R. 2098; M. from H. 3559, 3561; Motion Adopted 3559; Ret. by H. with Amdt. & Amend H. Amend's 3559; Rat. 3676.

S. 1022--Int. & Com. 1226.

S. 1023--Int. & Com. 1226.

S. 1024--Int. & Com. 1226.

S. 1025--Int. 1227; 2d R. 1808; 3d R. 1856; Rat. 3508.

S. 1026--Int. 1227; Point of Order 1277; Obj. 1308; Carried Over 1337; Recommitted 1708.

S. 1027--Int. 1227; Point of Order 1278; Obj. 1308; Carried Over 1337; Recommitted 1708.

S. 1028--Int. & Com. 1228; Recalled & Adopted 2508.

S. 1029--Int. & Adopted 1257; Ret. by H. with Conc. 1288.

S. 1030--Int. & Adopted 1257.

S. 1031--Int. & Com. 1257; Rep. Com. 1852; Obj. 1932; Carried Over 2076, 2111; Committee Amendment Adopted & 2d R. 2139; Rec. Vt. 2140, 3092, 3503, 3886; 3d R. 2179; M. from H. 3091, 3562, 3941, 3942; Motion Adopted 3092; Ret. by H. with Amdt. & Amend H. Amend's 3436; Senate Insists 3562; Conf. Com. 3562; Rep. Conf. Com. Adopted 3886.

S. 1032--Int. & Com. 1258.

S. 1033--Int. & Com. 1258.

S. 1034--Int. & Com. 1258.

INDEX

S. 1035--Int. & Com. 1260.

S. 1036--Int. & Adopted 1260.

S. 1037--Int. & Com. 1284; Recalled 1788; Adopted 1890; Ret. by H. with Conc. 2494.

S. 1038--Int. & Adopted 1285; Ret. by H. with Conc. 1300.

S. 1039--Int. & Com. 1285.

S. 1040--Int. & Com. 1295.

S. 1041--Int. & Com. 1296; Recalled 1788; Adopted 1890; Ret. by H. with Conc. 2495.

S. 1042--Int. & Com. 1296; Recalled & Adopted 1660.

S. 1043--Int. & Adopted 1316.

S. 1044--Int. & Adopted 1316; Co-Sponsor Added 1752.

S. 1045--Int. & Com. 1316.

S. 1046--Int. & Com. 1316; Rep. Com. 1800; Made Special Order 1834; Rec. Vt. 1835, 2040, 2084, 3433, 3944; Debate Int. 1891, 1975, 1999; Motion Adopted 1892, 2031, 2036, 3424; Carried Over 1913; Amended & 2d R. 2029; 3d R. 2083; M. from H. 3423, 3563, 3566, 3958, 3959; Ret. by H. with Amdt. & Amend H. Amend's 3424; Senate Insists 3564; Conf. Com. 3566; Rep. Conf. Com. Adopted 3942.

S. 1047--Int. & Com. 1318; Rep. Com. 1802; Point of Order 1883; Obj. 1926; 2d R. 2062; Rec. Vt. 2062; 3d R. 2098; Rat. 3508.

S. 1048--Int. & Com. 1318; Co-Sponsor Added 1316; Rep. Com. 2211; Obj. 2282.

S. 1049--Int. & Com. 1318.

S. 1050--Int. & Com. 1319; Co-Sponsor Added 2923.

S. 1051--Int. & Com. 1319; Rep. Com. 2093; Point of Order 2150; 2d R. 2192; Rec. Vt. 2192; 3d R. 2216; Ret. by H. with Amdt. & Conc. in H. Amend 3567; Rat. 3677.

S. 1052--Int. 1320; Point of Order 1371; Carried Over 1824, 1862; Obj. 1922; Recommitted 2054.

S. 1053--Int. 1320; Point of Order 1372; Carried Over 1824; Recommitted 1863.

S. 1054--Int. 1320; Point of Order 1372; Carried Over 1389, 1683, 1708; Obj. 1389, 1923; Recommitted 2055.

S. 1055--Int. 1320; Point of Order 1372; Carried Over 1389; Obj. 1923; Recommitted 2055.

S. 1056--Int. & Adopted 1321; Ret. by H. with Conc. 1379.

S. 1057--Int. & Adopted 1321.

S. 1058--Int. & Com. 1357.

S. 1059--Int. & Com. 1357.

S. 1060--Int. & Com. 1357.

S. 1061--Int. & Com. 1357.

S. 1062--Int. & Com. 1358.

S. 1063--Int. & Com. 1358.

S. 1064--Int. & Com. 1358; Recalled 1377; Point of Order 1685; Carried Over 1710; Co-Sponsor Added 1752; 2d R. 1771; Rec. Vt. 1771; 3d R. 1809.

S. 1065--Int. & Adopted 1359; Ret. by H. with Conc. 1807.

S. 1066--Int. & Adopted 1377; Ret. by H. with Conc. 1807.

S. 1067--Int. & Adopted 1378.

S. 1068--Int. & Adopted 1378.

S. 1069--Int. & Adopted 1378.

S. 1070--Int. & Adopted 1378; Ret. by H. with Conc. 1808.

S. 1071--Int. & Adopted 1378; Ret. by H. with Conc. 1808.

S. 1072--Int. & Adopted 1661.

S. 1073--Int. & Adopted 1662.

S. 1074--Int. & Com. 1662; Rep. Com. 1987; Carried Over 2080; Obj. 2112; Co-Sponsor Added 2119; Committee Amendment Adopted & 2d R. 2141; Motion Adopted 2144; 3d R. 2179; Rec. Vt. 2180.

S. 1075--Int. & Adopted 1662.

S. 1076--Int. & Com. 1662; Rep. Com. 2449; Carried Over 2583; Committee Amendment Adopted 2650; Amended & 2d R. 2650; Rec. Vt. 2659; 3d R. 2886.

S. 1077--Int. & Adopted 1663.

S. 1078--Int. & Com. 1663; Co-Sponsor Removed 1787.

S. 1079--Int. & Adopted 1663.

S. 1080--Int. & Adopted 1664.

S. 1081--Int. & Adopted 1664.

S. 1082--Int. & Com. 1696.

S. 1083--Int. & Com. 1696.

S. 1084--Int. & Com. 1696.

S. 1085--Int. & Com. 1697.

S. 1086--Int. & Adopted 1697.

S. 1087--Int. & Adopted 1697.

S. 1088--Int. & Com. 1698; Rep. Com. 2211; Carried Over 2282; 2d R. 2353; Motion Adopted 2353; 3d R. 2462; Point of Order 2463; Rec. Vt. 2464.

S. 1089--Int. & Com. 1698; Co-Sponsor Added 1904.

S. 1090--Int. 1698; Point of Order 1784; Recommitted 2056.

S. 1091--Int. 1699; Point of Order 1784; Recommitted 2056.

S. 1092--Int. & Adopted 1699.

S. 1093--Int. & Com. 1699.

S. 1094--Int. & Com. 1700; Co-Sponsor Added 1904.

S. 1095--Int. & Com. 1700; Rep. Com. 2123; Co-Sponsor Added 2157; Point of Order 2193; Obj. 2222; Carried Over 2270.

S. 1096--Int. & Adopted 1753.

S. 1097--Int. & Adopted 1753.

S. 1098--Int. & Adopted 1753.

S. 1099--Int. & Com. 1753; Recalled 2119; Amended & 2d R. 2193; Rec. Vt. 2194; 3d R. 2217; Rat. 3677.

S. 1100--Int. & Com. 1753.

S. 1101--Int. & Com. 1754; Recalled 1918; Adopted 2082; Ret. by H. with Conc. 2495.

S. 1102--Int. & Com. 1754; Recalled & Adopted 1904; Ret. by H. with Conc. 1989.

S. 1103--Int. & Adopted 1754.

S. 1104--Int. & Adopted 1789.

S. 1105--Int. & Adopted 1789.

S. 1106--Int. & Adopted 1790; Co-Sponsor Added 1904.

S. 1107--Int. & Adopted 1790.

S. 1108--Int. & Com. 1790; Co-Sponsor Added 1790, 2046, 2157.

S. 1109--Int. & Com. 1790.

S. 1110--Int. & Com. 1790.

S. 1111--Int. & Com. 1791.

S. 1112--Int. & Com. 1791; Rep. Com. 2211; 2d R. 2282; Rec. Vt. 2284; 3d R. 2309.

S. 1113--Int. & Com. 1792.

S. 1114--Int. & Com. 1793; Co-Sponsor Added 1981, 2016, 2027, 2157; Rep. Com. 2637; Carried Over 2901; Recommitted 2944.

S. 1115--Int. & Com. 1794.

S. 1116--Int. & Adopted 1794.

S. 1117--Int. 1794; Point of Order 1884; Obj. 1926; Carried Over 2063; Recommitted 2579.

S. 1118--Int. & Adopted 1794; Ret. by H. with Conc. 1912.

S. 1119--Int. & Com. 1795.

S. 1120--Int. & Adopted 1795.

S. 1121--Int. & Com. 1795; Co-Sponsor Added 1850.

S. 1122--Int. & Com. 1795.

S. 1123--Int. & Com. 1796; Recalled 2088; Adopted 2150.

S. 1124--Int. & Adopted 1850.

INDEX

S. 1125--Int. & Com. 1850.

S. 1126--Int. & Com. 1851; Co-Sponsor Added 1904, 1918, 1981, 2088, 2198, 2241, 2307; Rep. Com. 2213; Carried Over 2284; Committee Amendment Adopted & 2d R. 2353; Point of Order 2355; Rec. Vt. 2355; 3d R. 2464; Rat. 3508.

S. 1127--Int. & Com. 1851.

S. 1128--Int. & Com. 1905; Recalled 2678; Adopted 2913.

S. 1129--Int. & Adopted 1905; Co-Sponsor Added 1981.

S. 1130--Int. & Adopted 1906; Ret. by H. with Conc. 1912.

S. 1131--Int. & Adopted 1906; Ret. by H. with Conc. 1913.

S. 1132--Int. & Com. 1906; Rep. Com. 2051; Point of Order 2113; Co-Sponsor Added 2119; Carried Over 2146; Committee Amendment Adopted, Carried Over 2183; Obj. 2221, 2322; Amended & 2d R. 2371; Rec. Vt. 2372; 3d R. 2454.

S. 1133--Int. & Com. 1907; Co-Sponsor Added 2119.

S. 1134--Int. & Com. 1907; Co-Sponsor Added 2717.

S. 1135--Int. & Com. 1907.

S. 1136--Int. & Adopted 1907.

S. 1137--Int. & Adopted 1908.

S. 1138--Int. & Adopted 1908.

S. 1139--Int. & Com. 1908.

S. 1140--Int. & Adopted 1919.

S. 1141--Int. & Adopted 1919.

S. 1142--Int. & Adopted 1919.

S. 1143--Int. & Com. 1920.

S. 1144--Int. & Com. 1920.

S. 1145--Int. & Com. 1921.

S. 1146--Int. & Adopted 2007.

S. 1147--Int. & Com. 2007.

INDEX

S. 1148--Int. & Com. 2008.

S. 1149--Int. & Com. 2008.

S. 1150--Int. & Com. 2009; Co-Sponsor Added 2016, 2198, 2241, 2307; Rep. Com. 2213; Committee Amendment Adopted & 2d R. 2285; Rec. Vt. 2286; 3d R. 2311.

S. 1151--Int. & Adopted 2009.

S. 1152--Int. & Adopted 2009.

S. 1153--Int. & Adopted 2016.

S. 1154--Int. & Adopted 2017.

S. 1155--Int. & Adopted 2017.

S. 1156--Int. & Adopted 2017.

S. 1157--Int. & Com. 2017; Co-Sponsor Added 2027.

S. 1158--Int. & Com. 2018; Rep. Com. (polled) 2439; Rec. Vt. 2440; Carried Over 2468, 2582, 2649, 2896; Amendment Proposed, Obj. 2940; Recommitted 3115.

S. 1159--Int. & Com. 2018.

S. 1160--Int. & Com. 2019; Rep. Com. 2721; Point of Order 2908; Co-Sponsor Added 2923; Committee Amendment Adopted & 2d R. 2969; Rec. Vt. 2969; 3d R. 3003.

S. 1161--Int. & Com. 2019; Recalled 2120; Adopted 2194; Ret. by H. with Conc. 3054.

S. 1162--Int. & Com. 2019; Recalled 2120; Adopted 2195; Ret. by H. with Conc. 3054.

S. 1163--Int. & Com. 2019; Recalled 2046; Adopted 2114; Ret. by H. with Conc. 2495.

S. 1164--Int. & Adopted 2028.

S. 1165--Int. & Com. 2028.

S. 1166--Int. & Com. 2029; Co-Sponsor Added 2447; Recalled 2447; Amended & 2d R. 2583; Rec. Vt. 2584, 3569, 3844; 3d R. 2644; M. from H. 3568; Motion Adopted 3568; Ret. by H. with Amdt. & Conc. in H. Amend 3568; Rat. 3677; Veto Message from the Governor 3842; Veto Overridden 3843.

S. 1167--Int. & Adopted 2029; Ret. by H. with Conc. 2096.

S. 1168--Int. & Com. 2029.

S. 1169--Int. & Adopted 2046.

S. 1170--Int. & Adopted 2046.

S. 1171--Int. & Com. 2046.

S. 1172--Int. & Com. 2047.

S. 1173--Int. & Com. 2047.

S. 1174--Int. & Adopted 2048.

S. 1175--Int. & Com. 2048; Rep. Com. 2213; Obj. 2287; Recommitted 3114.

S. 1176--Int. 2049; 2d R. 2096; 3d R. 2127.

S. 1177--Int. & Com. 2049.

S. 1178--Int. & Adopted 2049; Ret. by H. with Conc. 2096.

S. 1179--Int. & Adopted 2049.

S. 1180--Int. & Adopted 2049.

S. 1181--Int. & Adopted 2050.

S. 1182--Int. & Adopted 2089.

S. 1183--Int. & Adopted 2089.

S. 1184--Int. & Adopted 2089.

S. 1185--Int. & Adopted 2090.

S. 1186--Int. & Com. 2090.

S. 1187--Int. & Com. 2090.

S. 1188--Int. & Com. 2090; Rep. Com. (polled) 2441; Rec. Vt. 2441; Amended & 2d R. 2469; Rec. Vt. 2470; 3d R. 2476; Rat. 3678.

S. 1189--Int. & Com. 2091.

S. 1190--Int. & Adopted 2091.

S. 1192--Int. & Adopted 2091; Ret. by H. with Conc. 2126.

S. 1193--Int. & Adopted 2120.

S. 1194--Int. & Adopted 2121.

S. 1195--Int. & Adopted 2121.

INDEX

S. 1196--Int. & Adopted 2121.

S. 1197--Int. & Adopted 2121.

S. 1198--Int. & Com. 2121.

S. 1199--Int. & Com. 2122.

S. 1200--Int. & Adopted 2122.

S. 1201--Int. & Adopted 2122.

S. 1202--Int. & Adopted 2122.

S. 1203--Int. & Adopted 2157.

S. 1204--Int. & Com. 2158.

S. 1205--Int. & Com. 2158.

S. 1206--Int. & Adopted 2158.

S. 1207--Int. & Adopted 2159.

S. 1208--Int. & Adopted 2159.

S. 1209--Int. & Adopted 2159.

S. 1210--Int. & Adopted 2159.

S. 1211--Int. & Adopted 2198.

S. 1212--Int. & Adopted 2199.

S. 1213--Int. & Com. 2199.

S. 1214--Int. & Com. 2199.

S. 1215--Int. 2199; Carried Over 2288; Recommitted 2581.

S. 1216--Int. 2200; Carried Over 2288; Recommitted 2582.

S. 1217--Int. 2200; Carried Over 2288; Recommitted 2582.

S. 1218--Int. 2200; Carried Over 2289; Recommitted 2893.

S. 1219--Int. & Adopted 2235.

S. 1220--Int. & Com. 2235; Rep. Com. 2450; Obj. 2585.

S. 1221--Int. 2241; Carried Over 2359, 2647, 2894; Recommitted 2938.

S. 1222--Int. 2241; Carried Over 2359, 2647, 2894; Recommitted 2938.

S. 1223--Int. 2242; Carried Over 2360, 2647, 2894; Recommitted 2938.

S. 1224--Int. 2242; Carried Over 2360, 2648, 2895; Recommitted 2939.

S. 1225--Int. 2242; Carried Over 2360, 2648, 2895; Recommitted 2939.

S. 1226--Int. 2243; Carried Over 2360, 2648, 2895; Recommitted 2939.

S. 1227--Int. 2243; Carried Over 2361, 2649, 2896; Recommitted 2940.

S. 1228--Int. 2243; Carried Over 2361, 2649, 2896; Recommitted 2940.

S. 1229--Int. & Adopted 2244.

S. 1230--Int. & Adopted 2244; Ret. by H. with Conc. 2495.

S. 1231--Int. & Com. 2245.

S. 1232--Int. & Com. 2246; Recalled 2633; Adopted 2914.

S. 1233--Int. & Com. 2246; Recalled 2634; Adopted 2914.

S. 1234--Int. & Com. 2247; Recalled 2634; Adopted 2914; Ret. by H. with Conc. 3209.

S. 1235--Int. & Adopted 2245.

S. 1236--Int. & Adopted 2247.

S. 1237--Int. & Adopted 2308.

S. 1238--Int. & Adopted 2308.

S. 1239--Int. & Com. 2448.

S. 1240--Int. & Adopted 2448; Ret. by H. with Conc. 2497.

S. 1241--Int. & Com. 2479.

S. 1242--Int. & Com. 2479; Co-Sponsor Added 2508, 2871; Rep. Com. (polled) 2875; Rec. Vt. 2875, 2876; 2d R. 2876; 3d R. 2919.

S. 1243--Int. & Com. 2479.

S. 1244--Int. & Com. 2480.

S. 1245--Int. & Com. 2480.

S. 1246--Int. & Adopted 2481; Ret. by H. with Conc. 2497.

S. 1247--Int. & Adopted 2482.

S. 1248--Int. & Adopted 2482.

S. 1249--Int. & Adopted 2483.

S. 1250--Int. & Adopted 2483.

S. 1251--Int. & Adopted 2483.

S. 1252--Int. & Com. 2498.

S. 1253--Int. & Com. 2498.

S. 1254--Int. & Adopted 2508.

S. 1255--Int. & Adopted 2509.

S. 1256--Int. & Adopted 2509.

S. 1257--Int. & Adopted 2509; Ret. by H. with Conc. 2577.

S. 1258--Int. & Adopted 2509; Ret. by H. with Conc. 2577.

S. 1259--Int. & Adopted 2510; Ret. by H. with Conc. 2577.

S. 1260--Int. & Adopted 2510.

S. 1261--Int. & Adopted 2570.

S. 1262--Int. & Adopted 2571.

S. 1263--Int. & Adopted 2571.

S. 1264--Int. & Com. 2571.

S. 1265--Int. & Com. 2571.

S. 1266--Int. 2571; 2d R. 2671; Rec. Vt. 2671; 3d R. 2675; Rat. 3509.

S. 1267--Int. & Com. 2572; Recalled 2635; Adopted 2914; Ret. by H. with Conc. 3093.

S. 1268--Int. & Com. 2573; Recalled 2871; Adopted 2980; Ret. by H. with Conc. 3093.

S. 1269--Int. & Adopted 2573.

INDEX

S. 1270--Int. & Adopted 2573.

S. 1271--Int. & Adopted 2573.

S. 1272--Int. & Adopted 2574.

S. 1273--Int. & Adopted 2574; Ret. by H. with Conc. 2640.

S. 1274--Int. & Adopted 2636.

S. 1275--Int. & Com. 2636; Rep. Com. (polled) 2722; Rec. Vt. 2722; Obj. 2769; Adopted 2915; Ret. by H. with Conc. 2930.

S. 1276--Int. & Com. 2636; Recalled 2679; 2d R. 2905; Rec. Vt. 2906; 3d R. 2919.

S. 1277--Int. & Adopted 2679.

S. 1278--Int. & Adopted 2679.

S. 1279--Int. & Adopted 2680.

S. 1280--Int. & Adopted 2680; Ret. by H. with Conc. 2882.

S. 1281--Int. & Com. 2680.

S. 1282--Int. & Com. 2680; Obj. 3072; Recalled & Adopted 3202.

S. 1283--Int. & Adopted 2681; Ret. by H. with Conc. 2882.

S. 1284--Int. & Adopted 2718.

S. 1285--Int. 2718; Amended & 2d R. 2883; 3d R. 2919; Rat. 3509.

S. 1286--Int. 2719; Point of Order 2908; Carried Over 2970.

S. 1287--Int. 2719; Point of Order 2909; Carried Over 2970.

S. 1288--Int. & Adopted 2719.

S. 1289--Int. & Adopted 2720; Ret. by H. with Conc. 2882.

S. 1290--Int. & Com. 2720.

S. 1291--Int. & Adopted 2873.

S. 1292--Int. 2873; 2d R. 2920; 3d R. 2930; Rat. 3678.

S. 1293--Int. & Com. 2873; Recalled & Adopted 3045.

S. 1294--Int. & Adopted 2874.

INDEX

S. 1295--Int. & Adopted 2874.

S. 1296--Int. & Adopted 2874.

S. 1297--Int. & Com. 2874; Recalled 2923; Adopted 3032; Ret. by H. with Conc. 3093.

S. 1298--Int. & Adopted 2924.

S. 1299--Int. & Adopted 2925.

S. 1300--Int. & Com. 2925.

S. 1301--Int. 2925; Obj. 3031; Recommitted 3159.

S. 1302--Int. & Com. 2926; Recalled 2924; Adopted 3032; Ret. by H. with Conc. 3094.

S. 1303--Int. & Com. 2926; Recalled & Adopted 3072; Ret. by H. with Conc. 3580.

S. 1304--Int. & Adopted 2926; Ret. by H. with Conc. 3094.

S. 1305--Int. & Adopted 2926.

S. 1306--Int. & Adopted 2927; Ret. by H. with Conc. 3000.

S. 1307--Int. & Adopted 2987.

S. 1308--Int. & Adopted 2987.

S. 1309--Int. & Adopted 2987.

S. 1310--Int. & Adopted 2987.

S. 1311--Int. & Adopted 2988; Ret. by H. with Conc. 3054.

S. 1312--Int. & Adopted 2988.

S. 1313--Int. & Adopted 2988.

S. 1314--Int. & Com. 2988; Recalled 3073; Adopted 3368; Ret. by H. with Conc. 3580.

S. 1315--Int. & Com. 2989; Obj. 3045; Co-Sponsor Added 3071; Rep. Com. (polled) 3079; Rec. Vt. 3080; Adopted 3080.

S. 1316--Int. & Adopted 2989.

S. 1317--Int. & Adopted 3046.

S. 1318--Int. & Adopted 3046.

S. 1319--Int. & Adopted 3046; Ret. by H. with Conc. 3094.

S. 1320--Int. & Adopted 3046.

S. 1321--Int. & Adopted 3046.

S. 1322--Int. & Adopted 3047; Ret. by H. with Conc. 3094.

S. 1323--Int. & Adopted 3047.

S. 1324--Int. & Adopted 3047.

S. 1325--Int. & Adopted 3048.

S. 1326--Int. & Adopted 3048.

S. 1327--Int. & Adopted 3076.

S. 1328--Int. & Adopted 3076.

S. 1329--Int. & Adopted 3076.

S. 1330--Int. & Adopted 3077.

S. 1331--Int. & Adopted 3077.

S. 1332--Int. & Adopted 3077.

S. 1333--Int. & Adopted 3205.

S. 1334--Int. & Adopted 3206.

S. 1335--Int. & Adopted 3206.

S. 1336--Int. & Adopted 3206.

S. 1337--Int. & Adopted 3206.

S. 1338--Int. & Com. 3206.

S. 1339--Int. & Adopted 3207.

S. 1340--Int. & Adopted 3207.

S. 1341--Int. & Adopted 3207.

S. 1342--Int. & Adopted 3526.

S. 1343--Int. & Adopted 3527.

S. 1344--Int. & Com. 3527.

S. 1345--Int. & Com. 3527.

S. 1346--Int. & Adopted 3527; Rec. Vt. 3528.

S. 1347--Int. & Adopted 3534.

S. 1348--Int. & Adopted 3534.

S. 1349--Int. & Adopted 3717.

S. 1350--Int. & Adopted 3717.

S. 1351--Int. & Adopted 3717.

S. 1352--Int. & Adopted 3717.

S. 1353--Int. & Adopted 3718.

S. 1354--Int. & Adopted 3718.

S. 1355--Int. & Adopted 3718.

S. 1356--Int. & Adopted 3718; Ret. by H. with Conc. 3842.

S. 1357--Int. & Adopted 3718.

S. 1358--Int. & Adopted 3719.

S. 1359--Int. & Adopted 3719.

S. 1360--Int. & Adopted 3719; Co-Sponsor Added 3834.

S. 1361--Int. & Adopted 3719.

S. 1362--Int. & Adopted 3719.

S. 1363--Int. & Adopted 3720.

S. 1364--Int. & Adopted 3720.

S. 1365--Int. & Adopted 3720.

S. 1366--Int. & Adopted 3720.

S. 1367--Int. & Adopted 3720.

S. 1368--Int. & Adopted 3720.

INDEX

S. 1369--Int. & Adopted 3834.

S. 1370--Int. & Adopted 3834.

S. 1371--Int. & Adopted 3835.

S. 1372--Int. & Adopted 3835; Ret. by H. with Conc. 3841.

S. 1373--Int. & Adopted 3835.

S. 1374--Int. & Adopted 3835.

S. 1375--Int. & Adopted 3836.

S. 1376--Int. & Adopted 3836.

S. 1377--Int. & Adopted 3836.

S. 1378--Int. & Adopted 3836.

S. 1379--Int. & Adopted 3837.

S. 1380--Int. & Adopted 3837.

S. 1381--Int. & Adopted 3837.

H. 3014--Obj. 1196.

H. 3116--Rep. Com. 1017; Point of Order 1066; Committee Amendment Adopted 1092; Carried Over 1092, 1134; Amended & 2d R. 1189; Rec. Vt. 1190; 3d R. 1230; M. from H. 1299; Rat. 1993.

H. 3121--Rep. Com. 1802; Point of Order 1884; Obj. 1927; Committee Amendment Adopted & 2d R. 2063; Rec. Vt. 2064; 3d R. 2098; M. from H. 2216; Rat. 3509.

H. 3160--Int. & Com. 2009.

H. 3180--Int. & Com. 2483.

H. 3220--Rep. Com. 2990; Committee Amendment Adopted 3161; Amended & 2d R. 3161; Rec. Vt. 3174; 3d R. 3285; M. from H. 3569; Rat. 3678.

H. 3227--Int. & Com. 2247.

H. 3248--2d R. 2883; 3d R. & Enr. 2930; Rat. 3509.

H. 3255--Rep. Com. 1853; Obj. 1932; 2d R. 2077; Rec. Vt. 2078; 3d R. & Enr. 2100; Rat. 3509.

H. 3278--Int. & Com. 1260; Rep. Com. 2927; Obj. 3031, 3159; 2d R. 3296; Rec. Vt. 3297; 3d R. & Enr. 3598; Rat. 3679.

H. 3295--Rep. Com. 1802; Point of Order 1884; Obj. 1927; Carried Over 2064; 2d R. 2107; Rec. Vt. 2108; 3d R. & Enr. 2129; Rat. 3510.

H. 3309--Int. & Com. 1119; Rep. Com. 1803; Point of Order 1885; Obj. 1927; 2d R. 2065; Rec. Vt. 2065; 3d R. & Enr. 2098; Rat. 3510.

H. 3313--Rep. Com. 2990; Carried Over 3175; Rec. Vt. 3176; 2d R. 3300; Rec. Vt. 3301; 3d R. & Enr. 3613; Rat. 3681.

H. 3355--Rep. Com. 1701; Point of Order 1784; Carried Over 1833; Committee Amendment Adopted & 2d R. 1874; Rec. Vt. 1876; 3d R. 1902; M. from H. 2093; Rat. 3511.

H. 3392--Recalled 2986; Adopted 3368.

H. 3424--Int. & Com. 1179; Rep. Com. 2683; Obj. 2906, 2951, 3142; Committee Amendment Adopted 3010; Amended & Obj. 3010; 2d R. 3288; Rec. Vt. 3288; 3d R. 3590; M. from H. 3591; Motion Adopted 3591; Ret. by H. with Amdt. & Conc. in H. Amend 3592; Rat. 3681.

H. 3501--Rep. Com. 2722; Point of Order 2909; Carried Over 2971, 3027, 3282, 3580; 2d R. 3151; Motion Adopted 3151.

H. 3518--Amendment Proposed 15; Carried Over 115, 978, 1083, 1301, 1704, 1764; Obj. 141, 935, 956, 996, 1022, 1060, 1126, 1184, 1230, 1267, 1330, 1364, 1380, 1674; Amended & Carried Over 1672; Motion Failed 1705; 2d R. 1811; Rec. Vt. 1813; 3d R. 1857; M. from H. 2093; Rat. 3511.

H. 3523--Int. & Com. 1119.

H. 3563--Rep. Com. (polled) 2723; Rec. Vt. 2723, 2971; Point of Order 2910; 2d R. 2971; 3d R. & Enr. 3004; Rat. 3512.

H. 3592--Rep. Com. 976; Point of Order 1000; Obj. 1026; Committee Amendment Adopted 1768; Amended & 2d R. 1768; Rec. Vt. 1769; 3d R. 1809; M. from H. 2095; Rat. 3512.

H. 3594—Made Adjourned Debate 1001; Rec. Vt. 1004, 1105, 1106, 1107, 1108, 1109, 1139, 1145, 1146, 1147, 1150, 1160, 1164, 1165, 1170, 1171, 1200; Amendment Proposed, Debate Interrupted 1029; Debate Int. 1068; Obj. 1108; Amended & 2d R. 1100; Motion Adopted 1109, 1138, 1203, 1327, 1936; Amended & Debate Int. 1136; Point of Order 1153, 1158, 1204, 1205; Amended & 3d R. 1197; Rec. Vt. 1220, 1951; M. from H. 1324, 1757, 1972; Ret. by H. with Amdt. & Non-Concur in H. Amend's 1327; Conf. Com. Appointed 1760; Obj. 1916; Rep. Conf. Com. Adopted 1933; Enr. 1975; Rat. 1993.

H. 3608--Int. & Com. 1296; Rep. Com. 1803; Point of Order 1886; Obj. 1928; 2d R. 2066; Rec. Vt. 2067; 3d R. & Enr. 2099; Rat. 3513.

H. 3676--Int. & Com. 1909; Rep. Com. (polled) 3081; Rec. Vt. 3081.

H. 3679--Int. & Adopted 2498.

H. 3680--Int. & Adopted 2499.

H. 3682--Carried Over 3005; Committee Amendment Adopted 3106; Amended & 2d R. 3106; Rec. Vt. 3113; 3d R. 3246; M. from H. 3570; Rat. 3682.

H. 3690—Made Special Order 147; 2d R. 942; Rec. Vt. 943; 3d R. & Enr. 961; Rec. Vt. 962; Rat. 1110.

H. 3728—Free Conf. Powers Failed 3961; Rec. Vt. 3961.

H. 3734--Rep. Com. 2991; 2d R. 3301; Motion Adopted 3308; Amended & 3d R. 3613; Rec. Vt. 3631.

H. 3748--Int. & Com. 2201; Rep. Com. 2992; Committee Amendment Adopted 3177; Amended & Obj. 3177; Amended & 2d R. 3308; Rec. Vt. 3310; M. from H. 3570; 3d R. 3641; Rat. 3682.

H. 3774—Recommitted 113; Rec. Vt. 114.

H. 3776--Int. & Com. 2159; Rep. Com. 2992; 2d R. 3180; Rec. Vt. 3181; 3d R. & Enr. 3285; Rat. 3682.

H. 3782--Carried Over 123, 145, 938; Amended 938; 2d R. 959; Rec. Vt. 960; 3d R. 978; M. from H. 1058; Rat. 1110.

H. 3799--2d R. 146; Rec. Vt. 146; 3d R. & Enr. 935; Rat. 1111.

H. 3811--Rep. Com. 1804; Point of Order 1886; Obj. 1928; 2d R. 2068; Rec. Vt. 2068; 3d R. & Enr. 2099; Rat. 3513.

H. 3865--Rep. Com. 2488; Carried Over 2590, 2662; Committee Amendment Adopted, Carried Over 2897; Amendment Proposed, Carried Over 2942; Carried Over 3006, 3116; 2d R. 3287; Motion Adopted 3287; Amended & 3d R. 3581; Rec. Vt. 3582, 3963; M. from H. 3582, 3583, 3964; Senate Insists 3583; Conf. Com. 3583; Rep. Conf. Com. Adopted 3962.

H. 3866--Carried Over 1303; Committee Amendment Adopted 1332; Amendment Proposed, Carried Over 1332; Amended, Carried Over 1365; Amended & 2d R. 1381; Rec. Vt. 1382; 3d R. 1670.

H. 3872--2d R. 120; Rec. Vt. 121; 3d R. & Enr. 140; Rat. 1111.

H. 3877--Rep. Com. 2638.

H. 3880--Rep. Com. 1804; Point of Order 1887; Obj. 1928, 2069, 2108, 2645; 2d R. 2936; Rec. Vt. 2936; 3d R. & Enr. 3003; Rat. 3513.

H. 3934--Rep. Com. 2992; Carried Over 3181; Committee Amendment Adopted & 2d R. 3311; Rec. Vt. 3312; 3d R. 3641; M. from H. 3642; Rat. 3683.

H. 3951--Rep. Com. 1017; Carried Over 1067; Committee Amendment Tabled (Ag.) 1094; Committee Amendment Adopted (Fin.) 1094; 2d R. 1094; Rec. Vt. 1098; 3d R. 1126; M. from H. 1265; Rat. 1997.

H. 3960--2d R. 121; Rec. Vt. 122; 3d R. & Enr. 141; Rat. 1111.

H. 3963--Int. & Com. 1909.

H. 3977--Carried Over 115; 3d R. & Enr. 140; Rat. 1111.

H. 3980--Int. & Com. 2248.

H. 3988--Int. & Com. 2160; Rep. Com. 2683; Carried Over 2907; Committee Amendment Adopted & Carried Over 2951; Point of Order 2967, 3026, 3150; Amendment Proposed, Carried Over 3022; 2d R. 3142; Rec. Vt. 3150, 3281, 3966; Motion Adopted 3151; Amended & 3d R. 3275; M. from H. 3571, 3573, 3974, 3975; Senate Insists 3572; Conf. Com. 3573; Rep. Conf. Com. Adopted 3965.

H. 3992--Int. & Com. 1261; Rep. Com. 2052; Point of Order 2113; Committee Amendment Adopted, Carried Over 2148; 2d R. 2185; Rec. Vt. 2185; 3d R. 2216; M. from H. 2493; Rat. 3513.

H. 3993--Rep. Com. 1287; Point of Order 1309; 2d R. 1338; Rec. Vt. 1339; 3d R. & Enr. 1363; Rat. 1997.

H. 4002--Rep. Com. 1362; Point of Order 1390; Obj. 1685, 1709; Committee Amendment Adopted & 2d R. 1709; Rec. Vt. 1710, 2115; 3d R. 1763; M. from H. 1988; Carried Over 2083; Ret. by H. with Amdt. & Conc. in H. Amend 2115; Rat. 3514.

H. 4029--Int. & Com. 1119; Rep. Com. 2214; Obj. 2289, 2894; Carried Over 2356, 2468, 2582, 2647, 2937, 3006, 3115; Recommitted 3286.

H. 4040--Recalled 3073; Adopted 3368.

H. 4042--Int. & Com. 2488; Committee Amendment Adopted & 2d R. 2590; Rec. Vt. 2591; 3d R. 2644; M. from H. 2880; Rat. 3514.

H. 4047--Rep. Com. 1288; Point of Order 1309; 2d R. 1339; Rec. Vt. 1340; 3d R. & Enr. 1363; Rat. 1997.

H. 4082--Int. & Com. 2201.

H. 4086--Rep. Com. 3048; Obj. 3192.

H. 4087--Rep. Com. 2638; Obj. 2902, 2945, 2950, 3008; 2d R. 3141; Motion Adopted 3142; Committee Amendment Adopted 3267; Amended & 3d R. 3267; Rec. Vt. 3275, 3977; M. from H. 3584, 3585, 3999; Ret. by H. with Amdt. & Non-Concur in H. Amend's 3584; Conf. Com. 3586; Rep. Conf. Com. Adopted 3976.

H. 4113--Int. & Com. 1981; Rep. Com. 2639; 2d R. 2903; Rec. Vt. 2903; 3d R. & Enr. 2935; Rat. 3514.

H. 4116--Carried Over 118, 980, 1674, 1706, 1766; Obj. 143, 936, 957, 998, 1024, 1062, 1085, 1129, 1186, 1232, 1269, 1303, 1333, 1367, 1383; Committee Amendment Adopted 1814; Amended & 2d R. 1814; Rec. Vt. 1821, 4003; 3d R. 1858; M. from H. 2124, 2263, 4014; Ret. by H. with Amdt. & Non-Concur in H. Amend's 2224; Conf. Com. 2265; Rep. Conf. Com. Adopted 4001.

H. 4120--Carried Over 124, 145; 2d R. 940; Rec. Vt. 940; 3d R. & Enr. 955; Rat. 1112.

H. 4158--Int. & Com. 2248; Rep. Com. 2993.

H. 4159--Rep. Com. 976; Point of Order 1000; Committee Amendment Adopted & 2d R. 1026; Motion Adopted 1027; 3d R. 1059; Rec. Vt. 1059; M. from H. 1125; Rat. 1997.

H. 4187--Int. & Com. 2484; Rep. Com. 2993; Committee Amendment Adopted 3182; Amended & Carried Over 3182; 2d R. 3312; Motion Adopted 3313; 3d R. 3642; Rec. Vt. 3642; M. from H. 3643, 3644; Ret. by H. with Amdt. & Non-Concur in H. Amend's 3644; Conf. Com. 3645.

H. 4189--Int. & Com. 2248; Rep. Com. 2877; Point of Order 2977; Obj. 3028; Carried Over 3155; Committee Amendment Adopted & 2d R. 3291; Motion Adopted 3294; Obj. 3593.

H. 4218--Int. & Com. 2010.

H. 4231--Int. & Com. 1359; Rep. Com. 2993; Obj. 3183.

H. 4234--Int. & Com. 2160; Rep. Com. 2994; Committee Amendment Adopted 3184; Obj. 3184; Amended & 2d R. 3313; Rec. Vt. 3326, 3647; Amended & 3d R. 3645; M. from H. 3648; Rat. 3683.

H. 4248--Int. & Com. 2484; Rep. Com. 2996; Obj. 3189; Amended & 2d R. 3326; Rec. Vt. 3343, 3650, 3845; 3d R. 3650; Ret. by H. with Amdt. & Conc. in H. Amend 3650; Rat. 3685; M. from H. 3841; Veto Overridden 3844.

H. 4274--Int. & Com. 2201.

H. 4278--Recalled 1079; Adopted 1135.

H. 4288--Recalled & Adopted 2307.

H. 4289--Int. & Com. 2249.

H. 4294--Int. & Com. 2250.

H. 4300--M. from H. 1266.

H. 4304--Int. & Com. 2250; Rep. Com. 2996; Obj. 3189, 3651; Committee Amendment Adopted & 2d R. 3344; Rec. Vt. 3345.

H. 4319--Recalled 1661; Adopted 1718.

H. 4333--Int. & Com. 2010; Rep. Com. 2639; 2d R. 2904; Rec. Vt. 2905; 3d R. & Enr. 2935; Rat. 3515.

H. 4349--Int. & Com. 2250; Rep. Com. 2512; Point of Order 2594; 2d R. 2666; Rec. Vt. 2666; 3d R. & Enr. 2887; Rat. 3515.

H. 4352--2d R. 122; Rec. Vt. 123; 3d R. & Enr. 141; Rat. 1112.

H. 4364--Int. & Com. 1297; Rep. Com. (polled) 2262; Rec. Vt. 2262; Obj. 2361.

H. 4365--Int. & Com. 2010.

H. 4376--Int. & Com. 1262; Rep. Com. 1804; Point of Order 1887; Obj. 1929; 2d R. 2069; Rec. Vt. 2070; 3d R. & Enr. 2099; Rat. 3515.

H. 4386--Int. & Com. 1796; Rep. Com. 2513; Point of Order 2595; Obj. 2667, 3139; Committee Amendment Adopted & 2d R. 3139; Motion Adopted 3140; Amended & 3d R. 3260; Rec. Vt. 3266, 4019; M. from H. 3574, 4026; Senate Insists 3574; Conf. Com. 3574; Rep. Conf. Com. Adopted 4018.

H. 4387--Int. & Com. 1796; Rep. Com. 2513; Point of Order 2595; Obj. 2667; Carried Over 2899; 2d R. 2943; Rec. Vt. 2943; 3d R. & Enr. 3003; Rat. 3516.

H. 4436--Int. & Com. 2010; Rep. Com. (polled) 2878; Rec. Vt. 2878, 3156; Point of Order 2978; Obj. 3029; 2d R. 3156; 3d R. & Enr. 3284; Rat. 3685.

H. 4486--Rep. Com. 2684; Carried Over 2908; Obj. 2968, 3026.

H. 4548--Int. & Com. 2250.

H. 4552--Int. & Com. 1982; Rep. Com. 2214; Obj. 2289; Amended & 2d R. 2356; Rec. Vt. 2357; 3d R. 2465; M. from H. 2684; Carried Over 2982, 3034, 3370, 3667.

H. 4559--Int. & Com. 2201.

H. 4561--Int. & Com. 2484.

H. 4563--Int. & Com. 2162; Rep. Com. 2996; Obj. 3189; Amended & 2d R. 3345; Rec. Vt. 3346; 3d R. 3651; M. from H. 3651; Rat. 3685.

H. 4589--Int. & Com. 1909.

H. 4590--Int. & Com. 1982.

H. 4594--Int. & Com. 2202; Rep. Com. 2639; Obj. 2950; 2d R. 3009; Rec. Vt. 3009; 3d R. & Enr. 3105; Rat. 3686.

H. 4601--Int. & Com. 2202; Rep. Com. 2575; Point of Order 2672; Amended & Carried Over 3007; Carried Over 3140; 2d R. 3287; Motion Adopted 3288; 3d R. 3586; Rec. Vt. 3587; M. from H. 3587; Rat. 3686.

H. 4608--Int. & Com. 1120; Recalled 1789; Adopted 1890.

H. 4609--Int. & Com. 2202.

H. 4611--Int. & Com. 2011; Rep. Com. 2996; Obj. 3189; Committee Amendment Adopted & 2d R. 3347; Rec. Vt. 3347; 3d R. 3652; M. from H. 3652; Rat. 3686.

H. 4612--Int. & Com. 2011; Rep. Com. 2513; Point of Order 2595; 2d R. 2667; Rec. Vt. 2668; 3d R. & Enr. 2887; Rat. 3516.

H. 4617--Int. & Com. 934; Rep. Com. 2997; Obj. 3190; Committee Amendment Adopted & 2d R. 3348; Rec. Vt. 3349; 3d R. 3652; M. from H. 3653; Rat. 3686.

H. 4622--Int. & Com. 2485.

H. 4624--Int. & Com. 973; Rep. Com. 1911; Made Special Order 2916; 2d R. 2982; Motion Adopted 2983, 3062; Debate Interrupted 3035; Committee Amendment Adopted 3056; Amended & 3d R. 3056; Rec. Vt. 3059, 3060, 3061, 3066; Motion Failed 3061; M. from H. 3575; Rat. 3687.

H. 4632--Int. & Com. 1120; Recalled & Adopted 3525.

H. 4642--Int. & Com. 2162; Rep. Com. 2724; Point of Order 2910; 2d R. 2972; Rec. Vt. 2974; 3d R. & Enr. 3004; Rat. 3516.

H. 4649--Int. & Com. 2251.

H. 4655--Int. & Com. 2164.

H. 4673--Int. & Com. 2251; Rep. Com. 2575; Point of Order 2672; 2d R. 2899; Rec. Vt. 2900; 3d R. & Enr. 2934; Rat. 3518.

H. 4674--Int. & Com. 1120; Rep. Com. 2450; Committee Amendment Adopted & 2d R. 2585; Motion Adopted 2588, 3588; Amended & 3d R. 3095; Rec. Vt. 3097; M. from H. 3588; Ret. by H. with Amdt. & Conc. in H. Amend 3589; Rat. 3687.

H. 4680--Int. & Com. 2011.

H. 4681--Int. & Com. 2252.

H. 4700--Int. & Com. 1180.

H. 4702--Int. & Com. 2252.

H. 4703--Int. & Com. 2252.

H. 4709--Int. & Com. 1910.

H. 4710--Int. & Com. 1297.

H. 4720--Int. & Com. 138; Rep. Com. 1805; Point of Order 1888; Obj. 1929; 2d R. 2070; Rec. Vt. 2071; 3d R. & Enr. 2100; Rat. 3518.

H. 4751--Int. & Adopted 111.

H. 4752--Int. & Adopted 111.

H. 4753--Int. & Adopted 112.

H. 4754--Int. & Com. 1982; Rep. Com. 2997; Obj. 3190; 2d R. 3350; Motion Adopted 3351; Amended & 3d R. 3654; Rec. Vt. 3657; M. from H. 3657; Rat. 3689.

H. 4806--Int. & Com. 1120; Recalled 3074; Adopted 3368.

H. 4807--Int. & Adopted 138.

H. 4810--Int. & Com. 1121.

H. 4813--Int. & Com. 2164.

H. 4817--Int. & Com. 2020; Rep. Com. 2998; Obj. 3191; 2d R. 3351; Rec. Vt. 3351; 3d R. & Enr. 3658; Rat. 3689.

H. 4819--Int. & Com. 2012; Rep. Com. 2575; Point of Order 2673; 2d R. 2900; Rec. Vt. 2901; 3d R. & Enr. 2934; Rat. 3518.

H. 4820--Int. & Com. 2203; Rep. Com. 2998; Obj. 3191; Committee Amendment Withdrawn 3352; Amended & 2d R. 3352; Motion Adopted 3356; Amended & 3d R. 3659; Point of Order 3659; Rec. Vt. 3660, 4028; M. from H. 3661, 3662, 4031; Senate Insists 3662; Conf. Com. 3662; Rep. Conf. Com. Adopted 4027.

H. 4825--Int. & Com. 1121; Rep. Com. 2998; Obj. 3191; Committee Amendment Adopted & 2d R. 3357; Rec. Vt. 3358; 3d R. 3662; M. from H. 3663.

H. 4830--Int. & Adopted 139.

H. 4832--Int. & Com. 1286; Rep. Com. 2879; Point of Order 2979; Obj. 3029; Committee Amendment Adopted & 2d R. 3157; Rec. Vt. 3157; 3d R. 3284; M. from H. 3575; Rat. 3690.

H. 4833--Int. & Com. 1121; Recalled 1661; Adopted 1718.

H. 4837--Int. & Adopted 951.

H. 4838--Int. & Adopted 952.

H. 4839--Int. & Adopted 952.

H. 4840--Int. & Adopted 953.

H. 4841--Int. & Com. 1122; Recalled 1177; Adopted 1235.

H. 4843--Int. & Com. 2485; Rep. Com. (polled) 2724; Rec. Vt. 2724, 4033; Point of Order 2911; Carried Over 2975, 3027; Amended & 2d R. 3152; 3d R. 3282; M. from H. 3576, 3577, 4034, 4035; Senate Insists 3576; Conf. Com. 3577; Rep. Conf. Com. Adopted 4032.

H. 4849--Int. & Com. 973; Recalled 989; Adopted 1028.

H. 4859--Int. & Adopted 974.

H. 4860--Int. & Adopted 974.

H. 4862--Int. & Adopted 975.

H. 4863--Int. & Com. 1122.

H. 4867--Int. & Com. 2253; Rep. Com. 2999; Obj. 3192; Committee Amendment Adopted & 2d R. 3359; Rec. Vt. 3360; 3d R. 3663; M. from H. 3663; Rat. 3690.

H. 4868--Int. 1180; 2d R. 1702; 3d R. & Enr. 1749; Rat. 1998.

H. 4869--Int. & Com. 1262; Rep. Com. 2879; Point of Order 2979; Obj. 3030, 3158; Amended & 2d R. 3294; Rec. Vt. 3296, 3596; Amended & 3d R. 3594; Motion Adopted 3595; M. from H. 3597; Rat. 3690.

H. 4871--Int. & Com. 2253; Rep. Com. 2500; Amended & 2d R. 2592; Rec. Vt. 2593; 3d R. 2644; M. from H. 2880; Rat. 3519.

H. 4874--Int. & Com. 2253; Rep. Com. 2999; Recommitted 3361.

H. 4875--Int. & Com. 1797; Rep. Com. 2513; Point of Order 2596; 2d R. 2669; Rec. Vt. 2669; 3d R. & Enr. 2887; Rat. 3519.

H. 4876--Int. 1286; 2d R. 1301; 3d R. & Enr. 1330; Rat. 1999.

H. 4878--Int. & Com. 1122; Recalled 1177; Adopted 1235.

H. 4887--Int. & Adopted 992.

H. 4888--Int. & Adopted 992.

H. 4889--Int. & Adopted 993.

H. 4892--Int. 1123; 2d R. 1230; 3d R. & Enr. 1267; Rat. 1999.

H. 4895--Int. & Com. 993; Rep. Com. (polled) 1018; Rec. Vt. 1021; Motion Adopted 1836; Amended & Adopted 1836; M. from H. 1853.

H. 4902--Int. & Com. 1983.

H. 4903--Int. & Adopted 1014.

H. 4904--Int. & Com. 1983; Recalled 3074; Adopted 3369.

H. 4905--Int. & Com. 1983; Recalled 3074; Adopted 3369.

H. 4906--Int. & Com. 1984; Recalled 3075; Adopted 3369.

H. 4909--Int. & Com. 1057; Rep. Com. 2215; 2d R. 2289; Rec. Vt. 2290; 3d R. & Enr. 2311; Rat. 3519.

H. 4912--Int. & Com. 2254.

H. 4927--Int. & Com. 1910.

H. 4928--Int. & Com. 1263; Rep. Com. 2215; Obj. 2290; Committee Amendment Adopted & 2d R. 2358; Rec. Vt. 2358; 3d R. 2466; M. from H. 2493; Rat. 3519.

H. 4933--Int. & Com. 2012.

H. 4934--Int. & Com. 2254.

H. 4937--Int. & Com. 1123; Rep. Com. 2215; 2d R. 2291; Rec. Vt. 2291; 3d R. & Enr. 2311; Rat. 3519.

H. 4953--Int. & Com. 2254; Rep. Com. 2726; Point of Order 2912; 2d R. 2975; Rec. Vt. 2975; 3d R. & Enr. 3005; Rat. 3520.

H. 4957--Int. & Com. 1359; Rep. Com. 1805; Point of Order 1888, 3103; Obj. 1929, 2109, 2217, 2269, 2318, 2645; Carried Over 2071, 2138, 2181, 2466, 2580, 2932, 3001; Committee Amendment Adopted 2888; Amended & 2d R. 2888; Motion Adopted 2893; Amended, Obj. 3098; Rec. Vt. 3100, 3103, 3104, 3245; Amended & 3d R. 3243; M. from H. 3577; Rat. 3691.

H. 4965--Int. & Com. 1984; Recalled 2871; Adopted 2980.

H. 4966--Int. & Com. 1984.

H. 4967--Int. & Adopted 1080.

H. 4978--Int. & Com. 1123; Recalled & Adopted 1294.

H. 5007--Int. & Com. 1984; Rep. Com. 2514; Point of Order 2596; 2d R. 2670; Rec. Vt. 2670; 3d R. & Enr. 2888; Rat. 3520.

H. 5008--Int. & Com. 1263; Recalled 2924; Carried Over 3032; 2d R. 3160; Rec. Vt. 3160; 3d R. & Enr. 3284; Rat. 3693.

H. 5014--Int. 2254; 2d R. 3845.

H. 5015--Int. & Com. 1264.

H. 5016--Int. & Com. 2255.

H. 5023--Int. & Com. 2203; Rep. Com. 2450; Amendment Proposed, Obj. 2589; Amended & 2d R. 2660; Rec. Vt. 2662; 3d R. 2886; M. from H. 3579; Rat. 3693.

H. 5024--Int. & Com. 2203.

H. 5036--Int. & Com. 1264; Recalled & Adopted 2027.

H. 5042--Int. & Com. 2165; Rep. Com. (polled) 3051; Rec. Vt. 3052; Obj. 3195; Amended & 2d R. 3361; Rec. Vt. 3362; 3d R. 3664; M. from H. 3664; Rat. 3693.

H. 5050--Int. & Com. 1264.

H. 5058--Int. & Adopted 1265.

H. 5066--Int. & Com. 2255.

H. 5067--Int. & Adopted 1286.

H. 5079--Int. & Com. 1361; Recalled 2007; 2d R. 2023; 3d R. & Enr. 2041; Rat. 3520.

H. 5088--Int. & Com. 1985; Recalled 2635; Adopted 2915.

H. 5089--Int. & Com. 1985; Recalled 2635; Adopted 2915.

H. 5093--Int. & Adopted 1321.

H. 5094--Int. & Com. 1985.

H. 5100--Int. & Com. 2020; Rep. Com. 2576; Carried Over 2641; Motion Adopted 2685, 2713, 2727, 2728, 2730, 2734, 2735, 2736, 2737, 2751, 2756, 2769, 2770, 3504; Committee Amendment Adopted 2685; Amended & 2d R. 2685; Point of Order 2691, 2692, 2700, 2701, 2708, 2733, 2741, 2742, 2743, 2744, 2745, 2746, 2749, 2754, 2755, 2762, 2764, 2766, 2768, 2772; Rec. Vt. 2709, 2732, 2752, 2763, 2766, 2771, (Section by Section Votes in Numerical Order pgs. 2773 through 2862); Amended & 3d R. 2727; M. from H. 3504, 3589, 4037; Ret. by H. with Amdt. & Non-Concur in H. Amend's 3505; Conf. Com. 3590; Rep. Conf. Com. Adopted 4035; Enrolled 4037; Rec. Vt. 4035.

H. 5101--Int. & Com. 2020; Rep. Com. 2576; Carried Over 2642; Committee Amendment Adopted & 2d R. 2863; Rec. Vt. 2866, 4038; 3d R. 2916; M. from H. 3505, 3590, 4043; Motion Adopted 3505; Ret. by H. with Amdt. & Non-Concur in H. Amend's 3506; Conf. Com. 3590; Rep. Conf. Com. Adopted 4037.

H. 5105--Int. & Com. 2012.

H. 5111--Int. & Adopted 1379.

H. 5118--Int. & Com. 2255; Rep. Com. 2489; Amended & 2d R. 3116; Motion Adopted 3138; Committee Amendment Withdrawn & 3d R. 3246; Rec. Vt. 3259; M. from H. 3599, 3608; Senate Insists 3603; Conf. Com. 3607.

H. 5120--Int. & Com. 2204.

H. 5121--Int. & Com. 2260.

H. 5141--Int. & Adopted 1797.

H. 5144--Int. & Com. 2485.

H. 5146--Int. & Com. 2013.

H. 5153--Int. 1986; 2d R. 2022; 3d R. & Enr. 2041; Rat. 3520.

H. 5154--Int. & Com. 2260; Rep. Com. (polled) 3082; Rec. Vt. 3082, 3363; 2d R. 3363; 3d R. & Enr. 3665; Rat. 3694.

H. 5164--Int. & Com. 2165.

H. 5168--Int. 1986; 2d R. 2022; 3d R. & Enr. 2041; Rat. 3521.

H. 5169--Int. & Com. 2260; Rep. Com. 2500; Carried Over 2593; Committee Amendment Adopted 2662; Amended & Carried Over 2662.

H. 5174--Int. & Adopted 1851.

H. 5179--Int. & Com. 2486; Recalled & 2d R. 3203; 3d R. & Enr. 3666; Rat. 3694.

H. 5183--Int. & Com. 2261; Recalled 3203; 2d R. 3366; Rec. Vt. 3367; 3d R. & Enr. 3666; Rat. 3694.

H. 5201--Int. & Adopted 1911.

H. 5203--Int. & Com. 2167.

H. 5225--Int. & Com. 2261.

H. 5230--Int. & Com. 2486.

H. 5231--Int. 2204; 2d R. 2309; 3d R. & Enr. 2577; Rat. 3521.

H. 5235--Int. & Com. 2486; Recalled 2718; Point of Order 2912; Carried Over 2976; Obj. 3027; 2d R. 3153; Rec. Vt. 3153; 3d R. & Enr. 3283; Rat. 3695.

H. 5236--Int. & Com. 2486; Recalled 2718; Point of Order 2913; Carried Over 2976; Obj. 3028; 2d R. 3154; Motion Adopted 3154; 3d R. & Enr. 3283; Rec. Vt. 3283; Rat. 3695.

INDEX

H. 5244--Int. & Com. 2204.

H. 5245--Int. & Com. 2261; Rep. Com. 2726; Point of Order 2913; Carried Over 2977, 3592; Obj. 3028; Committee Amendment Adopted & 2d R. 3289; Motion Adopted 3291.

H. 5246--Int. & Com. 2874; Rep. Com. (polled) 2928; Rec. Vt. 2928; Carried Over 3032, 3161; Amended & 2d R. 3298; Rec. Vt. 3299; 3d R. 3612; M. from H. 3612; Rat. 3695.

H. 5258--Int. & Com. 2021.

H. 5267--Int. 2171; 2d R. 2883; 3d R. & Enr. 2930; Rat. 3521.

H. 5314--Int. & Com. 2487; Recalled 2872; Amended & Adopted 2980; M. from H. 3092.

H. 5323--Int. & Com. 2487; Recalled 2872; Adopted 2981.

H. 5339--Int. & Com. 3077; Recalled & Adopted 3205.

H. 5356--Int. 2487; 2d R. 2931.

H. 5364--Int. & Com. 2488.

H. 5378--Int. & Com. 3077; Recalled 3075; Adopted 3369.

H. 5387--Int. & Com. 2574.

H. 5395--Int. 2574; 2d R. 2714; 3d R. & Enr. 2882; Rat. 3521.

H. 5404--Int. & Adopted 2510.

H. 5405--Int. & Adopted 2511.

H. 5406--Int. & Adopted 2511.

H. 5439--Int. & Com. 2681.

H. 5452--Int. & Adopted 2720.

H. 5453--Int. & Com. 2721; Recalled & Adopted 3204.

H. 5458--Int. & Com. 3078; Recalled 3075; 2d R. 3364; Motion Adopted 3364; Rec. Vt. 3364; 3d R. & Enr. 3665; Rat. 3695.

H. 5459--Int. 3078; 2d R. 3365; Rec. Vt. 3365; 3d R. & Enr. 3666; Rat. 3696.

INDEX

H. 5465--Int. & Com. 3078; Recalled & Adopted 3525.

H. 5478--Int. & Com. 3079.

H. 5495--Int. & Adopted 2989.

H. 5520--Int. & Com. 3208; Recalled & Adopted 3526.

INDEX

BILLS, RESOLUTIONS AND AMENDMENTS INTRODUCED BY COMMITTEES

COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Amendments Proposed – 1094, 2285, 2663, 3107

COMMITTEE ON BANKING AND INSURANCE

S. 1026, 1027

Amendments Proposed – 1307, 2073, 2076, 2140, 3157, 3292

COMMITTEE ON CORRECTIONS AND PENOLOGY

Amendments Proposed – 1709

COMMITTEE ON EDUCATION

Amendments Proposed – 1005, 1385, 1682, 1721, 2889, 2969, 3289

COMMITTEE ON FAMILY AND VETERANS' SERVICES

S. 1054, 1055, 1117, 1218

Amendments Proposed – 963, 1387, 1679, 2358

COMMITTEE ON FINANCE

Amendments Proposed – 1088, 1092, 1096, 1271, 1677, 1822, 2063, 2863, 2945, 3267

COMMITTEE ON FISH, GAME AND FORESTRY

S. 1052, 1053, 1215, 1216, 1217

Amendments Proposed – 2187, 2323, 3139, 3347, 3352

INDEX

COMMITTEE ON JUDICIARY

S. 1266

Amendments Proposed – 1332, 1773, 1779, 1825, 1827, 1830, 1864, 1868, 1898, 1914, 1977, 2000, 2102, 2132, 2272, 2277, 2279, 2299, 2330, 2342, 2349, 2351, 2354, 2374, 2591, 2897, 3121, 3161, 3177, 3182, 3186, 3250, 3311, 3344, 3349, 3357, 3359, 3614

COMMITTEE ON LABOR, COMMERCE AND INDUSTRY

S. 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228

Amendments Proposed – 1191, 1816, 2144, 2146, 2147, 2148, 2184, 2219, 2266, 2369, 3010, 3654

COMMITTEE ON MEDICAL AFFAIRS

Amendments Proposed – 1027, 1272, 1274, 1394, 1768, 2079, 2080, 2141, 2472, 2599, 2952, 3035, 3056

COMMITTEE ON TRANSPORTATION

S. 1090, 1091

Amendments Proposed – 1833, 1875, 1877, 2585, 2650

PERSONAL INDEX

ADAMS, BRIAN - Senator from District No. 44, Berkeley, Charleston and Dorchester Counties:

S. 880, 882, 941, 942, 948, 953, 967, 990, 1000, 1006, 1007, 1008, 1011, 1014, 1037, 1038, 1048, 1085, 1089, 1103, 1122, 1126, 1134, 1137, 1138, 1163, 1180, 1181, 1370, 1375

Amendments Proposed – 2728, 3134

Committee Assignments – 3541, 3583, 3848

Debate – 1202

Leave of Absence – 3801

Motions – 131, 928, 1073, 1253, 1294, 1313, 1354, 1752, 2515, 2569, 3197, 3198, 3794

Points of Personal Interest – 932, 2986, 3525

Statements – 932, 1150

ALEXANDER, THOMAS C. - Senator from District No. 1, Oconee and Pickens Counties:

S. 839, 840, 841, 842, 896, 897, 899, 938, 939, 940, 941, 942, 960, 969, 981, 985, 989, 990, 993, 994, 995, 996, 1011, 1018, 1038, 1043, 1059, 1065, 1069, 1075, 1087, 1102, 1103, 1122, 1126, 1130, 1131, 1137, 1138, 1141, 1142, 1145, 1149, 1180, 1181, 1183, 1192, 1194, 1196, 1207, 1231, 1370, 1375

Amendments Proposed – 1132, 1192, 1703, 1839, 2231, 2232, 2734, 2751, 3272, 3362, 3432

Committee Assignments – 3549

Debate – 2688, 2751

Motions – 131, 928, 1009, 1073, 1253, 1290, 1313, 1748, 1847, 1979, 2117, 2233, 2515, 2674, 3197, 3198, 3794

Objections – 1308, 1921, 1922, 2276, 2279, 2289, 2291, 2337, 3029, 3030, 3031, 3032, 3189, 3190, 3191

Points of Personal Interest – 1278

Statements – 1150, 1278, 3696

INDEX

ALLEN, KARL B. - Senator from District No. 7, Greenville County:

S. 910, 926, 927, 941, 942, 990, 1004, 1011, 1038, 1057, 1084, 1103, 1137, 1138, 1180, 1181, 1260, 1370, 1375

Amendments Proposed – 3134

Committee Assignments – 2265

Leave of Absence – 1078, 2240, 2678, 3039

Motions – 131, 928, 1073, 1116, 1253, 1313, 1979, 2515, 3197, 3198, 3794

BENNETT, SEAN - Senator from District No. 38, Dorchester, Charleston and Berkeley Counties:

S. 941, 942, 944, 948, 974, 990, 1000, 1038, 1046, 1071, 1094, 1103, 1122, 1126, 1137, 1138, 1139, 1149, 1180, 1181, 1370, 1375

Amendments Proposed – 1006, 1189, 1392, 2356, 2589, 2654, 2739, 2767, 3134

Committee Assignments – 3590

Debate – 943, 1190, 1306, 1307, 1336, 1337, 1338, 1342, 1678, 2075, 2077, 2148, 2149, 2184, 2357, 2590, 2665, 2740, 2763, 2768, 2894, 3013, 3103, 3142, 3157

Leave of Absence – 133, 2678, 2717, 3524

Motions – 131, 928, 967, 1073, 1075, 1253, 1306, 1313, 1337, 1338, 1389, 1658, 1693, 1708, 1787, 1979, 2085, 2148, 2356, 2515, 2655, 2701, 2763, 3197, 3198, 3794

Objections – 2907

Statements – 1150

CAMPSEN, GEORGE E. "CHIP", III - Senator from District No. 43, Charleston, Beaufort and Colleton Counties:

S. 941, 942, 948, 976, 977, 979, 990, 1011, 1014, 1021, 1038, 1062, 1069, 1082, 1093, 1103, 1126, 1137, 1138, 1156, 1163, 1180, 1181, 1370, 1375

Amendments Proposed – 1141, 1146, 1152, 1154, 1156, 1166, 2031, 2153, 2174, 2328, 2329, 2366, 2665, 2692, 2696, 2700, 2711, 2712, 2713, 2736, 2760, 2769, 2941, 3134, 3152, 3179, 3260, 3274, 3302, 3434, 3619, 3625, 3626, 3659

Committee Assignments – 3574, 3577, 3662

Debate – 137, 1142, 1147, 1153, 1338, 1339, 1688, 1943, 2002, 2023, 2174, 2175, 2191, 2288, 2289, 2290, 2291, 2328, 2329, 2354, 2366, 2665, 2667, 2668, 2669, 2670, 2693, 2701, 2713, 2736, 2762, 2763, 2942, 3139, 3152, 3266, 3308, 3347, 3356, 3362, 3434, 3435, 3567, 3624, 3631, 3659

Leave of Absence – 931, 1176, 1294, 1752, 1787, 1850, 2045, 2569, 3801

Motions – 131, 132, 928, 1073, 1142, 1253, 1313, 1843, 1979, 2007, 2013, 2023, 2041, 2139, 2191, 2268, 2288, 2289, 2371, 2469, 2515, 2581, 2582, 2678, 2711, 2737, 2770, 2771, 3080, 3081, 3139, 3140, 3197, 3198, 3286, 3308, 3356, 3567, 3619, 3794

Objections – 2318, 2667

Points of Personal Interest – 1747

Statements – 1943

CASH, RICHARD J. - Senator from District No. 3, Anderson County:

S. 882, 938, 941, 942, 990, 1000, 1008, 1038, 1046, 1103, 1113, 1126, 1137, 1138, 1180, 1181, 1370, 1375

Amendments Proposed – 1345, 1346, 1347, 1348, 1350, 1351, 1352, 2320, 2615, 2765, 3062, 3341

Debate – 1165, 1346, 1348, 1350, 1351, 2614, 2631, 2700, 2732, 3036, 3058, 3062, 3063, 3064, 3065, 3342

Motions – 131, 928, 1073, 1146, 1163, 1165, 1200, 1253, 1313, 1346, 1350, 1979, 2157, 2515, 2693, 2700, 3178, 3197, 3198, 3794

Objections – 2146, 2276, 3189

Points of Personal Interest – 2717, 3039

Recorded Vote Requested – 114, 1696

Statements – 3039

CLIMER, WES - Senator from District No. 15, York County:

S. 878, 879, 882, 941, 942, 948, 990, 1000, 1008, 1022, 1038, 1046, 1049, 1095, 1103, 1119, 1122, 1126, 1132, 1137, 1138, 1149, 1150, 1180, 1181, 1213, 1370, 1375

Amendments Proposed – 2031, 2267, 2699, 2706, 2731, 2737, 2752, 2753, 2765

Committee Assignments – 2265

Debate – 1034, 1085, 1096, 1128, 1820, 1834, 1875, 2038, 2145, 2146, 2220, 2267, 2371, 2707, 2738, 2752, 2753, 2766, 3550, 4003

Leave of Absence – 932, 1356

Motions – 131, 928, 1052, 1071, 1073, 1085, 1096, 1202, 1253, 1295, 1313, 1688, 1834, 1979, 1981, 2157, 2198, 2267, 2370, 2507, 2515, 2570, 2579, 2707, 2737, 2871, 3045, 3197, 3198, 3210, 3211, 3524, 3550, 3794, 3827, 4003, 4071

Objections – 2950, 3651

Points of Order – 2701

Recorded Vote Requested – 1150, 2364, 2925, 3100

Statements – 1150

CORBIN, THOMAS D. "TOM" - Senator from District No. 5, Greenville and Spartanburg Counties:

S. 861, 941, 942, 943, 965, 990, 1000, 1008, 1011, 1012, 1013, 1014, 1038, 1046, 1075, 1103, 1122, 1126, 1137, 1138, 1149, 1180, 1181, 1231, 1370, 1375

Amendments Proposed – 1280, 1653, 2700

Debate – 1281

Motions – 131, 928, 1012, 1073, 1132, 1253, 1313, 1676, 1708, 1767, 1979, 2198, 2280, 2281, 2515, 2579, 2582, 2633, 2647, 2662, 2977, 3039, 3116, 3197, 3198, 3794, 4068, 4073

Objections – 1781, 1923, 1926, 1932, 2353, 2448, 2969, 3028, 3029, 3072, 3651

Points of Order – 1064, 1065, 1066, 1067, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1890, 2754

Recorded Vote Requested – 114, 1150, 1696, 2925, 3100, 3528

CROMER, RONNIE W. - Senator from District No. 18, Newberry, Lexington and Union Counties:

S. 901, 911, 916, 941, 942, 950, 957, 961, 962, 984, 990, 993, 994, 1000, 1011, 1023, 1031, 1032, 1038, 1040, 1045, 1046, 1103, 1116, 1122, 1126, 1137, 1138, 1164, 1167, 1180, 1181, 1297, 1370, 1375

Amendments Proposed – 954, 1147, 2615, 2689, 2700, 3007, 3134, 3140, 3295, 3419
Committee Assignments – 3573

Debate – 955, 966, 1308, 2615, 2690, 3008, 3089, 3092, 3140, 3141, 3295, 3419, 3419, 3547

Motions – 131, 928, 931, 978, 1073, 1113, 1253, 1294, 1313, 1752, 1787, 1850, 1979, 2004, 2029, 2045, 2442, 2477, 2502, 2515, 2569, 2615, 2968, 3036, 3039, 3092, 3140, 3141, 3151, 3197, 3198, 3212, 3547, 3588, 3595, 3794, 3801, 4070

DAVIS, THOMAS C. "TOM" - Senator from District No. 46, Beaufort and Jasper Counties:

S. 851, 852, 853, 854, 855, 856, 857, 858, 909, 910, 912, 941, 942, 982, 990, 994, 1000, 1021, 1038, 1048, 1103, 1121, 1122, 1132, 1137, 1138, 1169, 1171, 1180, 1181, 1187, 1205, 1370, 1375

Amendments Proposed – 1654, 1655, 1820, 1823, 2220, 2317, 2372, 2728, 2764, 2772, 2968, 3058, 3064, 3130, 3134, 3274, 3395, 3560, 3634, 3655

Committee Assignments – 3556, 3586

Debate – 1027, 1087, 1089, 1098, 1133, 1271, 1273, 1280, 1289, 1310, 1311, 1341, 1352, 1652, 1653, 1655, 1656, 1677, 1769, 1770, 1821, 1823, 1824, 2057, 2058, 2059, 2061, 2069, 2082, 2103, 2143, 2220, 2221, 2226, 2318, 2321, 2322, 2372, 2474, 2645, 2749, 2752, 2764, 2772, 2903, 2904, 2925, 2935, 2936, 2950, 2952, 2968, 2971, 3009, 3026, 3058, 3064, 3088, 3130, 3134, 3138, 3272, 3297, 3366, 3395, 3417, 3548, 3551, 3555, 3558, 3560, 3585, 3634, 3655, 3656, 3880

Leave of Absence – 932, 1116, 1695

Motions – 131, 928, 1027, 1073, 1089, 1091, 1131, 1177, 1240, 1244, 1245, 1246, 1253, 1271, 1280, 1313, 1352, 1392, 1720, 1824, 1844, 1845, 1846, 1951, 1979, 2016, 2028, 2052, 2057, 2082, 2144, 2226, 2268, 2322, 2449, 2475, 2476, 2515, 2647, 2648, 2649, 2752, 2923, 2950, 3040, 3045, 3058, 3134, 3142, 3197, 3198, 3204, 3216, 3285, 3351, 3361, 3367, 3548, 3552, 3555, 3557, 3558, 3559, 3585, 3591, 3633, 3655, 3717, 3794, 3801, 3819, 3831, 3880, 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058, 4059, 4060, 4061, 4062, 4063, 4064

Objections – 1126, 2903

Points of Personal Interest – 1373, 2445, 2507

DEVINE, TAMEIKA ISAAC - Senator from District No. 19, Richland County:

S. 877, 881, 910, 941, 942, 987, 990, 994, 995, 999, 1003, 1029, 1038, 1056, 1092, 1103, 1104, 1108, 1121, 1137, 1138, 1169, 1180, 1181, 1202, 1370, 1375

Amendments Proposed – 1156, 2354, 2691, 2728, 2735, 2739, 2769, 3064, 3065, 3096, 3134

Debate – 1156, 1216, 2299, 2300, 2691, 2709, 2736, 2767, 3057, 3064, 3065, 3188

Leave of Absence – 2306, 2870

Motions – 131, 928, 929, 1073, 1253, 1313, 1979, 2040, 2043, 2233, 2452, 2515, 2675, 2692, 2709, 3188, 3197, 3198, 3794, 3795, 3796, 4071

Objections – 2060

Points of Order – 2692, 2766

Statements – 7, 1216, 2709

FANNING, MICHAEL "MIKE" - Senator from District No. 17, Fairfield, Chester and York Counties:

S. 925, 928, 933, 934, 935, 936, 941, 942, 944, 952, 967, 983, 987, 990, 993, 994, 999, 1011, 1022, 1024, 1036, 1038, 1046, 1089, 1103, 1107, 1115, 1122, 1123, 1126, 1127, 1133, 1135, 1137, 1138, 1150, 1152, 1155, 1180, 1181, 1197, 1209, 1229, 1237, 1370, 1375

Amendments Proposed – 2737

Debate – 135, 1008, 2768

Leave of Absence – 947, 1078, 1116, 2241

Motions – 131, 928, 941, 1073, 1116, 1253, 1313, 1315, 1376, 1691, 1979, 2101, 2119, 2306, 2515, 2633, 2678, 2717, 3197, 3198, 3201, 3202, 3794, 3801

Points of Personal Interest – 1747

Recorded Vote Requested – 1012

GAMBRELL, MICHAEL W. "MIKE" - Senator from District No. 4, Anderson, Abbeville and Greenwood Counties:

S. 910, 911, 941, 942, 944, 945, 976, 977, 983, 990, 993, 994, 998, 1000, 1008, 1011, 1038, 1046, 1063, 1075, 1103, 1113, 1122, 1137, 1138, 1143, 1149, 1168, 1180, 1181, 1370, 1375

Amendments Proposed – 2711, 2728, 3560

Committee Assignments – 3562

Debate – 2022, 2295

Leave of Absence – 1695, 2570, 3039, 3201

Motions – 131, 928, 1073, 1230, 1253, 1267, 1313, 1979, 2022, 2041, 2217, 2266, 2295, 2515, 3197, 3198, 3794

Objections – 1926, 1927, 1928

GARRETT, BILLY - Senator from District No. 10, Greenwood, Abbeville, Saluda and McCormick Counties:

S. 858, 882, 918, 919, 941, 942, 956, 963, 972, 990, 994, 995, 1000, 1008, 1011, 1014, 1038, 1050, 1079, 1103, 1122, 1126, 1137, 1138, 1149, 1180, 1181, 1210, 1212, 1370, 1375

Amendments Proposed – 2231, 2232, 2691, 2708, 2711, 2728, 3179, 3274

Committee Assignments – 3562, 3645, 3722

Debate – 1274, 1352, 2232, 2592, 2664

Leave of Absence – 1294, 2870, 3070

Motions – 131, 928, 996, 1009, 1022, 1049, 1052, 1073, 1253, 1313, 1979, 2079, 2515, 3197, 3198, 3794

Objections – 2362

Recorded Vote Requested – 1353, 2925

GOLDFINCH, STEPHEN L. - Senator from District No. 34, Georgetown, Horry and Charleston Counties:

S. 941, 942, 948, 976, 990, 1000, 1011, 1015, 1038, 1082, 1093, 1103, 1126, 1127, 1133, 1137, 1138, 1157, 1180, 1181, 1370, 1375

Amendments Proposed – 1033, 1104, 1142, 1148, 1154, 1872, 2130, 2312, 2313, 2695, 2711, 2728, 2755, 3298

Committee Assignments – 2265, 3574, 3577, 3662

Debate – 1034, 1105, 1144, 1155, 1872, 2131, 2313, 2316, 2695, 2742, 2746, 2975, 3299

Leave of Absence – 1981, 2157, 2198, 2871, 3524, 3801

Motions – 131, 928, 932, 1034, 1073, 1144, 1149, 1155, 1253, 1313, 1356, 1863, 1943, 1979, 2096, 2131, 2195, 2308, 2313, 2316, 2445, 2515, 2569, 2570, 2742, 2746, 2756, 2975, 3039, 3197, 3198, 3201, 3524, 3794

Objections – 1923

Points of Personal Interest – 105, 2088

Statements - 105

GROOMS, LAWRENCE KELLY "LARRY" - Senator from District No. 37, Berkeley and Charleston Counties:

S. 894, 917, 941, 942, 948, 960, 966, 990, 994, 1000, 1037, 1038, 1041, 1046, 1093, 1103, 1122, 1125, 1126, 1127, 1134, 1137, 1138, 1148, 1163, 1180, 1181, 1194, 1203, 1370, 1375

Amendments Proposed – 2655, 2660, 2697, 2728, 2942, 3006, 3134, 3175, 3659

Debate – 1851, 1879, 2588, 2654, 2659, 2661, 2698, 2943, 3006, 3097, 3156, 3176, 3589, 3660

Leave of Absence – 1078, 2570, 2678, 3039, 3716

Motions – 131, 928, 944, 1073, 1177, 1203, 1253, 1313, 1659, 1661, 1788, 1789, 1919, 1979, 2046, 2056, 2057, 2089, 2120, 2198, 2302, 2515, 2588, 2634, 2635, 2636, 2871, 2872, 2876, 2877, 2919, 2924, 2986, 3006, 3073, 3074, 3075, 3197, 3198, 3205, 3525, 3526, 3588, 3589, 3794, 3801

Objections – 2585

Points of Personal Interest – 1752, 2015

Recorded Vote Requested – 1106, 1107, 1109

Statements – 1060

GUSTAFSON, PENRY - Senator from District No. 27, Kershaw, Chesterfield and Lancaster Counties:

S. 855, 862, 877, 882, 941, 942, 969, 990, 1000, 1011, 1020, 1038, 1046, 1048, 1103, 1121, 1122, 1126, 1129, 1137, 1138, 1149, 1169, 1180, 1181, 1195, 1370, 1375

Amendments Proposed – 2739, 2769, 3061, 3096, 3134, 3619

Committee Assignments – 3541, 3848

Debate – 1832, 2022, 3058, 3062

Leave of Absence – 2027, 2088, 2633, 2678

Motions – 131, 928, 1073, 1074, 1253, 1313, 1979, 2023, 2041, 2301, 2303, 2515, 3197, 3198, 3794

Objections – 3191, 3195

Points of Personal Interest – 2922

Statements – 2922, 3827

HARPOOTLIAN, RICHARD A. "DICK" - Senator from District No. 20, Richland and Lexington Counties:

S. 878, 879, 941, 942, 960, 961, 970, 990, 993, 1000, 1038, 1046, 1050, 1075, 1080, 1103, 1122, 1136, 1137, 1138, 1157, 1180, 1181, 1370, 1375

Amendments Proposed – 1031, 1034, 1071, 1149, 1151, 1865, 2031, 2694, 2700, 2727, 2733, 3134, 3295

Debate – 1032, 1153, 1866, 1943, 2002, 2694, 2728, 2733, 3103

Leave of Absence – 1052, 1116, 1256, 1658, 2445, 2633, 2870, 3039

Motions – 131, 928, 987, 1032, 1073, 1149, 1151, 1253, 1313, 1979, 2155, 2515, 2694, 2727, 2728, 2920, 3026, 3197, 3198, 3794

Objections – 1780, 2069

Points of Order – 1153, 2700, 3026

Points of Personal Interest – 133, 1135, 1267, 1659, 1719, 2570, 3043, 3201

Statements – 1719, 3819

HEMBREE, GREG - Senator from District No. 28, Horry and Dillon Counties:

S. 868, 905, 941, 942, 986, 990, 994, 1000, 1011, 1015, 1038, 1046, 1048, 1103, 1122, 1137, 1138, 1173, 1180, 1181, 1188, 1204, 1267, 1271, 1370, 1375

Amendments Proposed – 1032, 1071, 1072, 1107, 1149, 1151, 1201, 1240, 2031, 2664, 2688, 2696, 2702, 2704, 2769, 3111, 3371, 3380, 3383, 3385, 3535

Debate – 1032, 1033, 1071, 1072, 1105, 1107, 1139, 1201, 1241, 1289, 1343, 1682, 1721, 1746, 1835, 1892, 1978, 2002, 2057, 2065, 2107, 2665, 2689, 2702, 2706, 2763, 2969, 3110, 3113, 3291, 3371, 3372, 3380, 3382, 3384, 3385, 3393, 3535, 3537, 3539, 3961

Leave of Absence – 1787, 2026, 2870

Motions – 128, 131, 133, 148, 928, 1033, 1072, 1073, 1116, 1149, 1151, 1176, 1241, 1253, 1313, 1344, 1373, 1393, 1781, 1979, 2045, 2055, 2057, 2065, 2307, 2515, 2567, 2569, 2570, 2583, 2594, 2597, 2631, 2633, 2673, 2674, 2678, 2736, 2763, 3197, 3198, 3203, 3214, 3291, 3524, 3535, 3539, 3794, 3961

Objections – 1922, 1923, 1924, 3651

Points of Order – 2764, 2772

Points of Personal Interest – 983, 1356

HUTTO, C. BRADLEY - Senator from District No. 40, Orangeburg, Barnwell, Allendale, Bamberg, Colleton and Hampton Counties:

S. 847, 848, 902, 904, 910, 941, 942, 953, 971, 976, 977, 987, 990, 993, 994, 995, 996, 1011, 1025, 1038, 1047, 1050, 1088, 1103, 1108, 1121, 1122, 1137, 1138, 1180, 1181, 1192, 1198, 1369, 1370, 1375

Amendments Proposed – 938, 1155, 1159, 1201, 1366, 1654, 1656, 1674, 1869, 2031, 2134, 2177, 2268, 2370, 2372, 2592, 2664, 2690, 2698, 2711, 2728, 2730, 2734, 2735, 2739, 2752, 3014, 3063, 3272, 3373, 3594

Committee Assignments – 1762, 3541, 3573, 3607, 3645, 3848

Debate – 939, 960, 1155, 1159, 1165, 1168, 1236, 1366, 1367, 1656, 1674, 1813, 1825, 1827, 1828, 1831, 1865, 1872, 2102, 2122, 2133, 2137, 2178, 2268, 2275, 2280, 2281, 2334, 2348, 2350, 2352, 2353, 2367, 2592, 2664, 2690, 2699, 2730, 2732, 2739, 3022, 3057, 3063, 3104, 3162, 3174, 3183, 3342, 3345, 3349, 3351, 3358, 3360, 3379, 3592, 3595, 3644, 3651, 3847, 3966

Leave of Absence – 1012, 1176, 2045, 2445, 3201

Motions – 131, 928, 1073, 1116, 1155, 1159, 1163, 1170, 1171, 1253, 1256, 1279, 1282, 1313, 1377, 1658, 1750, 1824, 1831, 1862, 1869, 1916, 1940, 1979, 2137, 2185, 2280, 2309, 2353, 2387, 2515, 2578, 2633, 2650, 2714, 2732, 2735, 2870, 2934, 3001, 3062, 3105, 3106, 3150, 3197, 3198, 3313, 3592, 3644, 3651, 3794, 3817, 3844, 3847, 3942, 3966, 4070

Objections – 2951

Points of Order – 2733, 2746, 2749

Points of Personal Interest – 107, 1284, 2119, 2922, 3801, 3827

Points of Quorum – 3065

Statements – 1169

INDEX

JACKSON, DARRELL - Senator from District No. 21, Richland County:

S. 914, 920, 921, 922, 923, 937, 941, 942, 950, 990, 993, 997, 1011, 1029, 1038, 1070, 1081, 1085, 1086, 1087, 1092, 1103, 1104, 1137, 1138, 1159, 1180, 1181, 1184, 1185, 1208, 1304, 1370, 1375

Amendments Proposed – 1103, 1163, 2354, 2699, 2730, 2731, 2749, 2750, 3298

Debate – 1103, 2750

Leave of Absence – 1116, 1376, 2119, 2633

Motions – 131, 928, 1073, 1075, 1103, 1202, 1253, 1313, 1979, 2236, 2285, 2515, 2751, 2867, 2926, 3067, 3197, 3198, 3794

Objections – 2221, 2222, 2936, 3104

JOHNSON, KEVIN L. - Senator from District No. 36, Clarendon, Darlington, Florence and Sumter Counties:

S. 910, 932, 941, 942, 969, 973, 987, 990, 993, 994, 1011, 1038, 1092, 1103, 1104, 1120, 1122, 1137, 1138, 1176, 1180, 1181, 1206, 1370, 1375

Amendments Proposed – 1106, 2728, 3134

Debate – 1100, 1214, 1281, 1352, 1943

Leave of Absence – 1116, 2569, 2678

Motions – 131, 928, 1073, 1078, 1100, 1172, 1221, 1253, 1256, 1313, 1315, 1376, 1659, 1979, 2096, 2127, 2306, 2515, 2633, 3039, 3197, 3198, 3524, 3794, 4069, 4072

Points of Order – 2463

Points of Personal Interest – 1752

Statements – 1214

JOHNSON, MICHAEL - Senator from District No. 16, Lancaster and York Counties:

S. 852, 881, 882, 883, 907, 941, 942, 967, 990, 1000, 1008, 1022, 1034, 1038, 1046, 1048, 1050, 1089, 1095, 1103, 1122, 1126, 1137, 1138, 1149, 1150, 1180, 1181, 1370, 1375

Amendments Proposed – 964, 1238, 2031, 2104, 2695, 2728, 2765, 3134, 3179, 3273, 3274, 3309, 3581

Committee Assignments – 3559, 3583

Debate – 964, 965, 1238, 1774, 1777, 1779, 1916, 2671, 2696, 2772, 2899, 3178, 3180, 3186, 3273, 3274, 3287, 3300, 3310, 3311, 3581

Motions – 131, 133, 928, 1073, 1253, 1303, 1313, 1827, 1979, 2270, 2515, 2672, 2675, 2713, 2714, 3006, 3197, 3198, 3287, 3295, 3794

Objections – 1685, 2222, 3027, 3028

Statements – 1150, 2364

KIMBRELL, JOSH - Senator from District No. 11, Spartanburg County:

S. 858, 861, 882, 884, 885, 941, 942, 953, 967, 990, 994, 1000, 1005, 1008, 1011, 1014, 1038, 1046, 1050, 1051, 1061, 1089, 1093, 1103, 1122, 1126, 1137, 1138, 1149, 1150, 1180, 1181, 1213, 1231, 1236, 1370, 1375

Amendments Proposed – 1332, 1366, 1382, 2691, 2706, 2708, 2737, 2752, 2765, 2769, 3134

Debate – 1333, 1382, 1851, 2286, 2692, 2708, 2765, 3057

Leave of Absence – 105, 133, 1052, 1376, 2569, 2633, 3801

Motions – 131, 928, 986, 1073, 1253, 1313, 1367, 1979, 2241, 2515, 3197, 3198, 3368, 3794

Objections – 1780, 3651, 3651

Points of Order – 2691

Points of Personal Interest – 1224, 1294

Recorded Vote Requested – 1150, 2925

Statements – 1060, 1151

LOFTIS, DWIGHT A. - Senator from District No. 6, Greenville County:

S. 861, 882, 941, 942, 990, 994, 1000, 1011, 1038, 1046, 1089, 1103, 1122, 1126, 1137, 1138, 1149, 1180, 1181, 1220, 1231, 1370, 1375

Amendments Proposed – 2769, 3134

Debate – 1746

Leave of Absence – 1012, 2157, 2198, 2717

Motions – 131, 928, 1073, 1253, 1313, 1979, 2515, 3197, 3198, 3794

Recorded Vote Requested – 1052

Statements – 3238

MALLOY, GERALD - Senator from District No. 29, Darlington, Lee, Marlboro and Chesterfield Counties:

S. 845, 850, 858, 932, 941, 942, 969, 990, 1011, 1038, 1048, 1050, 1078, 1103, 1115, 1137, 1138, 1175, 1180, 1181, 1192, 1285, 1302, 1370, 1375

Amendments Proposed – 1071, 1150, 1157, 2031, 2037, 2232, 2334, 2387, 2696, 2702, 2728, 2747, 2883, 2891, 2892, 2893, 3096, 3099, 3100, 3101, 3178, 3180, 3273, 3308, 3309, 3346, 3432

Committee Assignments – 3562, 3566, 3722

Debate – 128, 1105, 1150, 1202, 1213, 1213, 1236, 1271, 1311, 1663, 1978, 2037, 2038, 2048, 2077, 2110, 2140, 2223, 2299, 2336, 2438, 2748, 2884, 2891, 2892, 2893, 3100, 3102, 3178, 3180, 3293, 3346, 3642, 3886

Leave of Absence – 1850

Motions – 124, 129, 131, 145, 928, 939, 980, 982, 1073, 1085, 1188, 1202, 1242, 1253, 1282, 1303, 1305, 1308, 1312, 1313, 1333, 1335, 1342, 1344, 1366, 1386, 1674, 1705, 1706, 1709, 1747, 1765, 1772, 1778, 1827, 1979, 2056, 2073, 2076, 2077, 2083, 2103, 2112, 2183, 2275, 2282, 2334, 2336, 2438, 2461, 2515, 2581, 2614, 2665, 2689, 2736, 2885, 2886, 2919, 2931, 2932, 2937, 3000, 3003, 3006, 3007, 3008, 3095, 3101, 3115, 3154, 3161, 3177, 3183, 3197, 3198, 3282, 3286, 3288, 3294, 3581, 3668, 3794, 3795, 3886, 4072

Objections – 143, 145, 936, 938, 957, 959, 998, 1000, 1024, 1026, 1062, 1064, 1087, 1128, 1131, 1185, 1187, 1232, 1234, 1268, 1270, 1332, 1335, 1365, 1369, 1381, 1385, 1677, 1708, 1829, 1830, 1867, 1868, 2110, 2112, 2219, 2270, 2320, 2643, 2644, 2647, 3180

Points of Order – 2768, 3103

Points of Personal Interest – 113, 1256

Points of Quorum – 2299

MARTIN, SHANE R. - Senator from District No. 13, Spartanburg, Union and Greenville Counties:

S. 860, 861, 901, 941, 942, 960, 990, 994, 1000, 1001, 1038, 1046, 1075, 1103, 1126, 1137, 1138, 1150, 1164, 1172, 1180, 1181, 1192, 1231, 1370, 1375

Amendments Proposed – 1032, 1144, 1653, 2463, 2699, 2730, 2731, 2749, 2752, 2935, 2952, 3023, 3102, 3143, 3147, 3186, 3276, 3279, 3315, 3317, 3634, 3638, 3639

Committee Assignments – 1762, 3573

Debate – 972, 1031, 1032, 1144, 1684, 1668, 1709, 2115, 2223, 2463, 2598, 2699, 2700, 2730, 2731, 2741, 2743, 2744, 2745, 2750, 2936, 2967, 3026, 3102, 3103, 3146, 3150, 3188, 3281, 3319, 3637, 3638, 3639, 3641

Leave of Absence – 1116, 1315, 1787, 2241, 3201, 3801

Motions – 131, 928, 946, 985, 1032, 1067, 1072, 1073, 1105, 1106, 1108, 1109, 1147, 1159, 1253, 1293, 1313, 1338, 1843, 1975, 1979, 2116, 2149, 2198, 2515, 2590, 2699, 2730, 2731, 2750, 2907, 2908, 2968, 2983, 2984, 3146, 3155, 3197, 3198, 3213, 3279, 3317, 3794

Objections – 3160, 3188

Points of Order – 1000, 1099, 1158, 1194, 1204, 1205, 1235, 1276, 1277, 1278, 1309, 1341, 1370, 1371, 1372, 1373, 1390, 1685, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1784, 1785, 1834, 2112, 2113, 2114, 2150, 2193, 2355, 2594, 2595, 2596, 2672, 2673, 2741, 2742, 2743, 2744, 2745, 2908, 2909, 2910, 2911, 2912, 2913, 2978, 2979, 2980

Points of Personal Interest – 3070

Recorded Vote Requested – 114, 2363, 2364, 3092, 3100, 3650

MASSEY, A. SHANE - Senator from District No. 25, Edgefield, McCormick, Aiken, Saluda and Lexington Counties:

S. 941, 942, 945, 960, 961, 963, 965, 990, 1016, 1025, 1038, 1075, 1088, 1103, 1106, 1110, 1111, 1122, 1126, 1137, 1138, 1149, 1158, 1174, 1180, 1181, 1189, 1192, 1231, 1292, 1370, 1375

Amendments Proposed – 124, 1108, 1138, 1140, 1144, 1156, 1159, 1161, 1166, 1202, 1774, 1839, 2031, 2337, 2469, 2748, 3179, 3274, 3426

Committee Assignments – 1762, 3566, 3586, 3607

Debate – 1108, 1139, 1140, 1144, 1157, 1160, 1168, 1202, 1330, 1386, 1776, 1842, 1845, 1900, 2018, 2038, 2054, 2299, 2341, 2468, 2470, 2748, 2749, 2754, 2768, 3274, 3426, 3432, 3433

Leave of Absence – 1356, 2569, 2633

Motions – 130, 131, 145, 146, 148, 149, 928, 931, 942, 944, 945, 960, 961, 967, 982, 983, 984, 985, 1004, 1005, 1009, 1010, 1028, 1034, 1049, 1050, 1067, 1068, 1072, 1073, 1074, 1100, 1112, 1114, 1116, 1135, 1138, 1144, 1157, 1163, 1172, 1173, 1194, 1195, 1196, 1197, 1220, 1221, 1222, 1236, 1237, 1242, 1253, 1254, 1279, 1282, 1289, 1290, 1291, 1300, 1313, 1327, 1330, 1342, 1345, 1346, 1348, 1353, 1354, 1392, 1657, 1686, 1688, 1692, 1693, 1720, 1747, 1748, 1785, 1787, 1835, 1836, 1842, 1847, 1848, 1891, 1900, 1901, 1916, 1917, 1933, 1936, 1942, 1978, 1979, 2002, 2003, 2013, 2014, 2023, 2036, 2042, 2055, 2082, 2085, 2086, 2115, 2116, 2117, 2151, 2154, 2195, 2196, 2222, 2223, 2232, 2233, 2234, 2237, 2279, 2292, 2300, 2302, 2303, 2306, 2349, 2359, 2360, 2361, 2362, 2363, 2365, 2439, 2442, 2443, 2467, 2468, 2471, 2475, 2476, 2514, 2515, 2516, 2714, 2715, 2769, 2867, 2668, 2873, 2883, 2894, 2895, 2896, 2897, 2916, 2917, 2918, 2920, 2930, 2931, 2938, 2939, 2940, 2970, 2971, 2982, 2983, 2984, 3027, 3032, 3034, 3043, 3061, 3062, 3066, 3083, 3084, 3091, 3106, 3114, 3116, 3138, 3141, 3159, 3181, 3195, 3197, 3198, 3201, 3209, 3238, 3242, 3420, 3424, 3522, 3596, 3667, 3710, 3794, 3796, 4044

Objections – 128, 1197, 1306, 1310, 1777, 1924, 1925, 2271, 2282, 2287, 3192

Points of Order – 2755

Points of Personal Interest – 2504

Statements – 1150, 2504

MATTHEWS, MARGIE BRIGHT - Senator from District No. 45, Jasper, Hampton, Colleton, Beaufort, Charleston and Allendale Counties:

S. 941, 942, 987, 990, 996, 1011, 1021, 1038, 1101, 1103, 1121, 1122, 1127, 1137, 1138, 1169, 1179, 1180, 1181, 1199, 1211, 1268, 1370, 1375

Amendments Proposed – 1145, 1163, 1165, 1200, 1201, 1823, 2317, 2329, 2354, 2696, 2711, 2739, 2749, 2755, 2756, 2758, 3006, 3063, 3096, 3134

Debate – 1146, 1163, 1200, 1236, 1240, 1689, 1935, 1943, 2355, 2749, 2755, 2762, 3026, 3063

Leave of Absence – 947, 1116, 1256, 1284, 1315, 2027, 2445, 2717

Motions – 131, 928, 1068, 1073, 1078, 1164, 1176, 1188, 1197, 1240, 1253, 1311, 1313, 1354, 1376, 1389, 1689, 1979, 2154, 2233, 2234, 2306, 2515, 2667, 2678, 2756, 2769, 3033, 3087, 3110, 3197, 3198, 3592, 3625, 3638, 3794, 3834, 4073

Objections – 1108, 1311, 1312, 1363, 1386, 1389, 1674, 1677, 1689, 1705, 1709, 2108, 2316, 2322, 2590, 2645, 2950, 3045, 3139, 3142

Points of Order – 2223, 2708, 2762, 2967, 3150, 3638, 3659

Points of Personal Interest – 2507, 3043

Statements – 3043

MCELVEEN, J. THOMAS, III - Senator from District No. 35, Sumter, Lee, Kershaw and Richland Counties:

S. 931, 932, 941, 942, 973, 990, 991, 993, 994, 999, 1009, 1011, 1038, 1050, 1092, 1094, 1103, 1104, 1122, 1127, 1137, 1138, 1180, 1181, 1182, 1370, 1375

Amendments Proposed – 2711, 2728, 2747, 3619

Committee Assignments – 3553, 3556, 3574, 3577, 3662

Debate – 1153, 2069, 2358, 2747, 2905, 2974, 2975, 3005, 4019, 4028, 4032

Leave of Absence – 1078, 1315, 2306

Motions – 131, 928, 945, 984, 1073, 1078, 1253, 1292, 1313, 1376, 1979, 2295, 2318, 2477, 2515, 2679, 2747, 2770, 2868, 2906, 2919, 3039, 3197, 3198, 3668, 3794, 4019, 4028, 4032, 4071

Statements – 3696

MCLEOD, MIA S. - Senator from District No. 22, Richland and Kershaw Counties:

S. 870, 871, 872, 873, 874, 877, 879, 881, 887, 941, 942, 949, 969, 978, 987, 990, 991, 994, 995, 996, 1011, 1019, 1028, 1029, 1038, 1046, 1077, 1103, 1121, 1122, 1137, 1138, 1169, 1170, 1180, 1181, 1202, 1370, 1375

Amendments Proposed – 1139, 1204, 3059, 3096

Debate – 1139, 1204, 1205, 1213, 3060

Leave of Absence – 1176, 1315, 2306

Motions – 131, 928, 1073, 1078, 1216, 1218, 1253, 1256, 1313, 1315, 1374, 1979, 2157, 2445, 2481, 2508, 2515, 3197, 3198, 3794

Objections – 2079, 2666

Statements – 1213, 3528

PEELER, HARVEY S., JR. - Senator from District No. 14, Cherokee, York, Union and Spartanburg Counties:

S. 901, 907, 941, 942, 960, 964, 968, 969, 990, 1000, 1011, 1038, 1046, 1075, 1103, 1126, 1137, 1138, 1164, 1180, 1181, 1192, 1370, 1375

Amendments Proposed – 2700, 2756

Committee Assignments – 3545, 3549, 3590

Debate – 2070, 2641, 2642, 2685, 2700, 2757, 2773, 2867, 3505, 3506, 4035, 4038

Motions – 130, 131, 928, 967, 984, 986, 1058, 1073, 1253, 1289, 1313, 1876, 1902, 1942, 1979, 2024, 2299, 2444, 2515, 2568, 2642, 2643, 2685, 2713, 2716, 2734, 2736, 2768, 2902, 2982, 3034, 3035, 3197, 3198, 3242, 3370, 3504, 3505, 3506, 3667, 3794, 3796, 4035, 4038

Objections – 2951

Points of Personal Interest – 2570, 2717

Statements – 2867

RANKIN, LUKE A. - Senator from District No. 33, Horry County:

S. 839, 843, 844, 845, 846, 869, 881, 908, 913, 941, 942, 968, 990, 993, 995, 996, 1011, 1015, 1035, 1038, 1048, 1103, 1122, 1137, 1138, 1180, 1181, 1193, 1370, 1375

Amendments Proposed – 1839, 2031, 2337, 2696, 2728, 2760, 2769, 3111, 3272

Committee Assignments – 3566, 3607

Debate – 1205, 1978, 2036, 2438, 2729, 3272, 3363, 3944

Leave of Absence – 2570, 3039, 3524

Motions – 131, 134, 928, 1073, 1113, 1253, 1313, 1355, 1695, 1751, 1782, 1979, 2031, 2299, 2439, 2515, 2924, 3197, 3198, 3215, 3237, 3259, 3794, 3944, 4069

Objections – 1308

Points of Personal Interest – 2151, 2507, 2570

Statements – 1205, 2151

REICHENBACH, MIKE - Senator from District No. 31, Florence and Darlington Counties:

S. 924, 941, 942, 953, 990, 995, 996, 1000, 1008, 1011, 1014, 1038, 1046, 1103, 1108, 1120, 1126, 1137, 1138, 1149, 1180, 1181, 1200, 1370, 1375

Amendments Proposed – 2728

Debate – 3176

Motions – 131, 928, 947, 1073, 1253, 1313, 1979, 2515, 3176, 3197, 3198, 3794

Statements – 2042, 3070

RICE, REX F. - Senator from District No. 2, Pickens County:

S. 861, 875, 876, 906, 938, 941, 942, 983, 989, 990, 1000, 1008, 1011, 1014, 1038, 1046, 1103, 1122, 1126, 1137, 1138, 1149, 1166, 1180, 1181, 1207, 1370, 1375

Amendments Proposed – 2691, 2708, 2981, 3134

Debate – 2981

Motions – 131, 928, 1009, 1073, 1253, 1284, 1289, 1313, 1904, 1979, 2026, 2303, 2445, 2515, 2569, 2615, 2870, 2883, 2930, 3070, 3197, 3198, 3794

Objections – 3184, 3651

Points of Personal Interest – 3525

Recorded Vote Requested – 2925

SABB, RONNIE A. - Senator from District No. 32, Williamsburg, Horry, Georgetown, Florence and Berkeley Counties:

S. 845, 869, 913, 941, 942, 980, 987, 990, 1011, 1038, 1072, 1073, 1092, 1103, 1104, 1120, 1122, 1137, 1138, 1180, 1181, 1370, 1375

Amendments Proposed – 1106, 1157, 1158, 2031, 2728, 2728, 3134

Committee Assignments – 3583

Debate – 1106, 1158, 1159, 2038, 3962

Leave of Absence – 1256, 2569, 2633, 3201, 3524

Motions – 131, 928, 1073, 1158, 1159, 1163, 1170, 1176, 1253, 1282, 1313, 1702, 1749, 1979, 2119, 2154, 2278, 2445, 2515, 2678, 2868, 2899, 2943, 3071, 3197, 3198, 3794, 3796, 3962, 4072

Objections – 1776, 1916, 2903

Points of Personal Interest – 1689, 3040

Statements – 1689, 2038, 3040

INDEX

SENN, SANDY - Senator from District No. 41, Charleston and Dorchester Counties:

S. 839, 841, 849, 857, 877, 890, 941, 942, 948, 953, 969, 990, 994, 995, 996, 999, 1011, 1020, 1038, 1050, 1058, 1093, 1103, 1122, 1132, 1137, 1138, 1169, 1180, 1181, 1370, 1375

Amendments Proposed – 1289, 1311, 2615, 2702, 2728, 2741, 2746, 2758, 2770, 3096, 3342

Committee Assignments – 3645, 3722

Debate – 1332, 2742, 2746, 2771, 3343

Leave of Absence – 1284, 1376, 1904, 2026, 2445, 2569

Motions – 131, 928, 1073, 1253, 1313, 1979, 2515, 2770, 3197, 3198, 3794

Objections – 1344, 1679, 2318, 2769, 2894, 3022

Points of Personal Interest – 1099, 2507, 3202

Statements – 2176, 2179, 2180, 2186, 2364, 3202, 3832

SETZLER, NIKKI - Senator from District No. 26, Lexington, Aiken, Saluda and Calhoun Counties:

S. 858, 877, 895, 900, 931, 941, 942, 958, 959, 961, 969, 990, 991, 993, 994, 995, 1011, 1025, 1038, 1044, 1048, 1067, 1096, 1097, 1103, 1105, 1115, 1122, 1137, 1140, 1180, 1181, 1194, 1370, 1375

Amendments Proposed – 1006, 1147, 1654, 2037, 2688, 2692, 2696, 2704, 3708, 2728, 2769, 3096, 3101, 3134

Committee Assignments – 3545, 3549, 3559, 3586, 3590

Debate – 1054, 1148, 1192, 2038, 2064, 2068, 2692, 2696, 2708, 2770, 2866, 2890, 3976

Leave of Absence – 1256, 2306

Motions – 131, 928, 930, 968, 1011, 1012, 1049, 1051, 1073, 1076, 1115, 1174, 1193, 1222, 1223, 1253, 1255, 1283, 1313, 1314, 1375, 1750, 1750, 1786, 1848, 1849, 1903, 1979, 1980, 2044, 2045, 2087, 2118, 2156, 2197, 2238, 2305, 2443, 2445, 2447, 2497, 2503, 2515, 2632, 2676, 2869, 2893, 2921, 2985, 3038, 3068, 3151, 3197, 3198, 3199, 3201, 3204, 3205, 3523, 3794, 3797, 3846, 3976

Points of Personal Interest – 2507, 3524

Points of Quorum – 968, 2444

Statements – 3801

SHEALY, KATRINA FRYE - Senator from District No. 23, Lexington County:

S. 839, 862, 863, 864, 865, 866, 877, 910, 941, 942, 961, 967, 988, 990, 993, 994, 995, 996, 999, 1000, 1002, 1010, 1011, 1038, 1042, 1046, 1098, 1103, 1108, 1112, 1126, 1129, 1137, 1138, 1146, 1147, 1165, 1169, 1180, 1181, 1201, 1219, 1370, 1375

Amendments Proposed – 965, 2708, 2711, 2728, 2739, 2747, 3096, 3163, 3373, 3394, 3421

Committee Assignments – 3553

Debate – 966, 2284, 2711, 3394, 3553, 3876

Leave of Absence – 3201

Motions – 131, 928, 932, 988, 1073, 1140, 1173, 1243, 1253, 1284, 1313, 1315, 1660, 1709, 1788, 1848, 1900, 1902, 1905, 1979, 2027, 2088, 2195, 2241, 2501, 2515, 2673, 2983, 3055, 3071, 3072, 3197, 3198, 3534, 3553, 3667, 3794, 3876

Objections – 2108, 2942, 3114, 3191, 3195

Points of Personal Interest – 1390, 3716

Statements – 1390, 3716, 3817

STEPHENS, VERNON - Senator from District No. 39, Orangeburg, Dorchester, Colleton, Calhoun and Berkeley Counties:

S. 941, 942, 948, 951, 969, 973, 987, 990, 1038, 1092, 1103, 1104, 1108, 1115, 1122, 1124, 1137, 1138, 1154, 1166, 1180, 1181, 1370, 1375

Amendments Proposed – 1007, 2769, 3134

Debate – 1008, 1218

Leave of Absence – 1078, 2157, 2240, 2306, 2445, 2717

Motions – 128, 131, 928, 932, 1049, 1050, 1073, 1253, 1301, 1313, 1330, 1979, 2085, 2515, 2899, 3044, 3197, 3198, 3794

Statements – 1218

INDEX

TALLEY, SCOTT - Senator from District No. 12, Spartanburg and Greenville Counties:

S. 845, 913, 941, 942, 943, 953, 960, 990, 993, 1005, 1011, 1038, 1048, 1051, 1075, 1083, 1089, 1103, 1122, 1137, 1138, 1149, 1180, 1181, 1190, 1370, 1375

Amendments Proposed – 1892, 2031, 2702, 2728, 2734, 2758, 2760, 3101, 3244, 3327, 3656

Committee Assignments – 3545

Debate – 146, 1782, 1898, 2192, 2278, 2591, 2704, 2734, 2758, 3102, 3160, 3181, 3245, 3656, 3860, 3871

Leave of Absence – 1116, 1176, 1356, 2026, 2045, 2445, 2570, 2633, 2717, 2871, 2986, 3039, 3524

Motions – 131, 928, 1073, 1253, 1313, 1892, 1898, 1979, 2515, 2704, 2734, 3086, 3101, 3103, 3104, 3197, 3198, 3201, 3341, 3794, 3860, 3871

Objections – 1931, 1932, 3027, 3195

TEDDER, DEON - Senator from District No. 42, Charleston and Dorchester Counties:

S. 886, 887, 888, 889, 890, 891, 892, 893, 929, 930, 941, 942, 987, 990, 991, 1011, 1033, 1038, 1068, 1103, 1109, 1122, 1137, 1138, 1144, 1151, 1153, 1166, 1177, 1180, 1181, 1188, 1214, 1245, 1370, 1375

Amendments Proposed – 1201, 1203, 1311, 2293, 2295, 2469, 2584, 2701, 2753, 2754

Debate – 1204, 1311, 2029, 2294, 2297, 2469, 2584, 2701, 2754, 2755, 3057, 3569

Leave of Absence – 1078, 1376, 1659, 3716

Motions – 131, 928, 1073, 1214, 1253, 1313, 1827, 1850, 1979, 2152, 2295, 2298, 2306, 2447, 2448, 2515, 2766, 3043, 3197, 3198, 3286, 3569, 3794, 3843

Statements - 3

TURNER, ROSS - Senator from District No. 8, Greenville County:

S. 941, 942, 944, 953, 960, 990, 992, 993, 1000, 1011, 1030, 1038, 1046, 1064, 1075, 1089, 1093, 1103, 1122, 1126, 1137, 1138, 1149, 1180, 1181, 1186, 1370, 1375

Amendments Proposed – 2337, 2702, 2758

Committee Assignments – 3556

Debate – 1771, 2062, 2065, 2971, 3151

Leave of Absence – 1116, 1658, 2570

Motions – 131, 928, 1073, 1135, 1176, 1253, 1313, 1377, 1711, 1979, 2026, 2515, 2583, 2679, 2717, 2870, 2971, 3197, 3198, 3794

Objections – 3159, 3189, 3593, 3651

Recorded Vote Requested – 1696

Statements – 1150

VERDIN, DANIEL - Senator from District No. 9, Laurens and Greenville Counties:

S. 849, 898, 941, 942, 990, 994, 1000, 1008, 1011, 1038, 1039, 1046, 1099, 1100, 1103, 1118, 1122, 1126, 1137, 1138, 1149, 1150, 1180, 1181, 1370, 1375

Amendments Proposed – 1351, 1769, 2193, 2693, 3057

Committee Assignments – 3559

Debate – 1093, 1134, 1351, 2067, 2106, 2193, 2694, 2976, 2977, 3057, 3153, 3154, 3364, 3542

Motions – 131, 928, 989, 990, 1012, 1073, 1093, 1134, 1225, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1291, 1313, 1348, 1350, 1351, 1389, 1660, 1905, 1979, 2119, 2181, 2475, 2515, 2570, 2717, 2718, 2931, 2945, 2976, 2977, 3036, 3037, 3059, 3060, 3072, 3076, 3087, 3088, 3089, 3197, 3198, 3200, 3201, 3202, 3203, 3217, 3218, 3219, 3220, 3221, 3222, 3223, 3224, 3225, 3226, 3227, 3228, 3229, 3230, 3231, 3232, 3233, 3234, 3235, 3236, 3364, 3542, 3551, 3555, 3568, 3667, 3794

Objections – 1026

Points of Personal Interest – 1787, 2015, 2127, 2446

Recorded Vote Requested – 3650

Statements – 2446

WILLIAMS, KENT M. - Senator from District No. 30, Marion, Florence, Marlboro, Dillon and Horry Counties:

S. 941, 942, 990, 993, 994, 1011, 1038, 1103, 1115, 1120, 1122, 1137, 1138, 1180, 1181, 1370, 1375

Amendments Proposed – 2699, 2730, 3273

Leave of Absence – 3524

Motions – 131, 928, 1073, 1078, 1079, 1219, 1253, 1313, 1979, 2240, 2515, 2711, 2917, 3072, 3073, 3197, 3198, 3794

Objections – 3008

Statements – 3524

YOUNG, TOM, JR. - Senator from District No. 24, Aiken County:

S. 867, 941, 942, 943, 944, 969, 990, 993, 994, 1000, 1011, 1025, 1038, 1044, 1048, 1050, 1064, 1066, 1088, 1103, 1106, 1122, 1126, 1127, 1137, 1138, 1180, 1181, 1370, 1375

Amendments Proposed – 124, 1006, 1090, 1671, 2456, 2706, 2728, 2733, 2737, 3319, 3437, 3625, 3647

Committee Assignments – 3553

Debate – 127, 1006, 1007, 1091, 1188, 1387, 1389, 1671, 1681, 1683, 1703, 1808, 2063, 2289, 2460, 2734, 3325, 3421, 3422, 3437, 3503, 3625, 3647

Motions – 131, 928, 1073, 1116, 1253, 1313, 1356, 1388, 1389, 1390, 1684, 1689, 1857, 1979, 2055, 2063, 2289, 2445, 2460, 2515, 2578, 2579, 2717, 2871, 2893, 2986, 2986, 3037, 3197, 3198, 3794

Objections – 1928, 1929

Recorded Vote Requested – 1150

Statements – 1151, 2364, 3089

ABSENCE, LEAVES OF

Sen. Adams 3801
Sen. Allen 1078, 2240, 2678, 3039
Sen. Bennett 133, 2678, 2717, 3524
Sen. Campsen 931, 1176, 1294, 1752, 1787, 1850, 2045, 2569 3801
Sen. Climer 932, 1356
Sen. Davis 932, 1116, 1695
Sen. Devine 2306, 2870
Sen. Fanning 947, 1078, 1116, 2241
Sen. Gambrell 1695, 2570, 3039, 3201
Sen. Garrett 1294, 2870, 3070
Sen. Goldfinch 1981, 2157, 2198, 2871, 3524, 3801
Sen. Grooms 1078, 2570, 2678, 3039, 3716
Sen. Gustafson 2027, 2088, 2633, 2678
Sen. Harpootlian 1052, 1116, 1256, 1658, 2445, 2633, 2870 3039
Sen. Hembree 1787, 2026, 2870
Sen. Hutto 1012, 1176, 2045, 2445, 3201
Sen. Jackson 1116, 1376, 2119, 2633
Sen. K. Johnson 1116, 2569, 2678
Sen. Kimbrell 105, 133, 1052, 1376, 2569, 2633, 3801
Sen. Loftis 1012, 2157, 2198, 2717
Sen. Malloy 1850
Sen. Martin 1116, 1315, 1787, 2241, 3201, 3801
Sen. Massey 1356, 2569, 2633
Sen. Matthews 947, 1116, 1256, 1284, 1315, 2027, 2445, 2717
Sen. McElveen 1078, 1315, 2306
Sen. McLeod 1176, 1315, 2306
Sen. Rankin 2570, 3039, 3524
Sen. Sabb 1256, 2569, 2633, 3201, 3524
Sen. Senn 1284, 1376, 1904, 2026, 2445, 2569
Sen. Setzler 1256, 2306
Sen. Shealy 3201
Sen. Stephens 1078, 2157, 2240, 2306, 2717, 2445
Sen. Talley 1116, 1176, 1356, 2026, 2045, 2445, 2570, 2633 2717, 2871, 2986, 3039, 3524
Sen. Tedder 1078, 1376, 1659, 3716
Sen. Turner 1116, 1658, 2570

Sen. Williams..... 3524

ACTS, RATIFICATION OF
R104 - R111 .....1110 -1112
R112 - R128..... 1989
R129 - R176..... 3506
R177 - R237..... 3669

ADDRESSES (See also **ASSEMBLIES, JOINT**)
National Commander Address..... 1936
State of the State Address 1035

ADJOURNMENT, *SINE DIE*
At 5:00 P.M., on Thursday, May 9, 2024, the Senate adjourned *Sine Die* under the provisions of S. 1192, the *Sine Die* Resolution..... 3668

At 12:57P.M., on Wednesday, June 5, 2024, the Senate adjourned *Sine Die* under the provisions of S. 1192, the *Sine Die* Resolution..... 3796

At 6:08P.M., on Wednesday, June 26, 2024, the Senate adjourned *Sine Die* under the provisions of S. 1192, the *Sine Die* Resolution..... 4073

APPOINTMENTS, LOCAL (See also, **EXECUTIVE SESSIONS and MESSAGES)**
Confirmed:
Magisterial/Masters-in-Equity/Probate
Aiken..... 4065
Anderson..... 4065
Barnwell..... 4065
Berkeley..... 944
Charleston..... 1112, 4066
Chester..... 3196
Chesterfield..... 4066
Darlington..... 4066
Edgefield..... 3196
Florence 2042, 2917
Georgetown..... 4066, 4067
Hampton 130
Horry 4067
Kershaw 1112, 2917, 3196, 4067
Lexington 4067
Orangeburg 4067

Pickens 4067
Richland 1049, 2041, 3196
Spartanburg .. 1290, 1353, 2042, 2116, 3196, 3197, 4067, 4068
Sumter 3794
York 2631

* Recorded Votes
** Statements

APPOINTMENTS, STATEWIDE (See also, **EXECUTIVE SESSIONS; MESSAGES**)
Carried Over
Higher Ed., Comm.
Zais, Mitchell M. 129
Confirmed
Athletic Commission
Elliott, Douglas (40-0) 1844
Lucas, Jon (42-0) 4056
Osborne, Andrew (42-0) 4057
Board of Barber Examiners
Holloman, Tony (41-0-1) 4061
Patton, Renee (41-0-1) 4047
Robinson, Paul (41-0-1) 4054
Board of Cosmetology
Horton, LaQuita W. (42-0) 4047
Jones, Tiffiny Q. (42-0) 4064
MacLeod, Adrienne (42-0) 4046
Postilis, Elizabeth Anne (42-0) 4058
Board of Financial Institutions
Addy, Carol (37-0) 3212
Board of Medical Examiners
Mills-Floyd, Theresa (44-0-1) 1251
Pagett, Frances C. (36-0-1) 3221
Richardson, Mary J. (37-0) 3218
Board of Nursing
Enos, Bridget A. (36-0-1) 3227
Holder, Bridget (44-0-1) 1247
Lyerly, Leslie M. (36-0-1) 3235
May-Engle, Melissa (36-0-1) 3225
Todd, Sallie Beth (36-0-1) 3218
Whitcomb, John J. (36-0-1) 3234

INDEX

Board of Occupational Therapy
Coleman, M. Rebecca (37-0) 3226
James, Lesly W. (37-0) 3226
Board of Pharmacy
Black, Beverly L. (37-0) 3217
Farfone, Dottie (43-0-2) 1250
Board of Real Estate Appraisers
Bishop, Pledger (42-0) 4055
Burris, Damian V. (42-0) 4060
Chapman, Mark (42-0) 4050, 4051
Segars, Carlton (42-0) 4062
Thompson, Hezekiah E. (42-0) 4048, 4049
Board of Social Work Examiners
Stephens, Dean S. (42-0) 4063
Board of Examiners in Speech Pathology and Audiology
Emory, Sarah D. (37-0) 3231
Montgomery, Beth F. (37-0) 3219
Wigand, Jason P. (37-0) 3216
Wilson, Gwendolyn D. (37-0) 3230
Forestry Commission
Smith, Eric (40-0) 1843
Foster Care Review Board
Seignious III, John (45-0) 1243
Higher Ed., Comm.
Smith, Oran P. (35-5) 128
Zais, Mitchell M. (41-2) 148
John de la Howe School Bd. of Trustees
Bland, Hugh M. (37-0) 3214
Juvenile Parole Board
Johns, Tammy (40-0) 1842
Watkins, Michael R. (36-0-1) 3213
Law Enforcement Division, S. C.
Keel, Mark A. (37-0) 3237
Long Term Health Care Administrators
Birmingham, William H. (37-0) 3233
Burton, Edward G. (37-0) 3223
Doctor-Greenwade, Sarah (45-0) 1247
Schaper, Elizabeth A. (37-0) 3224
Yetter, Melissa T. (37-0) 3232
Massage/Bodywork Therapy
Maddox, Bailey (45-0) 1246
Rees, Sherri (40-0) 1846

Roberts, Alicia (42-0) 4045
Shaw, Janet (42-0) 4044
Smith, Gloria (42-0)..... 4052
Spinelli, Nina (40-0) 1845
Mental Health Commission
Maxwell, Crystal (44-0-1) 1252
Panel for Dietetics
Bernard, Katherine L. (37-0)..... 3236
Finger, Maureen (37-0)..... 3229
Griffith, Beth (37-0)..... 3222
Groesbeck, Amanda (37-0)..... 3228
Hoffman, Robert (45-0) 1249
Weikle, Elizabeth (37-0)..... 3220
Public Safety, Director
Woods, Robert G. (37-0) 3215
Residential Builders Commission
Dowd, Bryan H. (42-0)..... 4059
Roberts, Timothy (42-0) 4055
Rhyne, Christy B. (42-0)..... 4061
Social Work Examiners
Cameron, Jeffery (45-0)..... 1244
Lancaster, Dell (45-0) 1245
Nix, Alicia (42-0)..... 4053
Transportation, Dept. of
Powell, Justin P. (45-0)..... 2302
Veterinary Medical Examiners
Coker, James T. (37-0)..... 3210
Moore, Mark (37-0) 3211

Reported from Committee, Received on the Desk 977, 1021
1057, 1182, 1299, 1362, 1670, 1701, 1987, 2021, 2123 2124
2451, 2451, 2451, 2500, 2576, 2640, 2880, 3052, 3208, 3837
3838, 3839, 3840, 3841

APPROPRIATIONS

Appropriations Bill, General (GAB), (H. 5100, R252)
(See additional GAB actions following History: votes;)
(See also **SENATE/HOUSE BILLS AND RESOLUTIONS INDEX - H. 5100**)
History:
Read the first time, Referred to SFC 2020
Reported by SFC 2576

Carried over 2641
Comm. Am. Adopted, Amend., Read 2nd time. 2685
Reports of Subcommittee Chairmen 2641, 2642
Am., Read the 3rd Time, Ret. to House 2727
Section by Section votes 2773-2863
Bill Ret'd. to Sen. w/ Ams. 3504
Nonconcurrence in House Ams. 3505
House insists/appoints Conf. Comm. 3589
Senate Conferees appointed 3590
Report of Committee of Conference Adopted 4035
Enrolled for Ratification 4037
Vetoes (See **VETOES,** (See pages)
Votes (See **VOTING,** Roll Call Votes)

Motions:
Staff on Floor 2685

Senator PEELER asked unanimous consent to make a motion that the Report of the Committee on Finance be adopted, with all members reserving the right to raise any Points of Order and to offer amendments without regard to questions of degree.

There was no objection 2685

On motion of Senator PEELER, with unanimous consent, staff members from the Revenue and Fiscal Affairs office were authorized as necessary to be in that area behind the rail and, further, that the Finance Committee staff and other staff designated by the PRESIDENT were admitted to the floor of the Senate Chamber while debate was in progress on H. 5100, the General Appropriations Bill.

There was no objection. 2685

On motion of Senator PEELER, with unanimous consent, H. 5100, the General Appropriations Bill, was read a second time, carrying over all amendments to third reading with all members reserving their rights as to Points of Order. 2713

On motion of Senator PEELER, with unanimous consent and with Senator CAMPSEN retaining the floor, no further amendments would be accepted after 3:30 P.M., with the exception of substitute amendments for only minor, technical and conforming changes, and any necessary technical and balancing

amendments to be delivered and certified by the Clerk and to be adopted upon his certification for inclusion in the Bill. 2736

Points of Order (See **POINTS OF ORDER**, Appropriations Bill)
Remarks (See **REMARKS**)
Statements (See **STATEMENTS**)
Vetoes (See **VETOES**)
Votes, Recorded (See **VOTE,** Recorded)
Votes, Roll Call (See **VOTING**, Roll Call Votes;
(See also **SENATE/HOUSE BILLS AND RESOLUTIONS INDEX - H. 5100**)

Capital Reserve Fund, (H. 5101, R 253)
(See also **SENATE/HOUSE BILLS AND RESOLUTIONS - INDEX - H. 5101**
History:
Read the first time, Referred to SFC 2020
Reported by SFC 2576
Carried over 2642
Committee Amend. Adopted, Read the 2nd Time 2863
Read the third time, ret. to House 2916
Bill Ret'd. to Sen. w/ Ams. 3505
Senate Nonconcurred 3506
House insists/appoints Conf. Comm. 3590
Senate Conferees appointed 3590
Report of Committee of Conference Adopted 4037
Enrolled for Ratification 4043

ASSEMBLIES, JOINT
Addresses by
Governor (Honorable Henry D. McMaster) 1035
National Commander of The American Legion
(Daniel J. Seehafer)..... 1936

Elections (See **ELECTIONS**)
Colleges/Universities 2520
Judicial 1940, 2517, 3710

COMMITTEES
Escort 1034, 1936
Individual committees 47-55
Standing committees.....40-47

INDEX

COMMUNICATIONS
Secretary of State 1, 5
Election Commission (Sen. Tedder) 2
Election Commission (Sen. Devine) 6
Governor Henry D. McMaster 3714
Fifth Cong. Dist. Senate Delegation - Dept. of Transportation Comm.
Mr. Curtis M. Spencer 3713

ELECTIONS ***(* Denotes Elected Individuals)***
Colleges/Universities 2552
Judicial 1940, 2521, 3710
Department of Employment and Workforce 2566

College of Charleston
2nd Cong. Dist., Seat 3
Williams, Derrick 2552
3rd Cong. Dist., Seat 5
Holland, Shawn M. 2553
4th Cong. Dist., Seat 7
Klein, Matthew C. 2553
5th Cong. Dist., Seat 9
Futch, Henry A. 2553
6th Cong. Dist., Seat 11
Fyall, Darryl J. 2554
7th Cong. Dist., Seat 13
Golding, Henrietta U. *..... 2554
Nance, Ashley B. 2554
At-Large, Seat 15
Romberger, Renee B. 2555
At-Large, Seat 17
Swanson, Steve D. 2555
Frances Marion
1st Cong. Dist., Seat 1
Moore, Mark S. 2556
2nd Cong. Dist., Seat 2
Bauknight, Beth G. 2556
5th Cong. Dist., Seat 5
Dove, H. Paul 2556
At-Large, Seat 8
Lee, Robert E. 2557
At-Large, Seat 10

Jackson, Kenneth W. 2557
At-Large, Seat 12
Gunn, W. Edward 2558
At-Large, Seat 13
Hartung, Patricia C. 2558
Lander University
1st Cong. Dist., Seat 9
Taylor, Mark W. 2559
Medical University of South Carolina
1st Judicial Circuit, Medical Seat
Johnson, Donald R. 2559
2nd Judicial Circuit, Medical Seat
Lemon, James 2560
3rd Judicial Circuit, Medical Seat
Christian, Richard M. 2560
4th Judicial Circuit, Lay Seat
Stephenson, Thomas L. 2560
5th Judicial Circuit, Lay Seat
Barnes, Terri R. 2561
6th Judicial Circuit, Lay Seat
Brown, W. Melvin 2561
7th Judicial Circuit, Lay Seat
Battle, James A. 2562
S.C. State University
5th Cong. Dist., Seat 5
Busby-Webb, Abigail 2562
Johnson, Darrell * 2562
Thompson, Thomas E. 2562
7th Cong. Dist., Seat 7
Alexander, Starlee 2565
At-Large, Seat 9
Jenkins, Rodney C. 2565
At-Large, Seat 11
Reese, Robert S. 2565
Winthrop University
4th Cong. Dist., Seat 4
Driggers, Edward R. 2566

Judicial
Supreme Court
Chief Justice
Kittredge, John W. 1940

Seat 3
Verdin, Letitia H. 3710
Court of Appeals
Seat 8
Vinson, Jerry D. 2521
Seat 9
Bromell, Jan B. 2522
Harrison, Whitney B. 2522
Turner, Matthew P. * 2522
Circuit Court
2nd Jud. Cir., Seat 2
Davisson, Martha R. 2529
3rd Jud. Cir., Seat 1
Doby, S. Bryan*..... 2529
DuRant, Chirstopher R. 2529
Floyd, Samuel 2529
3rd Jud. Cir., Seat 2
Curtis, Kristi F. 2530
4th Jud. Cir., Seat 2
Holt, Michael S. 2530
5th Jud. Cir., Seat 1*
Smith, James..... 2531
Williams, Justin T. 2531
*The election was recommitted to the Judicial Merits Selection Commission
5th Jud. Cir., Seat 2
Coble, Daniel M. 2536
7th Jud. Cir., Seat 1
Cole, J. Derham 2536
7th Jud. Cir., Seat 2
Knie, Grace G. 2536
8th Jud. Cir., Seat 2
Griffith, Eugene C. 2537
9th Jud. Cir., Seat 4
Martin, Daniel E. 2537
Rode, Thomas J. 2537
Van Slambrook, Dale E. * 2537
10th Jud. Cir., Seat 2
Sprouse, R. Scott 2539
11th Jud. Cir., Seat 1
Keesley, William P. 2540
11th Jud. Cir., Seat 2

McLeod, Walton J. 2540
12th Jud. Cir., Seat 1
Nettles, Michael G. 2541
13th Jud. Cir., Seat 2
Salvini, Jessica A. 2541
13th Jud. Cir., Seat 4
Dunbar, Vernon F.* 2541
Gibson, Ken 2541
Grove, Will 2541
14th Jud. Cir., Seat 1
Bonds, Robert 2542
14th Jud. Cir., Seat 3
Dukes, Marvin 2542
15th Jud. Cir., Seat 3
Caraker, David P. *..... 2543
Holford, Joshua D. 2543
Zayicek, Douglas M. 2543
At-Large, Seat 4
Ballou, Daniel J. 2545
McMaster, William C. * 2545
At-Large, Seat 8
Barr, Kimberly V. 2545
McGee, T. William * 2545
Meetze, William V. 2545
At-Large, Seat 11
Bias, Joseph 2546
Hilton, Russell D. 2546
Kimpson, Milton G. * 2546
At-Large, Seat 16
Maxwell, Riley 2548
McCutchen, Charles J. * 2548
Merrill, Jane H. 2548
Family Court
1st Jud. Cir., Seat 4
Anderson, Jerrod A. * 2549
Gray, Deanne M. 2549
7th Jud. Cir., Seat 4
Diamaduros, Pete G. * 2549
Lounsberry, Jonathan W. 2549
9th Jud. Cir., Seat 4
Cahoon, Blakely C. 2550
9th Jud. Cir., Seat 6

McAlbany, Gina J. 2550
10th Jud. Cir., Seat 1
Brousseau, David J. * 2550
Sealzo, Heather V. 2550
16th Jud. Cir., Seat 1
Diamaduros, Sammy 2551
16th Jud. Cir., Seat 3
Smith, R. Chadwick* 2551
Urquhart, Erin K. 2551
Administrative Law Court
Seat 1
Anderson, Ralph K. 2552
Department of Employment and Workforce
Appellate Panel, Seat 1
Ayers, Evelyn B. 2566
Appellate Panel, Seat 2
Kelly, Stephen S. 2567
Appellate Panel, Seat 3
Beach, Daniel C. 2567

Votes, Election Roll Calls 1940, 2522-2529, 2531-2535 2537-3539, 2543-2545, 2546-2548, 2562-2564

EXECUTIVE SESSIONS
(See **APPOINTMENTS, LOCAL and STATEWIDE** - for confirmations made in Open Session)
Confirmations 128, 129, 148, 1049, 1112, 1242, 1290, 1353 1842, 2116, 2302, 2631, 2917, 3196, 3209, 3794, 4044-4068

INTEREST, EXPRESSIONS OF PERSONAL
Sen. Adams..... 932, 2986, 3525
Sen. Alexander..... 1278
Sen. Campsen 1747
Sen. Cash 2717, 3039
Sen. Davis 1373, 2445, 2507
Sen. Fanning 1747
Sen. Goldfinch 105, 2088
Sen. Grooms 1752, 2015
Sen. Gustafson 2922
Sen. Harpootlian 133, 1135, 1267, 1659, 1719, 2570, 3043, 3201
Sen. Hembree..... 983, 1356
Sen. Hutto 107, 1284, 2119, 2922, 3801, 3827

Sen. K. Johnson 1752
Sen. Kimbrell 1224, 1294
Sen. Malloy 113, 1256
Sen. Martin 3070
Sen. Massey 2504
Sen. Matthews 2507, 3043
Sen. Peeler 2570, 2717
Sen. Rankin 2151, 2507, 2570
Sen. Rice 3525
Sen. Sabb 1689, 3040
Sen. Senn 1099, 2507, 3201
Sen. Setzler 2507, 3524
Sen. Shealy 1390, 3716
Sen. Verdin 1787, 2015, 2127, 2446

INVITATIONS RECEIVED AND ACCEPTED

AAA Auto Club 1081
American Cancer Society Cancer Action Network 101
AMI Kids, Inc. 2173
Arts Alliance of S.C. 1082
Associated Builders and Contractors 1756
Association of ABC Stores of S.C. 1082
Association of Counties, S.C. 1082
Association for Justice, S.C. 2172
Association of Special Purpose Districts, S.C. 101
Bankers Assoc., S.C. 99
Baptist Convention, S.C. 102
Bar Assoc., S.C. 101
Bleeding Disorders Association of S.C. 99
Blue Cross/Blue Shield of S.C. 2172
Boating and Fishing Alliance, S. C. 2173
Brewers Guild, S.C. 101
Broadcasters Assoc., S.C. 1756
Camp Hall Commerce Park 2171
Carolina Recycling Assoc. 1756
Chamber of Commerce, S.C. 100
Citadel Alumni Assoc. 2173
City of Charleston 2173
City of Columbia 102
Clemson University and Foundation 1083
Coalition for Access to Health Care 2174
Conservation Voters 101

INDEX

Convenience and petroleum marketers, S.C. Assoc. 1756
Community Economic Development, Assoc. of 2172
Cosmetologists and Salon Professionals, Assoc. of 2683
Design Construction, S.C. 100
Donate Life, S.C. 2173
Economic Developers Assoc., S.C. 100
Electric Cooperatives of S.C., Inc. 1081
Emergency Management Association, S.C. 2682
Emergency Medical Services Assoc. , S.C. 100
Firefighters Association, S.C. 2172
First Steps of S.C. 1082
Florence County Economic Development 1755
Forestry Assoc. of S.C. 1755
Foundation for the S.C. Commission for the Blind 100
Governor's School for Science/Math Foundation, S.C. 102
HCA Healthcare 2171
Historic Mitchellville Freedom Park 2171
Homebuilders Assoc. of S.C. 1756
Independent Banks of S.C. 1083
Insurance Assoc, , S.C. 2682
Jasper County Chamber of Commerce 1756
Leadership South Carolina 2172
Lexington County Development Corp. -- Lex. Co. Night 100
MedTrust Medical Transport 102
Metro Chambers Coalition, S. C. 101
Municipal Assoc. of S.C. 1081
MUSC Health 102
Myrtle Beach Area Chamber of Commerce 1083
National Assoc. of Insurance and Financial Advisors 1082
National Federation of the Blind, S.C. 1083
Natural Resources, Dept. of 2172
Nature Conservancy 1082
North Eastern Strategic Alliance 101
Optometric Physicians Assoc., S.C. 102
Piedmont Municipal Power Agency/Power Systems 1082
Public Charter School Alliance 2171
Public Safety Comm. And National Emerg. Number Assoc. ... 1081
Restaurant and Lodging Association 2173
Riley Institute at Furman 100
Riverbanks Zoo and Gardens 2682
Salvation Army of the Midlands 1083
South Carolina Assoc. of Community Action Partners 1756

South Carolina Assoc. of Council on Aging Disorders 2174
South Carolina Beer Wholesalers Assoc. 2173
South Carolina Beverage Association 1755
South Carolina BIO 101
South Carolina Craft Distillers Guild 1083
South Carolina Coalition for Math and Science 2172
South Carolina Conservation Coalition 1081
South Carolina Farm Bureau/Shellfish Growers' Assoc. 1755
South Carolina For Restorative Justice, Dream.Org..... 1756
South Carolina Future Makers/Manufacturers Alliance 2682
South Carolina Historical Society 1081
South Carolina Hospital Association 1755
South Carolina Human Service Providers 1756
South Carolina Institute for Medicine and Public Health 1755
South Carolina Man. Alliance/South Carolina Tire Council 99
South Carolina Realtors..... 102
South Carolina Recyclers Assoc. 2173
South Carolina Retail Association..... 1755
South Carolina Student Loan Corporation..... 101
South Carolina Trucking Association 100
State Treasurer's Office Future Scholars..... 2172
State Museum Foundation, S.C. 2172
Taipei Economic and Culture office 2682
Telecommunication and Broadband Assoc. 102
Technical College Commissioners, S.C. 102
Together SC..... 2173
Transportation Association of South Carolina..... 1755
United Way Assoc. of S.C. 1081
University of South Carolina 1082
Wil Lou Gray Opportunity School 1082
Wine and Spirits Wholesalers Assoc., S.C. 100

MESSAGES FROM THE GOVERNOR

Local Appointments ..... 105, 931, 1012 , 1078, 1284, 1315
2025, 2088, 2568, 2870, 3069, 3713, 3798, 3799, 3800

Statewide Appointments 9-21, 931, 969, 1077, 1175, 1904
2005, 2025, 2677, 3069

Statewide Appointments Carried Over..... 22

Senate Accedes to Governor's Request to Withdraw
Morrison, Rebecca (State Board of Nursing) 3201
Parisi, Michelle (S.C. Panel for Dietetics)..... 3200

Veto, returned without approval..... 3842

MESSAGES FROM THE HOUSE

Apptmts. Confirmed..... 2881
Bills, House Concurs in Sen. Ams. 1058, 1125, 1265, 1299 1807, 1853, 1912, 2093, 2095, 2216, 2493, 2880, 3092, 3537, 3546 3547, 3549, 3554, 3556, 3561, 3569, 3570, 3571, 3575, 3576, 3577 3579, 3597, 3612, 3642, 3648, 3651, 3652, 3653, 3657, 3663, 3664
Bills, House Insists and/or Appts. to Com. of Conf. 1757 2263, 3541, 3545, 3549, 3553, 3555, 3558, 3563, 3566, 3573, 3574 3577, 3583, 3585, 3608, 3644, 3662
Bills, Hs. Refuses to Concur ... 3537, 3540, 3543, 3552, 3562, 3563 3571, 3574, 3576, 3582, 3587, 3599, 3661, 3663
Bills, Hs. Returned to Senate w/ Ams. (Notifications - Placed on the Calendar) 1058, 1124, 1183, 1299, 1324, 1988, 2124, 2684 2929, 3083, 3085, 3087, 3089, 3090, 3091, 3420, 3423, 3504, 3505 3534, 3538, 3546, 3548, 3550, 3554, 3557, 3559, 3568, 3584, 3588 3591, 3632, 3643
Requested and granted Free Conference Powers..... 3856
Reports Adopted by Hs., Conference/Free Conference 1972 3857, 3869, 3875, 3879, 3885, 3941, 3958, 3964, 3974, 3999, 4014 4026, 4031, 4034, 4037, 4043
Report of Comm. of Conf. adopted/enrolled for Ratification.... 1975 3857, 3869, 3879, 3942, 3959, 3964, 3975, 4026, 4035, 4037
Vetoes - Continued the veto 1266
Vetoes - Overridden 3841

MESSAGES FROM THE SOUTH CAROLINA ELECTION COMMISSION

Certification of Sen. Tameika Isaac Devine 6
Certification of Sen. Deon T. Tedder 2

MOTIONS - SENATE ACTIONS

Adjourned Debate, Bills in..... 1029, 1135
Conference, Committees of Conference/Free Conference Appointed on behalf of the Senate 1760, 2265, 3541, 3544, 3549 3553, 3556, 3559, 3562, 3566, 3573, 3574, 3577, 3583, 3586, 3607 3645, 3662, 3722, 3846

Co-Sponsors Added 57,107, 133, 932, 969, 989, 1052 1079, 1117, 1176, 1224, 1256, 1284, 1294, 1315, 1356, 1376, 1659 1695, 1749, 1752, 1787, 1850, 1902, 1904, 1918, 1981, 2016, 2027 2045, 2088, 2119, 2157, 2198, 2235 2241, 2306, 2447, 2508, 2570 2717, 2871, 2923, 3071, 3524, 3834
Co-Sponsors Removed 947, 1787, 2241
Insist on Sen. amend. 3540, 3544, 3552, 3562, 3564, 3572, 3574 3576, 3583, 3589, 3603, 3662
Interrupted Debate, Bills in 1068, 1100, 1197, 1288, 1310 1913, 1999, 2029, 2174, 2292, 2362
Recalled 107, 108, 989, 1012, 1079, 1177, 1225, 1377, 1659 1661, 1788, 1789, 1918, 2007, 2046, 2088, 2119, 2120, 2447, 2633 2634, 2635, 2678, 2679, 2718, 2871, 2872, 2923, 2924, 2986, 3073 3074, 3075, 3203
Recalled/Read the Second Time 1695, 3203
Recalled and Adopted/Read 1176, 1294, 1600, 1904, 2016 2027, 2307, 2508, 3045, 3071, 3072, 3202, 3204, 3205, 3525, 3526
Recalled and Committed/Recommitted/Referred 133, 1376 1660
Recommitted 1, 113, 118, 961, 1708, 1863, 2052, 2054, 2055 2056, 2579, 2581, 2582, 2893, 2937, 2938, 2939, 2940, 2944, 3000 3054, 3055, 3095, 3105, 3114, 3115, 3159, 3285, 3286, 3361, 3367

Reports, Committee of Conference/Free Conference
Adopted by Senate
S. 142 ..... 3541, 3846
S. 314 ..... 3545, 3859
S. 577 ..... 3871, 3875
S. 862 3875
S. 969 3879
S. 1031 3886
S. 1046 3942
H. 3594 1933
H. 3865 3962
H. 3988 3965
H. 4087 3976
H. 4116 4001
H. 4386 4018
H. 4820 4027
H. 4843 4032
H. 5100 4035
H. 5101 4037

Rules (See **POINTS OF ORDER)**
Adjourned Debate, Bills In 1029, 1135
Adjourned Debate, Bills Made 1001
Interrupted Debate, Bills In 1068, 1100, 1197, 1288, 1310 1913, 1999, 2029, 2174, 2292, 2362, 3056
Special Order, Mot. Failed 1194
Special Order, Bills In 942, 961, 983, 1240, 1280, 1344, 1394 1686, 1891, 1975, 2083, 2152, 2226, 2298, 2982, 3035
Special Order, Bills Made 147, 941, 982, 1005, 1236, 1341 1834, 2114, 2222, 2916

POINTS OF ORDER
Amendments
Am. out of order under Rule 24 - not germane
Harpootlian (overruled) 1153, 3026
K. Johnson (sustained) 2463
Martin (sustained) 1204, 1205, 2355
Matthews (overruled) 3150, 3638
Matthews (sustained) 2967, 3659

Am. out of order under Rule 24 - not germane (GAB)
Climer (sustained) 2701
Corbin (sustained) 2754
Devine (overruled) 2692, 2766
Harpootlian (overruled) 2700
Hembree (overruled) 2772
Hembree (sustained) 2764
Hutto (sustained) 2733, 2746, 2749
Kimbrell (sustained) 2691
Malloy (sustained) 2768
Massey (sustained) 2755
Matthews (overruled) 2708, 2763

Provisos in the Gen. Approp. Bill (GAB) out of order - violative of Rule 24
Martin Proviso 1.107, Pt. 1B (sustained) 2741
Martin Proviso 1.112, Pt. 1B (overruled) 2741
Martin Proviso 1A.73 Pt. 1B (sustained) 2742
Martin Proviso 31.13 Pt. 1B (sustained) 2743
Martin Proviso 31.24 Pt. 1B (sustained) 2744
Martin Proviso 102.13 Pt. 1B (sustained) 2744
Martin Proviso 117.181 Pt. 1B (sustained) 2745

INDEX

Bills/Resolutions

Bills/Resolutions had not been on the desks of the members at least one day prior to second reading (Rule 39)

Corbin (sustained)..... 1064, 1065, 1066, 1067, 1880-1890
Martin (sustained)..... 1000, 1001, 1099, 1194, 1235, 1276 1277, 1278, 1309, 1341, 1370, 1371, 1372, 1373, 1390, 1685 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1784, 1785 1834, 2112, 2113, 2114, 2150, 2193, 2223, 2594, 2595, 2596 2672, 2673, 2908, 2909, 2910, 2911, 2912, 2913, 2978, 2979 2980

Mot. under Rule 32A to vary the order of the day adopted

Massey 1327, 1747, 2365, 3195, 3242

Rule 1B Convening of the Senate in Statewide Session

Massey 2195, 2442

Rule 4

Selection of seats 55

Rule 15A Fixing a time certain to vote

Massey (adopted)..... 3062
Massey (failed) 2362, 3061

Rule 24

Am. out of order - violative of Rule 24 (not germane)

Harpootlian (overruled) 1153, 3026
K. Johnson (sustained)..... 2463
Martin (sustained)..... 1204, 1205, 2355
Matthews (overruled)..... 3150, 3638
Matthews (sustained) 2967, 3659

Am. out of order under Rule 24 - not germane (GAB)

Climer (sustained)..... 2701
Corbin (sustained)..... 2754
Devine (overruled)..... 2692, 2766
Harpootlian (overruled) 2700
Hembree (overruled)..... 2772
Hembree (sustained) 2764
Hutto (sustained)..... 2733, 2746, 2749
Kimbrell (sustained) 2691
Malloy (sustained) 2768

Massey (sustained)..... 2755
Matthews (overruled)..... 2708, 2763

Provisos in the Gen. Approp. Bill out of order - violative of Rule 24
Martin Proviso 1.107, Pt. 1B (sustained)..... 2741
Martin Proviso 1.112, Pt. 1B (overruled) 2741
Martin Proviso 1A.73 Pt. 1B (sustained)..... 2742
Martin Proviso 31.13 Pt. 1B (sustained)..... 2743
Martin Proviso 31.24 Pt. 1B (sustained) 2744
Martin Proviso 102.13 Pt. 1B (sustained)..... 2744
Martin Proviso 117.181 Pt. 1B (sustained)..... 2745

Rule 26B Consideration of amendments on Third Reading
Campsen..... 2371, 3140, 3308, 3356
Cromer 3151
Davis 1027, 1352, 2144, 2322, 2950, 3142, 3351
Goldfinch 2316
Grooms..... 2588
Hembree 1241, 3291
Hutto 2102, 2137, 2353, 3313
Johnson, M. 3287
Malloy..... 1312, 1674, 1677, 1705, 2336, 2438, 3154 3288, 3294
Martin 1109, 1338
Massey 1345, 1346, 1348, 1386, 2232, 2983, 3138
Setzler 2893, 3151
Verdin 1348, 1350, 1351

Rule 32A Bills Returned from the House
Cromer 3092
Davis..... 2449, 3557, 3559, 3591, 3633
Grooms..... 3588
Hembree..... 3535, 3539
Massey 1327, 1747, 2439, 3083, 3084, 3091, 3420, 3424
Peeler 3504, 3505
Talley 3086
Verdin 3087, 3088, 3089, 3551, 3555, 3568

Rule 32B Contested Calendar
Hembree..... 2597
Massey 2222

INDEX

Rule 35 Privilege of the Chamber
Adams (Fenamore) 1752
Alexander (Sen. Devine)..... 6
Alexander (Sen. Tedder)..... 3
Devine (Grimes) 2452
Grooms (Hall)..... 2198
Martin (Lancaster) 2198
Martin (Rippy)..... 947
Massey (family members of those retiring)..... 3238
Peeler (McMillan)..... 105
Sabb (Corley)..... 2119

Rule 39
Bills/Resolutions had not been on the desks of the members at least one day prior to second reading
Corbin (sustained)..... 1064, 1065, 1066, 1067, 1880-1890
Martin (sustained)..... 1000, 1001, 1099, 1194, 1235, 1276 1277, 1278, 1309, 1341, 1370, 1371, 1372, 1373, 1390, 1685 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1784, 1785 1834, 2112, 2113, 2114, 2150, 2193, 2223, 2594, 2595, 2596 2672, 2673, 2908, 2909, 2910, 2911, 2912, 2913, 2978, 2979 2980

PRESIDING OFFICERS, ACTING

Sen. Campsen..... 1271
Sen. Cromer 929, 2004, 2043, 2502, 2675
Sen. Devine 929, 986, 2043, 2155, 2675, 2919
Sen. Harpootlian 987, 1075, 2155, 2235, 2920, 3067
Sen. Jackson..... 1222, 2236, 2237, 3067
Sen. Loftis 3242
Sen. Martin 2987, 3658
Sen. Massey 1292, 2237, 2476
Sen. McElveen..... 1292, 1374, 2476, 2478
Sen. McLeod..... 1374, 1749, 2481, 2482, 3721
Sen. Rankin..... 2641
Sen. Setzler 2, 1749, 1902, 2497, 2498
Sen. Shealy..... 1902, 2002, 2004, 2501, 2502
Sen. Talley 2685, 2750
Sen. Turner 3095

PRIVILEGE OF THE CHAMBER/FLOOR
Adams (Fenamore) 1752
Alexander (Sen. Devine)..... 6
Alexander (Sen. Tedder)..... 3
Devine (Grimes) 2452
Grooms (Hall)..... 2198
Martin (Lancaster) 2198
Martin (Rippy)..... 947
Peeler (McMillan)..... 105
Sabb (Corley)..... 2119

QUORUM, POINTS OF 968, 2299, 2444, 3065
Calls of the Senate 104, 132, 930, 946, 968, 988, 1011, 1051 1076, 1115, 1174, 1223, 1255, 1283, 1293, 1314, 1355, 1375, 1694 1751, 1786, 1849, 1903, 1942, 1980, 2024, 2044, 2087, 2118, 2156 2197, 2238, 2299, 2305, 2444, 2503, 2568, 2632, 2676, 2716, 2734 2768, 2869, 2921, 2985, 3038, 3068, 3199, 3242, 3523, 3596, 3797

REGULATIONS, RULES AND
Proposed and Received
Clemson University 969
Disabilities and Special Needs, Dept. of 24, 25
Education, State Board of 24, 31, 1752
Election Commission..... 26, 27, 28, 29, 32
Ethics Commission 22
Financial Institutions, Board of..... 29, 30, 31
Health and Environmental Control, Dept. of ... 26, 28, 32, 2026
Insurance, Dept. of 35
Labor, Licensing and Reg., Dept. of . 25, 33, 34, 35, 36, 37, 38 39
Natural Resources, Dept. of..... 37, 39
Mental Health, Dept. of 26
Motor Vehicles, Dept. of 31, 32, 33
Public Service Commission 23, 24, 25, 3715
Social Services, Dept. of 33
Workers' Compensation Commission 1224
Withdrawn
Labor, Licensing and Regulation, Dept. of..... 2478
Motor Vehicles, Dept. of 2482
State Election Commission..... 2986

Withdrawn and Resubmitted
Health and Environmental Control, Dept. of 2045, 2568 2677
Labor, Licensing and Regulation, Dept. of 2239, 2240 2478
Mental Health, Dept. of 2239
Motor Vehicles, Dept. of 2504
Natural Resources, Dept. of 2677
Social Services, Dept. of 1356

REMARKS (See also STATEMENTS)
Sen. Adams 932
Sen. Alexander 1278
Sen. Campsen 1943
Sen. Cash 3039
Sen. Devine 7, 1216, 3528
Sen. Fanning 3528
Sen. Goldfinch 105
Sen. Gustafson 2922, 2925, 3528, 3827
Sen. Harpootlian 1719, 3819
Sen. Hutto 1169, 3528, 3696
Sen. K. Johnson 1214
Sen. Loftis 3238
Sen. Malloy 3528
Sen. Massey 2504
Sen. Matthews 3043, 3528
Sen. McElveen 3696
Sen. McLeod 1213, 3528
Sen. Peeler 2867
Sen. Rankin 1205, 2151
Sen. Reichenbach 3070
Sen. Sabb 1689, 2038, 3040
Sen. Senn 3202, 3528, 3832
Sen. Setzler 3801
Sen. Shealy 1391, 3528, 3716, 3817
Sen. Stephens 1218, 3528
Sen. Tedder 3, 3528
Sen. Verdin 2446

REPORTS (See also **MOTIONS**, Reports Adopted)

Department of Employment Workforce 1916
Judicial Merit Selection Comm. Report 149, 150, 151, 3722

Supreme Court
Chief Justice
Kittredge, John W. 155, 889, 892
Supreme Court
Seat 3
Anderson, Ralph K. 3758, 3791
Hewitt, Blake A. 3728, 3793
Jefferson, Deadra L. 3768, 3793
Kelly, R. Keith 3783, 3792
Newman, Jocelyn 3737, 3791
Verdin, Letitia H. 3748, 3792
Court of Appeals
Seat 8
Vinson Jr., Jerry D. 165, 889, 893
Seat 9
Harrison, Whitney B. 175, 889, 893
Holmes, Jan B. 189, 889, 894
Lambert, Grayson 779, 894
Luther, Jason P. 789, 895
Turner, Matthew P. 204, 890, 895
Circuit Court
2nd Jud. Cir., Seat 2
Davisson, Martha R. 247, 890, 897
Gibbons, Grant..... 215, 890, 896
Miller, David..... 230, 890, 896
3rd Jud. Cir., Seat 1
Doby, S. Bryan 258, 890, 897
DuRant, Christopher R. 265, 890, 898
Floyd, Samuel L. 276, 890, 898
3rd Jud. Cir., Seat 2
Curtis, Kristi F. 283, 890, 899
4th Jud. Cir., Seat 2
Holt, Michael S. 290, 890, 899
5th Jud. Cir., Seat 1
Smith, James 295, 890, 900
Williams, Justin T. 306, 890, 900
5th Jud. Cir., Seat 2
Coble, Daniel McLeod..... 317, 890, 901

INDEX

7th Jud. Cir., Seat 1
Cole, Jr. J. Derham 328, 890, 901
7th Jud. Cir., Seat 2
Knie, Grace G. 335, 890, 902
8th Jud. Cir., Seat 2
Griffith, Jr. Eugene C. 345, 890, 902
9th Jud. Cir., Seat 4
Daigle, Jason A. 803, 903
Jenkins, Ittriss J. 810, 903
Martin, Jr. Daniel E. 350, 890, 904
Morrison, Elizabeth 816, 904
Rode, Thomas J. 365, 890, 905
Van Slambrook, Dale E. 379, 890, 905
10th Jud. Cir., Seat 2
Sprouse, R. Scott 388, 890, 906
11th Jud. Cir., Seat 1
Keesley, William P. 396, 890, 906
11th Jud. Cir., Seat 2
McLeod IV, Walton J. 402, 890, 907
12th Jud. Cir., Seat 1
Nettles, Michael G. 408, 890, 907
13th Jud. Cir., Seat 2
Salvini, Jessica A. 414, 890, 908
13th Jud. Cir., Seat 4
Dunbar, Vernon F. 431, 891, 908
Gibson, Ken 443, 891, 909
Grove, Will 455, 891, 909
14th Jud. Cir., Seat 1
Bonds, Robert 467, 891, 910
14th Jud. Cir., Seat 3
Dukes III, Marvin 473, 891, 910
15th Jud. Cir., Seat 3
Caraker Jr., David P. 483, 891, 911
Holford, Joshua D. 492, 891, 911
Zayicek, Douglas M. 504, 891, 912
At-Large, Seat 4
Ballou, Daniel J. 513, 891, 912
McMaster III, William C. 522, 891, 913
At-Large, Seat 8
Barr, Kimberly V. 533, 891, 913
Blake, Maryann 826, 914
Blanchard IV, Russell A. 835, 914

McGee III, T. William "Billy" 546, 891, 915
McMahan, Ashley A. 843, 915
Meetze, William V. 558, 891, 915
Wallace, R. Bruce 854, 915
At-Large, Seat 11
Bias, Joseph 567, 891, 917
Hilton, Russell D. 575, 891, 917
Kimpson, Milton G. 588, 891, 918
At-Large, Seat 16
Maxwell, Riley 600, 891, 918
McCutchen, Charles J. 608. 891, 919
Merrill, Jane H. 617, 891, 919
Spradley, Christian G. 862, 920
Young, S. Boyd 871, 920
Family Court
1st Jud. Cir., Seat 4
Anderson, Jerrod A. 633, 891, 921
Gray, Deanne M. 640, 891, 921
7th Jud. Cir., Seat 4
Diamaduros, Pete G. 651, 891, 922
Lounsberry, Jonathan W. 667, 891, 922
9th Jud. Cir., Seat 4
Cahoon, Blakely C. 686, 891, 923
LeBarron, Paul F. 880, 923
9th Jud. Cir., Seat 6
McAlhany, Gina J. 697, 891, 924
10th Jud. Cir., Seat 1
Brousseau, David J. 709, 891, 924
Scalzo, Heather V. 720, 891, 925
16th Jud. Cir., Seat 1
Diamaduros, Sammy 734, 892, 925
16th Jud. Cir., Seat 3
Smith, R. Chadwick "Chad" 745, 892, 926
Urquhart, Erin K. 760, 892, 926
Administrative Law Court
Seat 1
Anderson III, Ralph K. 771, 892, 927

SENATE, THE (See also, MOTIONS - SENATE ACTIONS)
Adjournment in Honor of/Respect to the Memory of
Adams, David (Roll of the Senate) 1979
Achziger, Harvey (McElveen) 3668

INDEX

Anderko, Aiden (Climer) 4071
Austin, Barbara (Adams) 1354
Baker, Art (McElveen) 984
Baker, E. Heyward (Sabb) 2868
Baxley, Charles (Gustafson) 2303
Bell, Thomas (Roll of the Senate) 1073
Blakely, Jerry (Alexander) 2674
Bright, Agnes 4073
Brown, Daisy (Stephens) 1049
Brown, McKinley (Stephens) 1050
Bryant, Harry (Hutto) 4070
Burgess, Joseph (Rice and Alexander) 1009
Burgess, Leroy (Sabb) 4072
Campbell, Kenneth (Matthews) 4073
Carmichael, John (Gustafson) 1074
Cartee, Helen (Martin) 985
Caughman, John (McElveen) 1253
Cox, Thomas (Devine) 3796
D'Alessio, Patrick (Alexander) 1748
Darby, Charles (Roll of the Senate) 1313
Darby, Fred (Setzler) 1750
Darby, William (Alexander) 1290
Davis, Bethel (Sabb) 1282
Davis, George (Cromer) 1113
Dorn, George (Peeler) 3796
Durst, Kathryn (Shealy) 1173
Fenters, William (K. Johnson) 1221
Fooshe, Steven (McElveen) 103
Frick, Nancy (Roll of the Senate) 1253
Fuller, Oscar (Peeler) 984
Glasgow, William (Shealy) 2195
Griggs, John (Rankin) 1113
Haile, Robert (Cromer) 2477
Hamilton, Fred (Alexander) 2117
Hare, Matthew (Rice) 2303
Haven, Jayson (Young) 3037
Heintz, Melva (Verdin) 1291
Hook, Marnie (Setzler) 1979
Hopkins, Felicia (Devine) 3795
Howard, Barbara (Stephens) 2085
Hungerford, Kyle (Bennett) 967
James, Charles (McElveen) 2868

INDEX

James, Frederick C. (Williams) 2917
Jones, Jessie (Matthews) 1354
Jones, Thomas (McElveen) 4071
Junious, Tony (K. Johnson) 1172
Keel, Julian (Devine) 4071
Keitt, Barney (Setzler) 2443
King, Barbara (K. Johnson) 4072
Knotts, Betty (Setzler, Shealy, Massey, Cromer) 1848
Lamb, Pamela (Grooms) 944
Loadholt, Miles (Hutto) 2714
Lowry, Samuel (Shealy and Verdin) 3667
Prevatte, Robert (Peeler) 130
Marino, Michael (Rankin) 4069
Maxwell-Roddey (Devine, Alexander and Matthews) 2233
McClary, Thomas (Matthews) 2154
Moore, Elbert (Hutto) 1750
Morris, Barbara (Roll of the Senate) 928
Moss, James (Peeler) 967
Moss, Van (Roll of the Senate) 2515
Myers, Stanley (Hutto and Malloy) 1282
Newkirk, Jennifer (Malloy) 4072
Ortman, Sallie (McElveen) 928
Parker, Lura (Bennett) 2085
Price, Debi (Matthews) 2234
Rhodes, George (Campsen) 2013
Richardson, Clayton (Malloy) 3795
Rizzo, Phillip (Bennett) 1693
Rybinski, Vitaliy (Peeler and Kimbrell) 986
Rybinski, Vladimir (Peeler and Kimbrell) 986
Santiago, Carol (Goldfinch) 2195
Scott, John L. (Roll of the Senate) 131
Shuler, Emily (Roll of the Senate) 3197
Siegfried, Richard (Cromer) 2442
Singleton, Johnny (Alexander) 1847
Smith, Karl (Malloy) 1747
Spires, Tara (Shealy) 1900
St. John, Ann (Roll of the Senate) 3794
Stephens, Eunice (Bennett) 1075
Stockman, Abner (Garrett) 1009
Switzer, Liner (Martin) 2984
Switzer, Lisa (Martin) 2983
Taylor, Broadus (Shealy) 2983

Terrana, Victor (Cromer) 4070
Thomas, Robert E. (McElveen) 945
Vinson, Michael (Verdin) 2475
Wallace, Jeffery (Peeler and Kimbrell) 986
Wilson, W. B. (Sabb) 2154
Windley, George (K. Johnson) 4069
Wingate, Jennifer (Massey, Setzler, Garrett) 1049
Wise, Michael (Roll of the Senate) 3198
Wood, Austin (Shealy) 2673
Wood, Michael (Cromer) 3036

Oaths of Office
Senator Devine 6
Senator Tedder 3

Presentations
Service Pins 3721
Seating selections 55

SESSIONS
Night 1034
Special Days (Rule 1B) 2235, 2478, 2482, 2498
Rule 1B Motions Adopted 2195, 2442

SINE DIE **(**See also **ADJOURNMENT**)
At 5:00 P.M., on Thursday, May 9, 2024, the Senate adjourned *Sine Die* under the provisions of S. 1192, the *Sine Die* Resolution 3668

At 12:57P.M., on Wednesday, June 5, 2024, the Senate adjourned *Sine Die* under the provisions of S. 1192, the *Sine Die* Resolution 3796

At 6:08P.M., on Wednesday, June 26, 2024, the Senate adjourned *Sine Die* under the provisions of S. 1192, the *Sine Die* Resolution 4073

STATE OF THE STATE ADDRESS
Governor Henry D. McMaster 1035

STATEMENTS (See also, **REMARKS**)
Sen. Adams 1150
Sen. Alexander 1150, 3696
Sen. Bennett 1150
Sen. Climer 1150

Sen. Grooms 1060
Sen. M. Johnson..... 1150, 2364
Sen. Kimbrell..... 1060, 1151
Sen. Massey 1150
Sen. Reichenbach..... 2042
Sen. Senn 2176, 2179, 2180, 2186, 2364
Sen. Turner 1150
Sen. Williams..... 3524
Sen. Young 1151, 2364, 3089

VETOES (<u>listed numerically by R numbers</u>)

(R200, S1166) -- Senators Tedder, Stephens and Rice: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS THAT OCCURRED BEFORE THE ENACTMENT OF THE S.C. CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THIS ACT, TO PROVIDE THE DISMISSAL OF THESE CHARGES DOES NOT MANDATE THE DISMISSAL OF OTHER RELATED CHARGES OR MAY SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.
Veto Overridden (38-0) 3842

(A211, R212, H4248) -- Reps. Rose and Robbins: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-4-50, RELATING TO THE SALE OF BEER, ALE, PORTER, OR WINE TO UNDERAGED PERSONS, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE; AND BY AMENDING SECTION 61-6-4080, RELATING TO THE SALE OF ALCOHOLIC LIQUORS TO AN UNDERAGED PERSON, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE.
Veto Overridden (33-5) 3844

V**OTE, REQUEST TO BE RECORDED**

Sen. Cash 114, 1696
Sen. Climer 1150, 2364, 2925, 3100
Sen. Corbin 114, 1150, 1696, 2925, 3100, 3528
Sen. Fanning 1012

Sen. Garrett 1353, 2925
Sen. Grooms 1106, 1107, 1109
Sen. Kimbrell 1150, 2925
Sen. Loftis 1052
Sen. Martin 114, 2363, 2364, 3092, 3100, 3650
Sen. Rice 2925
Sen. Turner 1696
Sen. Verdin 3650
Sen. Young 1150

VOTING (See also **SENATE/HOUSE BILLS AND RESOLUTIONS INDEX** for voting actions on specific Bills/Resolutions)

Appointment Confirmation Votes 129, 149, 1243-1252 1843-1846, 2302, 3210-3237, 4044-4068

Election Roll Call Votes 1940, 2522-2529, 2531-2535 2537-3539, 2543-2545, 2546-2548, 2562-2564, 3711, 3712

Roll Call Votes ..... 121, 122, 123, 127, 146, 940 943, 960, 962, 966, 1004, 1008, 1059, 1087, 1089, 1098, 1105, 1106 1108, 1128, 1133, 1139, 1145, 1146, 1147, 1160, 1164, 1165, 1170 1171, 1188, 1190, 1193, 1194, 1195, 1200, 1220, 1236, 1239, 1241 1242, 1273, 1275, 1281, 1312, 1336, 1339, 1340, 1343, 1345, 1352 1382, 1387, 1393, 1656, 1672, 1678, 1681, 1683, 1684, 1687, 1689 1710, 1746, 1763, 1769, 1770, 1771, 1778, 1779, 1783, 1813, 1821 1826, 1828, 1829, 1832, 1835, 1862, 1863, 1866, 1874, 1876, 1879 1951, 2040, 2054, 2058, 2059, 2061, 2062, 2064, 2065, 2067, 2068 2070, 2071, 2075, 2078, 2084, 2103, 2106, 2108, 2111, 2115, 2128 2140, 2145, 2175, 2178, 2180, 2185, 2192, 2194, 2223, 2281, 2284 2286, 2290, 2291, 2298, 2300, 2301, 2316, 2321, 2329, 2341, 2348 2350, 2352, 2355, 2357, 2358, 2363, 2366, 2368, 2372, 2439, 2453 2464, 2470, 2474, 2584, 2591, 2593, 2614, 2659, 2662, 2666, 2668 2669, 2670, 2671, 2709(GAB), 2732(GAB), 2752(GAB), 2763(GAB) 2766(GAB), 2771(GAB), 2773-2863(GAB), 2866, 2876, 2900, 2901 2903, 2905, 2906, 2936, 2943, 2969, 2971, 2974, 2975, 3009, 3033 3059, 3060, 3061, 3066, 3084, 3086, 3088, 3090, 3097, 3113, 3150 3152, 3153, 3156, 3157, 3160, 3174, 3176, 3181, 3245, 3259, 3266 3275, 3281, 3283, 3288, 3296, 3297, 3299, 3301, 3310, 3312, 3326 3343, 3345, 3346, 3347, 3349, 3351, 3358, 3360, 3362, 3363, 3364 3365, 3367, 3372, 3379, 3394, 3418, 3419, 3422, 3433, 3436, 3503

INDEX

3551, 3560, 3569, 3582, 3587, 3596, 3631, 3642, 3647, 3657, 3660
3844, 3847, 3848, 3860, 3871, 3876, 3880, 3886, 3944, 3961, 3963
3966, 3977, 4003, 4019, 4028, 4033, 4035(GAB), 4038(GAB), 4062

INDEX

BILLS, RESOLUTIONS AND AMENDMENTS INTRODUCED BY COMMITTEES

COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Amendments Proposed – 1094, 2285, 2663, 3107

COMMITTEE ON BANKING AND INSURANCE

S. 1026, 1027

Amendments Proposed – 1307, 2073, 2076, 2140, 3157, 3292

COMMITTEE ON CORRECTIONS AND PENOLOGY

Amendments Proposed – 1709

COMMITTEE ON EDUCATION

Amendments Proposed – 1005, 1385, 1682, 1721, 2889, 2969, 3289

COMMITTEE ON FAMILY AND VETERANS' SERVICES

S. 1054, 1055, 1117, 1218

Amendments Proposed – 963, 1387, 1679, 2358

COMMITTEE ON FINANCE

Amendments Proposed – 1088, 1092, 1096, 1271, 1677, 1822, 2063, 2863, 2945, 3267

INDEX

COMMITTEE ON FISH, GAME AND FORESTRY

S. 1052, 1053, 1215, 1216, 1217

Amendments Proposed – 2187, 2323, 3139, 3347, 3352

COMMITTEE ON JUDICIARY

S. 1266

Amendments Proposed – 1332, 1773, 1779, 1825, 1827, 1830, 1864, 1868, 1898, 1914, 1977, 2000, 2102, 2132, 2272, 2277, 2279, 2299, 2330, 2342, 2349, 2351, 2354, 2374, 2591, 2897, 3121, 3161, 3177, 3182, 3186, 3250, 3311, 3344, 3349, 3357, 3359, 3614

COMMITTEE ON LABOR, COMMERCE AND INDUSTRY

S. 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228

Amendments Proposed – 1191, 1816, 2144, 2146, 2147, 2148, 2184, 2219, 2266, 2369, 3010, 3654

COMMITTEE ON MEDICAL AFFAIRS

Amendments Proposed – 1027, 1272, 1274, 1394, 1768, 2079, 2080, 2141, 2472, 2599, 2952, 3035, 3056

COMMITTEE ON TRANSPORTATION

S. 1090, 1091

Amendments Proposed – 1833, 1875, 1877, 2585, 2650

H. 3014--Obj. 1196.

H. 3116--Rep. Com. 1017; Point of Order 1066; Committee Amendment Adopted 1092; Carried Over 1092, 1134; Amended & 2d R. 1189; Rec. Vt. 1190; 3d R. 1230; M. from H. 1299; Rat. 1993.

H. 3121--Rep. Com. 1802; Point of Order 1884; Obj. 1927; Committee Amendment Adopted & 2d R. 2063; Rec. Vt. 2064; 3d R. 2098; M. from H. 2216; Rat. 3509.

H. 3160--Int. & Com. 2009.

H. 3180--Int. & Com. 2483.

H. 3220--Rep. Com. 2990; Committee Amendment Adopted 3161; Amended & 2d R. 3161; Rec. Vt. 3174; 3d R. 3285; M. from H. 3569; Rat. 3678.

H. 3227--Int. & Com. 2247.

H. 3248--2d R. 2883; 3d R. & Enr. 2930; Rat. 3509.

H. 3255--Rep. Com. 1853; Obj. 1932; 2d R. 2077; Rec. Vt. 2078; 3d R. & Enr. 2100; Rat. 3509.

H. 3278--Int. & Com. 1260; Rep. Com. 2927; Obj. 3031, 3159; 2d R. 3296; Rec. Vt. 3297; 3d R. & Enr. 3598; Rat. 3679.

H. 3295--Rep. Com. 1802; Point of Order 1884; Obj. 1927; Carried Over 2064; 2d R. 2107; Rec. Vt. 2108; 3d R. & Enr. 2129; Rat. 3510.

H. 3309--Int. & Com. 1119; Rep. Com. 1803; Point of Order 1885; Obj. 1927; 2d R. 2065; Rec. Vt. 2065; 3d R. & Enr. 2098; Rat. 3510.

H. 3313--Rep. Com. 2990; Carried Over 3175; Rec. Vt. 3176; 2d R. 3300; Rec. Vt. 3301; 3d R. & Enr. 3613; Rat. 3681.

H. 3355--Rep. Com. 1701; Point of Order 1784; Carried Over 1833; Committee Amendment Adopted & 2d R. 1874; Rec. Vt. 1876; 3d R. 1902; M. from H. 2093; Rat. 3511.

H. 3392--Recalled 2986; Adopted 3368.

H. 3424--Int. & Com. 1179; Rep. Com. 2683; Obj. 2906, 2951, 3142; Committee Amendment Adopted 3010; Amended & Obj. 3010; 2d R. 3288; Rec. Vt. 3288; 3d R. 3590; M. from H. 3591; Motion Adopted 3591; Ret. by H. with Amdt. & Conc. in H. Amend 3592; Rat. 3681.

H. 3501--Rep. Com. 2722; Point of Order 2909; Carried Over 2971, 3027, 3282, 3580; 2d R. 3151; Motion Adopted 3151.

H. 3518--Amendment Proposed 15; Carried Over 115, 978, 1083, 1301, 1704, 1764; Obj. 141, 935, 956, 996, 1022, 1060, 1126, 1184, 1230, 1267, 1330, 1364, 1380, 1674; Amended & Carried Over 1672; Motion Failed 1705; 2d R. 1811; Rec. Vt. 1813; 3d R. 1857; M. from H. 2093; Rat. 3511.

H. 3523--Int. & Com. 1119.

H. 3563--Rep. Com. (polled) 2723; Rec. Vt. 2723, 2971; Point of Order 2910; 2d R. 2971; 3d R. & Enr. 3004; Rat. 3512.

H. 3592--Rep. Com. 976; Point of Order 1000; Obj. 1026; Committee Amendment Adopted 1768; Amended & 2d R. 1768; Rec. Vt. 1769; 3d R. 1809; M. from H. 2095; Rat. 3512.

H. 3594—Made Adjourned Debate 1001; Rec. Vt. 1004, 1105, 1106, 1107, 1108, 1109, 1139, 1145, 1146, 1147, 1150, 1160, 1164, 1165, 1170, 1171, 1200; Amendment Proposed, Debate Interrupted 1029; Debate Int. 1068; Obj. 1108; Amended & 2d R. 1100; Motion Adopted 1109, 1138, 1203, 1327, 1936; Amended & Debate Int. 1136; Point of Order 1153, 1158, 1204, 1205; Amended & 3d R. 1197; Rec. Vt. 1220, 1951; M. from H. 1324, 1757, 1972; Ret. by H. with Amdt. & Non-Concur in H. Amend's 1327; Conf. Com. Appointed 1760; Obj. 1916; Rep. Conf. Com. Adopted 1933; Enr. 1975; Rat. 1993.

H. 3608--Int. & Com. 1296; Rep. Com. 1803; Point of Order 1886; Obj. 1928; 2d R. 2066; Rec. Vt. 2067; 3d R. & Enr. 2099; Rat. 3513.

H. 3676--Int. & Com. 1909; Rep. Com. (polled) 3081; Rec. Vt. 3081.

H. 3679--Int. & Adopted 2498.

H. 3680--Int. & Adopted 2499.

H. 3682--Carried Over 3005; Committee Amendment Adopted 3106; Amended & 2d R. 3106; Rec. Vt. 3113; 3d R. 3246; M. from H. 3570; Rat. 3682.

H. 3690—Made Special Order 147; 2d R. 942; Rec. Vt. 943; 3d R. & Enr. 961; Rec. Vt. 962; Rat. 1110.

H. 3728—Free Conf. Powers Failed 3961; Rec. Vt. 3961.

H. 3734--Rep. Com. 2991; 2d R. 3301; Motion Adopted 3308; Amended & 3d R. 3613; Rec. Vt. 3631.

H. 3748--Int. & Com. 2201; Rep. Com. 2992; Committee Amendment Adopted 3177; Amended & Obj. 3177; Amended & 2d R. 3308; Rec. Vt. 3310; M. from H. 3570; 3d R. 3641; Rat. 3682.

H. 3774—Recommitted 113; Rec. Vt. 114.

INDEX

H. 3776--Int. & Com. 2159; Rep. Com. 2992; 2d R. 3180; Rec. Vt. 3181; 3d R. & Enr. 3285; Rat. 3682.

H. 3782--Carried Over 123, 145, 938; Amended 938; 2d R. 959; Rec. Vt. 960; 3d R. 978; M. from H. 1058; Rat. 1110.

H. 3799--2d R. 146; Rec. Vt. 146; 3d R. & Enr. 935; Rat. 1111.

H. 3811--Rep. Com. 1804; Point of Order 1886; Obj. 1928; 2d R. 2068; Rec. Vt. 2068; 3d R. & Enr. 2099; Rat. 3513.

H. 3865--Rep. Com. 2488; Carried Over 2590, 2662; Committee Amendment Adopted, Carried Over 2897; Amendment Proposed, Carried Over 2942; Carried Over 3006, 3116; 2d R. 3287; Motion Adopted 3287; Amended & 3d R. 3581; Rec. Vt. 3582, 3963; M. from H. 3582, 3583, 3964; Senate Insists 3583; Conf. Com. 3583; Rep. Conf. Com. Adopted 3962.

H. 3866--Carried Over 1303; Committee Amendment Adopted 1332; Amendment Proposed, Carried Over 1332; Amended, Carried Over 1365; Amended & 2d R. 1381; Rec. Vt. 1382; 3d R. 1670.

H. 3872--2d R. 120; Rec. Vt. 121; 3d R. & Enr. 140; Rat. 1111.

H. 3877--Rep. Com. 2638.

H. 3880--Rep. Com. 1804; Point of Order 1887; Obj. 1928, 2069, 2108, 2645; 2d R. 2936; Rec. Vt. 2936; 3d R. & Enr. 3003; Rat. 3513.

H. 3934--Rep. Com. 2992; Carried Over 3181; Committee Amendment Adopted & 2d R. 3311; Rec. Vt. 3312; 3d R. 3641; M. from H. 3642; Rat. 3683.

H. 3951--Rep. Com. 1017; Carried Over 1067; Committee Amendment Tabled (Ag.) 1094; Committee Amendment Adopted (Fin.) 1094; 2d R. 1094; Rec. Vt. 1098; 3d R. 1126; M. from H. 1265; Rat. 1997.

H. 3960--2d R. 121; Rec. Vt. 122; 3d R. & Enr. 141; Rat. 1111.

H. 3963--Int. & Com. 1909.

H. 3977--Carried Over 115; 3d R. & Enr. 140; Rat. 1111.

H. 3980--Int. & Com. 2248.

H. 3988--Int. & Com. 2160; Rep. Com. 2683; Carried Over 2907; Committee Amendment Adopted & Carried Over 2951; Point of Order 2967, 3026, 3150; Amendment Proposed, Carried Over 3022; 2d R. 3142; Rec. Vt. 3150, 3281, 3966; Motion Adopted 3151; Amended & 3d R. 3275; M. from H. 3571, 3573, 3974, 3975; Senate Insists 3572; Conf. Com. 3573; Rep. Conf. Com. Adopted 3965.

INDEX

H. 3992--Int. & Com. 1261; Rep. Com. 2052; Point of Order 2113; Committee Amendment Adopted, Carried Over 2148; 2d R. 2185; Rec. Vt. 2185; 3d R. 2216; M. from H. 2493; Rat. 3513.

H. 3993--Rep. Com. 1287; Point of Order 1309; 2d R. 1338; Rec. Vt. 1339; 3d R. & Enr. 1363; Rat. 1997.

H. 4002--Rep. Com. 1362; Point of Order 1390; Obj. 1685, 1709; Committee Amendment Adopted & 2d R. 1709; Rec. Vt. 1710, 2115; 3d R. 1763; M. from H. 1988; Carried Over 2083; Ret. by H. with Amdt. & Conc. in H. Amend 2115; Rat. 3514.

H. 4029--Int. & Com. 1119; Rep. Com. 2214; Obj. 2289, 2894; Carried Over 2356, 2468, 2582, 2647, 2937, 3006, 3115; Recommitted 3286.

H. 4040--Recalled 3073; Adopted 3368.

H. 4042--Int. & Com. 2488; Committee Amendment Adopted & 2d R. 2590; Rec. Vt. 2591; 3d R. 2644; M. from H. 2880; Rat. 3514.

H. 4047--Rep. Com. 1288; Point of Order 1309; 2d R. 1339; Rec. Vt. 1340; 3d R. & Enr. 1363; Rat. 1997.

H. 4082--Int. & Com. 2201.

H. 4086--Rep. Com. 3048; Obj. 3192.

H. 4087--Rep. Com. 2638; Obj. 2902, 2945, 2950, 3008; 2d R. 3141; Motion Adopted 3142; Committee Amendment Adopted 3267; Amended & 3d R. 3267; Rec. Vt. 3275, 3977; M. from H. 3584, 3585, 3999; Ret. by H. with Amdt. & Non-Concur in H. Amend's 3584; Conf. Com. 3586; Rep. Conf. Com. Adopted 3976.

H. 4113--Int. & Com. 1981; Rep. Com. 2639; 2d R. 2903; Rec. Vt. 2903; 3d R. & Enr. 2935; Rat. 3514.

H. 4116--Carried Over 118, 980, 1674, 1706, 1766; Obj. 143, 936, 957, 998, 1024, 1062, 1085, 1129, 1186, 1232, 1269, 1303, 1333, 1367, 1383; Committee Amendment Adopted 1814; Amended & 2d R. 1814; Rec. Vt. 1821, 4003; 3d R. 1858; M. from H. 2124, 2263, 4014; Ret. by H. with Amdt. & Non-Concur in H. Amend's 2224; Conf. Com. 2265; Rep. Conf. Com. Adopted 4001.

H. 4120--Carried Over 124, 145; 2d R. 940; Rec. Vt. 940; 3d R. & Enr. 955; Rat. 1112.

H. 4158--Int. & Com. 2248; Rep. Com. 2993.

H. 4159--Rep. Com. 976; Point of Order 1000; Committee Amendment Adopted & 2d R. 1026; Motion Adopted 1027; 3d R. 1059; Rec. Vt. 1059; M. from H. 1125; Rat. 1997.

H. 4187--Int. & Com. 2484; Rep. Com. 2993; Committee Amendment Adopted 3182; Amended & Carried Over 3182; 2d R. 3312; Motion Adopted 3313; 3d R. 3642; Rec. Vt. 3642; M. from H. 3643, 3644; Ret. by H. with Amdt. & Non-Concur in H. Amend's 3644; Conf. Com. 3645.

H. 4189--Int. & Com. 2248; Rep. Com. 2877; Point of Order 2977; Obj. 3028; Carried Over 3155; Committee Amendment Adopted & 2d R. 3291; Motion Adopted 3294; Obj. 3593.

H. 4218--Int. & Com. 2010.

H. 4231--Int. & Com. 1359; Rep. Com. 2993; Obj. 3183.

H. 4234--Int. & Com. 2160; Rep. Com. 2994; Committee Amendment Adopted 3184; Obj. 3184; Amended & 2d R. 3313; Rec. Vt. 3326, 3647; Amended & 3d R. 3645; M. from H. 3648; Rat. 3683.

H. 4248--Int. & Com. 2484; Rep. Com. 2996; Obj. 3189; Amended & 2d R. 3326; Rec. Vt. 3343, 3650, 3845; 3d R. 3650; Ret. by H. with Amdt. & Conc. in H. Amend 3650; Rat. 3685; M. from H. 3841; Veto Overridden 3844.

H. 4274--Int. & Com. 2201.

H. 4278--Recalled 1079; Adopted 1135.

H. 4288--Recalled & Adopted 2307.

H. 4289--Int. & Com. 2249.

H. 4294--Int. & Com. 2250.

H. 4300--M. from H. 1266.

H. 4304--Int. & Com. 2250; Rep. Com. 2996; Obj. 3189, 3651; Committee Amendment Adopted & 2d R. 3344; Rec. Vt. 3345.

H. 4319--Recalled 1661; Adopted 1718.

H. 4333--Int. & Com. 2010; Rep. Com. 2639; 2d R. 2904; Rec. Vt. 2905; 3d R. & Enr. 2935; Rat. 3515.

H. 4349--Int. & Com. 2250; Rep. Com. 2512; Point of Order 2594; 2d R. 2666; Rec. Vt. 2666; 3d R. & Enr. 2887; Rat. 3515.

H. 4352--2d R. 122; Rec. Vt. 123; 3d R. & Enr. 141; Rat. 1112.

H. 4364--Int. & Com. 1297; Rep. Com. (polled) 2262; Rec. Vt. 2262; Obj. 2361.

H. 4365--Int. & Com. 2010.

H. 4376--Int. & Com. 1262; Rep. Com. 1804; Point of Order 1887; Obj. 1929; 2d R. 2069; Rec. Vt. 2070; 3d R. & Enr. 2099; Rat. 3515.

H. 4386--Int. & Com. 1796; Rep. Com. 2513; Point of Order 2595; Obj. 2667, 3139; Committee Amendment Adopted & 2d R. 3139; Motion Adopted 3140; Amended & 3d R. 3260; Rec. Vt. 3266, 4019; M. from H. 3574, 4026; Senate Insists 3574; Conf. Com. 3574; Rep. Conf. Com. Adopted 4018.

H. 4387--Int. & Com. 1796; Rep. Com. 2513; Point of Order 2595; Obj. 2667; Carried Over 2899; 2d R. 2943; Rec. Vt. 2943; 3d R. & Enr. 3003; Rat. 3516.

H. 4436--Int. & Com. 2010; Rep. Com. (polled) 2878; Rec. Vt. 2878, 3156; Point of Order 2978; Obj. 3029; 2d R. 3156; 3d R. & Enr. 3284; Rat. 3685.

H. 4486--Rep. Com. 2684; Carried Over 2908; Obj. 2968, 3026.

H. 4548--Int. & Com. 2250.

H. 4552--Int. & Com. 1982; Rep. Com. 2214; Obj. 2289; Amended & 2d R. 2356; Rec. Vt. 2357; 3d R. 2465; M. from H. 2684; Carried Over 2982, 3034, 3370, 3667.

H. 4559--Int. & Com. 2201.

H. 4561--Int. & Com. 2484.

H. 4563--Int. & Com. 2162; Rep. Com. 2996; Obj. 3189; Amended & 2d R. 3345; Rec. Vt. 3346; 3d R. 3651; M. from H. 3651; Rat. 3685.

H. 4589--Int. & Com. 1909.

H. 4590--Int. & Com. 1982.

H. 4594--Int. & Com. 2202; Rep. Com. 2639; Obj. 2950; 2d R. 3009; Rec. Vt. 3009; 3d R. & Enr. 3105; Rat. 3686.

H. 4601--Int. & Com. 2202; Rep. Com. 2575; Point of Order 2672; Amended & Carried Over 3007; Carried Over 3140; 2d R. 3287; Motion Adopted 3288; 3d R. 3586; Rec. Vt. 3587; M. from H. 3587; Rat. 3686.

H. 4608--Int. & Com. 1120; Recalled 1789; Adopted 1890.

H. 4609--Int. & Com. 2202.

H. 4611--Int. & Com. 2011; Rep. Com. 2996; Obj. 3189; Committee Amendment Adopted & 2d R. 3347; Rec. Vt. 3347; 3d R. 3652; M. from H. 3652; Rat. 3686.

H. 4612--Int. & Com. 2011; Rep. Com. 2513; Point of Order 2595; 2d R. 2667; Rec. Vt. 2668; 3d R. & Enr. 2887; Rat. 3516.

H. 4617--Int. & Com. 934; Rep. Com. 2997; Obj. 3190; Committee Amendment Adopted & 2d R. 3348; Rec. Vt. 3349; 3d R. 3652; M. from H. 3653; Rat. 3686.

H. 4622--Int. & Com. 2485.

H. 4624--Int. & Com. 973; Rep. Com. 1911; Made Special Order 2916; 2d R. 2982; Motion Adopted 2983, 3062; Debate Interrupted 3035; Committee Amendment Adopted 3056; Amended & 3d R. 3056; Rec. Vt. 3059, 3060, 3061, 3066; Motion Failed 3061; M. from H. 3575; Rat. 3687.

H. 4632--Int. & Com. 1120; Recalled & Adopted 3525.

H. 4642--Int. & Com. 2162; Rep. Com. 2724; Point of Order 2910; 2d R. 2972; Rec. Vt. 2974; 3d R. & Enr. 3004; Rat. 3516.

H. 4649--Int. & Com. 2251.

H. 4655--Int. & Com. 2164.

H. 4673--Int. & Com. 2251; Rep. Com. 2575; Point of Order 2672; 2d R. 2899; Rec. Vt. 2900; 3d R. & Enr. 2934; Rat. 3518.

H. 4674--Int. & Com. 1120; Rep. Com. 2450; Committee Amendment Adopted & 2d R. 2585; Motion Adopted 2588, 3588; Amended & 3d R. 3095; Rec. Vt. 3097; M. from H. 3588; Ret. by H. with Amdt. & Conc. in H. Amend 3589; Rat. 3687.

H. 4680--Int. & Com. 2011.

H. 4681--Int. & Com. 2252.

H. 4700--Int. & Com. 1180.

H. 4702--Int. & Com. 2252.

H. 4703--Int. & Com. 2252.

H. 4709--Int. & Com. 1910.

H. 4710--Int. & Com. 1297.

H. 4720--Int. & Com. 138; Rep. Com. 1805; Point of Order 1888; Obj. 1929; 2d R. 2070; Rec. Vt. 2071; 3d R. & Enr. 2100; Rat. 3518.

H. 4751--Int. & Adopted 111.

H. 4752--Int. & Adopted 111.

H. 4753--Int. & Adopted 112.

INDEX

H. 4754--Int. & Com. 1982; Rep. Com. 2997; Obj. 3190; 2d R. 3350; Motion Adopted 3351; Amended & 3d R. 3654; Rec. Vt. 3657; M. from H. 3657; Rat. 3689.

H. 4806--Int. & Com. 1120; Recalled 3074; Adopted 3368.

H. 4807--Int. & Adopted 138.

H. 4810--Int. & Com. 1121.

H. 4813--Int. & Com. 2164.

H. 4817--Int. & Com. 2020; Rep. Com. 2998; Obj. 3191; 2d R. 3351; Rec. Vt. 3351; 3d R. & Enr. 3658; Rat. 3689.

H. 4819--Int. & Com. 2012; Rep. Com. 2575; Point of Order 2673; 2d R. 2900; Rec. Vt. 2901; 3d R. & Enr. 2934; Rat. 3518.

H. 4820--Int. & Com. 2203; Rep. Com. 2998; Obj. 3191; Committee Amendment Withdrawn 3352; Amended & 2d R. 3352; Motion Adopted 3356; Amended & 3d R. 3659; Point of Order 3659; Rec. Vt. 3660, 4028; M. from H. 3661, 3662, 4031; Senate Insists 3662; Conf. Com. 3662; Rep. Conf. Com. Adopted 4027.

H. 4825--Int. & Com. 1121; Rep. Com. 2998; Obj. 3191; Committee Amendment Adopted & 2d R. 3357; Rec. Vt. 3358; 3d R. 3662; M. from H. 3663.

H. 4830--Int. & Adopted 139.

H. 4832--Int. & Com. 1286; Rep. Com. 2879; Point of Order 2979; Obj. 3029; Committee Amendment Adopted & 2d R. 3157; Rec. Vt. 3157; 3d R. 3284; M. from H. 3575; Rat. 3690.

H. 4833--Int. & Com. 1121; Recalled 1661; Adopted 1718.

H. 4837--Int. & Adopted 951.

H. 4838--Int. & Adopted 952.

H. 4839--Int. & Adopted 952.

H. 4840--Int. & Adopted 953.

H. 4841--Int. & Com. 1122; Recalled 1177; Adopted 1235.

H. 4843--Int. & Com. 2485; Rep. Com. (polled) 2724; Rec. Vt. 2724, 4033; Point of Order 2911; Carried Over 2975, 3027; Amended & 2d R. 3152; 3d R. 3282; M. from H. 3576, 3577, 4034, 4035; Senate Insists 3576; Conf. Com. 3577; Rep. Conf. Com. Adopted 4032.

H. 4849--Int. & Com. 973; Recalled 989; Adopted 1028.

H. 4859--Int. & Adopted 974.

H. 4860--Int. & Adopted 974.

H. 4862--Int. & Adopted 975.

H. 4863--Int. & Com. 1122.

H. 4867--Int. & Com. 2253; Rep. Com. 2999; Obj. 3192; Committee Amendment Adopted & 2d R. 3359; Rec. Vt. 3360; 3d R. 3663; M. from H. 3663; Rat. 3690.

H. 4868--Int. 1180; 2d R. 1702; 3d R. & Enr. 1749; Rat. 1998.

H. 4869--Int. & Com. 1262; Rep. Com. 2879; Point of Order 2979; Obj. 3030, 3158; Amended & 2d R. 3294; Rec. Vt. 3296, 3596; Amended & 3d R. 3594; Motion Adopted 3595; M. from H. 3597; Rat. 3690.

H. 4871--Int. & Com. 2253; Rep. Com. 2500; Amended & 2d R. 2592; Rec. Vt. 2593; 3d R. 2644; M. from H. 2880; Rat. 3519.

H. 4874--Int. & Com. 2253; Rep. Com. 2999; Recommitted 3361.

H. 4875--Int. & Com. 1797; Rep. Com. 2513; Point of Order 2596; 2d R. 2669; Rec. Vt. 2669; 3d R. & Enr. 2887; Rat. 3519.

H. 4876--Int. 1286; 2d R. 1301; 3d R. & Enr. 1330; Rat. 1999.

H. 4878--Int. & Com. 1122; Recalled 1177; Adopted 1235.

H. 4887--Int. & Adopted 992.

H. 4888--Int. & Adopted 992.

H. 4889--Int. & Adopted 993.

H. 4892--Int. 1123; 2d R. 1230; 3d R. & Enr. 1267; Rat. 1999.

H. 4895--Int. & Com. 993; Rep. Com. (polled) 1018; Rec. Vt. 1021; Motion Adopted 1836; Amended & Adopted 1836; M. from H. 1853.

H. 4902--Int. & Com. 1983.

H. 4903--Int. & Adopted 1014.

H. 4904--Int. & Com. 1983; Recalled 3074; Adopted 3369.

H. 4905--Int. & Com. 1983; Recalled 3074; Adopted 3369.

H. 4906--Int. & Com. 1984; Recalled 3075; Adopted 3369.

H. 4909--Int. & Com. 1057; Rep. Com. 2215; 2d R. 2289; Rec. Vt. 2290; 3d R. & Enr. 2311; Rat. 3519.

H. 4912--Int. & Com. 2254.

H. 4927--Int. & Com. 1910.

H. 4928--Int. & Com. 1263; Rep. Com. 2215; Obj. 2290; Committee Amendment Adopted & 2d R. 2358; Rec. Vt. 2358; 3d R. 2466; M. from H. 2493; Rat. 3519.

H. 4933--Int. & Com. 2012.

H. 4934--Int. & Com. 2254.

H. 4937--Int. & Com. 1123; Rep. Com. 2215; 2d R. 2291; Rec. Vt. 2291; 3d R. & Enr. 2311; Rat. 3519.

H. 4953--Int. & Com. 2254; Rep. Com. 2726; Point of Order 2912; 2d R. 2975; Rec. Vt. 2975; 3d R. & Enr. 3005; Rat. 3520.

H. 4957--Int. & Com. 1359; Rep. Com. 1805; Point of Order 1888, 3103; Obj. 1929, 2109, 2217, 2269, 2318, 2645; Carried Over 2071, 2138, 2181, 2466, 2580, 2932, 3001; Committee Amendment Adopted 2888; Amended & 2d R. 2888; Motion Adopted 2893; Amended, Obj. 3098; Rec. Vt. 3100, 3103, 3104, 3245; Amended & 3d R. 3243; M. from H. 3577; Rat. 3691.

H. 4965--Int. & Com. 1984; Recalled 2871; Adopted 2980.

H. 4966--Int. & Com. 1984.

H. 4967--Int. & Adopted 1080.

H. 4978--Int. & Com. 1123; Recalled & Adopted 1294.

H. 5007--Int. & Com. 1984; Rep. Com. 2514; Point of Order 2596; 2d R. 2670; Rec. Vt. 2670; 3d R. & Enr. 2888; Rat. 3520.

H. 5008--Int. & Com. 1263; Recalled 2924; Carried Over 3032; 2d R. 3160; Rec. Vt. 3160; 3d R. & Enr. 3284; Rat. 3693.

H. 5014--Int. 2254; 2d R. 3845.

H. 5015--Int. & Com. 1264.

H. 5016--Int. & Com. 2255.

INDEX

H. 5023--Int. & Com. 2203; Rep. Com. 2450; Amendment Proposed, Obj. 2589; Amended & 2d R. 2660; Rec. Vt. 2662; 3d R. 2886; M. from H. 3579; Rat. 3693.

H. 5024--Int. & Com. 2203.

H. 5036--Int. & Com. 1264; Recalled & Adopted 2027.

H. 5042--Int. & Com. 2165; Rep. Com. (polled) 3051; Rec. Vt. 3052; Obj. 3195; Amended & 2d R. 3361; Rec. Vt. 3362; 3d R. 3664; M. from H. 3664; Rat. 3693.

H. 5050--Int. & Com. 1264.

H. 5058--Int. & Adopted 1265.

H. 5066--Int. & Com. 2255.

H. 5067--Int. & Adopted 1286.

H. 5079--Int. & Com. 1361; Recalled 2007; 2d R. 2023; 3d R. & Enr. 2041; Rat. 3520.

H. 5088--Int. & Com. 1985; Recalled 2635; Adopted 2915.

H. 5089--Int. & Com. 1985; Recalled 2635; Adopted 2915.

H. 5093--Int. & Adopted 1321.

H. 5094--Int. & Com. 1985.

H. 5100--Int. & Com. 2020; Rep. Com. 2576; Carried Over 2641; Motion Adopted 2685, 2713, 2727, 2728, 2730, 2734, 2735, 2736, 2737, 2751, 2756, 2769, 2770, 3504; Committee Amendment Adopted 2685; Amended & 2d R. 2685; Point of Order 2691, 2692, 2700, 2701, 2708, 2733, 2741, 2742, 2743, 2744, 2745, 2746, 2749, 2754, 2755, 2762, 2764, 2766, 2768, 2772; Rec. Vt. 2709, 2732, 2752, 2763, 2766, 2771, (Section by Section Votes in Numerical Order pgs. 2773 through 2862); Amended & 3d R. 2727; M. from H. 3504, 3589, 4037; Ret. by H. with Amdt. & Non-Concur in H. Amend's 3505; Conf. Com. 3590; Rep. Conf. Com. Adopted 4035; Enrolled 4037; Rec. Vt. 4035.

H. 5101--Int. & Com. 2020; Rep. Com. 2576; Carried Over 2642; Committee Amendment Adopted & 2d R. 2863; Rec. Vt. 2866, 4038; 3d R. 2916; M. from H. 3505, 3590, 4043; Motion Adopted 3505; Ret. by H. with Amdt. & Non-Concur in H. Amend's 3506; Conf. Com. 3590; Rep. Conf. Com. Adopted 4037.

H. 5105--Int. & Com. 2012.

H. 5111--Int. & Adopted 1379.

H. 5118--Int. & Com. 2255; Rep. Com. 2489; Amended & 2d R. 3116; Motion Adopted 3138; Committee Amendment Withdrawn & 3d R. 3246; Rec. Vt. 3259; M. from H. 3599, 3608; Senate Insists 3603; Conf. Com. 3607.

H. 5120--Int. & Com. 2204.

H. 5121--Int. & Com. 2260.

H. 5141--Int. & Adopted 1797.

H. 5144--Int. & Com. 2485.

H. 5146--Int. & Com. 2013.

H. 5153--Int. 1986; 2d R. 2022; 3d R. & Enr. 2041; Rat. 3520.

H. 5154--Int. & Com. 2260; Rep. Com. (polled) 3082; Rec. Vt. 3082, 3363; 2d R. 3363; 3d R. & Enr. 3665; Rat. 3694.

H. 5164--Int. & Com. 2165.

H. 5168--Int. 1986; 2d R. 2022; 3d R. & Enr. 2041; Rat. 3521.

H. 5169--Int. & Com. 2260; Rep. Com. 2500; Carried Over 2593; Committee Amendment Adopted 2662; Amended & Carried Over 2662.

H. 5174--Int. & Adopted 1851.

H. 5179--Int. & Com. 2486; Recalled & 2d R. 3203; 3d R. & Enr. 3666; Rat. 3694.

H. 5183--Int. & Com. 2261; Recalled 3203; 2d R. 3366; Rec. Vt. 3367; 3d R. & Enr. 3666; Rat. 3694.

H. 5201--Int. & Adopted 1911.

H. 5203--Int. & Com. 2167.

H. 5225--Int. & Com. 2261.

H. 5230--Int. & Com. 2486.

H. 5231--Int. 2204; 2d R. 2309; 3d R. & Enr. 2577; Rat. 3521.

H. 5235--Int. & Com. 2486; Recalled 2718; Point of Order 2912; Carried Over 2976; Obj. 3027; 2d R. 3153; Rec. Vt. 3153; 3d R. & Enr. 3283; Rat. 3695.

H. 5236--Int. & Com. 2486; Recalled 2718; Point of Order 2913; Carried Over 2976; Obj. 3028; 2d R. 3154; Motion Adopted 3154; 3d R. & Enr. 3283; Rec. Vt. 3283; Rat. 3695.

INDEX

H. 5244--Int. & Com. 2204.

H. 5245--Int. & Com. 2261; Rep. Com. 2726; Point of Order 2913; Carried Over 2977, 3592; Obj. 3028; Committee Amendment Adopted & 2d R. 3289; Motion Adopted 3291.

H. 5246--Int. & Com. 2874; Rep. Com. (polled) 2928; Rec. Vt. 2928; Carried Over 3032, 3161; Amended & 2d R. 3298; Rec. Vt. 3299; 3d R. 3612; M. from H. 3612; Rat. 3695.

H. 5258--Int. & Com. 2021.

H. 5267--Int. 2171; 2d R. 2883; 3d R. & Enr. 2930; Rat. 3521.

H. 5314--Int. & Com. 2487; Recalled 2872; Amended & Adopted 2980; M. from H. 3092.

H. 5323--Int. & Com. 2487; Recalled 2872; Adopted 2981.

H. 5339--Int. & Com. 3077; Recalled & Adopted 3205.

H. 5356--Int. 2487; 2d R. 2931.

H. 5364--Int. & Com. 2488.

H. 5378--Int. & Com. 3077; Recalled 3075; Adopted 3369.

H. 5387--Int. & Com. 2574.

H. 5395--Int. 2574; 2d R. 2714; 3d R. & Enr. 2882; Rat. 3521.

H. 5404--Int. & Adopted 2510.

H. 5405--Int. & Adopted 2511.

H. 5406--Int. & Adopted 2511.

H. 5439--Int. & Com. 2681.

H. 5452--Int. & Adopted 2720.

H. 5453--Int. & Com. 2721; Recalled & Adopted 3204.

H. 5458--Int. & Com. 3078; Recalled 3075; 2d R. 3364; Motion Adopted 3364; Rec. Vt. 3364; 3d R. & Enr. 3665; Rat. 3695.

H. 5459--Int. 3078; 2d R. 3365; Rec. Vt. 3365; 3d R. & Enr. 3666; Rat. 3696.

INDEX

H. 5465--Int. & Com. 3078; Recalled & Adopted 3525.

H. 5478--Int. & Com. 3079.

H. 5495--Int. & Adopted 2989.

H. 5520--Int. & Com. 3208; Recalled & Adopted 3526.

SENATE AND HOUSE BILLS AND RESOLUTIONS

S. 20--Co-Sponsor Added 57.

S. 21--Co-Sponsor Added 1224.

S. 32--Rep. Com. 1228; Point of Order 1275; Co-Sponsor Added 2306; 2d R. 2367; Rec. Vt. 2368; 3d R. 2452.

S. 55--Co-Sponsor Added 1659.

S. 87--Rep. Com. 2204; Obj. 2271; Recommitted 2937.

S. 88—Recommitted 3105.

S. 95—Made Special Order 2114; Debate Interrupted 2153; Co-Sponsor Added 2157; Amended & 2d R. 2174; Rec. Vt. 2175; 3d R. 2226.

S. 99--Rep. Com. 1798; Point of Order 1880; Recommitted 3286.

S. 107--Rep. Com. 1798; Point of Order 1881; Obj. 1924; Carried Over 2057; 2d R. 2103; Rec. Vt. 2103; 3d R. 2128.

S. 109--Co-Sponsor Added 57.

S. 112--M. from H. 3534, 3537; Motion Adopted 3535; Ret. by H. with Amdt. & Amend H. Amend's 3535; Rat. 3669.

S. 124--M. from H. 3083; Motion Adopted 3083; Ret. by H. with Amdt. & Amend H. Amend's 3380; M. from H. 3537.

S. 125--M. from H. 3538; Motion Adopted 3539; Ret. by H. with Amdt. & Conc. in H. Amend 3539; Rat. 670.

S. 142--M. from H. 2929, 3856, 3857, 3858; Carried Over 3034; Ret. by H. with Amdt. & Amend H. Amend's 3370; Rec. Vt. 3372, 3379, 3847, 3848; M. from H. 3540, 3541; Senate Insists 3540; Conf. Com. 3541; Free Conf. Powers & Free Conf. Com. 3846; Report Free Conf. Com. Adopted 3846.

S. 143--Co-Sponsor Added 107, 1117; Recommitted 3055.

S. 148--Co-Sponsor Added 57, 1176.

S. 154--Rep. Com. 2205; Carried Over 2271, 2456, 2578, 2885, 2931, 3000; Committee Amendment Adopted 2330; Amended & 2d R. 2330; Motion Adopted 2334, 2336; Obj. 2643; Recommitted 3095.

S. 161--Co-Sponsor Added 2235; Rep. Com. 2512; Point of Order 2594; Obj. 2666.

S. 165—Recommitted 2579.

INDEX

S. 207--Rat. 3671.

S. 208--Carried Over 2101, 2181, 2265; Amendment Proposed, Carried Over 2130, 2217; Amended, 2d R. Failed 2311; Obj. 2316; Rec. Vt. 2316.

S. 235--Co-Sponsor Added 1256, 1659, 1787; Rep. Com. 1664; Point of Order 1711; Carried Over 1772; Committee Amendment Adopted & 2d R. 1824; Rec. Vt. 1826; 3d R. 1860.

S. 241--Ret. by H. with Amdt. & Conc. in H. Amend 3542; Rat. 3671.

S. 244--Recommitted 3106.

S. 245--M. from H. 1299; Ret. by H. with Amdt. & Conc. in H. Amend. & Enr. 1343; Rec. Vt. 1343; Rat. 1989.

S. 250--Rep. Com. 1665; Point of Order 1711; Committee Amendment Adopted 1773; Amendment Proposed, Obj. 1773; Co-Sponsor Removed 2241.

S. 251--Co-Sponsor Added 1659; Rep. Com. 1665; Point of Order 1712; Obj. 1776.

S. 260--Obj. 117; Recommitted 3105.

S. 266--Co-Sponsor Added 2045, 2198, 2306; Rep. Com. 2205; Obj. 2275, 2643; Committee Amendment Tabled & 2d R. 2373; Motion Adopted 2438; Carried Over 2460, 2578, 2885, 2932; Recommitted 3000.

S. 278--Co-Sponsor Added 2045.

S. 298--M. from H. 1182; Carried Over 1240, 1280, 1342; Ret. by H. with Amdt. & Amend H. Amend's 1392; Rec. Vt. 1393; M. from H. 1807; Rat. 1989.

S. 300--Co-Sponsor Added 2157.

S. 303--Co-Sponsor Removed 947, 2923; Recommitted 3054.

S. 305--Co-Sponsor Added 969, 989, 1117, 1224; Made Special Order 982; Committee Amendment Adopted 1005; Amended & 2d R. 1005; Rec. Vt. 1008, 1241, 1242, 3084; Motion Adopted 1241, 3084; Motion Failed 1242; Amended & 3d R. 1240; M. from H. 3083, 3543; Ret. by H. with Amdt. & Amend H. Amend's 3382.

S. 314--M. from H. 3085; Motion Adopted 3086; Rec. Vt. 3086, 3860; Ret. by H. with Amdt. & Amend H. Amend's 3384; M. from H. 3543, 3545, 3869, 3870; Senate Insists 3544; Conf. Com. 3545; Rep. Conf. Com. Adopted 3859.

S. 393--Co-Sponsor Added 2027.

S. 403--Co-Sponsor Added 2923.

S. 408--Rep. Com. 1181; Point of Order 1234; Committee Amendment Adopted & 2d R. 1271; Rec. Vt. 1273, 3394; Co-Sponsor Added 1294; 3d R. 1301; M. from H. 3087, 3546; Motion Adopted 3087; Ret. by H. with Amdt. & Amend H. Amend's 3393; Rat. 3672.

S. 410--Rat. 1989.

S. 414--Co-Sponsor Added 1224.

S. 418--Co-Sponsor Added 107, 1695; Carried Over 942, 1393, 1686; Recommitted 961; Rep. Com. 1322; Committee Amendment Adopted 1721; Ret. by H. with Amdt. & Amend H. Amend's 1720; Rec. Vt. 1746; M. from H. 1912; Rat. 1990.

S. 423--Special Order Motion Failed 1194; Co-Sponsor Added 1224; Made Special Order 1236; Amended & Debate Int. 1280; Motion Adopted 1289, 1345, 1346, 1348, 1350, 1351, 1352; Debate Int. 1288; Amended & 2d R. 1310; Obj. 1310, 1312, 1344; Rec. Vt. 1194, 1236, 1281, 1312, 1345, 1352, 1353; Amended & 3d R. 1344.

S. 425--Co-Sponsor Added 1224, 2923.

S. 434--Rep. Com. 1852; Obj. 1931; Committee Amendment Adopted & 2d R. 2073; Rec. Vt. 2075; 3d R. 2100; M. from H. 3546; Ret. by H. with Conc. & Conc. in H. Amend 3547; Rat. 3672.

S. 440--Co-Sponsor Added 2923; Amended & Obj. 2935.

S. 445--Rat. 3672.

S. 455--Rat. 3673.

S. 479--Recalled 1659; Adopted 1718; Ret. by H. with Conc. 2494.

S. 481--Co-Sponsor Added 1284, 1315, 1981, 2027, 2307, 2447.

S. 514--Co-Sponsor Added 57.

S. 527--Co-Sponsor Added 57, 2157, 2235.

S. 533--Int. & Com. 2206; Made Special Order 2222; Point of Order 2223; Rec. Vt. 2223, 2300, 2301, 2363; Committee Amendment Tabled, Debate Int. 2298; Carried Over 2362; Motion Adopted 2362, 2363, 2364; Motion Under Rule 15A Failed 2362.

S. 538--Co-Sponsor Added 1079, 1376; Rep. Com. 1322; Point of Order 1369; Committee Amendment Adopted 1385; Carried Over 1385; Obj. 1386, 1678, 1922; 2d R. 2053; Rec. Vt. 2054; 3d R. 2097.

S. 543--Int. & Com. 2206; Obj. 2276, 2336; Recommitted 3114.

S. 556--Co-Sponsor Added 1052.

INDEX

S. 557--Carried Over 942, 961, 983, 1005, 1028, 1068, 1100, 1135, 1197; Co-Sponsor Added 1224; Ret. by H. with Amdt. & Amend H. Amend's 1237; Rec. Vt. 1239; M. from H. 3547; Rat. 3673.

S. 558--Co-Sponsor Added 1052; Rep. Com. 1181; Point of Order 1235; Committee Amendment Adopted & 2d R. 1273; Rec. Vt. 1275; 3d R. 1301; Rat. 3673.

S. 577--Rep. Com. 1015; Point of Order 1064; 2d R. 1087; Rec. Vt. 1087, 3871; 3d R. 1126; M. from H. 3548, 3549, 3875; Ret. by H. with Amdt. & Non-Concur in H. Amend's 3548; Conf. Com. 3549; Rep. Conf. Com. Adopted 3871.

S. 578--Rep. Com. 1015; Point of Order 1064; Carried Over 1088, 1188, 1271; Obj. 1131, 1234, 1305, 1335, 1369, 1385, 1677, 1708; Committee Amendment Adopted, Carried Over 1676; 2d R. 1770; Rec. Vt. 1770; 3d R. 1809.

S. 586--Co-Sponsor Added 2088.

S. 610--M. from H. 3087, 3549; Motion Adopted 3088; Rec. Vt. 3088, 3418; Ret. by H. with Amdt. & Amend H. Amend's 3395; Rat. 3673.

S. 615--Co-Sponsor Added 1376, 1659, 2307; Rep. Com. 1665; Point of Order 1712.

S. 620--Rep. Com. 1016; Point of Order 1065; Carried Over 1089, 1131, 1188; Committee Amendment Adopted 1821; Amendment Proposed, Carried Over 1821; Amendment Proposed, Obj. 2317; Recommitted 3285.

S. 621--Co-Sponsor Added 1052, 1176; Rep. Com. 1057; Point of Order 1099; Carried Over 1134; Committee Amendment Adopted 1191; Amended & 2d R. 1191; Rec. Vt. 1193; 3d R. 1222; Rat. 3506.

S. 634—Recommitted 3367.

S. 650--Rep. Com. 1798; Point of Order 1881; Obj. 1924, 3114; Carried Over 2057.

S. 697--Rep. Com. 1287; Adopted 1310.

S. 700--Carried Over 1085; 2d R. 1128; Rec. Vt. 1128; 3d R. 1183; Ret. by H. with Amdt. & Conc. in H. Amend 3550; Rat. 3674.

S. 708--Rep. Com. 1016; Point of Order 1065; Co-Sponsor Added 1079; 2d R. 1089; Rec. Vt. 1089; Obj. 1126; Carried Over 1688; Recommitted 2052.

S. 710--Recommitted 118.

S. 711--Recommitted 118.

S. 723--Rep. Com. 2207; Committee Amendment Adopted, Carried Over 2276; Co-Sponsor Added 2307, 2447; Amended & 2d R. 2337; Rec. Vt. 2341; 3d R. 2461.

INDEX

S. 728--Rep. Com. 2050; Point of Order 2112; Committee Amendment Adopted & 2d R. 2144; Rec. Vt. 2145; 3d R. 2181; Rat. 3674.

S. 738--M. from H. 1058; Ret. by H. with Amdt. & Conc. in H. Amend. & Enr. 1100; Rat. 1992.

S. 746--Rep. Com. 1852; Obj. 1931; Carried Over 2076; 2d R. 2110; Rec. Vt. 2111; 3d R. 2130.

S. 755--Rep. Com. 1666; Point of Order 1713; 2d R. 1777; Rec. Vt. 1778; 3d R. 1810.

S. 767--Co-Sponsor Added 2923.

S. 778--Rep. Com. 1016; Point of Order 1065; Amended 1090; Carried Over 1090, 1132; 2d R. 1188; Rec. Vt. 1188; 3d R. 1230.

S. 780--Rep. Com. 1700; Point of Order 1783; 2d R. 1831; Rec. Vt. 1832; 3d R. 1861.

S. 782--M. from H. 1124; Carried Over 1197; Ret. by H. with Amdt. & Conc. in H. Amend. & Enr. 1239; Rat. 1992.

S. 801--Amended & 2d R. 124; Rec. Vt. 127; 3d R. 141; Rat. 1992.

S. 806--Recalled & Committed 133; Rep. Com. 1016; Point of Order 1066; Co-Sponsor Added 1079, 1117; Carried Over 1091; Amended & 2d R. 1132; Rec. Vt. 1133; 3d R. 1183.

S. 834--Co-Sponsor Added 57, 1224.

S. 839--Int. & Com. 57; Co-Sponsor Added 1256, 1787; Rep. Com. 1667; Point of Order 1714; Carried Over 1778, 1826; 2d R. 1863; Rec. Vt. 1863; Obj. 1921; 3d R. 2053.

S. 840--Int. & Com. 57.

S. 841--Int. & Com. 57; Co-Sponsor Added 2088; Rep. Com. 2207; Obj. 2278; Committee Amendment Adopted & 2d R. 2341; Rec. Vt. 2348; 3d R. 2461.

S. 842--Int. & Com. 58.

S. 843--Int. & Com. 58; Rep. Com. 1124; Point of Order 1193; Committee Amendment Tabled 2266; Amended & Carried Over 2266; Obj. 2318; Amended & 2d R. 2366; Rec. Vt. 2366; 3d R. 2452.

S. 844--Int. & Com. 59; Rep. Com. 2208; Carried Over 2279, 2348, 2438.

S. 845--Int. & Com. 59; Co-Sponsor Added 1659; Rep. Com. 1667; Point of Order 1714; Committee Amendment Adopted & 2d R. 1779; Rec. Vt. 1779; 3d R. 1811; Rat. 3507.

INDEX

S. 846--Int. & Com. 59; Rep. Com. 1322; Point of Order 1370; Carried Over 2268; Obj. 2318; Committee Amendment Tabled 2368; Amended & 2d R. 2368; Motion Adopted 2371; 3d R. 2453; Rec. Vt. 2453.

S. 847--Int. & Com. 60.

S. 848--Int. & Com. 60.

S. 849--Int. & Com. 61; Co-Sponsor Added 2088; Rep. Com. 2208; Carried Over 2279; Committee Amendment Adopted & 2d R. 2349; Rec. Vt. 2350; 3d R. 2462.

S. 850--Int. & Com. 62.

S. 851--Int. & Com. 62.

S. 852--Int. & Com. 62; Co-Sponsor Added 1294.

S. 853--Int. & Com. 64.

S. 854--Int. & Com. 65.

S. 855--Int. & Com. 65; Co-Sponsor Added 1659.

S. 856--Int. & Com. 66.

S. 857--Int. & Com. 66; Co-Sponsor Added 1659; Rep. Com. 2051; Point of Order 2112; Obj. 2145; Committee Amendment Adopted 2219; Amended, Amendment Proposed, Obj. 2219; Amended & 2d R. 2320; Rec. Vt. 2321; 3d R. 2454.

S. 858--Int. & Com. 67; Co-Sponsor Added 2447; Rep. Com. 2449; Motion Adopted 2449; Committee Amendment Adopted & 2d R. 2471; Rec. Vt. 2474, 3551; 3d R. 2476; M. from H. 3550; Motion Adopted 3551; Ret. by H. with Amdt. & Conc. in H. Amend 3551; Rat. 3674.

S. 859--Int. & Com. 67; Rep. Com. 1799; Point of Order 1881; Obj. 1925; 2d R. 2058; Rec. Vt. 2058; 3d R. 2097.

S. 860--Int. & Com. 67.

S. 861--Int. & Com. 68; Co-Sponsor Added 932, 1224, 1256.

S. 862--Int. & Com. 68; Co-Sponsor Added 1315; Rep. Com. 1323; Point of Order 1370; Committee Amendment Adopted & 2d R. 1386; Rec. Vt. 1387, 1672, 3422, 3876; Amended & 3d R. 1670; M. from H. 3420, 3552, 3553, 3879; Motion Adopted 3420; Ret. by H. with Amdt. & Amend H. Amend's 3421; Senate Insists 3552; Conf. Com. 3553; Rep. Conf. Com. Adopted 3875.

S. 863--Int. & Com. 68.

S. 864--Int. & Com. 69.

S. 865--Int. & Com. 69.

S. 866--Int. & Com. 69; Recalled & Committed 1660; Rep. Com. 2208; Carried Over 2280; Committee Amendment Adopted & 2d R. 2350; Rec. Vt. 2352; 3d R. 2462.

S. 867--Int. & Com. 70.

S. 868--Int. & Com. 70.

S. 869--Int. & Com. 70.

S. 870--Int. & Com. 71.

S. 871--Int. & Com. 71.

S. 872--Int. & Com. 71.

S. 873--Int. & Com. 72.

S. 874--Int. & Com. 72.

S. 875--Int. & Com. 72.

S. 876--Int. & Com. 73.

S. 877--Int. & Com. 73; Co-Sponsor Added 1659; Rep. Com. 1667; Point of Order 1715; Obj. 1780, 1921; Carried Over 1827; Committee Amendment Adopted 1864; Amended & 2d R. 1864; Rec. Vt. 1866; 3d R. 2053.

S. 878--Int. & Com. 74.

S. 879--Int. & Com. 74.

S. 880--Int. & Com. 75.

S. 881--Int. & Com. 75; Co-Sponsor Added 1659, 1787; Rep. Com. 1667; Point of Order 1715; Obj. 1780; Committee Amendment Adopted & 2d R. 1827; Rec. Vt. 1828; 3d R. 1861; Rat. 3675.

S. 882--Int. & Com. 75; Rep. Com. 113; Co-Sponsor Added 57, 107, 133, 932; Carried Over 146, 941; Made Special Order 941; Committee Amendment Adopted, Amended & 2d R. 963; Rec. Vt. 966; 3d R. 983.

S. 883--Int. & Com. 76.

S. 884--Int. & Com. 76.

S. 885--Int. & Com. 77.

S. 886--Int. & Com. 77.

S. 887--Int. & Com. 78; Co-Sponsor Added 2045.

S. 888--Int. & Com. 78.

S. 889--Int. & Com. 78.

S. 890--Int. & Com. 79; Co-Sponsor Added 2088; Rep. Com. 2209; Carried Over 2280; Obj. 2352; Recommitted 3286.

S. 891--Int. & Com. 79.

S. 892--Int. & Com. 79.

S. 893--Int. & Com. 79.

S. 894--Int. & Adopted 80; Ret. by H. with Conc. 139.

S. 895--Int. & Adopted 80.

S. 896--Int. & Adopted 80.

S. 897--Int. & Adopted 80.

S. 898--Int. & Adopted 81; Ret. by H. with Conc. 139.

S. 899--Int. & Adopted 81.

S. 900--Int. & Adopted 81.

S. 901--Int. & Adopted 81.

S. 902--Int. & Adopted 81.

S. 903--Int. & Com. 82; Rep. Com. 1287; Point of Order 1309; 2d R. 1338; Motion Adopted 1338, 1688; Obj. 1363, 1688; 3d R. 1688; Rec. Vt. 1689, 1692.

S. 904--Int. & Com. 82.

S. 905--Int. & Com. 82.

S. 906--Int. & Com. 83.

S. 907--Int. & Com. 84.

S. 908--Int. & Com. 84.

S. 909--Int. & Com. 85.

S. 910--Int. & Com. 89; Co-Sponsor Added 133, 932, 1224, 1284; Rep. Com. 1323.

S. 911--Int. & Com. 90.

S. 912--Int. & Com. 90; Recalled & 2d R. 1695; Rec. Vt. 1696, 1763; 3d R. 1763; Rat. 1992.

S. 913--Int. & Com. 90.

S. 914--Int. & Com. 93.

S. 915--Int. & Com. 93; Co-Sponsor Added 1079, 1356, 3071; Rep. Com. 1298; Point of Order 1340, 3638; Made Special Order 1341; Committee Amendment Adopted, Amended & 2d R. 1394; Rec. Vt. 1656, 1687; 3d R. 1686; M. from H. 3632; Motion Adopted 3633; Ret. by H. with Amdt. & Amend H. Amend's 3633.

S. 916--Int. 94; Amended & 2d R. 954; 3d R. 978; Rat. 3507.

S. 917--Int. & Com. 94.

S. 918--Int. & Adopted 94.

S. 919--Int. & Adopted 95.

S. 920--Int. & Adopted 95.

S. 921--Int. & Adopted 95.

S. 922--Int. & Adopted 95.

S. 923--Int. & Adopted 95.

S. 924--Int. & Adopted 96.

S. 925--Int. & Adopted 96.

S. 926--Int. & Adopted 96.

S. 927--Int. & Adopted 96.

S. 928--Int. & Adopted 97.

S. 929--Int. & Adopted 97.

S. 930--Int. & Adopted 97.

S. 931--Int. & Adopted 97.

S. 932--Int. & Adopted 98.

S. 933--Int. & Adopted 98.

S. 934--Int. & Adopted 98.

S. 935--Int. & Adopted 98.

S. 936--Int. & Adopted 99.

S. 937--Int. & Adopted 99; Ret. by H. with Conc. 140.

S. 938--Int. & Adopted 99; Ret. by H. with Conc. 140.

S. 939--Int. & Adopted 108.

S. 940--Int. & Adopted 108.

S. 941--Int. & Adopted 108.

S. 942--Int. & Adopted 109.

S. 943--Int. & Com. 109.

S. 944--Int. & Com. 109; Rep. Com. 1228; Point of Order 1276; Co-Sponsor Added 1294, 1659; Carried Over 1306, 1335; Obj. 1369, 1385; 2d R. 1677; Rec. Vt. 1678; 3d R. 1702.

S. 945--Int. & Com. 110.

S. 946--Int. & Com. 110; Rep. Com. 1323; Point of Order 1370; Carried Over 1388; Committee Amendment Adopted & 2d R. 1679; Rec. Vt. 1681; Amended & 3d R. 1702; Ret. by H. with Amdt. & Non-Concur in H. Amend's 3553.

S. 947--Int. & Com. 110; Co-Sponsor Added 1256, 1659, 1787; Rep. Com. 1668; Point of Order 1715; Carried Over 1781; 2d R. 1828; Rec. Vt. 1829; 3d R. 1861.

S. 948-Int. & Com. 110; Recalled 107; Co-Sponsor Added 133; Adopted 147; Ret. by H. with Conc. 954.

S. 949--Int. & Adopted 111.

S. 950--Int. & Com. 134; Co-Sponsor Added 1052.

S. 951--Int. & Adopted 134.

S. 952--Int. & Com. 134.

S. 953--Int. & Com. 135; Co-Sponsor Added 989, 1117, 1659.

INDEX

S. 954--Int. & Com. 136; Co-Sponsor Added 1256, 1787; Rep. Com. 1668; Point of Order 1716; Carried Over 1781, 2055; Obj. 1829, 1867, 1923; Committee Amendment Adopted & 2d R. 2101; Motion Adopted 2101; 3d R. 2127.

S. 955--Int. & Com. 136; Rep. Com. 2092; Point of Order 2149; Co-Sponsor Added 2157; Carried Over 2186; Committee Amendment Adopted 2322; Amended & 2d R. 2322; Rec. Vt. 2329; 3d R. 2455.

S. 956--Int. & Adopted 137.

S. 957--Int. & Com. 137; Rep. Com. 1229; Point of Order 1276; Committee Amendment Adopted 1306; Carried Over 1306; 2d R. 1335; Rec. Vt. 1336; 3d R. 1362.

S. 958--Int. & Adopted 933.

S. 959--Int. & Adopted 933.

S. 960--Int. & Adopted 933.

S. 961--Int. & Adopted 933.

S. 962--Int. & Com. 933; Rep. Com. 1229; Point of Order 1277; Obj. 1308, 1921; 2d R. 1861; Rec. Vt. 1862, 3090, 3419; 3d R. 2052; M. from H. 3089, 3554; Motion Adopted 3089; Ret. by H. with Amdt. & Amend H. Amend's 3418; Rat. 3675.

S. 963--Int. & Adopted 934; Ret. by H. with Conc. 977.

S. 964--Int. & Adopted 947; Ret. by H. with Conc. 978.

S. 965--Int. & Com. 948; Rep. Com. 1986; Obj. 2079.

S. 966--Int. & Com. 948.

S. 967--Int. & Com. 948; Co-Sponsor Added 969, 1052; Co-Sponsor Added 1079.

S. 968--Int. & Com. 949; Rep. Com. 1757; Co-Sponsor Added 1787; Point of Order 1834; Committee Amendment Adopted & 2d R. 1876; Rec. Vt. 1879; Obj. 1922; 3d R. 2053; Rat. 3675.

S. 969--Int. & Com. 949; Co-Sponsor Added 1659, 1787, 2045, 3524; Rep. Com. 1799; Point of Order 1882; Obj. 1925; 2d R. 2059; Rec. Vt. 2059, 3880; 3d R. 2097; M. from H. 3554, 3555, 3885; Motion Adopted 3555; Conf. Com. 3556; Rep. Conf. Com. Adopted 3879.

S. 970--Int. & Com. 949.

S. 971--Int. & Com. 948; Recalled & Recommitted 1376; Rep. Com. 2209; 2d R. 2281; Rec. Vt. 2281; 3d R. 2309; Rat. 3507.

S. 972--Int. 951; 2d R. 996; 3d R. 1022; Rat. 3507.

S. 973--Int. & Adopted 970.

S. 974--Int. & Com. 970; Rep. Com. 1324; Point of Order 1371; Carried Over 1388; Committee Amendment Adopted & 2d R. 1682; Rec. Vt. 1683; 3d R. 1703; Rat. 3675.

S. 975--Int. & Com. 970; Co-Sponsor Added 1224, 1904; Rep. Com. 2209; Motion Under Rule 32B Adopted 2597; Committee Amendment Adopted 2597; Amended & Returned to Contested Calendar 2597; Motion Failed 2614; Rec. Vt. 2614.

S. 976--Int. & Com. 972; Co-Sponsor Added 989, 1356.

S. 977--Int. & Com. 972; Co-Sponsor Added 989, 1356.

S. 978--Int. & Com. 973; Recalled 989; Adopted 1028.

S. 979--Int. & Adopted 990.

S. 980--Int. & Adopted 990; Ret. by H. with Conc. 1021.

S. 981--Int. & Com. 990.

S. 982--Int. & Com. 991.

S. 983--Int. & Com. 991; Co-Sponsor Added 1918, 2027.

S. 984--Int. & Com. 991; Recalled & Adopted 1176.

S. 985--Int. & Com. 991; Recalled 1012; Adopted 1067.

S. 986--Int. & Com. 1013.

S. 987--Int. & Com. 1013.

S. 988--Int. & Com. 1013; Recalled 1788; Adopted 1890; Ret. by H. with Conc. 2494.

S. 989--Int. & Com. 1014; Co-Sponsor Added 2016; Recalled & Adopted 2016.

S. 990--Int. & Adopted 1014.

S. 991--Int. & Com. 1014.

S. 992--Int. & Adopted 1052.

S. 993--Int. & Com. 1053.

S. 994--Int. & Com. 1054; Co-Sponsor Added 1176, 1224, 1256, 1284, 1316, 1902, 1904, 1918, 2027, 2198; Rep. Com. 1911; Obj. 1932; Committee Amendment Adopted 2078; Carried Over 2078; Motion Under Rule 32B Adopted 2222; Amended & 2d R. 2231; Motion Adopted 2232, 2295, 2298; Amended & 3d R. 2292.

INDEX

S. 995--Int. & Com. 1055; Co-Sponsor Added 1079, 1256, 1659, 1787, 2119, 2157; Rep. Com. 1668; Point of Order 1716; Carried Over 1781, 2056, 2102; Obj. 1830, 1867, 1923; Committee Amendment Adopted 2131; Amended & 2d R. 2131; Motion Adopted 2137; Amended & 3d R. 2176; Rec. Vt. 2178, 2298.

S. 996--Int. & Com. 1055; Co-Sponsor Added 1659, 1787, 2046; Rep. Com. 1669; Point of Order 1717; Carried Over 1782, 1830; Committee Amendment Tabled 1868; Amended & 2d R. 1868; Rec. Vt. 1874; Obj. 1922; 3d R. 2053.

S. 997--Int. & Adopted 1056.

S. 998--Int. & Adopted 1056.

S. 999--Int. & Com. 1056; Co-Sponsor Added 1284, 1749.

S. 1000--Int. & Com. 1056; Co-Sponsor Added 1224.

S. 1001--Int. & Com. 1079; Rep. Com. 1361; Point of Order 1390; 2d R. 1684; Rec. Vt. 1684; 3d R. 1704; Rat. 3676.

S. 1002--Int. & Com. 1080; Recalled & Adopted 3071.

S. 1003--Int. & Adopted 1080.

S. 1004--Int. & Adopted 1080.

S. 1005--Int. & Com. 1117; Rep. Com. 1669; Point of Order 1717; 2d R. 1782; Rec. Vt. 1783, 3436; 3d R. 1811; M. from H. 3090, 3556; Motion Adopted 3091; Ret. by H. with Amdt. & Amend H. Amend's 3434; Rat. 3676.

S. 1006--Int. & Com. 1117.

S. 1007--Int. & Com. 1118.

S. 1008--Int. & Com. 1118.

S. 1009--Int. & Adopted 1118; Ret. by H. with Conc. 1183.

S. 1010--Int. & Com. 1118; Recalled 1225; Adopted 1278; Ret. by H. with Conc. 1330.

S. 1011--Int. & Adopted 1118.

S. 1012--Int. & Adopted 1178; Ret. by H. with Conc. 1266.

S. 1013--Int. & Adopted 1178; Ret. by H. with Conc. 1266.

S. 1014--Int. & Com. 1178.

S. 1015--Int. & Com. 1178.

S. 1016--Int. & Com. 1179.

S. 1017--Int. & Com. 1179; Co-Sponsor Added 1695, 2088; Rep. Com. 1800; Point of Order 1882; Obj. 1925, 2060; Amended & 2d R. 2104; Rec. Vt. 2106; 3d R. 2129; M. from H. 3557, 3558; Motion Adopted 3557; Ret. by H. with Amdt. & Non-Concur in H. Amend's 3557; Conf. Com. 3559.

S. 1018--Int. & Adopted 1225.

S. 1019--Int. & Adopted 1225.

S. 1020--Int. & Com. 1225; Co-Sponsor Added 1904.

S. 1021--Int. & Com. 1226; Rep. Com. 1800; Point of Order 1883; Obj. 1926; Co-Sponsor Added 2046, 2088; 2d R. 2060; Rec. Vt. 2061, 3560; 3d R. 2098; M. from H. 3559, 3561; Motion Adopted 3559; Ret. by H. with Amdt. & Amend H. Amend's 3559; Rat. 3676.

S. 1022--Int. & Com. 1226.

S. 1023--Int. & Com. 1226.

S. 1024--Int. & Com. 1226.

S. 1025--Int. 1227; 2d R. 1808; 3d R. 1856; Rat. 3508.

S. 1026--Int. 1227; Point of Order 1277; Obj. 1308; Carried Over 1337; Recommitted 1708.

S. 1027--Int. 1227; Point of Order 1278; Obj. 1308; Carried Over 1337; Recommitted 1708.

S. 1028--Int. & Com. 1228; Recalled & Adopted 2508.

S. 1029--Int. & Adopted 1257; Ret. by H. with Conc. 1288.

S. 1030--Int. & Adopted 1257.

S. 1031--Int. & Com. 1257; Rep. Com. 1852; Obj. 1932; Carried Over 2076, 2111; Committee Amendment Adopted & 2d R. 2139; Rec. Vt. 2140, 3092, 3503, 3886; 3d R. 2179; M. from H. 3091, 3562, 3941, 3942; Motion Adopted 3092; Ret. by H. with Amdt. & Amend H. Amend's 3436; Senate Insists 3562; Conf. Com. 3562; Rep. Conf. Com. Adopted 3886.

S. 1032--Int. & Com. 1258.

S. 1033--Int. & Com. 1258.

S. 1034--Int. & Com. 1258.

INDEX

S. 1035--Int. & Com. 1260.

S. 1036--Int. & Adopted 1260.

S. 1037--Int. & Com. 1284; Recalled 1788; Adopted 1890; Ret. by H. with Conc. 2494.

S. 1038--Int. & Adopted 1285; Ret. by H. with Conc. 1300.

S. 1039--Int. & Com. 1285.

S. 1040--Int. & Com. 1295.

S. 1041--Int. & Com. 1296; Recalled 1788; Adopted 1890; Ret. by H. with Conc. 2495.

S. 1042--Int. & Com. 1296; Recalled & Adopted 1660.

S. 1043--Int. & Adopted 1316.

S. 1044--Int. & Adopted 1316; Co-Sponsor Added 1752.

S. 1045--Int. & Com. 1316.

S. 1046--Int. & Com. 1316; Rep. Com. 1800; Made Special Order 1834; Rec. Vt. 1835, 2040, 2084, 3433, 3944; Debate Int. 1891, 1975, 1999; Motion Adopted 1892, 2031, 2036, 3424; Carried Over 1913; Amended & 2d R. 2029; 3d R. 2083; M. from H. 3423, 3563, 3566, 3958, 3959; Ret. by H. with Amdt. & Amend H. Amend's 3424; Senate Insists 3564; Conf. Com. 3566; Rep. Conf. Com. Adopted 3942.

S. 1047--Int. & Com. 1318; Rep. Com. 1802; Point of Order 1883; Obj. 1926; 2d R. 2062; Rec. Vt. 2062; 3d R. 2098; Rat. 3508.

S. 1048--Int. & Com. 1318; Co-Sponsor Added 1316; Rep. Com. 2211; Obj. 2282.

S. 1049--Int. & Com. 1318.

S. 1050--Int. & Com. 1319; Co-Sponsor Added 2923.

S. 1051--Int. & Com. 1319; Rep. Com. 2093; Point of Order 2150; 2d R. 2192; Rec. Vt. 2192; 3d R. 2216; Ret. by H. with Amdt. & Conc. in H. Amend 3567; Rat. 3677.

S. 1052--Int. 1320; Point of Order 1371; Carried Over 1824, 1862; Obj. 1922; Recommitted 2054.

S. 1053--Int. 1320; Point of Order 1372; Carried Over 1824; Recommitted 1863.

S. 1054--Int. 1320; Point of Order 1372; Carried Over 1389, 1683, 1708; Obj. 1389, 1923; Recommitted 2055.

S. 1055--Int. 1320; Point of Order 1372; Carried Over 1389; Obj. 1923; Recommitted 2055.

S. 1056--Int. & Adopted 1321; Ret. by H. with Conc. 1379.

S. 1057--Int. & Adopted 1321.

S. 1058--Int. & Com. 1357.

S. 1059--Int. & Com. 1357.

S. 1060--Int. & Com. 1357.

S. 1061--Int. & Com. 1357.

S. 1062--Int. & Com. 1358.

S. 1063--Int. & Com. 1358.

S. 1064--Int. & Com. 1358; Recalled 1377; Point of Order 1685; Carried Over 1710; Co-Sponsor Added 1752; 2d R. 1771; Rec. Vt. 1771; 3d R. 1809.

S. 1065--Int. & Adopted 1359; Ret. by H. with Conc. 1807.

S. 1066--Int. & Adopted 1377; Ret. by H. with Conc. 1807.

S. 1067--Int. & Adopted 1378.

S. 1068--Int. & Adopted 1378.

S. 1069--Int. & Adopted 1378.

S. 1070--Int. & Adopted 1378; Ret. by H. with Conc. 1808.

S. 1071--Int. & Adopted 1378; Ret. by H. with Conc. 1808.

S. 1072--Int. & Adopted 1661.

S. 1073--Int. & Adopted 1662.

S. 1074--Int. & Com. 1662; Rep. Com. 1987; Carried Over 2080; Obj. 2112; Co-Sponsor Added 2119; Committee Amendment Adopted & 2d R. 2141; Motion Adopted 2144; 3d R. 2179; Rec. Vt. 2180.

S. 1075--Int. & Adopted 1662.

S. 1076--Int. & Com. 1662; Rep. Com. 2449; Carried Over 2583; Committee Amendment Adopted 2650; Amended & 2d R. 2650; Rec. Vt. 2659; 3d R. 2886.

S. 1077--Int. & Adopted 1663.

S. 1078--Int. & Com. 1663; Co-Sponsor Removed 1787.

S. 1079--Int. & Adopted 1663.

S. 1080--Int. & Adopted 1664.

S. 1081--Int. & Adopted 1664.

S. 1082--Int. & Com. 1696.

S. 1083--Int. & Com. 1696.

S. 1084--Int. & Com. 1696.

S. 1085--Int. & Com. 1697.

S. 1086--Int. & Adopted 1697.

S. 1087--Int. & Adopted 1697.

S. 1088--Int. & Com. 1698; Rep. Com. 2211; Carried Over 2282; 2d R. 2353; Motion Adopted 2353; 3d R. 2462; Point of Order 2463; Rec. Vt. 2464.

S. 1089--Int. & Com. 1698; Co-Sponsor Added 1904.

S. 1090--Int. 1698; Point of Order 1784; Recommitted 2056.

S. 1091--Int. 1699; Point of Order 1784; Recommitted 2056.

S. 1092--Int. & Adopted 1699.

S. 1093--Int. & Com. 1699.

S. 1094--Int. & Com. 1700; Co-Sponsor Added 1904.

S. 1095--Int. & Com. 1700; Rep. Com. 2123; Co-Sponsor Added 2157; Point of Order 2193; Obj. 2222; Carried Over 2270.

S. 1096--Int. & Adopted 1753.

S. 1097--Int. & Adopted 1753.

S. 1098--Int. & Adopted 1753.

S. 1099--Int. & Com. 1753; Recalled 2119; Amended & 2d R. 2193; Rec. Vt. 2194; 3d R. 2217; Rat. 3677.

S. 1100--Int. & Com. 1753.

S. 1101--Int. & Com. 1754; Recalled 1918; Adopted 2082; Ret. by H. with Conc. 2495.

S. 1102--Int. & Com. 1754; Recalled & Adopted 1904; Ret. by H. with Conc. 1989.

S. 1103--Int. & Adopted 1754.

S. 1104--Int. & Adopted 1789.

S. 1105--Int. & Adopted 1789.

S. 1106--Int. & Adopted 1790; Co-Sponsor Added 1904.

S. 1107--Int. & Adopted 1790.

S. 1108--Int. & Com. 1790; Co-Sponsor Added 1790, 2046, 2157.

S. 1109--Int. & Com. 1790.

S. 1110--Int. & Com. 1790.

S. 1111--Int. & Com. 1791.

S. 1112--Int. & Com. 1791; Rep. Com. 2211; 2d R. 2282; Rec. Vt. 2284; 3d R. 2309.

S. 1113--Int. & Com. 1792.

S. 1114--Int. & Com. 1793; Co-Sponsor Added 1981, 2016, 2027, 2157; Rep. Com. 2637; Carried Over 2901; Recommitted 2944.

S. 1115--Int. & Com. 1794.

S. 1116--Int. & Adopted 1794.

S. 1117--Int. 1794; Point of Order 1884; Obj. 1926; Carried Over 2063; Recommitted 2579.

S. 1118--Int. & Adopted 1794; Ret. by H. with Conc. 1912.

S. 1119--Int. & Com. 1795.

S. 1120--Int. & Adopted 1795.

S. 1121--Int. & Com. 1795; Co-Sponsor Added 1850.

S. 1122--Int. & Com. 1795.

S. 1123--Int. & Com. 1796; Recalled 2088; Adopted 2150.

S. 1124--Int. & Adopted 1850.

INDEX

S. 1125--Int. & Com. 1850.

S. 1126--Int. & Com. 1851; Co-Sponsor Added 1904, 1918, 1981, 2088, 2198, 2241, 2307; Rep. Com. 2213; Carried Over 2284; Committee Amendment Adopted & 2d R. 2353; Point of Order 2355; Rec. Vt. 2355; 3d R. 2464; Rat. 3508.

S. 1127--Int. & Com. 1851.

S. 1128--Int. & Com. 1905; Recalled 2678; Adopted 2913.

S. 1129--Int. & Adopted 1905; Co-Sponsor Added 1981.

S. 1130--Int. & Adopted 1906; Ret. by H. with Conc. 1912.

S. 1131--Int. & Adopted 1906; Ret. by H. with Conc. 1913.

S. 1132--Int. & Com. 1906; Rep. Com. 2051; Point of Order 2113; Co-Sponsor Added 2119; Carried Over 2146; Committee Amendment Adopted, Carried Over 2183; Obj. 2221, 2322; Amended & 2d R. 2371; Rec. Vt. 2372; 3d R. 2454.

S. 1133--Int. & Com. 1907; Co-Sponsor Added 2119.

S. 1134--Int. & Com. 1907; Co-Sponsor Added 2717.

S. 1135--Int. & Com. 1907.

S. 1136--Int. & Adopted 1907.

S. 1137--Int. & Adopted 1908.

S. 1138--Int. & Adopted 1908.

S. 1139--Int. & Com. 1908.

S. 1140--Int. & Adopted 1919.

S. 1141--Int. & Adopted 1919.

S. 1142--Int. & Adopted 1919.

S. 1143--Int. & Com. 1920.

S. 1144--Int. & Com. 1920.

S. 1145--Int. & Com. 1921.

S. 1146--Int. & Adopted 2007.

S. 1147--Int. & Com. 2007.

INDEX

S. 1148--Int. & Com. 2008.

S. 1149--Int. & Com. 2008.

S. 1150--Int. & Com. 2009; Co-Sponsor Added 2016, 2198, 2241, 2307; Rep. Com. 2213; Committee Amendment Adopted & 2d R. 2285; Rec. Vt. 2286; 3d R. 2311.

S. 1151--Int. & Adopted 2009.

S. 1152--Int. & Adopted 2009.

S. 1153--Int. & Adopted 2016.

S. 1154--Int. & Adopted 2017.

S. 1155--Int. & Adopted 2017.

S. 1156--Int. & Adopted 2017.

S. 1157--Int. & Com. 2017; Co-Sponsor Added 2027.

S. 1158--Int. & Com. 2018; Rep. Com. (polled) 2439; Rec. Vt. 2440; Carried Over 2468, 2582, 2649, 2896; Amendment Proposed, Obj. 2940; Recommitted 3115.

S. 1159--Int. & Com. 2018.

S. 1160--Int. & Com. 2019; Rep. Com. 2721; Point of Order 2908; Co-Sponsor Added 2923; Committee Amendment Adopted & 2d R. 2969; Rec. Vt. 2969; 3d R. 3003.

S. 1161--Int. & Com. 2019; Recalled 2120; Adopted 2194; Ret. by H. with Conc. 3054.

S. 1162--Int. & Com. 2019; Recalled 2120; Adopted 2195; Ret. by H. with Conc. 3054.

S. 1163--Int. & Com. 2019; Recalled 2046; Adopted 2114; Ret. by H. with Conc. 2495.

S. 1164--Int. & Adopted 2028.

S. 1165--Int. & Com. 2028.

S. 1166--Int. & Com. 2029; Co-Sponsor Added 2447; Recalled 2447; Amended & 2d R. 2583; Rec. Vt. 2584, 3569, 3844; 3d R. 2644; M. from H. 3568; Motion Adopted 3568; Ret. by H. with Amdt. & Conc. in H. Amend 3568; Rat. 3677; Veto Message from the Governor 3842; Veto Overridden 3843.

S. 1167--Int. & Adopted 2029; Ret. by H. with Conc. 2096.

S. 1168--Int. & Com. 2029.

S. 1169--Int. & Adopted 2046.

S. 1170--Int. & Adopted 2046.

S. 1171--Int. & Com. 2046.

S. 1172--Int. & Com. 2047.

S. 1173--Int. & Com. 2047.

S. 1174--Int. & Adopted 2048.

S. 1175--Int. & Com. 2048; Rep. Com. 2213; Obj. 2287; Recommitted 3114.

S. 1176--Int. 2049; 2d R. 2096; 3d R. 2127.

S. 1177--Int. & Com. 2049.

S. 1178--Int. & Adopted 2049; Ret. by H. with Conc. 2096.

S. 1179--Int. & Adopted 2049.

S. 1180--Int. & Adopted 2049.

S. 1181--Int. & Adopted 2050.

S. 1182--Int. & Adopted 2089.

S. 1183--Int. & Adopted 2089.

S. 1184--Int. & Adopted 2089.

S. 1185--Int. & Adopted 2090.

S. 1186--Int. & Com. 2090.

S. 1187--Int. & Com. 2090.

S. 1188--Int. & Com. 2090; Rep. Com. (polled) 2441; Rec. Vt. 2441; Amended & 2d R. 2469; Rec. Vt. 2470; 3d R. 2476; Rat. 3678.

S. 1189--Int. & Com. 2091.

S. 1190--Int. & Adopted 2091.

S. 1192--Int. & Adopted 2091; Ret. by H. with Conc. 2126.

S. 1193--Int. & Adopted 2120.

S. 1194--Int. & Adopted 2121.

S. 1195--Int. & Adopted 2121.

S. 1196--Int. & Adopted 2121.

S. 1197--Int. & Adopted 2121.

S. 1198--Int. & Com. 2121.

S. 1199--Int. & Com. 2122.

S. 1200--Int. & Adopted 2122.

S. 1201--Int. & Adopted 2122.

S. 1202--Int. & Adopted 2122.

S. 1203--Int. & Adopted 2157.

S. 1204--Int. & Com. 2158.

S. 1205--Int. & Com. 2158.

S. 1206--Int. & Adopted 2158.

S. 1207--Int. & Adopted 2159.

S. 1208--Int. & Adopted 2159.

S. 1209--Int. & Adopted 2159.

S. 1210--Int. & Adopted 2159.

S. 1211--Int. & Adopted 2198.

S. 1212--Int. & Adopted 2199.

S. 1213--Int. & Com. 2199.

S. 1214--Int. & Com. 2199.

S. 1215--Int. 2199; Carried Over 2288; Recommitted 2581.

S. 1216--Int. 2200; Carried Over 2288; Recommitted 2582.

S. 1217--Int. 2200; Carried Over 2288; Recommitted 2582.

S. 1218--Int. 2200; Carried Over 2289; Recommitted 2893.

S. 1219--Int. & Adopted 2235.

S. 1220--Int. & Com. 2235; Rep. Com. 2450; Obj. 2585.

INDEX

S. 1221--Int. 2241; Carried Over 2359, 2647, 2894; Recommitted 2938.

S. 1222--Int. 2241; Carried Over 2359, 2647, 2894; Recommitted 2938.

S. 1223--Int. 2242; Carried Over 2360, 2647, 2894; Recommitted 2938.

S. 1224--Int. 2242; Carried Over 2360, 2648, 2895; Recommitted 2939.

S. 1225--Int. 2242; Carried Over 2360, 2648, 2895; Recommitted 2939.

S. 1226--Int. 2243; Carried Over 2360, 2648, 2895; Recommitted 2939.

S. 1227--Int. 2243; Carried Over 2361, 2649, 2896; Recommitted 2940.

S. 1228--Int. 2243; Carried Over 2361, 2649, 2896; Recommitted 2940.

S. 1229--Int. & Adopted 2244.

S. 1230--Int. & Adopted 2244; Ret. by H. with Conc. 2495.

S. 1231--Int. & Com. 2245.

S. 1232--Int. & Com. 2246; Recalled 2633; Adopted 2914.

S. 1233--Int. & Com. 2246; Recalled 2634; Adopted 2914.

S. 1234--Int. & Com. 2247; Recalled 2634; Adopted 2914; Ret. by H. with Conc. 3209.

S. 1235--Int. & Adopted 2245.

S. 1236--Int. & Adopted 2247.

S. 1237--Int. & Adopted 2308.

S. 1238--Int. & Adopted 2308.

S. 1239--Int. & Com. 2448.

S. 1240--Int. & Adopted 2448; Ret. by H. with Conc. 2497.

S. 1241--Int. & Com. 2479.

S. 1242--Int. & Com. 2479; Co-Sponsor Added 2508, 2871; Rep. Com. (polled) 2875; Rec. Vt. 2875, 2876; 2d R. 2876; 3d R. 2919.

S. 1243--Int. & Com. 2479.

S. 1244--Int. & Com. 2480.

S. 1245--Int. & Com. 2480.

S. 1246--Int. & Adopted 2481; Ret. by H. with Conc. 2497.

S. 1247--Int. & Adopted 2482.

S. 1248--Int. & Adopted 2482.

S. 1249--Int. & Adopted 2483.

S. 1250--Int. & Adopted 2483.

S. 1251--Int. & Adopted 2483.

S. 1252--Int. & Com. 2498.

S. 1253--Int. & Com. 2498.

S. 1254--Int. & Adopted 2508.

S. 1255--Int. & Adopted 2509.

S. 1256--Int. & Adopted 2509.

S. 1257--Int. & Adopted 2509; Ret. by H. with Conc. 2577.

S. 1258--Int. & Adopted 2509; Ret. by H. with Conc. 2577.

S. 1259--Int. & Adopted 2510; Ret. by H. with Conc. 2577.

S. 1260--Int. & Adopted 2510.

S. 1261--Int. & Adopted 2570.

S. 1262--Int. & Adopted 2571.

S. 1263--Int. & Adopted 2571.

S. 1264--Int. & Com. 2571.

S. 1265--Int. & Com. 2571.

S. 1266--Int. 2571; 2d R. 2671; Rec. Vt. 2671; 3d R. 2675; Rat. 3509.

S. 1267--Int. & Com. 2572; Recalled 2635; Adopted 2914; Ret. by H. with Conc. 3093.

S. 1268--Int. & Com. 2573; Recalled 2871; Adopted 2980; Ret. by H. with Conc. 3093.

S. 1269--Int. & Adopted 2573.

S. 1270--Int. & Adopted 2573.

S. 1271--Int. & Adopted 2573.

S. 1272--Int. & Adopted 2574.

S. 1273--Int. & Adopted 2574; Ret. by H. with Conc. 2640.

S. 1274--Int. & Adopted 2636.

S. 1275--Int. & Com. 2636; Rep. Com. (polled) 2722; Rec. Vt. 2722; Obj. 2769; Adopted 2915; Ret. by H. with Conc. 2930.

S. 1276--Int. & Com. 2636; Recalled 2679; 2d R. 2905; Rec. Vt. 2906; 3d R. 2919.

S. 1277--Int. & Adopted 2679.

S. 1278--Int. & Adopted 2679.

S. 1279--Int. & Adopted 2680.

S. 1280--Int. & Adopted 2680; Ret. by H. with Conc. 2882.

S. 1281--Int. & Com. 2680.

S. 1282--Int. & Com. 2680; Obj. 3072; Recalled & Adopted 3202.

S. 1283--Int. & Adopted 2681; Ret. by H. with Conc. 2882.

S. 1284--Int. & Adopted 2718.

S. 1285--Int. 2718; Amended & 2d R. 2883; 3d R. 2919; Rat. 3509.

S. 1286--Int. 2719; Point of Order 2908; Carried Over 2970.

S. 1287--Int. 2719; Point of Order 2909; Carried Over 2970.

S. 1288--Int. & Adopted 2719.

S. 1289--Int. & Adopted 2720; Ret. by H. with Conc. 2882.

S. 1290--Int. & Com. 2720.

S. 1291--Int. & Adopted 2873.

S. 1292--Int. 2873; 2d R. 2920; 3d R. 2930; Rat. 3678.

S. 1293--Int. & Com. 2873; Recalled & Adopted 3045.

S. 1294--Int. & Adopted 2874.

INDEX

S. 1295--Int. & Adopted 2874.

S. 1296--Int. & Adopted 2874.

S. 1297--Int. & Com. 2874; Recalled 2923; Adopted 3032; Ret. by H. with Conc. 3093.

S. 1298--Int. & Adopted 2924.

S. 1299--Int. & Adopted 2925.

S. 1300--Int. & Com. 2925.

S. 1301--Int. 2925; Obj. 3031; Recommitted 3159.

S. 1302--Int. & Com. 2926; Recalled 2924; Adopted 3032; Ret. by H. with Conc. 3094.

S. 1303--Int. & Com. 2926; Recalled & Adopted 3072; Ret. by H. with Conc. 3580.

S. 1304--Int. & Adopted 2926; Ret. by H. with Conc. 3094.

S. 1305--Int. & Adopted 2926.

S. 1306--Int. & Adopted 2927; Ret. by H. with Conc. 3000.

S. 1307--Int. & Adopted 2987.

S. 1308--Int. & Adopted 2987.

S. 1309--Int. & Adopted 2987.

S. 1310--Int. & Adopted 2987.

S. 1311--Int. & Adopted 2988; Ret. by H. with Conc. 3054.

S. 1312--Int. & Adopted 2988.

S. 1313--Int. & Adopted 2988.

S. 1314--Int. & Com. 2988; Recalled 3073; Adopted 3368; Ret. by H. with Conc. 3580.

S. 1315--Int. & Com. 2989; Obj. 3045; Co-Sponsor Added 3071; Rep. Com. (polled) 3079; Rec. Vt. 3080; Adopted 3080.

S. 1316--Int. & Adopted 2989.

S. 1317--Int. & Adopted 3046.

S. 1318--Int. & Adopted 3046.

S. 1319--Int. & Adopted 3046; Ret. by H. with Conc. 3094.

S. 1320--Int. & Adopted 3046.

S. 1321--Int. & Adopted 3046.

S. 1322--Int. & Adopted 3047; Ret. by H. with Conc. 3094.

S. 1323--Int. & Adopted 3047.

S. 1324--Int. & Adopted 3047.

S. 1325--Int. & Adopted 3048.

S. 1326--Int. & Adopted 3048.

S. 1327--Int. & Adopted 3076.

S. 1328--Int. & Adopted 3076.

S. 1329--Int. & Adopted 3076.

S. 1330--Int. & Adopted 3077.

S. 1331--Int. & Adopted 3077.

S. 1332--Int. & Adopted 3077.

S. 1333--Int. & Adopted 3205.

S. 1334--Int. & Adopted 3206.

S. 1335--Int. & Adopted 3206.

S. 1336--Int. & Adopted 3206.

S. 1337--Int. & Adopted 3206.

S. 1338--Int. & Com. 3206.

S. 1339--Int. & Adopted 3207.

S. 1340--Int. & Adopted 3207.

S. 1341--Int. & Adopted 3207.

S. 1342--Int. & Adopted 3526.

S. 1343--Int. & Adopted 3527.

S. 1344--Int. & Com. 3527.

S. 1345--Int. & Com. 3527.

S. 1346--Int. & Adopted 3527; Rec. Vt. 3528.

S. 1347--Int. & Adopted 3534.

S. 1348--Int. & Adopted 3534.

S. 1349--Int. & Adopted 3717.

S. 1350--Int. & Adopted 3717.

S. 1351--Int. & Adopted 3717.

S. 1352--Int. & Adopted 3717.

S. 1353--Int. & Adopted 3718.

S. 1354--Int. & Adopted 3718.

S. 1355--Int. & Adopted 3718.

S. 1356--Int. & Adopted 3718; Ret. by H. with Conc. 3842.

S. 1357--Int. & Adopted 3718.

S. 1358--Int. & Adopted 3719.

S. 1359--Int. & Adopted 3719.

S. 1360--Int. & Adopted 3719; Co-Sponsor Added 3834.

S. 1361--Int. & Adopted 3719.

S. 1362--Int. & Adopted 3719.

S. 1363--Int. & Adopted 3720.

S. 1364--Int. & Adopted 3720.

S. 1365--Int. & Adopted 3720.

S. 1366--Int. & Adopted 3720.

S. 1367--Int. & Adopted 3720.

S. 1368--Int. & Adopted 3720.

S. 1369--Int. & Adopted 3834.

S. 1370--Int. & Adopted 3834.

S. 1371--Int. & Adopted 3835.

S. 1372--Int. & Adopted 3835; Ret. by H. with Conc. 3841.

S. 1373--Int. & Adopted 3835.

S. 1374--Int. & Adopted 3835.

S. 1375--Int. & Adopted 3836.

S. 1376--Int. & Adopted 3836.

S. 1377--Int. & Adopted 3836.

S. 1378--Int. & Adopted 3836.

S. 1379--Int. & Adopted 3837.

S. 1380--Int. & Adopted 3837.

S. 1381--Int. & Adopted 3837.

PERSONAL INDEX

ADAMS, BRIAN - Senator from District No. 44, Berkeley, Charleston and Dorchester Counties:

S. 880, 882, 941, 942, 948, 953, 967, 990, 1000, 1006, 1007, 1008, 1011, 1014, 1037, 1038, 1048, 1085, 1089, 1103, 1122, 1126, 1134, 1137, 1138, 1163, 1180, 1181, 1370, 1375

Amendments Proposed - 2728, 3134

Committee Assignments - 3541, 3583, 3848

Debate - 1202

Leave of Absence - 3801

Motions - 131, 928, 1073, 1253, 1294, 1313, 1354, 1752, 2515, 2569, 3197, 3198, 3794

Points of Personal Interest - 932, 2986, 3525

Statements - 932, 1150

ALEXANDER, THOMAS C. - Senator from District No. 1, Oconee and Pickens Counties:

S. 839, 840, 841, 842, 896, 897, 899, 938, 939, 940, 941, 942, 960, 969, 981, 985, 989, 990, 993, 994, 995, 996, 1011, 1018, 1038, 1043, 1059, 1065, 1069, 1075, 1087, 1102, 1103, 1122, 1126, 1130, 1131, 1137, 1138, 1141, 1142, 1145, 1149, 1180, 1181, 1183, 1192, 1194, 1196, 1207, 1231, 1370, 1375

Amendments Proposed - 1132, 1192, 1703, 1839, 2231, 2232, 2734, 2751, 3272, 3362, 3432

Committee Assignments - 3549

Debate - 2688, 2751

Motions - 131, 928, 1009, 1073, 1253, 1290, 1313, 1748, 1847, 1979, 2117, 2233, 2515, 2674, 3197, 3198, 3794

Objections - 1308, 1921, 1922, 2276, 2279, 2289, 2291, 2337, 3029, 3030, 3031, 3032, 3189, 3190, 3191

Points of Personal Interest - 1278

Statements - 1150, 1278, 3696

INDEX

ALLEN, KARL B. - Senator from District No. 7, Greenville County:

S. 910, 926, 927, 941, 942, 990, 1004, 1011, 1038, 1057, 1084, 1103, 1137, 1138, 1180, 1181, 1260, 1370, 1375

Amendments Proposed - 3134

Committee Assignments - 2265

Leave of Absence - 1078, 2240, 2678, 3039

Motions - 131, 928, 1073, 1116, 1253, 1313, 1979, 2515, 3197, 3198, 3794

BENNETT, SEAN - Senator from District No. 38, Dorchester, Charleston and Berkeley Counties:

S. 941, 942, 944, 948, 974, 990, 1000, 1038, 1046, 1071, 1094, 1103, 1122, 1126, 1137, 1138, 1139, 1149, 1180, 1181, 1370, 1375

Amendments Proposed - 1006, 1189, 1392, 2356, 2589, 2654, 2739, 2767, 3134

Committee Assignments - 3590

Debate - 943, 1190, 1306, 1307, 1336, 1337, 1338, 1342, 1678, 2075, 2077, 2148, 2149, 2184, 2357, 2590, 2665, 2740, 2763, 2768, 2894, 3013, 3103, 3142, 3157

Leave of Absence - 133, 2678, 2717, 3524

Motions - 131, 928, 967, 1073, 1075, 1253, 1306, 1313, 1337, 1338, 1389, 1658, 1693, 1708, 1787, 1979, 2085, 2148, 2356, 2515, 2655, 2701, 2763, 3197, 3198, 3794

Objections - 2907

Statements - 1150

CAMPSEN, GEORGE E. "CHIP", III - Senator from District No. 43, Charleston, Beaufort and Colleton Counties:

S. 941, 942, 948, 976, 977, 979, 990, 1011, 1014, 1021, 1038, 1062, 1069, 1082, 1093, 1103, 1126, 1137, 1138, 1156, 1163, 1180, 1181, 1370, 1375

Amendments Proposed - 1141, 1146, 1152, 1154, 1156, 1166, 2031, 2153, 2174, 2328, 2329, 2366, 2665, 2692, 2696, 2700, 2711, 2712, 2713, 2736, 2760, 2769, 2941, 3134, 3152, 3179, 3260, 3274, 3302, 3434, 3619, 3625, 3626, 3659

Committee Assignments - 3574, 3577, 3662

INDEX

Debate - 137, 1142, 1147, 1153, 1338, 1339, 1688, 1943, 2002, 2023, 2174, 2175, 2191, 2288, 2289, 2290, 2291, 2328, 2329, 2354, 2366, 2665, 2667, 2668, 2669, 2670, 2693, 2701, 2713, 2736, 2762, 2763, 2942, 3139, 3152, 3266, 3308, 3347, 3356, 3362, 3434, 3435, 3567, 3624, 3631, 3659

Leave of Absence - 931, 1176, 1294, 1752, 1787, 1850, 2045, 2569, 3801

Motions - 131, 132, 928, 1073, 1142, 1253, 1313, 1843, 1979, 2007, 2013, 2023, 2041, 2139, 2191, 2268, 2288, 2289, 2371, 2469, 2515, 2581, 2582, 2678, 2711, 2737, 2770, 2771, 3080, 3081, 3139, 3140, 3197, 3198, 3286, 3308, 3356, 3567, 3619, 3794

Objections - 2318, 2667

Points of Personal Interest - 1747

Statements - 1943

CASH, RICHARD J. - Senator from District No. 3, Anderson County:

S. 882, 938, 941, 942, 990, 1000, 1008, 1038, 1046, 1103, 1113, 1126, 1137, 1138, 1180, 1181, 1370, 1375

Amendments Proposed - 1345, 1346, 1347, 1348, 1350, 1351, 1352, 2320, 2615, 2765, 3062, 3341

Debate - 1165, 1346, 1348, 1350, 1351, 2614, 2631, 2700, 2732, 3036, 3058, 3062, 3063, 3064, 3065, 3342

Motions - 131, 928, 1073, 1146, 1163, 1165, 1200, 1253, 1313, 1346, 1350, 1979, 2157, 2515, 2693, 2700, 3178, 3197, 3198, 3794

Objections - 2146, 2276, 3189

Points of Personal Interest - 2717, 3039

Recorded Vote Requested - 114, 1696

Statements - 3039

CLIMER, WES - Senator from District No. 15, York County:

S. 878, 879, 882, 941, 942, 948, 990, 1000, 1008, 1022, 1038, 1046, 1049, 1095, 1103, 1119, 1122, 1126, 1132, 1137, 1138, 1149, 1150, 1180, 1181, 1213, 1370, 1375

Amendments Proposed - 2031, 2267, 2699, 2706, 2731, 2737, 2752, 2753, 2765

Committee Assignments - 2265

Debate - 1034, 1085, 1096, 1128, 1820, 1834, 1875, 2038, 2145, 2146, 2220, 2267, 2371, 2707, 2738, 2752, 2753, 2766, 3550, 4003

Leave of Absence - 932, 1356

Motions - 131, 928, 1052, 1071, 1073, 1085, 1096, 1202, 1253, 1295, 1313, 1688, 1834, 1979, 1981, 2157, 2198, 2267, 2370, 2507, 2515, 2570, 2579, 2707, 2737, 2871, 3045, 3197, 3198, 3210, 3211, 3524, 3550, 3794, 3827, 4003, 4071

Objections - 2950, 3651

Points of Order - 2701

Recorded Vote Requested - 1150, 2364, 2925, 3100

Statements - 1150

CORBIN, THOMAS D. "TOM" - Senator from District No. 5, Greenville and Spartanburg Counties:

S. 861, 941, 942, 943, 965, 990, 1000, 1008, 1011, 1012, 1013, 1014, 1038, 1046, 1075, 1103, 1122, 1126, 1137, 1138, 1149, 1180, 1181, 1231, 1370, 1375

Amendments Proposed - 1280, 1653, 2700

Debate - 1281

Motions - 131, 928, 1012, 1073, 1132, 1253, 1313, 1676, 1708, 1767, 1979, 2198, 2280, 2281, 2515, 2579, 2582, 2633, 2647, 2662, 2977, 3039, 3116, 3197, 3198, 3794, 4068, 4073

Objections - 1781, 1923, 1926, 1932, 2353, 2448, 2969, 3028, 3029, 3072, 3651

Points of Order - 1064, 1065, 1066, 1067, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1890, 2754

Recorded Vote Requested - 114, 1150, 1696, 2925, 3100, 3528

CROMER, RONNIE W. - Senator from District No. 18, Newberry, Lexington and Union Counties:

S. 901, 911, 916, 941, 942, 950, 957, 961, 962, 984, 990, 993, 994, 1000, 1011, 1023, 1031, 1032, 1038, 1040, 1045, 1046, 1103, 1116, 1122, 1126, 1137, 1138, 1164, 1167, 1180, 1181, 1297, 1370, 1375

Amendments Proposed - 954, 1147, 2615, 2689, 2700, 3007, 3134, 3140, 3295, 3419
Committee Assignments - 3573

Debate - 955, 966, 1308, 2615, 2690, 3008, 3089, 3092, 3140, 3141, 3295, 3419,

3419, 3547

Motions - 131, 928, 931, 978, 1073, 1113, 1253, 1294, 1313, 1752, 1787, 1850, 1979, 2004, 2029, 2045, 2442, 2477, 2502, 2515, 2569, 2615, 2968, 3036, 3039, 3092, 3140, 3141, 3151, 3197, 3198, 3212, 3547, 3588, 3595, 3794, 3801, 4070

DAVIS, THOMAS C. "TOM" - Senator from District No. 46, Beaufort and Jasper Counties:

S. 851, 852, 853, 854, 855, 856, 857, 858, 909, 910, 912, 941, 942, 982, 990, 994, 1000, 1021, 1038, 1048, 1103, 1121, 1122, 1132, 1137, 1138, 1169, 1171, 1180, 1181, 1187, 1205, 1370, 1375

Amendments Proposed - 1654, 1655, 1820, 1823, 2220, 2317, 2372, 2728, 2764, 2772, 2968, 3058, 3064, 3130, 3134, 3274, 3395, 3560, 3634, 3655

Committee Assignments - 3556, 3586

Debate - 1027, 1087, 1089, 1098, 1133, 1271, 1273, 1280, 1289, 1310, 1311, 1341, 1352, 1652, 1653, 1655, 1656, 1677, 1769, 1770, 1821, 1823, 1824, 2057, 2058, 2059, 2061, 2069, 2082, 2103, 2143, 2220, 2221, 2226, 2318, 2321, 2322, 2372, 2474, 2645, 2749, 2752, 2764, 2772, 2903, 2904, 2925, 2935, 2936, 2950, 2952, 2968, 2971, 3009, 3026, 3058, 3064, 3088, 3130, 3134, 3138, 3272, 3297, 3366, 3395, 3417, 3548, 3551, 3555, 3558, 3560, 3585, 3634, 3655, 3656, 3880

Leave of Absence - 932, 1116, 1695

Motions - 131, 928, 1027, 1073, 1089, 1091, 1131, 1177, 1240, 1244, 1245, 1246, 1253, 1271, 1280, 1313, 1352, 1392, 1720, 1824, 1844, 1845, 1846, 1951, 1979, 2016, 2028, 2052, 2057, 2082, 2144, 2226, 2268, 2322, 2449, 2475, 2476, 2515, 2647, 2648, 2649, 2752, 2923, 2950, 3040, 3045, 3058, 3134, 3142, 3197, 3198, 3204, 3216, 3285, 3351, 3361, 3367, 3548, 3552, 3555, 3557, 3558, 3559, 3585, 3591, 3633, 3655, 3717, 3794, 3801, 3819, 3831, 3880, 4044, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058, 4059, 4060, 4061, 4062, 4063, 4064

Objections - 1126, 2903

Points of Personal Interest - 1373, 2445, 2507

DEVINE, TAMEIKA ISAAC - Senator from District No. 19, Richland County:

S. 877, 881, 910, 941, 942, 987, 990, 994, 995, 999, 1003, 1029, 1038, 1056, 1092, 1103, 1104, 1108, 1121, 1137, 1138, 1169, 1180, 1181, 1202, 1370, 1375

Amendments Proposed - 1156, 2354, 2691, 2728, 2735, 2739, 2769, 3064, 3065, 3096, 3134

Debate - 1156, 1216, 2299, 2300, 2691, 2709, 2736, 2767, 3057, 3064, 3065, 3188

Leave of Absence - 2306, 2870

Motions - 131, 928, 929, 1073, 1253, 1313, 1979, 2040, 2043, 2233, 2452, 2515, 2675, 2692, 2709, 3188, 3197, 3198, 3794, 3795, 3796, 4071

Objections - 2060

Points of Order - 2692, 2766

Statements - 7, 1216, 2709

FANNING, MICHAEL "MIKE" - Senator from District No. 17, Fairfield, Chester and York Counties:

S. 925, 928, 933, 934, 935, 936, 941, 942, 944, 952, 967, 983, 987, 990, 993, 994, 999, 1011, 1022, 1024, 1036, 1038, 1046, 1089, 1103, 1107, 1115, 1122, 1123, 1126, 1127, 1133, 1135, 1137, 1138, 1150, 1152, 1155, 1180, 1181, 1197, 1209, 1229, 1237, 1370, 1375

Amendments Proposed - 2737

Debate - 135, 1008, 2768

Leave of Absence - 947, 1078, 1116, 2241

Motions - 131, 928, 941, 1073, 1116, 1253, 1313, 1315, 1376, 1691, 1979, 2101, 2119, 2306, 2515, 2633, 2678, 2717, 3197, 3198, 3201, 3202, 3794, 3801

Points of Personal Interest - 1747

Recorded Vote Requested - 1012

GAMBRELL, MICHAEL W. "MIKE" - Senator from District No. 4, Anderson, Abbeville and Greenwood Counties:

S. 910, 911, 941, 942, 944, 945, 976, 977, 983, 990, 993, 994, 998, 1000, 1008, 1011, 1038, 1046, 1063, 1075, 1103, 1113, 1122, 1137, 1138, 1143, 1149, 1168, 1180, 1181, 1370, 1375

Amendments Proposed - 2711, 2728, 3560

Committee Assignments - 3562

Debate - 2022, 2295

Leave of Absence - 1695, 2570, 3039, 3201

Motions - 131, 928, 1073, 1230, 1253, 1267, 1313, 1979, 2022, 2041, 2217, 2266,

2295, 2515, 3197, 3198, 3794

Objections - 1926, 1927, 1928

GARRETT, BILLY - Senator from District No. 10, Greenwood, Abbeville, Saluda and McCormick Counties:

S. 858, 882, 918, 919, 941, 942, 956, 963, 972, 990, 994, 995, 1000, 1008, 1011, 1014, 1038, 1050, 1079, 1103, 1122, 1126, 1137, 1138, 1149, 1180, 1181, 1210, 1212, 1370, 1375

Amendments Proposed - 2231, 2232, 2691, 2708, 2711, 2728, 3179, 3274

Committee Assignments - 3562, 3645, 3722

Debate - 1274, 1352, 2232, 2592, 2664

Leave of Absence - 1294, 2870, 3070

Motions - 131, 928, 996, 1009, 1022, 1049, 1052, 1073, 1253, 1313, 1979, 2079, 2515, 3197, 3198, 3794

Objections - 2362

Recorded Vote Requested - 1353, 2925

GOLDFINCH, STEPHEN L. - Senator from District No. 34, Georgetown, Horry and Charleston Counties:

S. 941, 942, 948, 976, 990, 1000, 1011, 1015, 1038, 1082, 1093, 1103, 1126, 1127, 1133, 1137, 1138, 1157, 1180, 1181, 1370, 1375

Amendments Proposed - 1033, 1104, 1142, 1148, 1154, 1872, 2130, 2312, 2313, 2695, 2711, 2728, 2755, 3298

Committee Assignments - 2265, 3574, 3577, 3662

Debate - 1034, 1105, 1144, 1155, 1872, 2131, 2313, 2316, 2695, 2742, 2746, 2975, 3299

Leave of Absence - 1981, 2157, 2198, 2871, 3524, 3801

Motions - 131, 928, 932, 1034, 1073, 1144, 1149, 1155, 1253, 1313, 1356, 1863, 1943, 1979, 2096, 2131, 2195, 2308, 2313, 2316, 2445, 2515, 2569, 2570, 2742, 2746, 2756, 2975, 3039, 3197, 3198, 3201, 3524, 3794

Objections - 1923

Points of Personal Interest - 105, 2088

Statements - 105

GROOMS, LAWRENCE KELLY "LARRY" - Senator from District No. 37, Berkeley and Charleston Counties:

S. 894, 917, 941, 942, 948, 960, 966, 990, 994, 1000, 1037, 1038, 1041, 1046, 1093, 1103, 1122, 1125, 1126, 1127, 1134, 1137, 1138, 1148, 1163, 1180, 1181, 1194, 1203, 1370, 1375

Amendments Proposed - 2655, 2660, 2697, 2728, 2942, 3006, 3134, 3175, 3659

Debate - 1851, 1879, 2588, 2654, 2659, 2661, 2698, 2943, 3006, 3097, 3156, 3176, 3589, 3660

Leave of Absence - 1078, 2570, 2678, 3039, 3716

Motions - 131, 928, 944, 1073, 1177, 1203, 1253, 1313, 1659, 1661, 1788, 1789, 1919, 1979, 2046, 2056, 2057, 2089, 2120, 2198, 2302, 2515, 2588, 2634, 2635, 2636, 2871, 2872, 2876, 2877, 2919, 2924, 2986, 3006, 3073, 3074, 3075, 3197, 3198, 3205, 3525, 3526, 3588, 3589, 3794, 3801

Objections - 2585

Points of Personal Interest - 1752, 2015

Recorded Vote Requested - 1106, 1107, 1109

Statements - 1060

GUSTAFSON, PENRY - Senator from District No. 27, Kershaw, Chesterfield and Lancaster Counties:

S. 855, 862, 877, 882, 941, 942, 969, 990, 1000, 1011, 1020, 1038, 1046, 1048, 1103, 1121, 1122, 1126, 1129, 1137, 1138, 1149, 1169, 1180, 1181, 1195, 1370, 1375

Amendments Proposed - 2739, 2769, 3061, 3096, 3134, 3619

Committee Assignments - 3541, 3848

Debate - 1832, 2022, 3058, 3062

Leave of Absence - 2027, 2088, 2633, 2678

Motions - 131, 928, 1073, 1074, 1253, 1313, 1979, 2023, 2041, 2301, 2303, 2515, 3197, 3198, 3794

Objections - 3191, 3195

Points of Personal Interest - 2922

Statements - 2922, 3827

HARPOOTLIAN, RICHARD A. "DICK" - Senator from District No. 20, Richland and Lexington Counties:

S. 878, 879, 941, 942, 960, 961, 970, 990, 993, 1000, 1038, 1046, 1050, 1075, 1080, 1103, 1122, 1136, 1137, 1138, 1157, 1180, 1181, 1370, 1375

Amendments Proposed - 1031, 1034, 1071, 1149, 1151, 1865, 2031, 2694, 2700, 2727, 2733, 3134, 3295

Debate - 1032, 1153, 1866, 1943, 2002, 2694, 2728, 2733, 3103

Leave of Absence - 1052, 1116, 1256, 1658, 2445, 2633, 2870, 3039

Motions - 131, 928, 987, 1032, 1073, 1149, 1151, 1253, 1313, 1979, 2155, 2515, 2694, 2727, 2728, 2920, 3026, 3197, 3198, 3794

Objections - 1780, 2069

Points of Order - 1153, 2700, 3026

Points of Personal Interest - 133, 1135, 1267, 1659, 1719, 2570, 3043, 3201

Statements - 1719, 3819

HEMBREE, GREG - Senator from District No. 28, Horry and Dillon Counties:

S. 868, 905, 941, 942, 986, 990, 994, 1000, 1011, 1015, 1038, 1046, 1048, 1103, 1122, 1137, 1138, 1173, 1180, 1181, 1188, 1204, 1267, 1271, 1370, 1375

Amendments Proposed - 1032, 1071, 1072, 1107, 1149, 1151, 1201, 1240, 2031, 2664, 2688, 2696, 2702, 2704, 2769, 3111, 3371, 3380, 3383, 3385, 3535

Debate - 1032, 1033, 1071, 1072, 1105, 1107, 1139, 1201, 1241, 1289, 1343, 1682, 1721, 1746, 1835, 1892, 1978, 2002, 2057, 2065, 2107, 2665, 2689, 2702, 2706, 2763, 2969, 3110, 3113, 3291, 3371, 3372, 3380, 3382, 3384, 3385, 3393, 3535, 3537, 3539, 3961

Leave of Absence - 1787, 2026, 2870

Motions - 128, 131, 133, 148, 928, 1033, 1072, 1073, 1116, 1149, 1151, 1176, 1241, 1253, 1313, 1344, 1373, 1393, 1781, 1979, 2045, 2055, 2057, 2065, 2307, 2515, 2567, 2569, 2570, 2583, 2594, 2597, 2631, 2633, 2673, 2674, 2678, 2736, 2763, 3197, 3198, 3203, 3214, 3291, 3524, 3535, 3539, 3794, 3961

Objections - 1922, 1923, 1924, 3651

INDEX

Points of Order - 2764, 2772

Points of Personal Interest - 983, 1356

HUTTO, C. BRADLEY - Senator from District No. 40, Orangeburg, Barnwell, Allendale, Bamberg, Colleton and Hampton Counties:

S. 847, 848, 902, 904, 910, 941, 942, 953, 971, 976, 977, 987, 990, 993, 994, 995, 996, 1011, 1025, 1038, 1047, 1050, 1088, 1103, 1108, 1121, 1122, 1137, 1138, 1180, 1181, 1192, 1198, 1369, 1370, 1375

Amendments Proposed - 938, 1155, 1159, 1201, 1366, 1654, 1656, 1674, 1869, 2031, 2134, 2177, 2268, 2370, 2372, 2592, 2664, 2690, 2698, 2711, 2728, 2730, 2734, 2735, 2739, 2752, 3014, 3063, 3272, 3373, 3594

Committee Assignments - 1762, 3541, 3573, 3607, 3645, 3848

Debate - 939, 960, 1155, 1159, 1165, 1168, 1236, 1366, 1367, 1656, 1674, 1813, 1825, 1827, 1828, 1831, 1865, 1872, 2102, 2122, 2133, 2137, 2178, 2268, 2275, 2280, 2281, 2334, 2348, 2350, 2352, 2353, 2367, 2592, 2664, 2690, 2699, 2730, 2732, 2739, 3022, 3057, 3063, 3104, 3162, 3174, 3183, 3342, 3345, 3349, 3351, 3358, 3360, 3379, 3592, 3595, 3644, 3651, 3847, 3966

Leave of Absence - 1012, 1176, 2045, 2445, 3201

Motions - 131, 928, 1073, 1116, 1155, 1159, 1163, 1170, 1171, 1253, 1256, 1279, 1282, 1313, 1377, 1658, 1750, 1824, 1831, 1862, 1869, 1916, 1940, 1979, 2137, 2185, 2280, 2309, 2353, 2387, 2515, 2578, 2633, 2650, 2714, 2732, 2735, 2870, 2934, 3001, 3062, 3105, 3106, 3150, 3197, 3198, 3313, 3592, 3644, 3651, 3794, 3817, 3844, 3847, 3942, 3966, 4070

Objections - 2951

Points of Order - 2733, 2746, 2749

Points of Personal Interest - 107, 1284, 2119, 2922, 3801, 3827

Points of Quorum - 3065

Statements - 1169

JACKSON, DARRELL - Senator from District No. 21, Richland County:

S. 914, 920, 921, 922, 923, 937, 941, 942, 950, 990, 993, 997, 1011, 1029, 1038, 1070, 1081, 1085, 1086, 1087, 1092, 1103, 1104, 1137, 1138, 1159, 1180, 1181, 1184, 1185, 1208, 1304, 1370, 1375

Amendments Proposed - 1103, 1163, 2354, 2699, 2730, 2731, 2749, 2750, 3298

Debate - 1103, 2750

Leave of Absence - 1116, 1376, 2119, 2633

Motions - 131, 928, 1073, 1075, 1103, 1202, 1253, 1313, 1979, 2236, 2285, 2515, 2751, 2867, 2926, 3067, 3197, 3198, 3794

Objections - 2221, 2222, 2936, 3104

JOHNSON, KEVIN L. - Senator from District No. 36, Clarendon, Darlington, Florence and Sumter Counties:

S. 910, 932, 941, 942, 969, 973, 987, 990, 993, 994, 1011, 1038, 1092, 1103, 1104, 1120, 1122, 1137, 1138, 1176, 1180, 1181, 1206, 1370, 1375

Amendments Proposed - 1106, 2728, 3134

Debate - 1100, 1214, 1281, 1352, 1943

Leave of Absence - 1116, 2569, 2678

Motions - 131, 928, 1073, 1078, 1100, 1172, 1221, 1253, 1256, 1313, 1315, 1376, 1659, 1979, 2096, 2127, 2306, 2515, 2633, 3039, 3197, 3198, 3524, 3794, 4069, 4072

Points of Order - 2463

Points of Personal Interest - 1752

Statements - 1214

JOHNSON, MICHAEL - Senator from District No. 16, Lancaster and York Counties:

S. 852, 881, 882, 883, 907, 941, 942, 967, 990, 1000, 1008, 1022, 1034, 1038, 1046, 1048, 1050, 1089, 1095, 1103, 1122, 1126, 1137, 1138, 1149, 1150, 1180, 1181, 1370, 1375

Amendments Proposed - 964, 1238, 2031, 2104, 2695, 2728, 2765, 3134, 3179, 3273, 3274, 3309, 3581

Committee Assignments - 3559, 3583

Debate - 964, 965, 1238, 1774, 1777, 1779, 1916, 2671, 2696, 2772, 2899, 3178, 3180, 3186, 3273, 3274, 3287, 3300, 3310, 3311, 3581

Motions - 131, 133, 928, 1073, 1253, 1303, 1313, 1827, 1979, 2270, 2515, 2672, 2675, 2713, 2714, 3006, 3197, 3198, 3287, 3295, 3794

Objections - 1685, 2222, 3027, 3028

Statements - 1150, 2364

KIMBRELL, JOSH - Senator from District No. 11, Spartanburg County:

S. 858, 861, 882, 884, 885, 941, 942, 953, 967, 990, 994, 1000, 1005, 1008, 1011, 1014, 1038, 1046, 1050, 1051, 1061, 1089, 1093, 1103, 1122, 1126, 1137, 1138, 1149, 1150, 1180, 1181, 1213, 1231, 1236, 1370, 1375

Amendments Proposed - 1332, 1366, 1382, 2691, 2706, 2708, 2737, 2752, 2765, 2769, 3134

Debate - 1333, 1382, 1851, 2286, 2692, 2708, 2765, 3057

Leave of Absence - 105, 133, 1052, 1376, 2569, 2633, 3801

Motions - 131, 928, 986, 1073, 1253, 1313, 1367, 1979, 2241, 2515, 3197, 3198, 3368, 3794

Objections - 1780, 3651, 3651

Points of Order - 2691

Points of Personal Interest - 1224, 1294

Recorded Vote Requested - 1150, 2925

Statements - 1060, 1151

LOFTIS, DWIGHT A. - Senator from District No. 6, Greenville County:

S. 861, 882, 941, 942, 990, 994, 1000, 1011, 1038, 1046, 1089, 1103, 1122, 1126, 1137, 1138, 1149, 1180, 1181, 1220, 1231, 1370, 1375

Amendments Proposed - 2769, 3134

Debate - 1746

Leave of Absence - 1012, 2157, 2198, 2717

Motions - 131, 928, 1073, 1253, 1313, 1979, 2515, 3197, 3198, 3794

INDEX

Recorded Vote Requested - 1052

Statements - 3238

MALLOY, GERALD - Senator from District No. 29, Darlington, Lee, Marlboro and Chesterfield Counties:

S. 845, 850, 858, 932, 941, 942, 969, 990, 1011, 1038, 1048, 1050, 1078, 1103, 1115, 1137, 1138, 1175, 1180, 1181, 1192, 1285, 1302, 1370, 1375

Amendments Proposed - 1071, 1150, 1157, 2031, 2037, 2232, 2334, 2387, 2696, 2702, 2728, 2747, 2883, 2891, 2892, 2893, 3096, 3099, 3100, 3101, 3178, 3180, 3273, 3308, 3309, 3346, 3432

Committee Assignments - 3562, 3566, 3722

Debate - 128, 1105, 1150, 1202, 1213, 1213, 1236, 1271, 1311, 1663, 1978, 2037, 2038, 2048, 2077, 2110, 2140, 2223, 2299, 2336, 2438, 2748, 2884, 2891, 2892, 2893, 3100, 3102, 3178, 3180, 3293, 3346, 3642, 3886

Leave of Absence - 1850

Motions - 124, 129, 131, 145, 928, 939, 980, 982, 1073, 1085, 1188, 1202, 1242, 1253, 1282, 1303, 1305, 1308, 1312, 1313, 1333, 1335, 1342, 1344, 1366, 1386, 1674, 1705, 1706, 1709, 1747, 1765, 1772, 1778, 1827, 1979, 2056, 2073, 2076, 2077, 2083, 2103, 2112, 2183, 2275, 2282, 2334, 2336, 2438, 2461, 2515, 2581, 2614, 2665, 2689, 2736, 2885, 2886, 2919, 2931, 2932, 2937, 3000, 3003, 3006, 3007, 3008, 3095, 3101, 3115, 3154, 3161, 3177, 3183, 3197, 3198, 3282, 3286, 3288, 3294, 3581, 3668, 3794, 3795, 3886, 4072

Objections - 143, 145, 936, 938, 957, 959, 998, 1000, 1024, 1026, 1062, 1064, 1087, 1128, 1131, 1185, 1187, 1232, 1234, 1268, 1270, 1332, 1335, 1365, 1369, 1381, 1385, 1677, 1708, 1829, 1830, 1867, 1868, 2110, 2112, 2219, 2270, 2320, 2643, 2644, 2647, 3180

Points of Order - 2768, 3103

Points of Personal Interest - 113, 1256

Points of Quorum - 2299

MARTIN, SHANE R. - Senator from District No. 13, Spartanburg, Union and Greenville Counties:

S. 860, 861, 901, 941, 942, 960, 990, 994, 1000, 1001, 1038, 1046, 1075, 1103, 1126, 1137, 1138, 1150, 1164, 1172, 1180, 1181, 1192, 1231, 1370, 1375

Amendments Proposed - 1032, 1144, 1653, 2463, 2699, 2730, 2731, 2749, 2752,

2935, 2952, 3023, 3102, 3143, 3147, 3186, 3276, 3279, 3315, 3317, 3634, 3638, 3639

Committee Assignments - 1762, 3573

Debate - 972, 1031, 1032, 1144, 1684, 1668, 1709, 2115, 2223, 2463, 2598, 2699, 2700, 2730, 2731, 2741, 2743, 2744, 2745, 2750, 2936, 2967, 3026, 3102, 3103, 3146, 3150, 3188, 3281, 3319, 3637, 3638, 3639, 3641

Leave of Absence - 1116, 1315, 1787, 2241, 3201, 3801

Motions - 131, 928, 946, 985, 1032, 1067, 1072, 1073, 1105, 1106, 1108, 1109, 1147, 1159, 1253, 1293, 1313, 1338, 1843, 1975, 1979, 2116, 2149, 2198, 2515, 2590, 2699, 2730, 2731, 2750, 2907, 2908, 2968, 2983, 2984, 3146, 3155, 3197, 3198, 3213, 3279, 3317, 3794

Objections - 3160, 3188

Points of Order - 1000, 1099, 1158, 1194, 1204, 1205, 1235, 1276, 1277, 1278, 1309, 1341, 1370, 1371, 1372, 1373, 1390, 1685, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1784, 1785, 1834, 2112, 2113, 2114, 2150, 2193, 2355, 2594, 2595, 2596, 2672, 2673, 2741, 2742, 2743, 2744, 2745, 2908, 2909, 2910, 2911, 2912, 2913, 2978, 2979, 2980

Points of Personal Interest - 3070

Recorded Vote Requested - 114, 2363, 2364, 3092, 3100, 3650

MASSEY, A. SHANE - Senator from District No. 25, Edgefield, McCormick, Aiken, Saluda and Lexington Counties:

S. 941, 942, 945, 960, 961, 963, 965, 990, 1016, 1025, 1038, 1075, 1088, 1103, 1106, 1110, 1111, 1122, 1126, 1137, 1138, 1149, 1158, 1174, 1180, 1181, 1189, 1192, 1231, 1292, 1370, 1375

Amendments Proposed - 124, 1108, 1138, 1140, 1144, 1156, 1159, 1161, 1166, 1202, 1774, 1839, 2031, 2337, 2469, 2748, 3179, 3274, 3426

Committee Assignments - 1762, 3566, 3586, 3607

Debate - 1108, 1139, 1140, 1144, 1157, 1160, 1168, 1202, 1330, 1386, 1776, 1842, 1845, 1900, 2018, 2038, 2054, 2299, 2341, 2468, 2470, 2748, 2749, 2754, 2768, 3274, 3426, 3432, 3433

Leave of Absence - 1356, 2569, 2633

Motions - 130, 131, 145, 146, 148, 149, 928, 931, 942, 944, 945, 960, 961, 967, 982,

983, 984, 985, 1004, 1005, 1009, 1010, 1028, 1034, 1049, 1050, 1067, 1068, 1072, 1073, 1074, 1100, 1112, 1114, 1116, 1135, 1138, 1144, 1157, 1163, 1172, 1173, 1194, 1195, 1196, 1197, 1220, 1221, 1222, 1236, 1237, 1242, 1253, 1254, 1279, 1282, 1289, 1290, 1291, 1300, 1313, 1327, 1330, 1342, 1345, 1346, 1348, 1353, 1354, 1392, 1657, 1686, 1688, 1692, 1693, 1720, 1747, 1748, 1785, 1787, 1835, 1836, 1842, 1847, 1848, 1891, 1900, 1901, 1916, 1917, 1933, 1936, 1942, 1978, 1979, 2002, 2003, 2013, 2014, 2023, 2036, 2042, 2055, 2082, 2085, 2086, 2115, 2116, 2117, 2151, 2154, 2195, 2196, 2222, 2223, 2232, 2233, 2234, 2237, 2279, 2292, 2300, 2302, 2303, 2306, 2349, 2359, 2360, 2361, 2362, 2363, 2365, 2439, 2442, 2443, 2467, 2468, 2471, 2475, 2476, 2514, 2515, 2516, 2714, 2715, 2769, 2867, 2668, 2873, 2883, 2894, 2895, 2896, 2897, 2916, 2917, 2918, 2920, 2930, 2931, 2938, 2939, 2940, 2970, 2971, 2982, 2983, 2984, 3027, 3032, 3034, 3043, 3061, 3062, 3066, 3083, 3084, 3091, 3106, 3114, 3116, 3138, 3141, 3159, 3181, 3195, 3197, 3198, 3201, 3209, 3238, 3242, 3420, 3424, 3522, 3596, 3667, 3710, 3794, 3796, 4044

Objections - 128, 1197, 1306, 1310, 1777, 1924, 1925, 2271, 2282, 2287, 3192

Points of Order - 2755

Points of Personal Interest - 2504

Statements - 1150, 2504

MATTHEWS, MARGIE BRIGHT - Senator from District No. 45, Jasper, Hampton, Colleton, Beaufort, Charleston and Allendale Counties:

S. 941, 942, 987, 990, 996, 1011, 1021, 1038, 1101, 1103, 1121, 1122, 1127, 1137, 1138, 1169, 1179, 1180, 1181, 1199, 1211, 1268, 1370, 1375

Amendments Proposed - 1145, 1163, 1165, 1200, 1201, 1823, 2317, 2329, 2354, 2696, 2711, 2739, 2749, 2755, 2756, 2758, 3006, 3063, 3096, 3134

Debate - 1146, 1163, 1200, 1236, 1240, 1689, 1935, 1943, 2355, 2749, 2755, 2762, 3026, 3063

Leave of Absence - 947, 1116, 1256, 1284, 1315, 2027, 2445, 2717

Motions - 131, 928, 1068, 1073, 1078, 1164, 1176, 1188, 1197, 1240, 1253, 1311, 1313, 1354, 1376, 1389, 1689, 1979, 2154, 2233, 2234, 2306, 2515, 2667, 2678, 2756, 2769, 3033, 3087, 3110, 3197, 3198, 3592, 3625, 3638, 3794, 3834, 4073

Objections - 1108, 1311, 1312, 1363, 1386, 1389, 1674, 1677, 1689, 1705, 1709, 2108, 2316, 2322, 2590, 2645, 2950, 3045, 3139, 3142

Points of Order - 2223, 2708, 2762, 2967, 3150, 3638, 3659

Points of Personal Interest - 2507, 3043

Statements - 3043

MCELVEEN, J. THOMAS, III - Senator from District No. 35, Sumter, Lee, Kershaw and Richland Counties:

S. 931, 932, 941, 942, 973, 990, 991, 993, 994, 999, 1009, 1011, 1038, 1050, 1092, 1094, 1103, 1104, 1122, 1127, 1137, 1138, 1180, 1181, 1182, 1370, 1375

Amendments Proposed - 2711, 2728, 2747, 3619

Committee Assignments - 3553, 3556, 3574, 3577, 3662

Debate - 1153, 2069, 2358, 2747, 2905, 2974, 2975, 3005, 4019, 4028, 4032

Leave of Absence - 1078, 1315, 2306

Motions - 131, 928, 945, 984, 1073, 1078, 1253, 1292, 1313, 1376, 1979, 2295, 2318, 2477, 2515, 2679, 2747, 2770, 2868, 2906, 2919, 3039, 3197, 3198, 3668, 3794, 4019, 4028, 4032, 4071

Statements - 3696

MCLEOD, MIA S. - Senator from District No. 22, Richland and Kershaw Counties:

S. 870, 871, 872, 873, 874, 877, 879, 881, 887, 941, 942, 949, 969, 978, 987, 990, 991, 994, 995, 996, 1011, 1019, 1028, 1029, 1038, 1046, 1077, 1103, 1121, 1122, 1137, 1138, 1169, 1170, 1180, 1181, 1202, 1370, 1375

Amendments Proposed - 1139, 1204, 3059, 3096

Debate - 1139, 1204, 1205, 1213, 3060

Leave of Absence - 1176, 1315, 2306

Motions - 131, 928, 1073, 1078, 1216, 1218, 1253, 1256, 1313, 1315, 1374, 1979, 2157, 2445, 2481, 2508, 2515, 3197, 3198, 3794

Objections - 2079, 2666

Statements - 1213, 3528

PEELER, HARVEY S., JR. - Senator from District No. 14, Cherokee, York, Union and Spartanburg Counties:

S. 901, 907, 941, 942, 960, 964, 968, 969, 990, 1000, 1011, 1038, 1046, 1075, 1103, 1126, 1137, 1138, 1164, 1180, 1181, 1192, 1370, 1375
Amendments Proposed - 2700, 2756

Committee Assignments - 3545, 3549, 3590

Debate - 2070, 2641, 2642, 2685, 2700, 2757, 2773, 2867, 3505, 3506, 4035, 4038

Motions - 130, 131, 928, 967, 984, 986, 1058, 1073, 1253, 1289, 1313, 1876, 1902, 1942, 1979, 2024, 2299, 2444, 2515, 2568, 2642, 2643, 2685, 2713, 2716, 2734, 2736, 2768, 2902, 2982, 3034, 3035, 3197, 3198, 3242, 3370, 3504, 3505, 3506, 3667, 3794, 3796, 4035, 4038

Objections - 2951

Points of Personal Interest - 2570, 2717

Statements - 2867

RANKIN, LUKE A. - Senator from District No. 33, Horry County:

S. 839, 843, 844, 845, 846, 869, 881, 908, 913, 941, 942, 968, 990, 993, 995, 996, 1011, 1015, 1035, 1038, 1048, 1103, 1122, 1137, 1138, 1180, 1181, 1193, 1370, 1375

Amendments Proposed - 1839, 2031, 2337, 2696, 2728, 2760, 2769, 3111, 3272

Committee Assignments - 3566, 3607

Debate - 1205, 1978, 2036, 2438, 2729, 3272, 3363, 3944

Leave of Absence - 2570, 3039, 3524

Motions - 131, 134, 928, 1073, 1113, 1253, 1313, 1355, 1695, 1751, 1782, 1979, 2031, 2299, 2439, 2515, 2924, 3197, 3198, 3215, 3237, 3259, 3794, 3944, 4069

Objections - 1308

Points of Personal Interest - 2151, 2507, 2570

Statements - 1205, 2151

REICHENBACH, MIKE - Senator from District No. 31, Florence and Darlington Counties:

S. 924, 941, 942, 953, 990, 995, 996, 1000, 1008, 1011, 1014, 1038, 1046, 1103, 1108, 1120, 1126, 1137, 1138, 1149, 1180, 1181, 1200, 1370, 1375

Amendments Proposed - 2728

Debate - 3176

Motions - 131, 928, 947, 1073, 1253, 1313, 1979, 2515, 3176, 3197, 3198, 3794

Statements - 2042, 3070

RICE, REX F. - Senator from District No. 2, Pickens County:

S. 861, 875, 876, 906, 938, 941, 942, 983, 989, 990, 1000, 1008, 1011, 1014, 1038, 1046, 1103, 1122, 1126, 1137, 1138, 1149, 1166, 1180, 1181, 1207, 1370, 1375

Amendments Proposed - 2691, 2708, 2981, 3134

Debate - 2981

Motions - 131, 928, 1009, 1073, 1253, 1284, 1289, 1313, 1904, 1979, 2026, 2303, 2445, 2515, 2569, 2615, 2870, 2883, 2930, 3070, 3197, 3198, 3794

Objections - 3184, 3651

Points of Personal Interest - 3525

Recorded Vote Requested - 2925

SABB, RONNIE A. - Senator from District No. 32, Williamsburg, Horry, Georgetown, Florence and Berkeley Counties:

S. 845, 869, 913, 941, 942, 980, 987, 990, 1011, 1038, 1072, 1073, 1092, 1103, 1104, 1120, 1122, 1137, 1138, 1180, 1181, 1370, 1375

Amendments Proposed - 1106, 1157, 1158, 2031, 2728, 2728, 3134

Committee Assignments - 3583

Debate - 1106, 1158, 1159, 2038, 3962

Leave of Absence - 1256, 2569, 2633, 3201, 3524

Motions - 131, 928, 1073, 1158, 1159, 1163, 1170, 1176, 1253, 1282, 1313, 1702, 1749, 1979, 2119, 2154, 2278, 2445, 2515, 2678, 2868, 2899, 2943, 3071, 3197, 3198, 3794, 3796, 3962, 4072

Objections - 1776, 1916, 2903

Points of Personal Interest - 1689, 3040

Statements - 1689, 2038, 3040

INDEX

SENN, SANDY - Senator from District No. 41, Charleston and Dorchester Counties:

S. 839, 841, 849, 857, 877, 890, 941, 942, 948, 953, 969, 990, 994, 995, 996, 999, 1011, 1020, 1038, 1050, 1058, 1093, 1103, 1122, 1132, 1137, 1138, 1169, 1180, 1181, 1370, 1375

Amendments Proposed - 1289, 1311, 2615, 2702, 2728, 2741, 2746, 2758, 2770, 3096, 3342

Committee Assignments - 3645, 3722

Debate - 1332, 2742, 2746, 2771, 3343

Leave of Absence - 1284, 1376, 1904, 2026, 2445, 2569

Motions - 131, 928, 1073, 1253, 1313, 1979, 2515, 2770, 3197, 3198, 3794

Objections - 1344, 1679, 2318, 2769, 2894, 3022

Points of Personal Interest - 1099, 2507, 3202

Statements - 2176, 2179, 2180, 2186, 2364, 3202, 3832

SETZLER, NIKKI - Senator from District No. 26, Lexington, Aiken, Saluda and Calhoun Counties:

S. 858, 877, 895, 900, 931, 941, 942, 958, 959, 961, 969, 990, 991, 993, 994, 995, 1011, 1025, 1038, 1044, 1048, 1067, 1096, 1097, 1103, 1105, 1115, 1122, 1137, 1140, 1180, 1181, 1194, 1370, 1375

Amendments Proposed - 1006, 1147, 1654, 2037, 2688, 2692, 2696, 2704, 3708, 2728, 2769, 3096, 3101, 3134

Committee Assignments - 3545, 3549, 3559, 3586, 3590

Debate - 1054, 1148, 1192, 2038, 2064, 2068, 2692, 2696, 2708, 2770, 2866, 2890, 3976

Leave of Absence - 1256, 2306

Motions - 131, 928, 930, 968, 1011, 1012, 1049, 1051, 1073, 1076, 1115, 1174, 1193, 1222, 1223, 1253, 1255, 1283, 1313, 1314, 1375, 1750, 1750, 1786, 1848, 1849, 1903, 1979, 1980, 2044, 2045, 2087, 2118, 2156, 2197, 2238, 2305, 2443, 2445, 2447, 2497, 2503, 2515, 2632, 2676, 2869, 2893, 2921, 2985, 3038, 3068, 3151, 3197, 3198, 3199, 3201, 3204, 3205, 3523, 3794, 3797, 3846, 3976

Points of Personal Interest - 2507, 3524

Points of Quorum - 968, 2444

Statements - 3801

SHEALY, KATRINA FRYE - Senator from District No. 23, Lexington County:

S. 839, 862, 863, 864, 865, 866, 877, 910, 941, 942, 961, 967, 988, 990, 993, 994, 995, 996, 999, 1000, 1002, 1010, 1011, 1038, 1042, 1046, 1098, 1103, 1108, 1112, 1126, 1129, 1137, 1138, 1146, 1147, 1165, 1169, 1180, 1181, 1201, 1219, 1370, 1375

Amendments Proposed - 965, 2708, 2711, 2728, 2739, 2747, 3096, 3163, 3373, 3394, 3421

Committee Assignments - 3553

Debate - 966, 2284, 2711, 3394, 3553, 3876

Leave of Absence - 3201

Motions - 131, 928, 932, 988, 1073, 1140, 1173, 1243, 1253, 1284, 1313, 1315, 1660, 1709, 1788, 1848, 1900, 1902, 1905, 1979, 2027, 2088, 2195, 2241, 2501, 2515, 2673, 2983, 3055, 3071, 3072, 3197, 3198, 3534, 3553, 3667, 3794, 3876

Objections - 2108, 2942, 3114, 3191, 3195

Points of Personal Interest - 1390, 3716

Statements - 1390, 3716, 3817

STEPHENS, VERNON - Senator from District No. 39, Orangeburg, Dorchester, Colleton, Calhoun and Berkeley Counties:

S. 941, 942, 948, 951, 969, 973, 987, 990, 1038, 1092, 1103, 1104, 1108, 1115, 1122, 1124, 1137, 1138, 1154, 1166, 1180, 1181, 1370, 1375

Amendments Proposed - 1007, 2769, 3134

Debate - 1008, 1218

Leave of Absence - 1078, 2157, 2240, 2306, 2445, 2717

Motions - 128, 131, 928, 932, 1049, 1050, 1073, 1253, 1301, 1313, 1330, 1979, 2085, 2515, 2899, 3044, 3197, 3198, 3794

Statements - 1218

INDEX

TALLEY, SCOTT - Senator from District No. 12, Spartanburg and Greenville Counties:

S. 845, 913, 941, 942, 943, 953, 960, 990, 993, 1005, 1011, 1038, 1048, 1051, 1075, 1083, 1089, 1103, 1122, 1137, 1138, 1149, 1180, 1181, 1190, 1370, 1375

Amendments Proposed - 1892, 2031, 2702, 2728, 2734, 2758, 2760, 3101, 3244, 3327, 3656

Committee Assignments - 3545

Debate - 146, 1782, 1898, 2192, 2278, 2591, 2704, 2734, 2758, 3102, 3160, 3181, 3245, 3656, 3860, 3871

Leave of Absence - 1116, 1176, 1356, 2026, 2045, 2445, 2570, 2633, 2717, 2871, 2986, 3039, 3524

Motions - 131, 928, 1073, 1253, 1313, 1892, 1898, 1979, 2515, 2704, 2734, 3086, 3101, 3103, 3104, 3197, 3198, 3201, 3341, 3794, 3860, 3871

Objections - 1931, 1932, 3027, 3195

TEDDER, DEON - Senator from District No. 42, Charleston and Dorchester Counties:

S. 886, 887, 888, 889, 890, 891, 892, 893, 929, 930, 941, 942, 987, 990, 991, 1011, 1033, 1038, 1068, 1103, 1109, 1122, 1137, 1138, 1144, 1151, 1153, 1166, 1177, 1180, 1181, 1188, 1214, 1245, 1370, 1375

Amendments Proposed - 1201, 1203, 1311, 2293, 2295, 2469, 2584, 2701, 2753, 2754

Debate - 1204, 1311, 2029, 2294, 2297, 2469, 2584, 2701, 2754, 2755, 3057, 3569

Leave of Absence - 1078, 1376, 1659, 3716

Motions - 131, 928, 1073, 1214, 1253, 1313, 1827, 1850, 1979, 2152, 2295, 2298, 2306, 2447, 2448, 2515, 2766, 3043, 3197, 3198, 3286, 3569, 3794, 3843

Statements - 3

TURNER, ROSS - Senator from District No. 8, Greenville County:

S. 941, 942, 944, 953, 960, 990, 992, 993, 1000, 1011, 1030, 1038, 1046, 1064, 1075, 1089, 1093, 1103, 1122, 1126, 1137, 1138, 1149, 1180, 1181, 1186, 1370, 1375

Amendments Proposed - 2337, 2702, 2758

Committee Assignments - 3556

INDEX

Debate - 1771, 2062, 2065, 2971, 3151

Leave of Absence - 1116, 1658, 2570

Motions - 131, 928, 1073, 1135, 1176, 1253, 1313, 1377, 1711, 1979, 2026, 2515, 2583, 2679, 2717, 2870, 2971, 3197, 3198, 3794

Objections - 3159, 3189, 3593, 3651

Recorded Vote Requested - 1696

Statements - 1150

VERDIN, DANIEL - Senator from District No. 9, Laurens and Greenville Counties:

S. 849, 898, 941, 942, 990, 994, 1000, 1008, 1011, 1038, 1039, 1046, 1099, 1100, 1103, 1118, 1122, 1126, 1137, 1138, 1149, 1150, 1180, 1181, 1370, 1375

Amendments Proposed - 1351, 1769, 2193, 2693, 3057

Committee Assignments - 3559

Debate - 1093, 1134, 1351, 2067, 2106, 2193, 2694, 2976, 2977, 3057, 3153, 3154, 3364, 3542

Motions - 131, 928, 989, 990, 1012, 1073, 1093, 1134, 1225, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1291, 1313, 1348, 1350, 1351, 1389, 1660, 1905, 1979, 2119, 2181, 2475, 2515, 2570, 2717, 2718, 2931, 2945, 2976, 2977, 3036, 3037, 3059, 3060, 3072, 3076, 3087, 3088, 3089, 3197, 3198, 3200, 3201, 3202, 3203, 3217, 3218, 3219, 3220, 3221, 3222, 3223, 3224, 3225, 3226, 3227, 3228, 3229, 3230, 3231, 3232, 3233, 3234, 3235, 3236, 3364, 3542, 3551, 3555, 3568, 3667, 3794

Objections - 1026

Points of Personal Interest - 1787, 2015, 2127, 2446

Recorded Vote Requested - 3650

Statements - 2446

WILLIAMS, KENT M. - Senator from District No. 30, Marion, Florence, Marlboro, Dillon and Horry Counties:

S. 941, 942, 990, 993, 994, 1011, 1038, 1103, 1115, 1120, 1122, 1137, 1138, 1180, 1181, 1370, 1375

Amendments Proposed - 2699, 2730, 3273

Leave of Absence - 3524

Motions - 131, 928, 1073, 1078, 1079, 1219, 1253, 1313, 1979, 2240, 2515, 2711, 2917, 3072, 3073, 3197, 3198, 3794

Objections - 3008

Statements - 3524

YOUNG, TOM, JR. - Senator from District No. 24, Aiken County:

S. 867, 941, 942, 943, 944, 969, 990, 993, 994, 1000, 1011, 1025, 1038, 1044, 1048, 1050, 1064, 1066, 1088, 1103, 1106, 1122, 1126, 1127, 1137, 1138, 1180, 1181, 1370, 1375

Amendments Proposed - 124, 1006, 1090, 1671, 2456, 2706, 2728, 2733, 2737, 3319, 3437, 3625, 3647

Committee Assignments - 3553

Debate - 127, 1006, 1007, 1091, 1188, 1387, 1389, 1671, 1681, 1683, 1703, 1808, 2063, 2289, 2460, 2734, 3325, 3421, 3422, 3437, 3503, 3625, 3647

Motions - 131, 928, 1073, 1116, 1253, 1313, 1356, 1388, 1389, 1390, 1684, 1689, 1857, 1979, 2055, 2063, 2289, 2445, 2460, 2515, 2578, 2579, 2717, 2871, 2893, 2986, 2986, 3037, 3197, 3198, 3794

Objections - 1928, 1929

Recorded Vote Requested - 1150

Statements - 1151, 2364, 3089

2024 GENERAL SUBJECT MATTER INDEX

ABSENCE, LEAVES OF

Sen. Adams 3801
Sen. Allen 1078, 2240, 2678, 3039
Sen. Bennett 133, 2678, 2717, 3524
Sen. Campsen 931, 1176, 1294, 1752, 1787, 1850, 2045, 2569 3801
Sen. Climer 932, 1356
Sen. Davis 932, 1116, 1695
Sen. Devine 2306, 2870
Sen. Fanning 947, 1078, 1116, 2241
Sen. Gambrell 1695, 2570, 3039, 3201
Sen. Garrett 1294, 2870, 3070
Sen. Goldfinch 1981, 2157, 2198, 2871, 3524, 3801
Sen. Grooms 1078, 2570, 2678, 3039, 3716
Sen. Gustafson 2027, 2088, 2633, 2678
Sen. Harpootlian 1052, 1116, 1256, 1658, 2445, 2633, 2870 3039
Sen. Hembree 1787, 2026, 2870
Sen. Hutto 1012, 1176, 2045, 2445, 3201
Sen. Jackson 1116, 1376, 2119, 2633
Sen. K. Johnson 1116, 2569, 2678
Sen. Kimbrell 105, 133, 1052, 1376, 2569, 2633, 3801
Sen. Loftis 1012, 2157, 2198, 2717
Sen. Malloy 1850
Sen. Martin 1116, 1315, 1787, 2241, 3201, 3801
Sen. Massey 1356, 2569, 2633
Sen. Matthews 947, 1116, 1256, 1284, 1315, 2027, 2445, 2717
Sen. McElveen 1078, 1315, 2306
Sen. McLeod 1176, 1315, 2306
Sen. Rankin 2570, 3039, 3524
Sen. Sabb 1256, 2569, 2633, 3201, 3524
Sen. Senn 1284, 1376, 1904, 2026, 2445, 2569
Sen. Setzler 1256, 2306
Sen. Shealy 3201
Sen. Stephens 1078, 2157, 2240, 2306, 2717, 2445
Sen. Talley 1116, 1176, 1356, 2026, 2045, 2445, 2570, 2633 2717, 2871, 2986, 3039, 3524
Sen. Tedder 1078, 1376, 1659, 3716
Sen. Turner 1116, 1658, 2570

Sen. Williams..... 3524

ACTS, RATIFICATION OF
R104 - R111 ..... 1110 -1112
R112 - R128..... 1989
R129 - R176..... 3506
R177 - R237..... 3669

ADDRESSES (See also ASSEMBLIES, JOINT)
National Commander Address..... 1936
State of the State Address 1035

ADJOURNMENT, *SINE DIE*
At 5:00 P.M., on Thursday, May 9, 2024, the Senate adjourned *Sine Die* under the provisions of S. 1192, the *Sine Die* Resolution..... 3668

At 12:57P.M., on Wednesday, June 5, 2024, the Senate adjourned *Sine Die* under the provisions of S. 1192, the *Sine Die* Resolution..... 3796

At 6:08P.M., on Wednesday, June 26, 2024, the Senate adjourned *Sine Die* under the provisions of S. 1192, the *Sine Die* Resolution..... 4073

APPOINTMENTS, LOCAL (See also, EXECUTIVE SESSIONS and MESSAGES)
Confirmed:
Magisterial/Masters-in-Equity/Probate
Aiken..... 4065
Anderson..... 4065
Barnwell..... 4065
Berkeley..... 944
Charleston..... 1112, 4066
Chester..... 3196
Chesterfield..... 4066
Darlington..... 4066
Edgefield..... 3196
Florence..... 2042, 2917
Georgetown..... 4066, 4067
Hampton..... 130
Horry..... 4067
Kershaw..... 1112, 2917, 3196, 4067
Lexington..... 4067
Orangeburg..... 4067

Pickens 4067
Richland 1049, 2041, 3196
Spartanburg .. 1290, 1353, 2042, 2116, 3196, 3197, 4067, 4068
Sumter 3794
York 2631

* Recorded Votes
** Statements

APPOINTMENTS, STATEWIDE (See also, EXECUTIVE SESSIONS; MESSAGES)

Carried Over
Higher Ed., Comm.
Zais, Mitchell M. 129
Confirmed
Athletic Commission
Elliott, Douglas (40-0) 1844
Lucas, Jon (42-0) 4056
Osborne, Andrew (42-0) 4057
Board of Barber Examiners
Holloman, Tony (41-0-1) 4061
Patton, Renee (41-0-1) 4047
Robinson, Paul (41-0-1) 4054
Board of Cosmetology
Horton, LaQuita W. (42-0) 4047
Jones, Tiffiny Q. (42-0) 4064
MacLeod, Adrienne (42-0) 4046
Postilis, Elizabeth Anne (42-0) 4058
Board of Financial Institutions
Addy, Carol (37-0) 3212
Board of Medical Examiners
Mills-Floyd, Theresa (44-0-1) 1251
Pagett, Frances C. (36-0-1) 3221
Richardson, Mary J. (37-0) 3218
Board of Nursing
Enos, Bridget A. (36-0-1) 3227
Holder, Bridget (44-0-1) 1247
Lyerly, Leslie M. (36-0-1) 3235
May-Engle, Melissa (36-0-1) 3225
Todd, Sallie Beth (36-0-1) 3218
Whitcomb, John J. (36-0-1) 3234

INDEX

Board of Occupational Therapy
Coleman, M. Rebecca (37-0) 3226
James, Lesly W. (37-0) 3226
Board of Pharmacy
Black, Beverly L. (37-0) 3217
Farfone, Dottie (43-0-2) 1250
Board of Real Estate Appraisers
Bishop, Pledger (42-0) 4055
Burris, Damian V. (42-0) 4060
Chapman, Mark (42-0) 4050, 4051
Segars, Carlton (42-0) 4062
Thompson, Hezekiah E. (42-0) 4048, 4049
Board of Social Work Examiners
Stephens, Dean S. (42-0) 4063
Board of Examiners in Speech Pathology and Audiology
Emory, Sarah D. (37-0) 3231
Montgomery, Beth F. (37-0) 3219
Wigand, Jason P. (37-0) 3216
Wilson, Gwendolyn D. (37-0) 3230
Forestry Commission
Smith, Eric (40-0) 1843
Foster Care Review Board
Seignious III, John (45-0) 1243
Higher Ed., Comm.
Smith, Oran P. (35-5) 128
Zais, Mitchell M. (41-2) 148
John de la Howe School Bd. of Trustees
Bland, Hugh M. (37-0) 3214
Juvenile Parole Board
Johns, Tammy (40-0) 1842
Watkins, Michael R. (36-0-1) 3213
Law Enforcement Division, S. C.
Keel, Mark A. (37-0) 3237
Long Term Health Care Administrators
Birmingham, William H. (37-0) 3233
Burton, Edward G. (37-0) 3223
Doctor-Greenwade, Sarah (45-0) 1247
Schaper, Elizabeth A. (37-0) 3224
Yetter, Melissa T. (37-0) 3232
Massage/Bodywork Therapy
Maddox, Bailey (45-0) 1246
Rees, Sherri (40-0) 1846

Roberts, Alicia (42-0) 4045
Shaw, Janet (42-0) 4044
Smith, Gloria (42-0)..... 4052
Spinelli, Nina (40-0) 1845
Mental Health Commission
Maxwell, Crystal (44-0-1) 1252
Panel for Dietetics
Bernard, Katherine L. (37-0)..... 3236
Finger, Maureen (37-0)..... 3229
Griffith, Beth (37-0)..... 3222
Groesbeck, Amanda (37-0)..... 3228
Hoffman, Robert (45-0) 1249
Weikle, Elizabeth (37-0)..... 3220
Public Safety, Director
Woods, Robert G. (37-0) 3215
Residential Builders Commission
Dowd, Bryan H. (42-0)..... 4059
Roberts, Timothy (42-0) 4055
Rhyne, Christy B. (42-0)..... 4061
Social Work Examiners
Cameron, Jeffery (45-0)..... 1244
Lancaster, Dell (45-0) 1245
Nix, Alicia (42-0)..... 4053
Transportation, Dept. of
Powell, Justin P. (45-0)..... 2302
Veterinary Medical Examiners
Coker, James T. (37-0)..... 3210
Moore, Mark (37-0) 3211

Reported from Committee, Received on the Desk 977, 1021
1057, 1182, 1299, 1362, 1670, 1701, 1987, 2021, 2123 , 2124
2451, 2451, 2451, 2500, 2576, 2640, 2880, 3052, 3208, 3837
3838, 3839, 3840, 3841

APPROPRIATIONS

Appropriations Bill, General (GAB), (H. 5100, R252)
(See additional GAB actions following History: votes;)
(See also **SENATE/HOUSE BILLS AND RESOLUTIONS INDEX - H. 5100**)
History:
Read the first time, Referred to SFC 2020
Reported by SFC 2576

Carried over 2641
Comm. Am. Adopted, Amend., Read 2nd time. 2685
Reports of Subcommittee Chairmen 2641, 2642
Am., Read the 3rd Time, Ret. to House 2727
Section by Section votes 2773-2863
Bill Ret'd. to Sen. w/ Ams. 3504
Nonconcurrence in House Ams. 3505
House insists/appoints Conf. Comm. 3589
Senate Conferees appointed 3590
Report of Committee of Conference Adopted 4035
Enrolled for Ratification 4037
Vetoes (See **VETOES,** (See pages)
Votes (See **VOTING,** Roll Call Votes)

Motions:
Staff on Floor 2685

Senator PEELER asked unanimous consent to make a motion that the Report of the Committee on Finance be adopted, with all members reserving the right to raise any Points of Order and to offer amendments without regard to questions of degree.

There was no objection 2685

On motion of Senator PEELER, with unanimous consent, staff members from the Revenue and Fiscal Affairs office were authorized as necessary to be in that area behind the rail and, further, that the Finance Committee staff and other staff designated by the PRESIDENT were admitted to the floor of the Senate Chamber while debate was in progress on H. 5100, the General Appropriations Bill.

There was no objection. 2685

On motion of Senator PEELER, with unanimous consent, H. 5100, the General Appropriations Bill, was read a second time, carrying over all amendments to third reading with all members reserving their rights as to Points of Order. 2713

On motion of Senator PEELER, with unanimous consent and with Senator CAMPSEN retaining the floor, no further amendments would be accepted after 3:30 P.M., with the exception of substitute amendments for only minor, technical and conforming changes, and any necessary technical and balancing

amendments to be delivered and certified by the Clerk and to be adopted upon his certification for inclusion in the Bill. 2736

Points of Order (See **POINTS OF ORDER**, Appropriations Bill)
Remarks (See **REMARKS**)
Statements (See **STATEMENTS**)
Vetoes (See **VETOES**)
Votes, Recorded (See **VOTE,** Recorded)
Votes, Roll Call (See **VOTING**, Roll Call Votes;
(See also **SENATE/HOUSE BILLS AND RESOLUTIONS INDEX - H. 5100**)

Capital Reserve Fund, (H. 5101, R 253)
(See also **SENATE/HOUSE BILLS AND RESOLUTIONS - INDEX - H. 5101**
History:
Read the first time, Referred to SFC 2020
Reported by SFC 2576
Carried over 2642
Committee Amend. Adopted, Read the 2nd Time 2863
Read the third time, ret. to House 2916
Bill Ret'd. to Sen. w/ Ams. 3505
Senate Nonconcurred 3506
House insists/appoints Conf. Comm. 3590
Senate Conferees appointed 3590
Report of Committee of Conference Adopted 4037
Enrolled for Ratification 4043

ASSEMBLIES, JOINT
Addresses by
Governor (Honorable Henry D. McMaster) 1035
National Commander of The American Legion
(Daniel J. Seehafer)..... 1936

Elections (See **ELECTIONS**)
Colleges/Universities 2520
Judicial 1940, 2517, 3710

COMMITTEES
Escort 1034, 1936
Individual committees 47-55
Standing committees.....40-47

INDEX

COMMUNICATIONS
Secretary of State 1, 5
Election Commission (Sen. Tedder) 2
Election Commission (Sen. Devine) 6
Governor Henry D. McMaster 3714
Fifth Cong. Dist. Senate Delegation - Dept. of Transportation Comm.
Mr. Curtis M. Spencer 3713

ELECTIONS (* Denotes Elected Individuals)
Colleges/Universities 2552
Judicial 1940, 2521, 3710
Department of Employment and Workforce 2566

College of Charleston
2nd Cong. Dist., Seat 3
Williams, Derrick 2552
3rd Cong. Dist., Seat 5
Holland, Shawn M. 2553
4th Cong. Dist., Seat 7
Klein, Matthew C. 2553
5th Cong. Dist., Seat 9
Futch, Henry A. 2553
6th Cong. Dist., Seat 11
Fyall, Darryl J. 2554
7th Cong. Dist., Seat 13
Golding, Henrietta U. *..... 2554
Nance, Ashley B. 2554
At-Large, Seat 15
Romberger, Renee B. 2555
At-Large, Seat 17
Swanson, Steve D. 2555
Frances Marion
1st Cong. Dist., Seat 1
Moore, Mark S. 2556
2nd Cong. Dist., Seat 2
Bauknight, Beth G. 2556
5th Cong. Dist., Seat 5
Dove, H. Paul 2556
At-Large, Seat 8
Lee, Robert E. 2557
At-Large, Seat 10

Jackson, Kenneth W. 2557
At-Large, Seat 12
Gunn, W. Edward 2558
At-Large, Seat 13
Hartung, Patricia C. 2558
Lander University
1st Cong. Dist., Seat 9
Taylor, Mark W. 2559
Medical University of South Carolina
1st Judicial Circuit, Medical Seat
Johnson, Donald R. 2559
2nd Judicial Circuit, Medical Seat
Lemon, James 2560
3rd Judicial Circuit, Medical Seat
Christian, Richard M. 2560
4th Judicial Circuit, Lay Seat
Stephenson, Thomas L. 2560
5th Judicial Circuit, Lay Seat
Barnes, Terri R. 2561
6th Judicial Circuit, Lay Seat
Brown, W. Melvin 2561
7th Judicial Circuit, Lay Seat
Battle, James A. 2562
S.C. State University
5th Cong. Dist., Seat 5
Busby-Webb, Abigail 2562
Johnson, Darrell * 2562
Thompson, Thomas E. 2562
7th Cong. Dist., Seat 7
Alexander, Starlee 2565
At-Large, Seat 9
Jenkins, Rodney C. 2565
At-Large, Seat 11
Reese, Robert S. 2565
Winthrop University
4th Cong. Dist., Seat 4
Driggers, Edward R. 2566

Judicial
Supreme Court
Chief Justice
Kittredge, John W. 1940

Seat 3
Verdin, Letitia H. 3710
Court of Appeals
Seat 8
Vinson, Jerry D. 2521
Seat 9
Bromell, Jan B. 2522
Harrison, Whitney B. 2522
Turner, Matthew P. * 2522
Circuit Court
2nd Jud. Cir., Seat 2
Davisson, Martha R. 2529
3rd Jud. Cir., Seat 1
Doby, S. Bryan*..... 2529
DuRant, Chirstopher R. 2529
Floyd, Samuel 2529
3rd Jud. Cir., Seat 2
Curtis, Kristi F. 2530
4th Jud. Cir., Seat 2
Holt, Michael S. 2530
5th Jud. Cir., Seat 1*
Smith, James 2531
Williams, Justin T. 2531
*The election was recommitted to the Judicial Merits Selection Commission
5th Jud. Cir., Seat 2
Coble, Daniel M. 2536
7th Jud. Cir., Seat 1
Cole, J. Derham 2536
7th Jud. Cir., Seat 2
Knie, Grace G. 2536
8th Jud. Cir., Seat 2
Griffith, Eugene C. 2537
9th Jud. Cir., Seat 4
Martin, Daniel E. 2537
Rode, Thomas J. 2537
Van Slambrook, Dale E. * 2537
10th Jud. Cir., Seat 2
Sprouse, R. Scott 2539
11th Jud. Cir., Seat 1
Keesley, William P. 2540
11th Jud. Cir., Seat 2

McLeod, Walton J. 2540
12th Jud. Cir., Seat 1
Nettles, Michael G. 2541
13th Jud. Cir., Seat 2
Salvini, Jessica A. 2541
13th Jud. Cir., Seat 4
Dunbar, Vernon F.* 2541
Gibson, Ken 2541
Grove, Will 2541
14th Jud. Cir., Seat 1
Bonds, Robert 2542
14th Jud. Cir., Seat 3
Dukes, Marvin 2542
15th Jud. Cir., Seat 3
Caraker, David P. *..... 2543
Holford, Joshua D. 2543
Zayicek, Douglas M. 2543
At-Large, Seat 4
Ballou, Daniel J. 2545
McMaster, William C. * 2545
At-Large, Seat 8
Barr, Kimberly V. 2545
McGee, T. William * 2545
Meetze, William V. 2545
At-Large, Seat 11
Bias, Joseph 2546
Hilton, Russell D. 2546
Kimpson, Milton G. * 2546
At-Large, Seat 16
Maxwell, Riley 2548
McCutchen, Charles J. * 2548
Merrill, Jane H. 2548
Family Court
1st Jud. Cir., Seat 4
Anderson, Jerrod A. * 2549
Gray, Deanne M. 2549
7th Jud. Cir., Seat 4
Diamaduros, Pete G. * 2549
Lounsberry, Jonathan W. 2549
9th Jud. Cir., Seat 4
Cahoon, Blakely C. 2550
9th Jud. Cir., Seat 6

McAlbany, Gina J. 2550
10th Jud. Cir., Seat 1
Brousseau, David J. * 2550
Sealzo, Heather V. 2550
16th Jud. Cir., Seat 1
Diamaduros, Sammy 2551
16th Jud. Cir., Seat 3
Smith, R. Chadwick* 2551
Urquhart, Erin K. 2551
Administrative Law Court
Seat 1
Anderson, Ralph K. 2552
Department of Employment and Workforce
Appellate Panel, Seat 1
Ayers, Evelyn B. 2566
Appellate Panel, Seat 2
Kelly, Stephen S. 2567
Appellate Panel, Seat 3
Beach, Daniel C. 2567

Votes, Election Roll Calls 1940, 2522-2529, 2531-2535 2537-3539, 2543-2545, 2546-2548, 2562-2564

EXECUTIVE SESSIONS
(See **APPOINTMENTS, LOCAL and STATEWIDE** - for confirmations made in Open Session)
Confirmations 128, 129, 148, 1049, 1112, 1242, 1290, 1353 1842, 2116, 2302, 2631, 2917, 3196, 3209, 3794, 4044-4068

INTEREST, EXPRESSIONS OF PERSONAL
Sen. Adams 932, 2986, 3525
Sen. Alexander 1278
Sen. Campsen 1747
Sen. Cash 2717, 3039
Sen. Davis 1373, 2445, 2507
Sen. Fanning 1747
Sen. Goldfinch 105, 2088
Sen. Grooms 1752, 2015
Sen. Gustafson 2922
Sen. Harpootlian 133, 1135, 1267, 1659, 1719, 2570, 3043, 3201
Sen. Hembree 983, 1356
Sen. Hutto 107, 1284, 2119, 2922, 3801, 3827

Sen. K. Johnson 1752
Sen. Kimbrell 1224, 1294
Sen. Malloy 113, 1256
Sen. Martin 3070
Sen. Massey 2504
Sen. Matthews 2507, 3043
Sen. Peeler 2570, 2717
Sen. Rankin 2151, 2507, 2570
Sen. Rice 3525
Sen. Sabb 1689, 3040
Sen. Senn 1099, 2507, 3201
Sen. Setzler 2507, 3524
Sen. Shealy 1390, 3716
Sen. Verdin 1787, 2015, 2127, 2446

INVITATIONS RECEIVED AND ACCEPTED

AAA Auto Club 1081
American Cancer Society Cancer Action Network 101
AMI Kids, Inc. 2173
Arts Alliance of S.C. 1082
Associated Builders and Contractors 1756
Association of ABC Stores of S.C. 1082
Association of Counties, S.C. 1082
Association for Justice, S.C. 2172
Association of Special Purpose Districts, S.C. 101
Bankers Assoc., S.C. 99
Baptist Convention, S.C. 102
Bar Assoc., S.C. 101
Bleeding Disorders Association of S.C. 99
Blue Cross/Blue Shield of S.C. 2172
Boating and Fishing Alliance, S. C. 2173
Brewers Guild, S.C. 101
Broadcasters Assoc., S.C. 1756
Camp Hall Commerce Park 2171
Carolina Recycling Assoc. 1756
Chamber of Commerce, S.C. 100
Citadel Alumni Assoc. 2173
City of Charleston 2173
City of Columbia 102
Clemson University and Foundation 1083
Coalition for Access to Health Care 2174
Conservation Voters 101

INDEX

Convenience and petroleum marketers, S.C. Assoc. 1756
Community Economic Development, Assoc. of 2172
Cosmetologists and Salon Professionals, Assoc. of 2683
Design Construction, S.C. 100
Donate Life, S.C. 2173
Economic Developers Assoc., S.C. 100
Electric Cooperatives of S.C., Inc. 1081
Emergency Management Association, S.C. 2682
Emergency Medical Services Assoc. , S.C. 100
Firefighters Association, S.C. 2172
First Steps of S.C. 1082
Florence County Economic Development 1755
Forestry Assoc. of S.C. 1755
Foundation for the S.C. Commission for the Blind 100
Governor's School for Science/Math Foundation, S.C. 102
HCA Healthcare 2171
Historic Mitchellville Freedom Park 2171
Homebuilders Assoc. of S.C. 1756
Independent Banks of S.C. 1083
Insurance Assoc, , S.C. 2682
Jasper County Chamber of Commerce 1756
Leadership South Carolina 2172
Lexington County Development Corp. -- Lex. Co. Night 100
MedTrust Medical Transport 102
Metro Chambers Coalition, S. C. 101
Municipal Assoc. of S.C. 1081
MUSC Health 102
Myrtle Beach Area Chamber of Commerce 1083
National Assoc. of Insurance and Financial Advisors 1082
National Federation of the Blind, S.C. 1083
Natural Resources, Dept. of 2172
Nature Conservancy 1082
North Eastern Strategic Alliance 101
Optometric Physicians Assoc., S.C. 102
Piedmont Municipal Power Agency/Power Systems 1082
Public Charter School Alliance 2171
Public Safety Comm. And National Emerg. Number Assoc. ... 1081
Restaurant and Lodging Association 2173
Riley Institute at Furman 100
Riverbanks Zoo and Gardens 2682
Salvation Army of the Midlands 1083
South Carolina Assoc. of Community Action Partners 1756

South Carolina Assoc. of Council on Aging Disorders 2174
South Carolina Beer Wholesalers Assoc. 2173
South Carolina Beverage Association 1755
South Carolina BIO 101
South Carolina Craft Distillers Guild 1083
South Carolina Coalition for Math and Science 2172
South Carolina Conservation Coalition 1081
South Carolina Farm Bureau/Shellfish Growers' Assoc. 1755
South Carolina For Restorative Justice, Dream.Org..... 1756
South Carolina Future Makers/Manufacturers Alliance 2682
South Carolina Historical Society 1081
South Carolina Hospital Association 1755
South Carolina Human Service Providers 1756
South Carolina Institute for Medicine and Public Health 1755
South Carolina Man. Alliance/South Carolina Tire Council 99
South Carolina Realtors..... 102
South Carolina Recyclers Assoc. 2173
South Carolina Retail Association..... 1755
South Carolina Student Loan Corporation..... 101
South Carolina Trucking Association 100
State Treasurer's Office Future Scholars..... 2172
State Museum Foundation, S.C. 2172
Taipei Economic and Culture office 2682
Telecommunication and Broadband Assoc. 102
Technical College Commissioners, S.C. 102
Together SC..... 2173
Transportation Association of South Carolina..... 1755
United Way Assoc. of S.C. 1081
University of South Carolina 1082
Wil Lou Gray Opportunity School 1082
Wine and Spirits Wholesalers Assoc., S.C. 100

MESSAGES FROM THE GOVERNOR

Local Appointments ..... 105, 931, 1012 , 1078, 1284, 1315
2025, 2088, 2568, 2870, 3069, 3713, 3798, 3799, 3800

Statewide Appointments 9-21, 931, 969, 1077, 1175, 1904
2005, 2025, 2677, 3069

Statewide Appointments Carried Over..... 22

Senate Accedes to Governor's Request to Withdraw
Morrison, Rebecca (State Board of Nursing) 3201
Parisi, Michelle (S.C. Panel for Dietetics)..... 3200

Veto, returned without approval..... 3842

MESSAGES FROM THE HOUSE

Apptmts. Confirmed..... 2881
Bills, House Concurs in Sen. Ams. 1058, 1125, 1265, 1299
1807, 1853, 1912, 2093, 2095, 2216, 2493, 2880, 3092, 3537, 3546
3547, 3549, 3554, 3556, 3561, 3569, 3570, 3571, 3575, 3576, 3577
3579, 3597, 3612, 3642, 3648, 3651, 3652, 3653, 3657, 3663, 3664
Bills, House Insists and/or Appts. to Com. of Conf. 1757
2263, 3541, 3545, 3549, 3553, 3555, 3558, 3563, 3566, 3573, 3574
3577, 3583, 3585, 3608, 3644, 3662
Bills, Hs. Refuses to Concur ... 3537, 3540, 3543, 3552, 3562, 3563
3571, 3574, 3576, 3582, 3587, 3599, 3661, 3663
Bills, Hs. Returned to Senate w/ Ams. (Notifications - Placed on the
Calendar) 1058, 1124, 1183, 1299, 1324, 1988, 2124, 2684
2929, 3083, 3085, 3087, 3089, 3090, 3091, 3420, 3423, 3504, 3505
3534, 3538, 3546, 3548, 3550, 3554, 3557, 3559, 3568, 3584, 3588
3591, 3632, 3643
Requested and granted Free Conference Powers..... 3856
Reports Adopted by Hs., Conference/Free Conference 1972
3857, 3869, 3875, 3879, 3885, 3941, 3958, 3964, 3974, 3999, 4014
4026, 4031, 4034, 4037, 4043
Report of Comm. of Conf. adopted/enrolled for Ratification.... 1975
3857, 3869, 3879, 3942, 3959, 3964, 3975, 4026, 4035, 4037
Vetoes - Continued the veto 1266
Vetoes - Overridden 3841

MESSAGES FROM THE SOUTH CAROLINA ELECTION COMMISSION

Certification of Sen. Tameika Isaac Devine 6
Certification of Sen. Deon T. Tedder 2

MOTIONS - SENATE ACTIONS

Adjourned Debate, Bills in..... 1029, 1135
Conference, Committees of Conference/Free Conference Appointed
on behalf of the Senate 1760, 2265, 3541, 3544, 3549
3553, 3556, 3559, 3562, 3566, 3573, 3574, 3577, 3583, 3586, 3607
3645, 3662, 3722, 3846

INDEX

Co-Sponsors Added 57,107, 133, 932, 969, 989, 1052 1079, 1117, 1176, 1224, 1256, 1284, 1294, 1315, 1356, 1376, 1659 1695, 1749, 1752, 1787, 1850, 1902, 1904, 1918, 1981, 2016, 2027 2045, 2088, 2119, 2157, 2198, 2235 2241, 2306, 2447, 2508, 2570 2717, 2871, 2923, 3071, 3524, 3834

Co-Sponsors Removed 947, 1787, 2241

Insist on Sen. amend. 3540, 3544, 3552, 3562, 3564, 3572, 3574 3576, 3583, 3589, 3603, 3662

Interrupted Debate, Bills in 1068, 1100, 1197, 1288, 1310 1913, 1999, 2029, 2174, 2292, 2362

Recalled 107, 108, 989, 1012, 1079, 1177, 1225, 1377, 1659 1661, 1788, 1789, 1918, 2007, 2046, 2088, 2119, 2120, 2447, 2633 2634, 2635, 2678, 2679, 2718, 2871, 2872, 2923, 2924, 2986, 3073 3074, 3075, 3203

Recalled/Read the Second Time 1695, 3203

Recalled and Adopted/Read 1176, 1294, 1600, 1904, 2016 2027, 2307, 2508, 3045, 3071, 3072, 3202, 3204, 3205, 3525, 3526

Recalled and Committed/Recommitted/Referred 133, 1376 1660

Recommitted 1, 113, 118, 961, 1708, 1863, 2052, 2054, 2055 2056, 2579, 2581, 2582, 2893, 2937, 2938, 2939, 2940, 2944, 3000 3054, 3055, 3095, 3105, 3114, 3115, 3159, 3285, 3286, 3361, 3367

Reports, Committee of Conference/Free Conference

Adopted by Senate

S. 142 ..... 3541, 3846
S. 314 ..... 3545, 3859
S. 577 ..... 3871, 3875
S. 862 3875
S. 969 3879
S. 1031 3886
S. 1046 3942
H. 3594 1933
H. 3865 3962
H. 3988 3965
H. 4087 3976
H. 4116 4001
H. 4386 4018
H. 4820 4027
H. 4843 4032
H. 5100 4035
H. 5101 4037

Rules (See POINTS OF ORDER)
Adjourned Debate, Bills In 1029, 1135
Adjourned Debate, Bills Made 1001
Interrupted Debate, Bills In 1068, 1100, 1197, 1288, 1310
1913, 1999, 2029, 2174, 2292, 2362, 3056
Special Order, Mot. Failed 1194
Special Order, Bills In 942, 961, 983, 1240, 1280, 1344, 1394
1686, 1891, 1975, 2083, 2152, 2226, 2298, 2982, 3035
Special Order, Bills Made 147, 941, 982, 1005, 1236, 1341
1834, 2114, 2222, 2916

POINTS OF ORDER
Amendments
Am. out of order under Rule 24 - not germane
Harpootlian (overruled) 1153, 3026
K. Johnson (sustained)..... 2463
Martin (sustained)..... 1204, 1205, 2355
Matthews (overruled)..... 3150, 3638
Matthews (sustained) 2967, 3659

Am. out of order under Rule 24 - not germane (GAB)
Climer (sustained)..... 2701
Corbin (sustained)..... 2754
Devine (overruled)..... 2692, 2766
Harpootlian (overruled) 2700
Hembree (overruled)..... 2772
Hembree (sustained) 2764
Hutto (sustained)..... 2733, 2746, 2749
Kimbrell (sustained) 2691
Malloy (sustained) 2768
Massey (sustained)..... 2755
Matthews (overruled)..... 2708, 2763

Provisos in the Gen. Approp. Bill (GAB) out of order - violative of Rule 24
Martin Proviso 1.107, Pt. 1B (sustained)..... 2741
Martin Proviso 1.112, Pt. 1B (overruled) 2741
Martin Proviso 1A.73 Pt. 1B (sustained)..... 2742
Martin Proviso 31.13 Pt. 1B (sustained)..... 2743
Martin Proviso 31.24 Pt. 1B (sustained) 2744
Martin Proviso 102.13 Pt. 1B (sustained)..... 2744
Martin Proviso 117.181 Pt. 1B (sustained)..... 2745

INDEX

Bills/Resolutions

Bills/Resolutions had not been on the desks of the members at least one day prior to second reading (Rule 39)

Corbin (sustained)..... 1064, 1065, 1066, 1067, 1880-1890
Martin (sustained)..... 1000, 1001, 1099, 1194, 1235, 1276 1277, 1278, 1309, 1341, 1370, 1371, 1372, 1373, 1390, 1685 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1784, 1785 1834, 2112, 2113, 2114, 2150, 2193, 2223, 2594, 2595, 2596 2672, 2673, 2908, 2909, 2910, 2911, 2912, 2913, 2978, 2979 2980

Mot. under Rule 32A to vary the order of the day adopted

Massey 1327, 1747, 2365, 3195, 3242

Rule 1B Convening of the Senate in Statewide Session

Massey 2195, 2442

Rule 4

Selection of seats 55

Rule 15A Fixing a time certain to vote

Massey (adopted)..... 3062
Massey (failed) 2362, 3061

Rule 24

Am. out of order - violative of Rule 24 (not germane)

Harpootlian (overruled) 1153, 3026
K. Johnson (sustained)..... 2463
Martin (sustained)..... 1204, 1205, 2355
Matthews (overruled)..... 3150, 3638
Matthews (sustained) 2967, 3659

Am. out of order under Rule 24 - not germane (GAB)

Climer (sustained)..... 2701
Corbin (sustained)..... 2754
Devine (overruled)..... 2692, 2766
Harpootlian (overruled) 2700
Hembree (overruled)..... 2772
Hembree (sustained) 2764
Hutto (sustained)..... 2733, 2746, 2749
Kimbrell (sustained) 2691
Malloy (sustained) 2768

Massey (sustained)..... 2755
Matthews (overruled)..... 2708, 2763

Provisos in the Gen. Approp. Bill out of order - violative of Rule 24
Martin Proviso 1.107, Pt. 1B (sustained)..... 2741
Martin Proviso 1.112, Pt. 1B (overruled) 2741
Martin Proviso 1A.73 Pt. 1B (sustained)..... 2742
Martin Proviso 31.13 Pt. 1B (sustained)..... 2743
Martin Proviso 31.24 Pt. 1B (sustained) 2744
Martin Proviso 102.13 Pt. 1B (sustained)..... 2744
Martin Proviso 117.181 Pt. 1B (sustained)..... 2745

Rule 26B Consideration of amendments on Third Reading
Campsen..... 2371, 3140, 3308, 3356
Cromer 3151
Davis 1027, 1352, 2144, 2322, 2950, 3142, 3351
Goldfinch 2316
Grooms..... 2588
Hembree 1241, 3291
Hutto 2102, 2137, 2353, 3313
Johnson, M. 3287
Malloy..... 1312, 1674, 1677, 1705, 2336, 2438, 3154 3288, 3294
Martin 1109, 1338
Massey 1345, 1346, 1348, 1386, 2232, 2983, 3138
Setzler 2893, 3151
Verdin 1348, 1350, 1351

Rule 32A Bills Returned from the House
Cromer 3092
Davis..... 2449, 3557, 3559, 3591, 3633
Grooms..... 3588
Hembree..... 3535, 3539
Massey 1327, 1747, 2439, 3083, 3084, 3091, 3420, 3424
Peeler 3504, 3505
Talley 3086
Verdin 3087, 3088, 3089, 3551, 3555, 3568

Rule 32B Contested Calendar
Hembree..... 2597
Massey 2222

INDEX

Rule 35 Privilege of the Chamber

Adams (Fenamore) 1752
Alexander (Sen. Devine)..... 6
Alexander (Sen. Tedder)..... 3
Devine (Grimes) 2452
Grooms (Hall)..... 2198
Martin (Lancaster) 2198
Martin (Rippy)..... 947
Massey (family members of those retiring)..... 3238
Peeler (McMillan)..... 105
Sabb (Corley)..... 2119

Rule 39

Bills/Resolutions had not been on the desks of the members at least one day prior to second reading

Corbin (sustained)..... 1064, 1065, 1066, 1067, 1880-1890
Martin (sustained)..... 1000, 1001, 1099, 1194, 1235, 1276 1277, 1278, 1309, 1341, 1370, 1371, 1372, 1373, 1390, 1685 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1784, 1785 1834, 2112, 2113, 2114, 2150, 2193, 2223, 2594, 2595, 2596 2672, 2673, 2908, 2909, 2910, 2911, 2912, 2913, 2978, 2979 2980

PRESIDING OFFICERS, ACTING

Sen. Campsen..... 1271
Sen. Cromer 929, 2004, 2043, 2502, 2675
Sen. Devine 929, 986, 2043, 2155, 2675, 2919
Sen. Harpootlian 987, 1075, 2155, 2235, 2920, 3067
Sen. Jackson..... 1222, 2236, 2237, 3067
Sen. Loftis 3242
Sen. Martin 2987, 3658
Sen. Massey 1292, 2237, 2476
Sen. McElveen..... 1292, 1374, 2476, 2478
Sen. McLeod..... 1374, 1749, 2481, 2482, 3721
Sen. Rankin..... 2641
Sen. Setzler 2, 1749, 1902, 2497, 2498
Sen. Shealy..... 1902, 2002, 2004, 2501, 2502
Sen. Talley 2685, 2750
Sen. Turner 3095

PRIVILEGE OF THE CHAMBER/FLOOR

Adams (Fenamore) 1752
Alexander (Sen. Devine)..... 6
Alexander (Sen. Tedder)..... 3
Devine (Grimes) 2452
Grooms (Hall)..... 2198
Martin (Lancaster) 2198
Martin (Rippy)..... 947
Peeler (McMillan)..... 105
Sabb (Corley)..... 2119

QUORUM, POINTS OF 968, 2299, 2444, 3065

Calls of the Senate 104, 132, 930, 946, 968, 988, 1011, 1051 1076, 1115, 1174, 1223, 1255, 1283, 1293, 1314, 1355, 1375, 1694 1751, 1786, 1849, 1903, 1942, 1980, 2024, 2044, 2087, 2118, 2156 2197, 2238, 2299, 2305, 2444, 2503, 2568, 2632, 2676, 2716, 2734 2768, 2869, 2921, 2985, 3038, 3068, 3199, 3242, 3523, 3596, 3797

REGULATIONS, RULES AND

Proposed and Received

Clemson University 969
Disabilities and Special Needs, Dept. of 24, 25
Education, State Board of 24, 31, 1752
Election Commission..... 26, 27, 28, 29, 32
Ethics Commission 22
Financial Institutions, Board of..... 29, 30, 31
Health and Environmental Control, Dept. of ... 26, 28, 32, 2026
Insurance, Dept. of 35
Labor, Licensing and Reg., Dept. of . 25, 33, 34, 35, 36, 37, 38 39
Natural Resources, Dept. of..... 37, 39
Mental Health, Dept. of 26
Motor Vehicles, Dept. of 31, 32, 33
Public Service Commission 23, 24, 25, 3715
Social Services, Dept. of 33
Workers' Compensation Commission 1224

Withdrawn

Labor, Licensing and Regulation, Dept. of..... 2478
Motor Vehicles, Dept. of 2482
State Election Commission..... 2986

Withdrawn and Resubmitted
Health and Environmental Control, Dept. of 2045, 2568 2677
Labor, Licensing and Regulation, Dept. of 2239, 2240 2478
Mental Health, Dept. of 2239
Motor Vehicles, Dept. of 2504
Natural Resources, Dept. of 2677
Social Services, Dept. of 1356

REMARKS (See also STATEMENTS)
Sen. Adams 932
Sen. Alexander 1278
Sen. Campsen 1943
Sen. Cash 3039
Sen. Devine 7, 1216, 3528
Sen. Fanning 3528
Sen. Goldfinch 105
Sen. Gustafson 2922, 2925, 3528, 3827
Sen. Harpootlian 1719, 3819
Sen. Hutto 1169, 3528, 3696
Sen. K. Johnson 1214
Sen. Loftis 3238
Sen. Malloy 3528
Sen. Massey 2504
Sen. Matthews 3043, 3528
Sen. McElveen 3696
Sen. McLeod 1213, 3528
Sen. Peeler 2867
Sen. Rankin 1205, 2151
Sen. Reichenbach 3070
Sen. Sabb 1689, 2038, 3040
Sen. Senn 3202, 3528, 3832
Sen. Setzler 3801
Sen. Shealy 1391, 3528, 3716, 3817
Sen. Stephens 1218, 3528
Sen. Tedder 3, 3528
Sen. Verdin 2446

REPORTS (See also MOTIONS, Reports Adopted)

REPORTS, SCREENING COMMITTEE

Department of Employment Workforce 1916
Judicial Merit Selection Comm. Report 149, 150, 151, 3722

Supreme Court
Chief Justice
Kittredge, John W. 155, 889, 892
Supreme Court
Seat 3
Anderson, Ralph K. 3758, 3791
Hewitt, Blake A. 3728, 3793
Jefferson, Deadra L. 3768, 3793
Kelly, R. Keith 3783, 3792
Newman, Jocelyn 3737, 3791
Verdin, Letitia H. 3748, 3792
Court of Appeals
Seat 8
Vinson Jr., Jerry D. 165, 889, 893
Seat 9
Harrison, Whitney B. 175, 889, 893
Holmes, Jan B. 189, 889, 894
Lambert, Grayson 779, 894
Luther, Jason P. 789, 895
Turner, Matthew P. 204, 890, 895
Circuit Court
2nd Jud. Cir., Seat 2
Davisson, Martha R. 247, 890, 897
Gibbons, Grant..... 215, 890, 896
Miller, David..... 230, 890, 896
3rd Jud. Cir., Seat 1
Doby, S. Bryan 258, 890, 897
DuRant, Christopher R. 265, 890, 898
Floyd, Samuel L. 276, 890, 898
3rd Jud. Cir., Seat 2
Curtis, Kristi F. 283, 890, 899
4th Jud. Cir., Seat 2
Holt, Michael S. 290, 890, 899
5th Jud. Cir., Seat 1
Smith, James 295, 890, 900
Williams, Justin T. 306, 890, 900
5th Jud. Cir., Seat 2
Coble, Daniel McLeod..... 317, 890, 901

INDEX

7th Jud. Cir., Seat 1
Cole, Jr. J. Derham 328, 890, 901
7th Jud. Cir., Seat 2
Knie, Grace G. 335, 890, 902
8th Jud. Cir., Seat 2
Griffith, Jr. Eugene C. 345, 890, 902
9th Jud. Cir., Seat 4
Daigle, Jason A. 803, 903
Jenkins, Ittriss J. 810, 903
Martin, Jr. Daniel E. 350, 890, 904
Morrison, Elizabeth 816, 904
Rode, Thomas J. 365, 890, 905
Van Slambrook, Dale E. 379, 890, 905
10th Jud. Cir., Seat 2
Sprouse, R. Scott 388, 890, 906
11th Jud. Cir., Seat 1
Keesley, William P. 396, 890, 906
11th Jud. Cir., Seat 2
McLeod IV, Walton J. 402, 890, 907
12th Jud. Cir., Seat 1
Nettles, Michael G. 408, 890, 907
13th Jud. Cir., Seat 2
Salvini, Jessica A. 414, 890, 908
13th Jud. Cir., Seat 4
Dunbar, Vernon F. 431, 891, 908
Gibson, Ken 443, 891, 909
Grove, Will 455, 891, 909
14th Jud. Cir., Seat 1
Bonds, Robert 467, 891, 910
14th Jud. Cir., Seat 3
Dukes III, Marvin 473, 891, 910
15th Jud. Cir., Seat 3
Caraker Jr., David P. 483, 891, 911
Holford, Joshua D. 492, 891, 911
Zayicek, Douglas M. 504, 891, 912
At-Large, Seat 4
Ballou, Daniel J. 513, 891, 912
McMaster III, William C. 522, 891, 913
At-Large, Seat 8
Barr, Kimberly V. 533, 891, 913
Blake, Maryann 826, 914
Blanchard IV, Russell A. 835, 914

McGee III, T. William "Billy" 546, 891, 915
McMahan, Ashley A. 843, 915
Meetze, William V. 558, 891, 915
Wallace, R. Bruce 854, 915
At-Large, Seat 11
Bias, Joseph 567, 891, 917
Hilton, Russell D. 575, 891, 917
Kimpson, Milton G. 588, 891, 918
At-Large, Seat 16
Maxwell, Riley 600, 891, 918
McCutchen, Charles J. 608. 891, 919
Merrill, Jane H. 617, 891, 919
Spradley, Christian G. 862, 920
Young, S. Boyd 871, 920
Family Court
1st Jud. Cir., Seat 4
Anderson, Jerrod A. 633, 891, 921
Gray, Deanne M. 640, 891, 921
7th Jud. Cir., Seat 4
Diamaduros, Pete G. 651, 891, 922
Lounsberry, Jonathan W. 667, 891, 922
9th Jud. Cir., Seat 4
Cahoon, Blakely C. 686, 891, 923
LeBarron, Paul F. 880, 923
9th Jud. Cir., Seat 6
McAlhany, Gina J. 697, 891, 924
10th Jud. Cir., Seat 1
Brousseau, David J. 709, 891, 924
Scalzo, Heather V. 720, 891, 925
16th Jud. Cir., Seat 1
Diamaduros, Sammy 734, 892, 925
16th Jud. Cir., Seat 3
Smith, R. Chadwick "Chad" 745, 892, 926
Urquhart, Erin K. 760, 892, 926
Administrative Law Court
Seat 1
Anderson III, Ralph K. 771, 892, 927

SENATE, THE (See also, MOTIONS - SENATE ACTIONS)
Adjournment in Honor of/Respect to the Memory of
Adams, David (Roll of the Senate) 1979
Achziger, Harvey (McElveen) 3668

INDEX

Anderko, Aiden (Climer) 4071
Austin, Barbara (Adams) 1354
Baker, Art (McElveen) 984
Baker, E. Heyward (Sabb) 2868
Baxley, Charles (Gustafson) 2303
Bell, Thomas (Roll of the Senate) 1073
Blakely, Jerry (Alexander) 2674
Bright, Agnes 4073
Brown, Daisy (Stephens) 1049
Brown, McKinley (Stephens) 1050
Bryant, Harry (Hutto) 4070
Burgess, Joseph (Rice and Alexander) 1009
Burgess, Leroy (Sabb) 4072
Campbell, Kenneth (Matthews) 4073
Carmichael, John (Gustafson) 1074
Cartee, Helen (Martin) 985
Caughman, John (McElveen) 1253
Cox, Thomas (Devine) 3796
D'Alessio, Patrick (Alexander) 1748
Darby, Charles (Roll of the Senate) 1313
Darby, Fred (Setzler) 1750
Darby, William (Alexander) 1290
Davis, Bethel (Sabb) 1282
Davis, George (Cromer) 1113
Dorn, George (Peeler) 3796
Durst, Kathryn (Shealy) 1173
Fenters, William (K. Johnson) 1221
Fooshe, Steven (McElveen) 103
Frick, Nancy (Roll of the Senate) 1253
Fuller, Oscar (Peeler) 984
Glasgow, William (Shealy) 2195
Griggs, John (Rankin) 1113
Haile, Robert (Cromer) 2477
Hamilton, Fred (Alexander) 2117
Hare, Matthew (Rice) 2303
Haven, Jayson (Young) 3037
Heintz, Melva (Verdin) 1291
Hook, Marnie (Setzler) 1979
Hopkins, Felicia (Devine) 3795
Howard, Barbara (Stephens) 2085
Hungerford, Kyle (Bennett) 967
James, Charles (McElveen) 2868

INDEX

James, Frederick C. (Williams) 2917
Jones, Jessie (Matthews) 1354
Jones, Thomas (McElveen) 4071
Junious, Tony (K. Johnson) 1172
Keel, Julian (Devine) 4071
Keitt, Barney (Setzler) 2443
King, Barbara (K. Johnson) 4072
Knotts, Betty (Setzler, Shealy, Massey, Cromer) 1848
Lamb, Pamela (Grooms) 944
Loadholt, Miles (Hutto) 2714
Lowry, Samuel (Shealy and Verdin) 3667
Prevatte, Robert (Peeler) 130
Marino, Michael (Rankin) 4069
Maxwell-Roddey (Devine, Alexander and Matthews) 2233
McClary, Thomas (Matthews) 2154
Moore, Elbert (Hutto) 1750
Morris, Barbara (Roll of the Senate) 928
Moss, James (Peeler) 967
Moss, Van (Roll of the Senate) 2515
Myers, Stanley (Hutto and Malloy) 1282
Newkirk, Jennifer (Malloy) 4072
Ortman, Sallie (McElveen) 928
Parker, Lura (Bennett) 2085
Price, Debi (Matthews) 2234
Rhodes, George (Campsen) 2013
Richardson, Clayton (Malloy) 3795
Rizzo, Phillip (Bennett) 1693
Rybinski, Vitaliy (Peeler and Kimbrell) 986
Rybinski, Vladimir (Peeler and Kimbrell) 986
Santiago, Carol (Goldfinch) 2195
Scott, John L. (Roll of the Senate) 131
Shuler, Emily (Roll of the Senate) 3197
Siegfried, Richard (Cromer) 2442
Singleton, Johnny (Alexander) 1847
Smith, Karl (Malloy) 1747
Spires, Tara (Shealy) 1900
St. John, Ann (Roll of the Senate) 3794
Stephens, Eunice (Bennett) 1075
Stockman, Abner (Garrett) 1009
Switzer, Liner (Martin) 2984
Switzer, Lisa (Martin) 2983
Taylor, Broadus (Shealy) 2983

Terrana, Victor (Cromer) 4070
Thomas, Robert E. (McElveen) 945
Vinson, Michael (Verdin) 2475
Wallace, Jeffery (Peeler and Kimbrell) 986
Wilson, W. B. (Sabb) 2154
Windley, George (K. Johnson) 4069
Wingate, Jennifer (Massey, Setzler, Garrett) 1049
Wise, Michael (Roll of the Senate) 3198
Wood, Austin (Shealy) 2673
Wood, Michael (Cromer) 3036

Oaths of Office
Senator Devine 6
Senator Tedder 3

Presentations
Service Pins 3721
Seating selections 55

SESSIONS
Night 1034
Special Days (Rule 1B) 2235, 2478, 2482, 2498
Rule 1B Motions Adopted 2195, 2442

***SINE DIE* (See also ADJOURNMENT)**
At 5:00 P.M., on Thursday, May 9, 2024, the Senate adjourned *Sine Die* under the provisions of S. 1192, the *Sine Die* Resolution 3668

At 12:57P.M., on Wednesday, June 5, 2024, the Senate adjourned *Sine Die* under the provisions of S. 1192, the *Sine Die* Resolution 3796

At 6:08P.M., on Wednesday, June 26, 2024, the Senate adjourned *Sine Die* under the provisions of S. 1192, the *Sine Die* Resolution 4073

STATE OF THE STATE ADDRESS
Governor Henry D. McMaster 1035

STATEMENTS (See also, REMARKS)
Sen. Adams 1150
Sen. Alexander 1150, 3696
Sen. Bennett 1150
Sen. Climer 1150

Sen. Grooms 1060
Sen. M. Johnson..... 1150, 2364
Sen. Kimbrell..... 1060, 1151
Sen. Massey 1150
Sen. Reichenbach..... 2042
Sen. Senn 2176, 2179, 2180, 2186, 2364
Sen. Turner 1150
Sen. Williams..... 3524
Sen. Young 1151, 2364, 3089

VETOES (listed numerically by R numbers)

(R200, S1166) -- Senators Tedder, Stephens and Rice: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS THAT OCCURRED BEFORE THE ENACTMENT OF THE S.C. CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THIS ACT, TO PROVIDE THE DISMISSAL OF THESE CHARGES DOES NOT MANDATE THE DISMISSAL OF OTHER RELATED CHARGES OR MAY SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.
Veto Overridden (38-0) 3842

(A211, R212, H4248) -- Reps. Rose and Robbins: AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-4-50, RELATING TO THE SALE OF BEER, ALE, PORTER, OR WINE TO UNDERAGED PERSONS, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE; AND BY AMENDING SECTION 61-6-4080, RELATING TO THE SALE OF ALCOHOLIC LIQUORS TO AN UNDERAGED PERSON, SO AS TO PROVIDE FOR A CONDITIONAL DISCHARGE.
Veto Overridden (33-5) 3844

V**OTE, REQUEST TO BE RECORDED**

Sen. Cash 114, 1696
Sen. Climer 1150, 2364, 2925, 3100
Sen. Corbin 114, 1150, 1696, 2925, 3100, 3528
Sen. Fanning 1012

Sen. Garrett 1353, 2925
Sen. Grooms 1106, 1107, 1109
Sen. Kimbrell 1150, 2925
Sen. Loftis 1052
Sen. Martin 114, 2363, 2364, 3092, 3100, 3650
Sen. Rice 2925
Sen. Turner 1696
Sen. Verdin 3650
Sen. Young 1150

VOTING (See also SENATE/HOUSE BILLS AND RESOLUTIONS INDEX for voting actions on specific Bills/Resolutions)

Appointment Confirmation Votes 129, 149, 1243-1252 1843-1846, 2302, 3210-3237, 4044-4068

Election Roll Call Votes 1940, 2522-2529, 2531-2535 2537-3539, 2543-2545, 2546-2548, 2562-2564, 3711, 3712

Roll Call Votes ..... 121, 122, 123, 127, 146, 940 943, 960, 962, 966, 1004, 1008, 1059, 1087, 1089, 1098, 1105, 1106 1108, 1128, 1133, 1139, 1145, 1146, 1147, 1160, 1164, 1165, 1170 1171, 1188, 1190, 1193, 1194, 1195, 1200, 1220, 1236, 1239, 1241 1242, 1273, 1275, 1281, 1312, 1336, 1339, 1340, 1343, 1345, 1352 1382, 1387, 1393, 1656, 1672, 1678, 1681, 1683, 1684, 1687, 1689 1710, 1746, 1763, 1769, 1770, 1771, 1778, 1779, 1783, 1813, 1821 1826, 1828, 1829, 1832, 1835, 1862, 1863, 1866, 1874, 1876, 1879 1951, 2040, 2054, 2058, 2059, 2061, 2062, 2064, 2065, 2067, 2068 2070, 2071, 2075, 2078, 2084, 2103, 2106, 2108, 2111, 2115, 2128 2140, 2145, 2175, 2178, 2180, 2185, 2192, 2194, 2223, 2281, 2284 2286, 2290, 2291, 2298, 2300, 2301, 2316, 2321, 2329, 2341, 2348 2350, 2352, 2355, 2357, 2358, 2363, 2366, 2368, 2372, 2439, 2453 2464, 2470, 2474, 2584, 2591, 2593, 2614, 2659, 2662, 2666, 2668 2669, 2670, 2671, 2709(GAB), 2732(GAB), 2752(GAB), 2763(GAB) 2766(GAB), 2771(GAB), 2773-2863(GAB), 2866, 2876, 2900, 2901 2903, 2905, 2906, 2936, 2943, 2969, 2971, 2974, 2975, 3009, 3033 3059, 3060, 3061, 3066, 3084, 3086, 3088, 3090, 3097, 3113, 3150 3152, 3153, 3156, 3157, 3160, 3174, 3176, 3181, 3245, 3259, 3266 3275, 3281, 3283, 3288, 3296, 3297, 3299, 3301, 3310, 3312, 3326 3343, 3345, 3346, 3347, 3349, 3351, 3358, 3360, 3362, 3363, 3364 3365, 3367, 3372, 3379, 3394, 3418, 3419, 3422, 3433, 3436, 3503

INDEX

3551, 3560, 3569, 3582, 3587, 3596, 3631, 3642, 3647, 3657, 3660
3844, 3847, 3848, 3860, 3871, 3876, 3880, 3886, 3944, 3961, 3963
3966, 3977, 4003, 4019, 4028, 4033, 4035(GAB), 4038(GAB), 4062