

NO. 53

**JOURNAL**  
**of the**  
**HOUSE OF REPRESENTATIVES**  
**of the**  
**STATE OF SOUTH CAROLINA**



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025**

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**THURSDAY, MAY 1, 2025**  
**(STATEWIDE SESSION)**

**Thursday, May 1, 2025**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

Deliberations were opened with prayer by the SPEAKER *PRO TEMPORE* as follows:

Our thought for today is from Isaiah 61:1: "The Spirit of the Lord God is upon me, because the Lord has anointed me; he has sent me to bring good news to the oppressed, to bind up the brokenhearted, to proclaim liberty to the captives, and release to the prisoners; to proclaim the year of our Lord's favor."

Let us pray. Ever-present God, help us to see and trust that Your saving work is with us so that we may not fear, complain, or to forget Your goodness to us. Awesome God help us to live a life that reflects Your power and glory meant for us and all the World. Bless our defenders of freedom and first responders. Look in favor on our World, Nation, President, State, Governor, Speaker, Staff, and all who give of their time and effort to make this State great. We pray for our men and women who serve our Country and who suffer from hidden wounds. Lord, in Your mercy, hear our prayers. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER *PRO TEMPORE*.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER *PRO TEMPORE* ordered it confirmed.

**MOTION ADOPTED**

Rep. MARTIN moved that when the House adjourns, it adjourn in memory of Patrick "Pops" McClure, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for the family and friends of Patrick "Pops" McClure.

**REGULATION WITHDRAWN AND RESUBMITTED**

Document No. 5342

Agency: Department of Public Health

## THURSDAY, MAY 1, 2025

Statutory Authority: 1976 Code Sections 44-7-110 et seq.  
Residential Treatment Facilities for Children and Adolescents  
Received by Speaker of the House of Representatives January 14,  
2025  
Referred to Regulations, Administrative Procedures, AI and  
Cybersecurity Committee  
Legislative Review Expiration January 18, 2026  
Revised: January 25, 2026

### ROLL CALL

The roll call of the House of Representatives was taken resulting as follows:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	B. J. Cox
B. L. Cox	Crawford	Cromer
Davis	Dillard	Duncan
Edgerton	Erickson	Forrest
Frank	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Govan	Grant
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hart	Hartnett	Hartz
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Holman	Hosey	Howard
Huff	J. E. Johnson	J. L. Johnson
Jones	Jordan	Kilmartin
King	Kirby	Landing
Lawson	Ligon	Long
Lowe	Luck	Magnuson
Martin	May	McCabe
McCravy	McDaniel	McGinnis
Mitchell	Montgomery	J. Moore
T. Moore	Morgan	Moss

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Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Pope	Rankin	Reese
Rivers	Robbins	Rose
Rutherford	Sanders	Schuessler
Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Teeple	Terrible	Vaughan
Waters	Weeks	Wetmore
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

**Total Present--121**

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. MURPHY a leave of absence for the day.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. GILREATH a leave of absence for the day due to business reasons.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. WILLIS a temporary leave of absence.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. PACE a temporary leave of absence.

**SPECIAL PRESENTATION**

Rep. BALLENTINE presented to the House the Dutch Fork High School "Dazzlers" Junior Varsity Dance Team State Champions.

**SPECIAL PRESENTATION**

Rep. BALLENTINE presented to the House the Dutch Fork High School "Dazzlers" Varsity Dance Team State Champions.

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**SPECIAL PRESENTATION**

Rep. DILLARD presented to the House the Greenville High School "Red Raiders" 5-A Division II Boys Basketball State Champions.

**SPECIAL PRESENTATION**

Rep. HIXON presented to the House the North Augusta High School Girls Basketball Championship Team.

**SPECIAL PRESENTATION**

Rep. BAMBERG presented to the House the Denmark Olar High School "Vikings" 1-A Boys Basketball State Champions.

**SPECIAL PRESENTATION**

Rep. DAVIS presented to the House the Berkeley High School "Lady Stags" 5-A Division II Girls Basketball State Champions.

**SPECIAL PRESENTATION**

Rep. GARVIN presented to the House the Blythewood High School "Lady Bengals" 5-A Division I Girls Basketball Championship Team.

**SPECIAL PRESENTATION**

Rep. PEDALINO presented to the House the Laurence Manning Academy "Swampcats" 4-A SCISA Co-ed Bowling Championship Team.

**SPECIAL PRESENTATION**

Rep. PEDALINO presented to the House Laurence Manning Academy "Lady Swampcats" 4-A Girls Softball Championship Team.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

“5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from

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the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.”

**CO-SPONSOR(S) ADDED**

Bill Number: H. 3049  
Date: ADD:  
05/01/25 CROMER

**CO-SPONSOR(S) ADDED**

Bill Number: H. 3186  
Date: ADD:  
05/01/25 SESSIONS and FORREST

**CO-SPONSOR(S) ADDED**

Bill Number: H. 3335  
Date: ADD:  
05/01/25 GARVIN

**CO-SPONSOR(S) ADDED**

Bill Number: H. 3802  
Date: ADD:  
05/01/25 FRANK

**CO-SPONSOR(S) ADDED**

Bill Number: H. 3858  
Date: ADD:  
05/01/25 LANDING

**CO-SPONSOR(S) ADDED**

Bill Number: H. 3876  
Date: ADD:  
05/01/25 HENDERSON-MYERS and ATKINSON

**CO-SPONSOR(S) ADDED**

Bill Number: H. 4176  
Date: ADD:  
05/01/25 GARVIN

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**CO-SPONSOR(S) ADDED**

Bill Number: H. 4247  
Date: ADD:  
05/01/25 HENDERSON-MYERS

**CO-SPONSOR(S) ADDED**

Bill Number: H. 4306  
Date: ADD:  
05/01/25 BOWERS

**CO-SPONSOR(S) ADDED**

Bill Number: H. 4339  
Date: ADD:  
05/01/25 GUFFEY

Further proceedings were interrupted by the Joint Assembly.

**JOINT ASSEMBLY**

At 11:00 a.m. the Senate appeared in the Hall of the House. The President of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

**ELECTION OF PUBLIC SERVICE  
COMMISSION MEMBERS  
SEAT 2**

The PRESIDENT announced that nominations were in order for a member for Seat 2.

Rep. HERBKERSMAN, on behalf of the Public Utilities Review Committee, stated that the following candidates had been screened, found qualified, Florence P. Belser and Richard N. McIntyre, and placed their names in nomination.

Rep. HERBKERSMAN stated that Richard N. McIntyre had withdrawn from the race, and placed the name of the remaining candidate, Florence P. Belser, in nomination.

On the motion of Rep. HERBKERSMAN, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that Florence P. Belser was duly elected for the term prescribed by law.

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**SEAT 4**

The PRESIDENT announced that nominations were in order for a member for Seat 4.

Rep. HERBKERSMAN, on behalf of the Public Utilities Review Committee, stated that the following candidate had been screened, found qualified, H. David Britt, and placed his name in nomination.

On the motion of Rep. HERBKERSMAN, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that H. David Britt was duly elected for the term prescribed by law.

**SEAT 6**

The PRESIDENT announced that nominations were in order for a member for Seat 6.

Rep. HERBKERSMAN, on behalf of the Public Utilities Review Committee, stated that the following candidate had been screened, found qualified, Justin T. Williams, and placed his name in nomination.

On the motion of Rep. HERBKERSMAN, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that Justin T. Williams was duly elected for the term prescribed by law.

**ABSTENTION FROM VOTING**

May 1, 2025

Charles Reid

Clerk of the House of Representatives

Dear Mr. Reid,

In accordance with SC Code Sections 8-13-700 and/or 8-13-745(A), I hereby recuse myself from voting on the following elections to the Public Service Commission because a potential conflict of interest due to an economic interest of myself or an individual or business with which I am associated may be affected:

1. Member for the Second Congressional District
2. Member for the Fourth Congressional District
3. Member for the Sixth Congressional District

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Please note this in the House Journal for May 1, 2025.

Sincerely,  
Rep. Phillip Bowers  
District 3

**ABSTENTION FROM VOTING**

May 1, 2025  
Charles Reid  
Clerk of the House of Representatives

Dear Mr. Reid,

In accordance with SC Code Sections 8-13-700 and/or 8-13-745(A), I hereby recuse myself from voting on the following elections to the Public Service Commission because a potential conflict of interest due to an economic interest of myself or an individual or business with which I am associated may be affected:

1. Member for the Second Congressional District
2. Member for the Fourth Congressional District
3. Member for the Sixth Congressional District

Please note this in the House Journal for May 1, 2025.

Sincerely,  
Rep. G. Murrell Smith Jr.  
District 67

**JOINT ASSEMBLY RECEDES**

The purposes of the Joint Assembly having been accomplished, the PRESIDENT announced that under the terms of the Concurrent Resolution the Joint Assembly would recede from business.

The Senate accordingly retired to its Chamber.

**THE HOUSE RESUMES**

At 11:13 a.m. the House resumed, the SPEAKER in the Chair.

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**LEAVE OF ABSENCE**

The SPEAKER granted Rep. KING a leave of absence for the remainder of the day.

**S. 522--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 522 -- Senators Grooms and Campsen: A BILL TO AMEND SECTIONS 2 AND 3 OF ACT 1235 OF 1970 SO AS TO CHANGE THE NAME OF THE CHARLESTON COUNTY AIRPORT DISTRICT TO THE CHARLESTON REGIONAL AIRPORT DISTRICT AND TO CHANGE THE NAME OF THE CHARLESTON COUNTY AVIATION AUTHORITY TO THE CHARLESTON REGIONAL AVIATION AUTHORITY.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bannister	Bauer
Beach	Bernstein	Bowers
Bradley	Brewer	Brittain
Burns	Bustos	Calhoon
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
B. J. Cox	B. L. Cox	Crawford
Cromer	Davis	Duncan
Edgerton	Erickson	Forrest
Frank	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Govan	Grant
Guest	Guffey	Haddon
Hager	Harris	Hartnett
Hartz	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Holman	Hosey
J. L. Johnson	Jones	Jordan
Kilmartin	Kirby	Landing
Lawson	Ligon	Long
Lowe	Luck	Magnuson

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Martin	May	McCravy
McDaniel	Mitchell	Montgomery
T. Moore	Morgan	Moss
Neese	B. Newton	W. Newton
Oremus	Pedalino	Pope
Rankin	Rivers	Robbins
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teeple
Terribile	Vaughan	Waters
Weeks	Wetmore	White
Whitmire	Wickensimer	Williams
Willis	Wooten	Yow

**Total--105**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**S. 522--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. B. NEWTON, with unanimous consent, it was ordered that S. 522 be read the third time tomorrow.

**RETURNED TO THE SENATE WITH AMENDMENTS**

The following Bills were taken up, read the third time, and ordered returned to the Senate with amendments:

S. 89 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-100, RELATING TO SOUTH CAROLINA MILITARY BASE TASK FORCE, SO AS TO RENAME THE TASK FORCE THE SOUTH CAROLINA MILITARY AFFAIRS ADVISORY COUNCIL, TO REVISE THE COUNCIL'S MISSION, TO INCREASE THE MEMBERSHIP ON THE COUNCIL, TO MANDATE THAT THE COUNCIL MEETS AT LEAST ONE TIME EACH CALENDAR YEAR, AND TO MAKE CONFORMING CHANGES.

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S. 78 -- Senators Hembree, Young, Zell and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THAT AN INDIVIDUAL'S PRIOR WORK EXPERIENCE MAY BE AWARDED ON AN INITIAL TEACHING CERTIFICATE IF THE PRIOR EXPERIENCE IS IN OR RELATED TO THE CONTENT FIELD OF THE CERTIFICATE, AND TO PROVIDE THAT EXISTING CERTIFICATE HOLDERS MAY RECEIVE CREDIT FOR PRIOR WORK EXPERIENCE.

**SENT TO THE SENATE**

The following Bills and Joint Resolution were taken up, read the third time, and ordered sent to the Senate:

H. 3758 -- Reps. Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-1-435, RELATING TO THE RELIGIOUS VIEWPOINTS ANTIDISCRIMINATION ACT, SO AS TO PROVIDE SCHOOL DISTRICTS SHALL ADOPT AND IMPLEMENT CERTAIN POLICIES CONCERNING LIMITED PUBLIC FORUMS AND VOLUNTARY STUDENT EXPRESSION OF RELIGIOUS VIEWPOINTS BEFORE THE 2026-2027 SCHOOL YEAR, AND TO PROVIDE A MODEL POLICY THAT SCHOOLS MAY ADOPT AND IMPLEMENT TO ENSURE COMPLIANCE WITH THESE POLICY REQUIREMENTS.

H. 3949 -- Reps. King, Duncan and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-614 SO AS TO DESIGNATE "DUM SPIRO SPERO" TRANSLATED AS "WHILE I BREATHE, I HOPE" AS THE OFFICIAL CHORAL ANTHEM OF THE STATE.

H. 3089 -- Rep. Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-7-395 SO AS TO REQUIRE HOSPITALS AND OTHER MEDICAL PROVIDERS TO FILE AN INSURANCE CLAIM WITH A PATIENT'S HEALTH INSURER FOR REIMBURSEMENT OF MEDICAL COSTS AND EXPENSES.

H. 3967 -- Reps. Haddon, Ligon, Brewer, Bannister, Forrest, Herbkersman, Hixon, Duncan and Sanders: A BILL TO AMEND THE

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SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-23-185 SO AS TO DEFINE "BIOMASS" AND OTHER RELEVANT TERMS; TO REQUIRE THAT ENERGY PRODUCED FROM CERTAIN SOURCES BE CONSIDERED CARBON NEUTRAL AND FROM OTHER SOURCES CARBON NEGATIVE; AND FOR OTHER PURPOSES.

H. 3950 -- Reps. Hixon and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-65-40, RELATING TO PERSONS EXEMPT FROM LICENSURE AS PROFESSIONAL SOIL CLASSIFIERS, SO AS TO EXEMPT LICENSED PROFESSIONAL ENGINEERS PERFORMING SOIL EVALUATIONS IN CONNECTION WITH CONVENTIONAL ONSITE WASTEWATER SYSTEMS, AND TO PROVIDE THESE ENGINEERS MUST HAVE CERTAIN TRAINING, BONDING, AND INSURANCE.

H. 3214 -- Reps. Chumley, Magnuson, Taylor, Forrest, Hixon, Cromer and Gilreath: A JOINT RESOLUTION TO PROVIDE A THREE-YEAR PILOT PROGRAM ESTABLISHING PUBLIC SCHOOL-BASED COMMUNITY CANNERIES WHERE MEMBERS OF THE GENERAL PUBLIC MAY BRING LOCALLY GROWN PRODUCE TO BE CANNED FOR THEIR PERSONAL USE, AND TO PROVIDE RELATED RESPONSIBILITIES OF THE STATE BOARD OF EDUCATION AND CLEMSON EXTENSION AGENCY.

H. 3223 -- Rep. Bailey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO CHAPTER 69, TITLE 40 SO AS TO PROVIDE DEFINITIONS AND REQUIREMENTS CONCERNING THE USE OF TELEHEALTH FOR VETERINARY SERVICES; AND BY AMENDING SECTION 40-69-20, RELATING TO DEFINITIONS CONCERNING THE BOARD OF VETERINARY MEDICAL EXAMINERS, SO AS TO REMOVE AN OBSOLETE DEFINITION.

H. 4257 -- Reps. J. E. Johnson, Lowe, Mitchell, Yow, Brittain, Jordan, B. Newton, Caskey, Gilliam, Rankin, Schuessler, Hayes, Guest, Crawford, Gagnon, McCabe, Pedalino and Hiott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-5-65, RELATING TO THE REQUIREMENT THAT THE STATE BOARD OF EDUCATION SHALL ESTABLISH A

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UNIFORM SYSTEM OF COMPULSORY SCHOOL ATTENDANCE ENFORCEMENT, SO AS TO PROVIDE THIS SYSTEM MUST REQUIRE SCHOOL ADMINISTRATORS TO APPROVE STUDENT ABSENCES FOR PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES AUTHORIZED BY THE SCHOOL OR SCHOOL DISTRICT REGARDLESS OF WHETHER THE ACTIVITY IS SANCTIONED BY THE SOUTH CAROLINA HIGH SCHOOL LEAGUE OR OTHER INTERSCHOLASTIC SANCTIONING ORGANIZATION; AND BY AMENDING SECTION 59-65-90, RELATING TO RULES AND REGULATIONS THAT THE STATE BOARD OF EDUCATION SHALL ESTABLISH TO DEFINE LAWFUL AND UNLAWFUL ABSENCES UNDER COMPULSORY ATTENDANCE STATUTES, SO AS TO MAKE CONFORMING CHANGES.

**ORDERED ENROLLED FOR RATIFICATION**

The following Bill was read the third time, passed and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act, andt be enrolled for ratification:

S. 425 -- Senators Davis, Hembree, Ott, Elliott, Jackson, Rankin and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-63-795 SO AS TO PROVIDE EACH PUBLIC SCHOOL DISTRICT ANNUALLY SHALL IDENTIFY THE NUMBER OF ITS STUDENTS WHO LIVE IN POVERTY AND INCREASE ACCESS TO FREE SCHOOL BREAKFASTS AND LUNCHESES FOR THESE STUDENTS, TO PROVIDE CRITERIA FOR DETERMINING ELIGIBILITY, TO PROVIDE RELATED REQUIREMENTS OF SCHOOL DISTRICTS, SCHOOLS, AND SCHOOL BOARDS.

**S. 103--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 103 -- Senators Climer, Kimbrell, Verdin, Leber, Zell and Stubbs: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 47-17-510, RELATING TO THE PROHIBITION AGAINST MISLEADING OR DECEPTIVE PRACTICES, LABELING, OR MISREPRESENTING PRODUCT THAT IS CELL-CULTURED MEAT, SO AS TO DEFINE CELL-

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CULTIVATED FOOD PRODUCT AND REQUIRE THE ACCURATE LABELING OF CELL-CULTIVATED FOOD PRODUCT.

Rep. HADDON explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Bowers	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Duncan	Edgerton
Erickson	Forrest	Frank
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Govan	Grant	Guest
Guffey	Haddon	Hager
Harris	Hartnett	Hartz
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Holman	Hosey	Huff
J. E. Johnson	J. L. Johnson	Jordan
Kilmartin	Kirby	Landing
Lawson	Ligon	Long
Lowe	Magnuson	Martin
May	McCravy	McDaniel
McGinnis	Mitchell	Montgomery
T. Moore	Morgan	Moss
Neese	B. Newton	W. Newton
Oremus	Pedalino	Pope
Rankin	Reese	Rivers
Robbins	Sanders	Schuessler
Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor

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Teeple	Terrible	Vaughan
Waters	Weeks	Wetmore
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

**Total--109**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**S. 103--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HADDON, with unanimous consent, it was ordered that S. 103 be read the third time tomorrow.

**S. 367--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 367 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-21-200 SO AS TO PROVIDE THAT ABANDONED VESSELS, DERELICT VESSELS, AND SUNKEN VESSELS ARE DECLARED TO BE PUBLIC NUISANCES; BY ADDING SECTION 50-21-210 SO AS TO DEFINE TERMS RELATED TO ABANDONED AND DERELICT VESSELS; BY ADDING SECTION 50-21-220 SO AS TO ESTABLISH THE PENALTIES FOR A PERSON THAT CAUSES OR ALLOWS A VESSEL TO BECOME AN ABANDONED VESSEL OR A DERELICT VESSEL AND THE PENALTIES FOR INTENTIONALLY OR RECKLESSLY CAUSING A VESSEL TO SINK; BY ADDING SECTION 50-21-230 SO AS TO EXTEND THE CORPORATE LIMITS OF CERTAIN MUNICIPALITIES FOR THE PURPOSE OF ENFORCING THE ARTICLE; BY ADDING SECTION 50-21-240 SO AS TO ESTABLISH THE PROCEDURE FOR DECLARING CERTAIN VESSELS ABANDONED OR DERELICT; BY ADDING SECTION 50-21-250 SO AS TO PROVIDE FOR THE RECEIPT OF BONA FIDE PLANS OF REMOVAL FOR CERTAIN VESSELS; BY ADDING SECTION 50-21-260 SO AS TO PROVIDE THAT A PERSON WHO REMOVES AND DISPOSES OF AN

[HJ]



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ABANDONED VESSEL OR A DERELICT VESSEL MAY COMMENCE A CIVIL ACTION AGAINST A RESPONSIBLE PARTY; BY ADDING SECTION 50-21-270 SO AS TO ESTABLISH THE PROCEDURE FOR THE REMOVAL OF VESSELS THAT HAVE SUNK; BY ADDING SECTION 50-21-280 SO AS TO ALLOW FOR THE IMMEDIATE REMOVAL OF CERTAIN VESSELS DETERMINED TO BE A SIGNIFICANT NAVIGATIONAL HAZARD OR A SIGNIFICANT ENVIRONMENTAL HAZARD; BY ADDING SECTION 50-21-290 SO AS TO REQUIRE THE DEVELOPMENT AND MAINTENANCE OF A WEBSITE AND APPLICATION FOR THE REPORTING OF CERTAIN VESSELS; BY REPEALING SECTION 50-21-190 RELATING TO ABANDONED WATERCRAFT; BY REPEALING SECTION 50-23-205 RELATING TO THE SEIZURE OF CERTAIN WATERCRAFT; AND BY REPEALING SECTION 50-21-10(1) RELATING TO THE DEFINITION OF ABANDON.

Rep. FORREST explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Bowers	Bradley	Brewer
Burns	Bustos	Calhoon
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
B. J. Cox	B. L. Cox	Crawford
Cromer	Davis	Dillard
Duncan	Edgerton	Erickson
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Govan	Grant
Guest	Guffey	Hager
Harris	Hartnett	Hartz
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Holman	Hosey	Huff

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Jones	Jordan	Kilmartin
Kirby	Landing	Lawson
Ligon	Long	Luck
Magnuson	Martin	May
McCravy	McDaniel	McGinnis
Mitchell	Montgomery	T. Moore
Morgan	Moss	Neese
B. Newton	W. Newton	Oremus
Pedalino	Pope	Rankin
Reese	Rivers	Robbins
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teeple
Terrible	Vaughan	Waters
Weeks	Wetmore	White
Whitmire	Wickensimer	Williams
Willis	Wooten	Yow

**Total--105**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**S. 367--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. FORREST, with unanimous consent, it was ordered that S. 367 be read the third time tomorrow.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. MOSS a leave of absence for the remainder of the day.

**S. 165--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 165 -- Senators Campsen, Graham and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA CONSERVATION EDUCATION ACT"; AND BY ADDING SECTION 50-9-980 SO AS TO

[HJ]

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ESTABLISH THE SOUTH CAROLINA CONSERVATION EDUCATION FUND AND THE PURPOSE FOR WHICH REVENUES IN THE FUND MAY BE EXPENDED.

Reps. HARRIS, EDGERTON, FRANK, MAGNUSON, KILMARTIN, BEACH, WHITE, CROMER and MORGAN requested debate on the Bill.

**S. 345--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 345 -- Senators Campsen and Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-510, RELATING TO THE PROHIBITION AGAINST BAITING WILD TURKEYS, SO AS TO EXEMPT CERTAIN PERSONS WHO ARE TWO HUNDRED YARDS OR MORE FROM A BAITED AREA MANAGED FOR THE RESTORATION AND SUSTAINABILITY OF WILD BOBWHITE QUAIL.

Rep. FORREST explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Bowers	Bradley	Brewer
Burns	Bustos	Calhoon
Chapman	Chumley	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Duncan	Edgerton
Erickson	Forrest	Frank
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Govan	Grant	Guest
Guffey	Haddon	Hager
Harris	Hartnett	Hartz

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Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Huff	J. L. Johnson	Jones
Jordan	Kirby	Landing
Lawson	Ligon	Long
Lowe	Luck	Magnuson
Martin	May	McCravy
McDaniel	McGinnis	Mitchell
Montgomery	T. Moore	Morgan
Neese	B. Newton	W. Newton
Oremus	Pedalino	Pope
Rankin	Reese	Rivers
Robbins	Sanders	Schuessler
Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Teeple	Terrible	Vaughan
Waters	Weeks	Wetmore
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

**Total--103**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**S. 345--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. FORREST, with unanimous consent, it was ordered that S. 345 be read the third time tomorrow.

**S. 219--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 219 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-5-2730, RELATING TO THE APPLICABILITY OF FEDERAL FISHING REGULATIONS IN STATE WATERS, SO AS TO PROVIDE FOR THE SEASON, CATCH LIMITS, AND MINIMUM

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**SIZES FOR CERTAIN SPECIES UNDER THE SNAPPER-  
GROUPER FISHERY MANAGEMENT PLAN.**

Rep. FORREST explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Bowers	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Cromer	Davis	Dillard
Duncan	Edgerton	Erickson
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Govan	Grant
Guest	Guffey	Haddon
Hager	Harris	Hartnett
Hartz	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Holman	Hosey
Huff	J. L. Johnson	Jones
Jordan	Kilmartin	Kirby
Landing	Lawson	Ligon
Long	Lowe	Luck
Magnuson	Martin	May
McCravy	McDaniel	McGinnis
Mitchell	Montgomery	T. Moore
Morgan	Neese	B. Newton
W. Newton	Oremus	Pedalino
Pope	Rankin	Reese
Rivers	Robbins	Sanders
Schuessler	Sessions	G. M. Smith
M. M. Smith	Spann-Wilder	Stavrinakis
Taylor	Teeple	Terrible

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Vaughan	Waters	Weeks
Wetmore	White	Whitmire
Wickensimer	Williams	Willis
Wooten	Yow	

**Total--107**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**S. 219--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. B. NEWTON, with unanimous consent, it was ordered that S. 219 be read the third time tomorrow.

**H. 4216--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4216 -- Reps. Bannister, Pope, G. M. Smith, B. Newton, Hiott, Murphy, Moss, Crawford, Bradley, Hager, M. M. Smith, Bustos, Landing, Lowe, Lawson, B. J. Cox, Jordan, Brittain, Forrest, Neese, Vaughan, Long, Montgomery, Davis, Sessions, Mitchell, Gatch, Herbkersman, Schuessler, Caskey, T. Moore, Hewitt, Erickson, Bowers, Gilliam, Teeple, Guest, Bailey, Guffey, Holman, Yow, Ballentine, Martin, Calhoon, Taylor, Hartnett, Robbins, Willis, B. L. Cox, Ligon, Brewer, Gagnon, Hartz, Hixon and Pedalino: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-510, RELATING TO INCOME TAX RATES FOR INDIVIDUALS, ESTATES, AND TRUSTS, SO AS TO REDUCE THE INCOME TAX RATE TO A FLAT 3.99 PERCENT AND TO SET FORTH STANDARDS FOR ADDITIONAL REDUCTIONS; BY AMENDING SECTION 12-6-50, RELATING TO INTERNAL REVENUE CODE SECTIONS SPECIFICALLY NOT ADOPTED BY THE STATE, SO AS TO NOT ADOPT THE FEDERAL STANDARD DEDUCTION AND ITEMIZED DEDUCTION; BY AMENDING SECTION 12-6-1140, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO ALLOW FOR A SOUTH CAROLINA INCOME ADJUSTED DEDUCTION (SCIAD); BY AMENDING SECTION 12-6-4910, RELATING TO PERSONS REQUIRED TO FILE A TAX

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RETURN, SO AS TO MAKE A CONFORMING CHANGE TO THE CALCULATION; AND BY AMENDING SECTION 12-6-1720, RELATING TO ADJUSTMENTS TO THE TAXABLE INCOME OF NONRESIDENT INDIVIDUALS, SO AS TO MAKE A CONFORMING CHANGE.

Reps. B. NEWTON, EDGERTON, ERICKSON, GUFFEY, HIOTT, HEWITT, MAGNUSON, BEACH, POPE, MARTIN, BALLENTINE, WHITE, KILMARTIN, FRANK, TAYLOR, HARRIS, KIRBY, RIVERS, ANDERSON, GILLIARD, BAMBERG, SPANN-WILDER, GARVIN, DILLARD, WEEKS and JONES requested debate on the Bill.

**H. 3489--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3489 -- Reps. Ballentine and M. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2024 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

Rep. B. NEWTON explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bannister	Bauer
Beach	Bernstein	Bowers
Bradley	Brewer	Burns
Bustos	Calhoon	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Cromer	Davis	Dillard
Duncan	Edgerton	Erickson

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Forrest	Gagnon	Garvin
Gibson	Gilliam	Gilliard
Grant	Guffey	Hager
Harris	Hartnett	Hartz
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Holman	Hosey	Huff
Jones	Jordan	Kilmartin
Kirby	Landing	Lawson
Ligon	Long	Lowe
Luck	Magnuson	Martin
May	McCabe	McCravy
McDaniel	McGinnis	Mitchell
Montgomery	T. Moore	Morgan
Neese	B. Newton	W. Newton
Oremus	Pedalino	Pope
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	G. M. Smith
M. M. Smith	Spann-Wilder	Stavrinakis
Taylor	Teeple	Terrible
Vaughan	Weeks	Wetmore
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

**Total--100**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**H. 3489--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. B. NEWTON, with unanimous consent, it was ordered that H. 3489 be read the third time tomorrow.



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**H. 3115--POINT OF ORDER**

The following Bill was taken up:

H. 3115 -- Reps. Cobb-Hunter, Spann-Wilder and McCravy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-63-110, RELATING TO FEES CHARGED FOR COPIES OF BIRTH CERTIFICATES, SO AS TO WAIVE THE FEES FOR HOMELESS PERSONS.

**POINT OF ORDER**

Rep. B. NEWTON made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

**H. 4137--POINT OF ORDER, RULE 5.10 WAIVED  
PURSUANT TO RULE 5.15, AMENDED AND ORDERED TO  
THIRD READING**

The following Bill was taken up:

H. 4137 -- Reps. B. J. Cox, Caskey, T. Moore, B. L. Cox, Wooten and Bustos: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-3920, RELATING TO BINGO TAX ACT DEFINITIONS, SO AS TO ADD THE DEFINITIONS OF "VETERANS' TRUST FUND" AND "VETERANS' ORGANIZATION"; BY AMENDING SECTION 12-21-4020, RELATING TO CLASSES OF BINGO LICENSES, SO AS TO ADD A CLASS G LICENSE FOR VETERANS' ORGANIZATIONS; BY AMENDING SECTION 12-21-4030, RELATING TO ENTRANCE FEE SURCHARGES, SO AS TO PROVIDE THAT A CLASS G LICENSE HOLDER MAY IMPOSE A CERTAIN ENTRANCE FEE; BY AMENDING SECTION 12-21-4070, RELATING TO DOMICILES REQUIRED FOR LICENSE, SO AS TO PROVIDE THAT AN INDIVIDUAL MUST BE DOMICILED IN THIS STATE FOR A CERTAIN PERIOD BEFORE APPLYING FOR A LICENSE; AND BY AMENDING SECTION 12-21-4190, RELATING TO BINGO CARD CHARGES, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL CHARGE AND RETAIN CERTAIN FEES.

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**POINT OF ORDER**

Rep. CROMER made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

Rep. HIOTT moved to waive Rule 5.10, pursuant to Rule 5.15.

By a division vote of 77-20, Rule 5.10 was waived, pursuant to Rule 5.15.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 4137 (LC-4137.SA0002H), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 12-21-3920, by adding items to read:

(24) “American Heroes Bingo” or “game” means a specific game of chance, commonly known as bingo, in which prizes are awarded based on designated numbers or symbols on an electronic card conforming to numbers or symbols selected at random. American Heroes Bingo uses a caller to draw balls from a cage. A new drawing of bingo balls is to be drawn daily or once the game-ending pattern is called. The caller or automatic aid inputs the resulting ball draw sequence into a location-based server via electronic interface. The player then utilizes an electronic bingo aid to purchase, play, and daub electronic cards based on the outcome of the ball draw sequence. The electronic bingo aid then communicates to the player using various stimuli of visual and audial queues if the electronic card has accurately achieved a preannounced configuration match.

(25) “Electronic Card” means a nonprinted design, which may include an electronic representation on which there are arranged five horizontal rows and five vertical columns forming twenty-five squares. Numbers are printed in twenty-five of the squares. The five columns are denominated from left to right and must be a minimum of one-half inch by one-half inch.

(26) “Location-based server” means a computer server that is physically located on the licensed premises of the veteran’s organization. The location-based server is used in connection with the electronic bingo aids to accurately identify instances of preannounced configuration matches and nonmatches. The location-based server is not connected to any other location-based server.

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(27) “Electronic bingo aids” means an electronic device used in connection with a location-based server that will identify, display, and communicate bingo outcomes accurately via automatic electronic daub. The electronic bingo aid may be equipped with currency and voucher equipment which allows for additional purchases of electronic cards and provide for a voucher or other medium considered to be appropriate to redeem prizes won in the bingo game via a medium from the electronic bingo aid. The location-based server maintains track of the player’s credit balance, while the electronic bingo aid displays the same information. The electronic bingo aid must show an electronic representation of the bingo card on screen while the player is using the device. Electronic bingo aids are excluded from the definitions included in Chapter 21, Title 12 and Chapter 19, Title 16.

(28) “Net hold” means the total revenue, coin, currency, tickets, or equivalent placed into the electronic bingo aids or otherwise paid by players, less any prizes paid out to players.

(29) “Vendor” means any individual, firm, association, limited liability company, or corporation that was a resident of, or domiciled in this State for a period of two years or more before January 1, 2026, that provides electronic bingo aids to a veteran’s organization.

Amend the bill further, SECTION 2, by striking Section 12-21-4020(7) and inserting:

(7)(a) CLASS G: A veteran’s organization operating a bingo American Heroes Bingo game offering prizes, which do not exceed eight fifty thousand dollars a session per game, shall obtain a Class G bingo license at a cost of one thousand dollars. The holder of a Class G license may not conduct more than five-six bingo sessions a week. The bingo games must be conducted in the same manner as provided under the Class C license.

(b) Notwithstanding anything in this article to the contrary, American Heroes Bingo must be played in the following manner, and the following procedures apply to the conduct of the game:

(i) American Heroes Bingo is played by a player and a caller, the latter of which is associated with the veteran’s organization. Each player may pay face value for each electronic card to be played during a game and may purchase additional electronic cards during the course of a session.

(ii) Before each game begins, the potential winning patterns are available to view by the players of the configuration or configurations that will win the game. A configuration consists of a number of grids covered in the manner and sequence announced by the

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caller. Any method of playing the game is allowed if the method is shown before each game's beginning and prominently displayed in the facility. The configuration or configurations must be prominently visible on the electronic bingo aids.

(iii) The caller shall draw and announce numbers from the cage one at a time. After the number is announced, it must be prominently displayed on the master board and on the electronic bingo aids.

(iv) A player then uses an electronic bingo aid to purchase electronic cards, participate in the game via electronic daub, and redeem prizes. The electronic bingo aid communicates to the player if the electronic card played has accurately achieved a preannounced configuration match using various visual and audial stimuli. The location-based server adjusts the player's credit balance as required by the results of the game and the electronic bingo aid displays this information to the player.

(v) Electronic bingo aids may be used to offer visual and audio feedback for all players including, but not limited to, easy to read bingo cards on screen, symbols representative of bingo card wins and bonus wins, and entertaining displays and sounds designed to easily identify accurately achieved preannounced configuration matches.

(vi) A veterans' organization may enter into any contract with any vendor for the vendor to operate electronic bingo aids, concessions, security, or any other service on behalf of the veterans' organization.

(vii) A veterans' organization may not hold more than one American Heroes Bingo license. Multiple veterans' organizations may operate or cause the operation of American Heroes Bingo in a building, provided that there is a single specified license holder per building. This applies to all buildings regardless of ownership, primary use, or original use.

Amend the bill further, SECTION 4, by striking Section 12-21-4070 and inserting:

Section 12-21-4070. No license, as provided by this article, may be issued to an organization, promoter, vendor, veteran's organization, or individual that has not been domiciled in this State for at least ~~three~~ two-years immediately preceding the license application. In the case of the organization or vendor, the organization or vendor must also have been active in this State for at least two years.

Amend the bill further, SECTION 5, by striking Section 12-21-4190(A) and inserting:

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(A) The department shall charge and retain ten cents for each dollar of face value for each bingo card sold for AA, B, D, and E licenses. The department shall charge and retain five cents for each dollar of face value for each bingo card sold for an F license. The department shall charge and retain four cents for each dollar of face value for each bingo card sold for a C license. ~~The department shall charge and retain twenty-five cents for each dollar of face value for each bingo card sold for a G license.~~

Amend the bill further, SECTION 5, by striking Section 12-21-4190(D) and inserting:

~~(D)(1) The provisions of subsection (A) and (B) do not apply to holders of a Class G license. Of the amount charged and retained from Class G licenses, sixty percent must be distributed to the Veterans' Trust Fund. An amount of forty percent must be distributed equally to the South Carolina state headquarters of the Veterans of Foreign Wars, American Legion, Daughters of the American Revolution, and AMVETS. An amount of fifteen percent of the net hold for a month derived from American Heroes Bingo of each veteran's organization must be remitted to the Veteran's Trust Fund. A total amount of ten percent of the net hold for a month derived from American Heroes Bingo of each veteran's organization must be split and remitted equally to the South Carolina state headquarters of the American Legion, Veterans of Foreign Wars, and Disabled American Veterans. Other chartered Veteran's Service Organizations with membership in excess of four thousand also may submit a claim to the proceeds derived from American Heroes Bingo. Such payments are due on or before the twentieth day of the following month.~~

(2) All revenues received and deposited into the Veterans' Trust Fund from American Heroes Bingo are subject to an annual budget process. A budget outlining all anticipated expenditures of such funds must be prepared and submitted to the Secretary of Veterans' Affairs for approval. Disbursement of funds derived from American Heroes Bingo may not be made without the prior approval of the Secretary.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 33-57-100 (A) and (D) of the S.C. Code is amended to read:

(A) A lottery or raffle of any type whatsoever is unlawful unless it is authorized by the following:

- (1) Chapter 150, Title 59, the Education Lottery;
- (2) Article 24, Chapter 21, Title 12, Charitable Bingo; ~~or~~

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(3) Chapter 57, Title 33, Nonprofit Raffles for Charitable Purposes; ~~or~~

(4) Article 24, Chapter 21, Title 12, American Heroes Bingo.

(D) Except for raffles conducted by the South Carolina Lottery Commission pursuant to Chapter 150, Title 59 or Charitable Bingo authorized by Article 24, Chapter 21, Title 12, or American Heroes Bingo authorized by Article 24, Chapter 21, Title 12, the provisions of this chapter provide the sole means by which activities associated with conducting raffles are authorized. The provisions of this chapter must be narrowly construed to ensure that tax-exempt entities conducting a nonprofit raffle pursuant to this chapter are in strict compliance with the requirements of this chapter.

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Bowers	Bradley	Brewer
Bustos	Calhoon	Caskey
Chapman	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Duncan	Erickson
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Grant	Guest
Guffey	Haddon	Hager
Hart	Hartnett	Hartz
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Holman	Hosey	Huff

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Jones	Jordan	Kilmartin
Kirby	Landing	Lawson
Ligon	Long	Lowe
Luck	Martin	May
McCravy	McDaniel	McGinnis
Mitchell	Montgomery	T. Moore
Morgan	Neese	B. Newton
W. Newton	Oremus	Pedalino
Pope	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teeple
Vaughan	Waters	Weeks
Wetmore	White	Whitmire
Wickensimer	Williams	Willis
Wooten	Yow	

**Total--101**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 4137--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. B. J. COX, with unanimous consent, it was ordered that H. 4137 be read the third time tomorrow.

**H. 3858--POINT OF ORDER**

The following Bill was taken up:

H. 3858 -- Reps. Brewer, Pedalino, Lowe, Mitchell, M. M. Smith, B. J. Cox, Chapman, Davis, Sessions, Erickson, Guffey, B. L. Cox, Hewitt, Teeple, Hartnett, Pope, Rutherford, Brittain, Wooten, Guest, Hager, J. L. Johnson, B. Newton, Bailey, Bustos, Gagnon, Gilliam, Herbkersman, Holman, Jordan, Lawson, Martin, Murphy, Robbins, Ballentine, T. Moore, Montgomery, Sanders, Atkinson, Ligon, Gibson,

[HJ]

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J. Moore, Caskey, Moss, Huff, Beach, Terribile, Kilmartin, Hardee, Taylor, Yow, J. E. Johnson and Landing: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 1 OF CHAPTER 23, TITLE 50, SECTION 50-23-345, AND SECTION 50-23-375, ALL RELATING TO THE TITLING OF WATERCRAFT AND OUTBOARD MOTORS, SO AS TO DELETE THE REQUIREMENT THAT OUTBOARD MOTORS BE TITLED; BY AMENDING SECTION 12-37-3210, RELATING TO TAX NOTICES FOR BOATS AND BOAT MOTORS, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 12-37-3210, RELATING TO TAX NOTICES FOR BOATS, BOAT MOTORS, AND WATERCRAFT, SO AS TO ALLOW THE AUDITOR TO CONSOLIDATE THE TAX NOTICE; BY AMENDING SECTION 50-23-370, RELATING TO WATERCRAFT CERTIFICATES, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE A PROPERTY TAX EXEMPTION FOR FIFTY PERCENT OF THE FAIR MARKET VALUE OF WATERCRAFT.

**POINT OF ORDER**

Rep. B. NEWTON made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

**S. 127--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 127 -- Senators Johnson and Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-10, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCLUDE THE CATAWBA NATION WITHIN THE DEFINITION OF EMPLOYER; AND BY ADDING SECTION 9-11-43 SO AS TO PROVIDE THAT THE CATAWBA NATION IS ELIGIBLE FOR ADMISSION TO THE POLICE OFFICERS RETIREMENT SYSTEM AND TO PROVIDE FOR THE PROCESS FOR ADMISSION.

The Committee on Ways and Means proposed the following

[HJ]



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Amendment No. 1 to S. 127 (LC-127.SA0002H), which was adopted:

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

SECTION X. Article 1, Chapter 11, Title 9 of the S.C. Code is amended by adding:

Section 9-11-28. (A) After December 31, 2025, any person who is a full-time master-in-equity shall participate in the South Carolina Police Officers Retirement System for his service as a master-in-equity.

(B) From July 1, 2025, to January 1, 2026, a full-time master-in-equity who elects to transfer credited service received under the South Carolina Retirement System to the South Carolina Police Officers Retirement System may do so upon payment of the accumulated employer and employee contributions and interest in the South Carolina Retirement System plus five percent of his annual salary in effect as of June 30, 2025, for each year of service prorated for periods of less than a year. After January 1, 2026, a master-in-equity may elect to transfer credited service received under the South Carolina Retirement System to the South Carolina Police Officers Retirement System as provided in Section 9-11-40(9).

SECTION X. Section 9-11-90(4)(a)(ii) of the S.C. Code is amended by adding:

(D) the member has not been engaged to perform services for a participating employer in the system or any other system provided in this title for compensation in any capacity, whether as an employee, independent contractor, leased employee, joint employee, or other classification of worker, for a period of at least twelve consecutive months subsequent to retirement. The exemption provided under this subitem does not apply unless the member first certifies to the system that he satisfies the requirements for the exemption. If a member inaccurately certifies that he satisfies the requirements for the exemption provided in this subitem, the member is responsible for reimbursing the system for any benefits wrongly paid to the member; or

(E) compensation received by the retired member from the covered employer is for employment in a critical needs law enforcement position as determined by the Law Enforcement Training Council. For the provisions of this subitem to apply, the Law Enforcement Training Council must review and approve, from the documentation provided by the covered employer, that no qualified, nonretired member is available for employment in the position, and that the member selected for employment meets the requirements of this subitem. No later than January 1, 2026, and each January first thereafter, the Law Enforcement

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Training Council must submit a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee of the positions requested for inclusion in the earnings limitation exception under this subitem for the following fiscal year. Effective July 1, 2026, and each July first thereafter, the earnings limitation exception provided in this subitem only applies to those positions approved by action of the General Assembly for the fiscal year in response to the report submitted by the Law Enforcement Training Council. The Law Enforcement Training Council shall develop guidelines and curriculum for these officers to be recertified and may not require recertification through basic training for those that have been inactive for a year or more.

SECTION X. Section 9-1-1790(A)(2) of the S.C. Code is amended by adding:

(d) the member has not been engaged to perform services for a participating employer in the system or any other system provided in this title for compensation in any capacity, whether as an employee, independent contractor, leased employee, joint employee, or other classification of worker, for a period of at least twelve consecutive months subsequent to retirement. The exemption provided under this subitem does not apply unless the member first certifies to the system that he satisfies the requirements for the exemption. If a member inaccurately certifies that he satisfies the requirements for the exemption provided in this subitem, the member is responsible for reimbursing the system for any benefits wrongly paid to the member.

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER explained the amendment.  
The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:  
Yeas 114; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Bowers	Bradley	Brewer

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Brittain	Burns	Bustos
Calhoon	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Duncan	Edgerton
Erickson	Forrest	Frank
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Govan	Grant	Guest
Guffey	Haddon	Hager
Harris	Hart	Hartnett
Hartz	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Holman	Hosey
Huff	J. E. Johnson	J. L. Johnson
Jones	Jordan	Kilmartin
Kirby	Landing	Lawson
Ligon	Long	Lowe
Luck	Magnuson	Martin
May	McCabe	McCravy
McDaniel	McGinnis	Mitchell
Montgomery	T. Moore	Morgan
Neese	B. Newton	W. Newton
Oremus	Pedalino	Pope
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teeple
Terribile	Vaughan	Waters
Weeks	Wetmore	White
Whitmire	Wickensimer	Williams
Willis	Wooten	Yow

**Total--114**

Those who voted in the negative are:

**Total--0**

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So, the Bill, as amended, was read the second time and ordered to third reading.

**S. 127--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. COBB-HUNTER, with unanimous consent, it was ordered that S. 127 be read the third time tomorrow.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**RECURRENCE TO THE MORNING HOUR**

Rep. WOOTEN moved that the House recur to the morning hour, which was agreed to.

**H. 3514--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3514 -- Reps. Wooten, Mitchell, Pedalino, Guest, Crawford and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 11-1-130 SO AS TO PROVIDE THAT STATE DEPARTMENTS, AGENCIES, INSTITUTIONS, AND POLITICAL SUBDIVISIONS MAY NOT USE PUBLIC FUNDS TO PURCHASE CERTAIN FLAGS UNLESS THE FLAGS ARE MADE IN THE UNITED STATES.

The Ways and Means Committee proposed the following Amendment No. 1 to H. 3514 (LC-3514.SA0001H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 11-1-130 and inserting:

Section 11-1-130. A state department, agency, institution, or political subdivision of the State, including a school district, may not use public funds to purchase a flag of the United States of America or the State of South Carolina unless the flag has been one hundred percent manufactured in the United States from articles, materials, or supplies that have been grown or one hundred percent produced or manufactured in the United States. A state department, agency, institution, or political subdivision of the State, including a school district, may continue the use of previously purchased flags until a replacement flag is necessary.

Renumber sections to conform.

Amend title to conform.

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Rep. COBB-HUNTER explained the amendment.  
The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 113; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Bowers	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Duncan	Edgerton
Erickson	Forrest	Frank
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Govan	Grant	Guest
Guffey	Haddon	Hager
Harris	Hart	Hartnett
Hartz	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Holman	Hosey
Huff	J. E. Johnson	J. L. Johnson
Jones	Jordan	Kilmartin
Kirby	Landing	Lawson
Ligon	Long	Lowe
Luck	Magnuson	Martin
May	McCabe	McCravy
McGinnis	Mitchell	Montgomery
T. Moore	Morgan	Neese
B. Newton	W. Newton	Oremus
Pedalino	Pope	Rankin
Reese	Rivers	Robbins
Rose	Rutherford	Sanders
Schuessler	Sessions	G. M. Smith

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M. M. Smith	Spann-Wilder	Stavrinakis
Taylor	Teeple	Terrible
Vaughan	Waters	Weeks
Wetmore	White	Whitmire
Wickensimer	Williams	Willis
Wooten	Yow	

**Total--113**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 3514--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. COBB-HUNTER, with unanimous consent, it was ordered that H. 3514 be read the third time tomorrow.

**H. 3049--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3049 -- Reps. W. Newton, Pope, Taylor, Long, Cobb-Hunter and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "UNIFORM CIVIL REMEDIES FOR UNAUTHORIZED DISCLOSURE OF INTIMATE IMAGES ACT"; AND TO DEFINE NECESSARY TERMS, CREATE A CIVIL ACTION FOR AN INDIVIDUAL WHO SUFFERS HARM FROM A PERSON'S INTENTIONAL OR THREATENED DISCLOSURE OF PRIVATE, INTIMATE IMAGES WITHOUT CONSENT, AND PROVIDE EXCEPTIONS TO LIABILITY.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3049 (LC-3049.AHB0001H), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 15-75-310(9) and inserting:

(9) "Intimate image" means ~~a photograph, film, video recording, or other similar medium that shows:~~

(a) ~~the uncovered genitals, pubic area, anus, or female post~~

[HJ]

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~~pubescent nipple of a depicted individual; or~~ a photograph, film, video recording, or other similar medium, including any still or videographic image that is indistinguishable from an authentic visual depiction of the individual, and that is generated or substantially modified using machine learning techniques or any other computer generated or machine generated means to falsely depict an individual's appearance or conduct; and

(b) ~~a depicted individual engaging in or being subjected to sexual conduct.~~ that shows:

(i) the uncovered genitals, pubic area, anus, or female post-pubescent nipple of a depicted individual; or

(ii) a depicted individual engaging in or being subjected to sexual conduct.

Amend the bill further, by adding an appropriately numbered SECTION to read:

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

Renumber sections to conform.

Amend title to conform.

Rep. T. MOORE explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 114; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley

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Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	B. J. Cox
B. L. Cox	Crawford	Cromer
Davis	Dillard	Duncan
Edgerton	Erickson	Forrest
Frank	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Govan	Grant
Guest	Guffey	Haddon
Hager	Harris	Hart
Hartnett	Hartz	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Holman
Hosey	Huff	J. E. Johnson
J. L. Johnson	Jones	Jordan
Kilmartin	Kirby	Landing
Lawson	Ligon	Long
Luck	Magnuson	Martin
May	McCabe	McCravy
McDaniel	McGinnis	Mitchell
Montgomery	T. Moore	Morgan
Neese	B. Newton	W. Newton
Oremus	Pedalino	Pope
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teeple
Terribile	Vaughan	Waters
Weeks	Wetmore	White
Whitmire	Wickensimer	Williams
Willis	Wooten	Yow

**Total--114**

Those who voted in the negative are:

**Total--0**



**THURSDAY, MAY 1, 2025**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 3049--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. T. MOORE, with unanimous consent, it was ordered that H. 3049 be read the third time tomorrow.

**H. 4300--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4300 -- Reps. Bannister, Jordan, W. Newton, Yow, Mitchell and Luck: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-8-50, RELATING TO SERVICE CREDIT IN THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, SO AS TO PROVIDE THAT JUDGES ARE VESTED IN THE SYSTEM AFTER ATTAINING EIGHT YEARS OF EARNED SERVICE; AND BY AMENDING SECTION 9-8-60, RELATING TO THE RETIREMENT SYSTEM FOR JUDGES' AND SOLICITORS' ALLOWANCES, SO AS TO CHANGE THE RETIREMENT AGE OF JUDGES FROM SEVENTY-TWO TO SEVENTY-FOUR.

Rep. JORDAN explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 113; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Chumley	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Duncan	Edgerton
Erickson	Forrest	Frank
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard

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Govan	Grant	Guest
Guffey	Haddon	Hager
Harris	Hart	Hartnett
Hartz	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Holman	Hosey
Huff	J. E. Johnson	J. L. Johnson
Jones	Jordan	Kirby
Landing	Lawson	Ligon
Long	Lowe	Luck
Magnuson	Martin	May
McCabe	McCravy	McDaniel
McGinnis	Mitchell	Montgomery
T. Moore	Morgan	Neese
B. Newton	W. Newton	Oremus
Pedalino	Pope	Rankin
Reese	Rivers	Robbins
Rose	Rutherford	Sanders
Schuessler	Sessions	G. M. Smith
M. M. Smith	Spann-Wilder	Stavrinakis
Taylor	Teeple	Terrible
Vaughan	Waters	Weeks
Wetmore	White	Whitmire
Wickensimer	Williams	Willis
Wooten	Yow	

**Total--113**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**STATEMENT FOR JOURNAL**

I was temporarily out of the Chamber on constituent business during the vote on H. 4300. If I had been present, I would have voted in favor of the Bill.

Rep. Jay Kilmartin

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**H. 4300--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. JORDAN, with unanimous consent, it was ordered that H. 4300 be read the third time tomorrow.

**H. 4337--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4337 -- Reps. W. Newton and Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 2-15-130 SO AS TO GRANT SUBPOENA POWERS TO THE LEGISLATIVE AUDIT COUNCIL; BY AMENDING SECTION 2-15-40, RELATING TO THE QUALIFICATIONS FOR THE DIRECTOR OF THE LEGISLATIVE AUDIT COUNCIL, SO AS TO EXPAND THE PREREQUISITES FOR HOLDING THE POSITION OF DIRECTOR, AMONG OTHER CHANGES; BY AMENDING SECTION 2-15-61, RELATING TO ACCESS TO AGENCY RECORDS, SO AS TO EXPAND THE LEGISLATIVE AUDIT COUNCIL'S ACCESS TO RECORDS AND FACILITIES UPON REQUEST AND TO PROVIDE PENALTIES FOR FAILING TO COMPLY; AND BY AMENDING SECTION 2-15-120, RELATING TO THE CONFIDENTIALITY OF RECORDS, SO AS TO FURTHER DEFINE WHICH RECORDS ARE CONSIDERED CONFIDENTIAL AND TO REVISE THE DEFINITION OF "RECORDS."

Rep. JORDAN explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Edgerton	Erickson

[HJ]

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Forrest	Frank	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Govan
Grant	Guest	Guffey
Haddon	Hager	Harris
Hart	Hartnett	Hartz
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Holman	Hosey	Huff
J. E. Johnson	J. L. Johnson	Jones
Jordan	Kirby	Landing
Lawson	Ligon	Long
Lowe	Luck	Magnuson
Martin	May	McCabe
McCravy	McGinnis	Mitchell
Montgomery	T. Moore	Morgan
Neese	B. Newton	W. Newton
Oremus	Pedalino	Pope
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Schuessler	Sessions	G. M. Smith
M. M. Smith	Spann-Wilder	Stavrinnakis
Teeple	Terrible	Vaughan
Waters	Weeks	Wetmore
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

**Total--109**

Those who voted in the negative are:

**Total--0**

So, the was read the second time and ordered to third reading.

**H. 4337--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. JORDAN, with unanimous consent, it was ordered that H. 4337 be read the third time tomorrow.

[HJ]

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**LEAVE OF ABSENCE**

The SPEAKER granted Rep. POPE a leave of absence for the remainder of the day.

**H. 3335--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3335 -- Reps. Dillard, Spann-Wilder and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.

Rep. JORDAN explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	B. J. Cox
B. L. Cox	Crawford	Cromer
Davis	Dillard	Duncan
Edgerton	Erickson	Forrest
Frank	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Govan	Grant
Guest	Guffey	Haddon
Hager	Hart	Hartnett
Hartz	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Holman	Hosey
Huff	J. E. Johnson	J. L. Johnson
Jones	Jordan	Kilmartin
Kirby	Landing	Lawson

[HJ]

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Ligon	Long	Lowe
Luck	Magnuson	Martin
May	McCabe	McDaniel
McGinnis	Mitchell	Montgomery
T. Moore	Morgan	Neese
B. Newton	W. Newton	Oremus
Pedalino	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teeple
Terribile	Vaughan	Waters
Weeks	Wetmore	White
Whitmire	Wickensimer	Williams
Willis	Wooten	Yow

**Total--111**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**H. 3335--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. JORDAN, with unanimous consent, it was ordered that H. 3335 be read the third time tomorrow.

**H. 3929--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3929 -- Reps. King and J. L. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-990 SO AS TO PROVIDE THE DEPARTMENT OF CORRECTIONS MAY MAINTAIN CANTEENS AT ALL PRISONS OR INSTITUTIONS UNDER ITS JURISDICTION THAT MUST BE SUBJECT TO AUDITS BIENNIALY.

Rep. BERNSTEIN explained the Bill.

[HJ]

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The yeas and nays were taken resulting as follows:

Yeas 112; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	B. J. Cox
B. L. Cox	Crawford	Davis
Dillard	Duncan	Edgerton
Erickson	Forrest	Frank
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Govan	Grant	Guest
Guffey	Haddon	Hager
Harris	Hart	Hartnett
Hartz	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Holman	Hosey
Huff	J. E. Johnson	J. L. Johnson
Jones	Jordan	Kilmartin
Kirby	Landing	Lawson
Ligon	Long	Luck
Magnuson	Martin	May
McCabe	McCravy	McDaniel
McGinnis	Mitchell	Montgomery
T. Moore	Morgan	Neese
B. Newton	W. Newton	Oremus
Pedalino	Rankin	Reese
Rivers	Robbins	Rose
Rutherford	Sanders	Schuessler
Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Teeple	Terrible	Vaughan
Waters	Weeks	Wetmore
White	Whitmire	Wickensimer

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Williams  
Yow

Willis

Wooten

**Total--112**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**ABSTENTION FROM VOTING**

May 1, 2025

The Honorable G. Murrell Smith Jr.

506 Blatt Building

Columbia, SC 29201

Dear Speaker Smith,

I am notifying you in accordance with S.C. Code Ann. Section 8-13-700 that I will not participate in the vote on H. 3929 by adding Section 24-3-990 so as to provide the Department of Corrections may maintain canteens at all prisons or institutions under its jurisdiction that must be subject to audits biennially. out of an abundance of caution. I will abstain from this vote because of a potential conflict of interest as an economic interest of myself, a family member, and/or a business with which I am associated may be affected. Please note this in the House Journal.

Sincerely,

Representative April Cromer

House District Number 6

**H. 3929--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. BERNSTEIN, with unanimous consent, it was ordered that H. 3929 be read the third time tomorrow.

**H. 4000--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4000 -- Reps. M. M. Smith, Stavrinakis, B. L. Cox, Davis, Wetmore, Bustos, Teeple, Holman, Spann-Wilder, Kirby, Robbins,

[HJ]



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Landing, Hartnett, Brewer, Gilliard, Gatch, J. Moore, T. Moore, Murphy, W. Newton, Duncan and Bauer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-2-100, RELATING TO THE PERSONS ENTITLED TO BE LICENSEES OR PERMITTEES, SO AS TO ADD PERFORMING ARTS AND CONVENTION COMPLEXES; BY AMENDING SECTION 61-4-515, RELATING TO THE PERMIT FOR PURCHASE AND SALE FOR ON-PREMISES CONSUMPTION, SO AS TO ADD PERFORMING ARTS AND CONVENTION COMPLEXES; AND BY AMENDING SECTION 61-6-2016, RELATING TO THE BIENNIAL LICENSE FOR PURCHASE AND SALE FOR ON-PREMISES CONSUMPTION, SO AS TO ADD PERFORMING ARTS AND CONVENTION COMPLEXES.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 4000 (LC-4000.SA0001H), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 61-2-100, by adding a subsection to read:

(k) notwithstanding any other provision of law, a license or permit may be issued to a municipality that manages an amphitheater as defined in Sections 61-6-2016(D)(6) and 61-4-515(D)(6), which is considered to be the applicant pursuant to Section 61-2-160. The municipality must submit an application and a sworn affidavit provided by the department. The department, by regulation, must establish the necessary information contained in the affidavit and make that information publicly accessible. The affidavit must contain sufficient information to establish the individual submitting the application has the authority to act on behalf of the municipality.

Amend the bill further, SECTION 2, by striking Section 61-4-515(A), (B), and (C) and inserting:

(A) In addition to the permits authorized pursuant to the provisions of this article, the department also may issue a biennial permit to the owner, or his designee, of a motorsports entertainment complex, tennis specific complex, soccer complex, performing arts and convention complex, amphitheater, or baseball complex located in this State, which authorizes the purchase and sale for on-premises consumption of beer and wine at any occasion held on the grounds of the complex year round on any day of the week. The nonrefundable filing fee and the fees for the motorsports, tennis complex, soccer complex, performing arts and convention complex, amphitheater, or baseball complex biennial permit are the same as for other biennial permits for on-premises consumption

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of beer and wine, with the revenue therefrom used for the purposes provided in Section 61-4-510. Notwithstanding another provision of this article, the issuance of this permit authorizes the permit holder to purchase beer and wine from licensed wholesalers in the same manner that a person with appropriate licenses issued pursuant to this title purchases beer and wine from licensed wholesalers. The department in its discretion may specify the terms and conditions of the permit, pursuant to the provisions of Chapter 4, Title 61, and other applicable provisions under Title 61.

(B) The department may require such proof of qualifications for the issuance of these permits as it considers necessary, pursuant to the provisions of Chapter 4, Title 61, and these permits may be issued whether or not the motorsports entertainment complex, tennis specific complex, soccer complex, performing arts and convention complex, amphitheater, or baseball complex is located in a county or municipality which pursuant to Section 61-6-2010 successfully has held a referendum allowing the possession, sale, and consumption of beer or wine or alcoholic liquors by the drink for a period not to exceed twenty-four hours.

(C) The owner or designee of the motorsports entertainment complex, the tennis specific complex, the soccer complex, performing arts and convention complex, amphitheater, or the baseball complex may designate particular areas within the complex where patrons of events who have paid an admission price to attend or guests who are attending private functions at the complex, whether or not a charge for attendance is made, may possess and consume beer and wine provided at their own expense or at the expense of the sponsor of the private function.

Amend the bill further, SECTION 2, Section 61-4-515(D), by adding an item to read:

(6) “amphitheater” means an open air facility that is owned by a municipality and seats at least four hundred people.

Amend the bill further, SECTION 3, by striking Section 61-6-2016(A), (B), and (C) and inserting:

(A) In addition to the other provisions of this chapter, the owner, or his designee, of a motorsports entertainment complex, tennis specific complex, soccer complex, or performing arts and convention complex, amphitheater, or baseball complex that is located in this State may be issued, upon application, a biennial license that authorizes the purchase and sale for on-premises consumption of alcoholic liquors by the drink at any occasion held on the grounds of the complex under the same terms and conditions provided in Section 61-4-515, and the nonrefundable

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filing fee and license fee are the same as for other biennial licenses issued by the department for on-premises consumption of alcoholic liquors by the drink. In the event that the owner or his designee applies for both a permit to purchase and sell for on-premises consumption beer and wine and a license to purchase and sell for on-premises consumption alcoholic liquors by the drink, only one fee is required, which is the same as the fee for the fifty-two week local option permit under Section 61-6-2010 with the revenue therefrom used for the same purposes as provided in Section 61-6-2010.

(B) The department may require such proof of qualifications for the issuance of these licenses as it considers necessary, pursuant to the provisions of Chapter 6, Title 61, and these licenses may be issued whether or not the motorsports entertainment complex, tennis specific complex, soccer complex, performing arts and convention complex, amphitheater, or baseball complex is located in a county or municipality, which pursuant to Section 61-6-2010 has successfully held a referendum allowing the possession, sale, and consumption of beer or wine or alcoholic liquors by the drink for a period not to exceed twenty-four hours.

(C) The owner or designee of the motorsports entertainment complex, the tennis specific complex, the soccer complex, performing arts and convention complex, amphitheater, or the baseball complex may designate particular areas within the complex where patrons of events who have paid an admission price to attend or guests who are attending private functions at the complex, whether or not a charge for attendance is made, may possess and consume alcoholic liquors by the drink provided at their own expense or at the expense of the sponsor of the private function.

Amend the bill further, SECTION 3, Section 61-6-2016(D), by adding an item to read:

(6) “amphitheater” means an open-air facility that is owned by a municipality and has permanent seating of at least four hundred people.

Amend the bill further, by adding appropriately numbered SECTIONS to read:

SECTION X. Article 5, Chapter 4, Title 61 of the S.C. Code is amended by adding:

Section 61-4-523. (A) Notwithstanding any other provision of law, the sale of beer and wine at collegiate sporting venues pursuant to Section 61-4-520 is prohibited unless the holder of the permit:

(1) requires all sales personnel to complete mandatory alcohol server training approved by the department;

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(2) utilizes internal, random checks of sales locations during an event of sufficient frequency to reasonably determine that sales procedures and identification verification procedures comply with established protocol;

(3) utilizes forensic digital identification systems, or other means acceptable to the department, to verify the authenticity of identification at the point of sale;

(4) prohibits sales of beer and wine in student sections with designated concession areas; and

(5) prohibits sales of beer and wine to customers presenting vertical identification cards.

(B) The department shall consider these preventative measures and other factors described in Section 61-4-590(C) when assessing administrative penalties in the event violations of this chapter occur and may reduce any administrative penalty when the department finds the permit holder acted in good faith to prevent a violation.

SECTION X. Section 61-4-590 of the S.C. Code is amended by adding:

(C) In administering the provisions of this section, the department shall develop and implement an alternate revenue and penalty structure for collegiate sporting venues which recognizes the unique characteristics of such venues including, but not limited to, the number of sales locations within the collegiate sporting venue, sales volume and number of patrons served per event held at such collegiate sporting venue, number of sales personnel necessary to staff sales locations within the collegiate sporting venue, and frequency of events held at such collegiate sporting venue during which sales of beer and wine occur. The department shall develop and implement the alternative revenue procedure and penalty structure for collegiate sporting venues not later than August 31, 2025. The department shall determine the seating capacity necessary for a collegiate sporting venue to be subject to the alternate revenue procedure and penalty structure.

Renumber sections to conform.

Amend title to conform.

Rep. BRITTAIN explained the amendment.

The amendment was then adopted.

Rep. BRITTAIN proposed the following Amendment No. 2 to H. 4000 (LC-4000.SA0004H), which was adopted:

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

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61-6-2016(D)(6) and inserting:

(6) “amphitheater” means an open-air facility that is owned by a municipality and ~~has permanent seating of~~seats at least four hundred people.

Renumber sections to conform.

Amend title to conform.

Rep. BRITTAIN explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 10

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Bustos
Calhoon	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Crawford	Davis	Duncan
Edgerton	Erickson	Forrest
Frank	Gagnon	Garvin
Gatch	Gilliard	Govan
Grant	Guest	Guffey
Haddon	Harris	Hart
Hartnett	Hartz	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Holman
Hosey	Huff	J. E. Johnson
J. L. Johnson	Jones	Kilmartin
Kirby	Landing	Lawson
Ligon	Long	Lowe
Magnuson	Martin	May
McCabe	McDaniel	McGinnis
Mitchell	Montgomery	T. Moore
Neese	B. Newton	Oremus

[HJ]

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Pedalino	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Sessions
M. M. Smith	Spann-Wilder	Stavrinakis
Teeple	Terrible	Waters
Weeks	Wetmore	White
Whitmire	Wickensimer	Williams
Wooten		

**Total--97**

Those who voted in the negative are:

Burns	Gibson	Hager
Luck	McCravy	Morgan
Rankin	Vaughan	Willis
Yow		

**Total--10**

So, the Bill, as amended, was read the second time and ordered to third reading.

**STATEMENT FOR JOURNAL**

I was temporarily out of the House Chamber working on the Liquor Liability Bill during the vote on H. 4000. If I had been present, I would have voted in favor of the Bill.

Rep. Wm. Weston Newton

**H. 4000--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. B. NEWTON, with unanimous consent, it was ordered that H. 4000 be read the third time tomorrow.

**S. 28--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 28 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Sutton, Cromer, Verdin, Kennedy, Climer and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO

[HJ]

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AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 28 (LC-28.DG0002H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 16-15-390(B) and (C) and inserting:

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

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

Amend the bill further, SECTION 1, by striking Section 16-15-390(F) and inserting:

(F)(1) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a prosecuting agency, including the South Carolina Attorney General's Office, ~~the defendant's counsel,~~ or the South Carolina Department of Corrections, who, while acting within the employee's official capacity in the course of an investigation or criminal proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation. An employee's official capacity in the course of such investigation or

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criminal proceeding includes making materials available for inspection to the defendant's counsel in response to discovery requests.

(2) This section does not apply to a provider of a telecommunications service or an information service, as those terms are defined in 47 U.S.C. Section 153, for content provided by another person.

(G)(1) Any warrant for arrest for an alleged crime or offense under this section may only be issued upon:

(a) a return of a "true bill" of an indictment by the state grand jury, or

(b) a finding of probable cause following an investigation conducted by the Internet Crimes Against Children Task Force in conjunction with the Attorney General's office.

(2) If an arrest warrant is issued under subsection (G)(1)(b), the prosecution must be handled by the Attorney General's office or his designee.

Amend the bill further, by adding appropriately numbered SECTIONS to read:

SECTION X. Section 38-90-20(A) of the S.C. Code is amended to read:

(A) A captive insurance company, when permitted by its articles of incorporation, articles of organization, operating agreement, or charter, may apply to the director for a license to provide any and all insurance, except workers' compensation insurance written on a direct basis, authorized by this title; including, without limitation, liquor liability insurance; however:

(1) a pure captive insurance company may not insure any risks other than those of its parent, affiliated companies, controlled unaffiliated business, risks assumed from a risk pool for the purpose of risk sharing, or a combination of them;

(2) an association captive insurance company may not insure any risks other than those of the member organizations of its association and their affiliated companies;

(3) an industrial insured captive insurance company may not insure any risks other than those of the industrial insureds that comprise the industrial insured group and their affiliated companies;

(4) a special purpose captive insurance company may provide insurance or reinsurance, or both, for risks as approved by the director;

(5) a captive insurance company may not provide personal motor vehicle or homeowner's insurance coverage written on a direct basis;

(6) a captive insurance company may not accept or cede



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reinsurance except as provided in Section 38-90-110.

(7) a captive insurance company may not issue eroding or declining insurance coverage whereby the occurrence or aggregate limits are reduced by costs or expenses arising from the insurance company's duty to defend a claim.

SECTION X. Section 61-2-60 of the S.C. Code is amended by adding:

(9) regulations governing the development, implementation, education, and enforcement of responsible alcohol server training positions.

SECTION X. Section 61-2-145 of the S.C. Code is amended to read:

Section 61-2-145. (A) In addition to all other requirements, a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement ~~for a total coverage~~with an annual aggregate limit of at least one million dollars during the period of the biennial permit or license, unless the person licensed or permitted to sell alcoholic beverages qualifies under the terms of a liquor liability risk mitigation program pursuant to subsection (E). Failure to maintain this coverage during the period of the biennial permit or license constitutes grounds for suspension or revocation of the permit or license and is sufficient grounds for the department to seek an emergency revocation order as provided in Sections 12-60-1340 and 1-23-370(c). An insurance policy issued pursuant to this section must provide for minimum coverage of at least fifty percent of the total aggregate limit, per occurrence, given rise to the claim.

(B) The department shall add this requirement to all applications and renewals for biennial permits or licenses to sell alcoholic beverages for on-premises consumption, in which the permittees and licensees remain open and sell alcoholic beverages for on-premises consumption after five o'clock p.m. Each applicant or person renewing its license or permit, to whom this requirement applies, shall provide the department with documentation of a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the required amounts.

(C) Each insurer writing liquor liability insurance policies or general liability insurance policies with a liquor liability endorsement to a person licensed or permitted to sell alcoholic beverages for on-premises consumption, in which the person so licensed or permitted

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remains open to sell alcoholic beverages for on-premises consumption after five o'clock p.m., must notify the department in a manner prescribed by department regulation of the lapse or termination of the liquor liability insurance policy or the general liability insurance policy with a liquor liability endorsement within thirty days of the lapse or termination.

(D) For the purposes of this section, the term "alcoholic beverages" means beer, wine, alcoholic liquors, and alcoholic liquor by the drink as defined in Chapter 4, Title 61, and Chapter 6, Title 61.

(E) A person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, may qualify for liquor liability risk mitigation. A person qualifies if the person and the entity for which the person obtained the license or permit:

(1) stop serving alcohol by twelve o'clock a.m. A person meeting the requirements of this item may reduce the required annual aggregate limit by one hundred thousand dollars, and an additional one hundred thousand dollars for each hour earlier until six o'clock p.m.;

(2) complete an alcohol server training course pursuant to Title 61, Chapter 3;

(3) have less than forty percent of its total sales deriving from alcohol sales; or

(4) are a nonprofit organization which is exempt from taxation pursuant to Section 501(c) of Title 26 of United States Code, as amended, or the entity is engaging in a single event for which a Beer and Wine Special Event License or Liquor Special Event Permit is obtained.

(5) A person meeting the requirement of item (2) or (3) may reduce the required annual aggregate limit by one hundred thousand dollars each. An entity meeting the requirements of item (4) may reduce the annual aggregate limit by five hundred thousand dollars. A person complying with any combination of items (1)-(4) must receive the permitted reduction in the required annual aggregate limit for each item the entity complies with provided a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, must at all times maintain coverage with an annual aggregate limit of at least two hundred fifty thousand dollars during the period of the biennial permit or license.

(6) Insurers must establish liquor liability mitigation measures and offer premium discounts for compliance therewith that reduce the risk to the general public associated with the service of on-premises

consumption of alcohol.

(F) For purposes of this section, the calculation of total sales shall include sales of alcohol sold for on-premises consumption and all food and nonalcoholic beverages sold on the premises where the alcohol is sold, including food and nonalcoholic beverages sold by third-party vendors.

SECTION X. Title 61 of the S.C. Code is amended by adding:

CHAPTER 3

Alcohol Server Training

Section 61-3-100. For the purposes of this chapter, the following definitions apply:

(1) “Alcohol” means beer, wine, alcoholic liquors, or any other type of alcoholic beverage that contains any amount of alcohol and is used as a beverage for human consumption.

(2) “Alcohol server” means an individual who sells, serves, transfers, or dispenses alcohol for on-premises consumption at permitted or licensed premises and may include a permittee, licensee, manager, or other employee of a permittee or licensee. “Alcohol server” does not include an individual employed or volunteering on a temporary basis for a one-time special event, such as a banquet, or at an event that has a temporary permit to sell beer, wine, or alcoholic liquors by the drink and does not include an individual transferring alcohol from one location to another as a distributor, wholesaler, or as otherwise lawfully authorized to transfer alcohol from one location to another by this title; and does not include an individual who cannot lawfully serve or deliver alcohol pursuant to Sections 61-4-90(D) and 61-6-2200.

(3) “Alcohol server certificate” means an authorization issued by the department for an individual to be employed or engaged as an alcohol server for on-premises consumption.

(4) “DAODAS” means the South Carolina Department of Alcohol and Other Drug Abuse Services.

(5) “Department” means the South Carolina Department of Revenue.

(6) “Division” means the South Carolina Law Enforcement Division.

(7) “Employee” means a person who is employed by a permittee or a licensee.

(8) “Licensee” means a person issued a license by the department pursuant to Title 61 to sell, serve, transfer, or dispense alcoholic liquors or alcoholic liquor by the drink for on-premises consumption.

(9) “Manager” means an individual employed by a permittee or

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licensee who manages, directs, or controls the sale, service, transfer, or dispensing of alcoholic beverages for on-premises consumption at the permitted or licensed premises.

(10) “Permittee” means a person issued a permit by the department pursuant to Title 61 to sell, serve, transfer, or dispense beer, wine, ale, porter, or other malted beverages for on-premises consumption.

(11) “Program” means an alcohol server training and education course and examination approved by the department with input from DAODAS and the division that is administered by authorized providers.

(12) “Provider” means an individual, partnership, corporation, or other legal entity authorized by the department that offers and administers a program.

Section 61-3-110. (A) An entity may not qualify for the liquor liability mitigation program pursuant to Section 61-2-145(E)(2) unless all employees who are employed as an alcohol server or a manager on permitted or licensed premises obtain, within sixty calendar days of employment, an alcohol server certificate pursuant to the provisions of this chapter. If a permittee or licensee functions or is employed as an alcohol server or manager on the permitted or licensed premises, then the permittee or licensee must also complete training on responsible alcohol server training and obtain an alcohol server certificate pursuant to the provisions of this chapter. An alcohol server shall not consume alcohol or be mentally or physically impaired by alcohol, drugs, or controlled substances while serving alcohol.

(B) Each permittee or licensee shall maintain at all times on its permitted or licensed premises copies of the alcohol server certificates of the permittee or licensee, if applicable, and the alcohol server certificates of each manager and each alcohol server then employed by the permittee or licensee. Copies of the alcohol server certificate must be made available, upon request, to the department, the division, or the agents and employees of each. For the purposes of enforcement of the provisions of this chapter, a permittee or licensee must also make available to the department or the division, when requested, the hire date of an alcohol server.

(C) Failure to produce a copy of an alcohol server certificate when an alcohol server has been employed for sixty calendar days subjects the permittee or licensee to noncompliance with Section 61-2-145(E).

Section 61-3-120. (A)(1) The department, in collaboration with DAODAS and the division, is authorized to approve alcohol server training programs, based on best-evidence practice standards, offered by providers. A program that has not received approval within sixty days

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from submission shall be considered denied. A provider may appeal denial pursuant to Section 61-2-260 and the South Carolina Administrative Procedures Act.

(2) A provider must provide alcohol server training programs to all applicable individuals free of charge.

(B) The curricula of each program must include the following subjects:

(1) state laws and regulations pertaining to:

(a) the sale and service of alcoholic beverages;

(b) the permitting and licensing of sellers of alcoholic beverages;

(c) impaired driving or driving under the influence of alcohol or drugs;

(d) liquor liability issues;

(e) the carrying of concealed weapons by authorized permit holders into businesses selling and serving alcoholic beverages; and

(f) life consequences, such as the loss of education scholarships, to minors relating to the unlawful use, transfer, or sale of alcoholic beverages;

(2) the effect that alcohol has on the body and human behavior including, but not limited to, its effect on an individual's ability to operate a motor vehicle when intoxicated;

(3) information on blood alcohol concentration and factors that change or alter blood alcohol concentration;

(4) the effect that alcohol has on an individual when taken in combination with commonly used prescription or nonprescription drugs or with illegal drugs;

(5) information on recognizing the signs of intoxication and methods for preventing intoxication;

(6) methods of recognizing problem drinkers and techniques for intervening with and refusing to serve problem drinkers;

(7) methods of identifying and refusing to serve or sell alcoholic beverages to individuals under twenty-one years of age and intoxicated individuals;

(8) methods for properly and effectively checking the identification of an individual, for identifying illegal identification, and for handling situations involving individuals who have provided illegal identification;

(9) South Carolina law enforcement information; and

(10) other topics related to alcohol server education and training designated by the department, in collaboration with DAODAS and the

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division, to be included.

(C) The department shall approve only online-designed training programs that meet each of the following criteria:

- (1) a program must cover the content specified in subsection (B);
- (2) the content in a program must clearly identify and focus on the knowledge, skills, and abilities needed to responsibly serve alcoholic beverages and must be developed using best practices in instructional design and exam development to ensure that the program is fair and legally defensible;
- (3) a program shall be offered online;
- (4) online training must be at least four hours, be available in English and Spanish, and include a test;
- (5) online or computer-based training programs must use linear navigation that requires the completion of a module before the course proceeds to the next module, with no content omitted; be interactive; have audio for content; and include a test;
- (6) training and testing must be conducted online. All tests must be monitored by an online proctor. A passing grade for a test, as provided by the program, is required; and
- (7) training certificates are issued by the provider only after training is complete and a test has been passed successfully.

Within ten business days after a training is completed, each provider must give to the department a report of all individuals who have successfully completed the training and testing. The provider must also maintain these records for at least five years following the end of the training program for purposes of verifying certification validity by the department or the division.

(D) The department, in collaboration with DAODAS and the division, may suspend or revoke the authorization of a provider that the department determines has violated the provisions of this chapter. If a provider's authorization is suspended or revoked, then that provider must cease operations in this State immediately and refund any money paid to it by individuals enrolled in that provider's program at the time of the suspension or revocation.

Section 61-3-130. (A) The provider of a program that is authorized by the department must pay a fee, in an amount to be determined by the department, not to exceed five hundred dollars per year, renewable each year. State agency providers are exempt from payment. Each fee shall be deposited into the Responsible Alcohol Server Training Fund to assist with the costs associated with implementation and enforcement of the provisions of this chapter.

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(B) The Responsible Alcohol Server Training Fund is a revolving fund, and no funds deposited therein shall revert to the general fund of the state treasury.

(C) On or before the second Tuesday of each year, the department, with the assistance of the division, must make a report of all income and expenditures made from the Responsible Alcohol Server Training Fund as of December thirty-first of the previous year. A copy of the report shall be given to the Governor, the Speaker of the House of Representatives, and the President of the Senate; posted on the websites of the department and the division; and recorded in the journals of each body of the General Assembly at the beginning of each legislative year.

Section 61-3-140. (A)(1) The department must issue an alcohol server certificate to each applicant who completes an approved program or a recertification program and who provides other information as may be required by the department in an application form that is available on the department's website. A person must apply for an alcohol server certificate within six months of completing a program. The department, if circumstances warrant the issuance of a temporary alcohol server certificate, may issue a temporary alcohol server certificate that is valid for a period of no more than thirty calendar days.

(2) The department, in collaboration with DAODAS and the division, may issue an alcohol server certificate to an individual from outside of the State who applies for an alcohol server certificate if the individual has an alcohol server certificate from a nationally recognized or comparable, state-recognized alcohol server certification program that the department, DAODAS, and the division find meets or exceeds the programs offered in this State.

(B) Alcohol server certificates shall not be issued to graduates of programs that are not approved by the department.

(C) An alcohol server certificate is the property of the individual to whom it is issued and is transferrable among employers.

(D) Alcohol server certificates are valid for a period of five years from the date that the alcohol server certificate was issued. After the five-year period, a new or recertified alcohol server certificate must be obtained pursuant to the provisions of this chapter.

(E) Upon expiration of an alcohol server certificate, the individual to whom the alcohol server certificate was issued may obtain recertification in accordance with regulations promulgated by the department and approved by the General Assembly.

(F) The department must issue and renew alcohol server certificates for all qualifying applicants free of charge.

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(G) An applicant must be deemed to be a qualifying applicant for the purpose of alcohol server certificate issuance and renewal if they have successfully completed all training and testing requirements as found in Section 61-3-120.

Section 61-3-150. As a requirement for application or renewal of a permit or license for on-premises consumption under Chapter 4, Title 61 or Chapter 6, Title 61, a permittee or licensee for on-premises consumption seeking to utilize Section 61-2-145(E) must submit to the department proof that the permittee or licensee, if applicable, and each manager and alcohol server employed by the permittee or licensee during the upcoming or prior permit or license period have or have held valid alcohol server certificates at all times that alcoholic beverages were sold, served, or dispensed.

Section 61-3-160. The division and the department are responsible for enforcement of the provisions of this chapter. The department is responsible for bringing administrative actions for violations of the provisions of this chapter or related regulations, and those actions shall proceed according to the provisions of Section 61-2-260 and the South Carolina Administrative Procedures Act.

SECTION X. Section 61-6-2220 of the S.C. Code is amended to read:

Section 61-6-2220. A person or establishment licensed to sell alcoholic liquors or liquor by the drink pursuant to this article may not knowingly sell these beverages to persons in an intoxicated condition; these sales are considered violations of the provisions thereof and subject to the penalties contained herein.

SECTION X. Section 15-38-15(F) of the S.C. Code is amended to read:

(F) This section does not apply to a defendant whose conduct is determined to be wilful, wanton, reckless, grossly negligent, or intentional ~~or conduct involving the use, sale, or possession of alcohol or the illegal or illicit use, sale, or possession of drugs.~~

SECTION X. Section 56-5-2930 (C) and (H) of the S.C. Code is amended to read:

~~(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine. If the trier of fact determines that the person convicted under the provisions of this section did any act forbidden by law or neglected any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately caused a collision that occurred while the person was driving in violation of this section, the court may impose an additional sentence of a fine of not more than~~



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four hundred dollars or an additional period of imprisonment of not more than thirty days. However, in lieu of the thirty-day imprisonment, the court may provide for forty-eight hours of public service employment. The public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. Notwithstanding the provisions of Sections 23-3-540, 22-3-550, and 14-25-65, this additional sentence may be imposed by the magistrate or municipal court for any offense for which the court would otherwise have jurisdiction.

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services and participate in and complete a DUI victim impact panel operated by an IRS-classified 501(c)(3) nonprofit organization, which may include online victim impact panels. The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy-five dollars. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. The Department of Alcohol and Other Drug Abuse Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed five hundred dollars for education services, two thousand dollars for treatment services, and two thousand five hundred dollars in total for all services. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant has successfully completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress

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has been made on the plan of education or treatment.

SECTION X. Section 56-5-2933 (C) and (H) of the S.C. Code is amended to read:

~~(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine. If the trier of fact determines that the person convicted under the provisions of this section did any act forbidden by law or neglected any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately caused a collision that occurred while the person was driving in violation of this section, the court may impose an additional sentence of a fine of not more than four hundred dollars or an additional period of imprisonment of not more than thirty days. However, in lieu of the thirty-day imprisonment, the court may provide for forty-eight hours of public service employment. The public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. Notwithstanding the provisions of Sections 23-3-540, 22-3-550, and 14-25-65, this additional sentence may be imposed by the magistrate or municipal court for any offense for which the court would otherwise have jurisdiction.~~

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services and participate and complete a DUI victim impact panel operated by an IRS-classified 501(c)(3) nonprofit organization which may include online victim impact panels. The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy-five dollars. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. The Department of Alcohol and Other Drug Abuse Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed five hundred dollars for education services, two thousand dollars for treatment services, and two thousand five hundred dollars in total for all services. An applicant may not be denied services due to an inability to pay. Inability to pay for

services may not be used as a factor in determining if the applicant successfully has completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

SECTION X. Section 56-5-2945 of the S.C. Code is amended to read:

Section 56-5-2945. (A) A person who, while under the influence of alcohol, drugs, or the combination of alcohol and drugs, drives a motor vehicle and when driving a motor vehicle does any act forbidden by law or neglects any duty imposed by law in the driving of the motor vehicle which act or neglect proximately causes moderate bodily injury to another person is guilty of the offense of felony driving under the influence, second degree, and, upon conviction, must be punished by a mandatory fine of not less than twenty-five hundred dollars nor more than five thousand dollars and imprisoned up to ten years.

(B) A person who, while under the influence of alcohol, drugs, or the combination of alcohol and drugs, drives a motor vehicle and when driving a motor vehicle does any act forbidden by law or neglects any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately causes great bodily injury or death to another person, is guilty of the offense of felony driving under the influence, first degree, and, upon conviction, must be punished:

(1) by a mandatory fine of not less than five thousand one hundred dollars nor more than ten thousand one hundred dollars and mandatory imprisonment for not less than thirty days nor more than fifteen years when great bodily injury results;

(2) by a mandatory fine of not less than ten thousand one hundred dollars nor more than twenty-five thousand one hundred dollars and mandatory imprisonment for not less than one year nor more than twenty-five years when death results.

(C) A part of the mandatory sentences required to be imposed by this section must not be suspended, and probation must not be granted for any portion.

~~(B)(D)~~ As used in this section, "great bodily injury" means bodily

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injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ. As used in this section, "moderate bodily injury" means physical injury that involves prolonged loss of consciousness, or that causes temporary or moderate disfigurement or temporary loss of the function of a bodily member or organ, or injury that requires medical treatment when the treatment requires the use of regional or general anesthesia or injury that results in a fracture or dislocation. Moderate bodily injury does not include a one-time treatment and subsequent observation of scratches, cuts, abrasions, bruises, burns, splinters, or any other injuries that do not ordinarily require extensive medical care.

~~(C)(4)(E)~~(1) The Department of Motor Vehicles shall suspend the driver's license of a person who is convicted pursuant to this section. For suspension purposes of this section, convictions arising out of a single incident must run concurrently.

(2) After the person is released from prison, the person shall enroll in the Ignition Interlock Device Program pursuant to Section 56-5-2941, end the suspension, and obtain an ignition interlock restricted license pursuant to Section 56-1-400. The ignition interlock device is required to be affixed to the motor vehicle for:

\_\_\_\_\_ (a) three years when great bodily injury results and five years when a death occurs; or

\_\_\_\_\_ (b) one year when the conviction was for felony driving under the influence, second degree.

~~(D)(F)~~ One hundred dollars of each fine imposed pursuant to this section must be placed by the Comptroller General into a special restricted account to be used by the Department of Public Safety for the Highway Patrol.

SECTION X. Section 56-5-2951(I) of the S.C. Code is amended to read:

(I)(1) Except as provided in item (3), the period of a driver's license, permit, or nonresident operating privilege suspension for, or denial of issuance of a license or permit to, an arrested person who has no previous convictions for violating Section 56-5-2930, 56-5-2933, or 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs within the ten years preceding a violation of this section, and who has had no previous suspension imposed pursuant to Section 56-1-286, 56-5-2951, or 56-5-2990, within the ten years preceding a violation of this section is:

(a) six months for a person who refuses to submit to a test

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pursuant to Section 56-5-2950; or

(b) ~~one month~~three months for a person who takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more.

(2) The period of a driver's license, permit, or nonresident operating privilege suspension for, or denial of issuance of a license or permit to, a person who has been convicted previously for violating Section 56-5-2930, 56-5-2933, or 56-5-2945, or another law of this State or another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or another drug within the ten years preceding a violation of this section, or who has had a previous suspension imposed pursuant to Section 56-1-286, 56-5-2951, or 56-5-2990, within the ten years preceding a violation of this section is:

(a) for a second offense, ~~nine months~~one year if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~two six~~ months if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more;

(b) for a third offense, ~~twelve eighteen~~ months if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~three nine~~ months if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more; and

(c) for a fourth or subsequent offense, ~~fifteen months~~two years if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~four months~~one year if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more.

(3)(a) In lieu of serving the remainder of a suspension or denial of the issuance of a license or permit, a person may enroll in the Ignition Interlock Device Program pursuant to Section 56-5-2941, end the suspension or denial of the issuance of a license or permit, and obtain an ignition interlock restricted license pursuant to Section 56-1-400. The ignition interlock device is required to be affixed to the motor vehicle equal to the length of time remaining on the person's suspension or denial of the issuance of a license or permit. If the length of time remaining is less than three months, the ignition interlock device is required to be affixed to the motor vehicle for three months.

(b) The person must receive credit for the number of days the person maintained an ignition interlock restriction on the temporary alcohol license.

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(c) Once a person has enrolled in the Ignition Interlock Device Program and obtained an ignition interlock restricted license, the person is subject to Section 56-5-2941 and cannot subsequently choose to serve the suspension.

SECTION X. The South Carolina Department of Insurance must publish an annual report summarizing liquor liability insurance rate trends, including the number and amount of premium increases, the reasons cited for the increases, and any regulatory actions taken. The annual report must be sent to the Chairman of the House of Representatives Judiciary Committee and Chairman of the Senate Judiciary Committee by January thirtieth of each year.

Renumber sections to conform.

Amend title to conform.

Rep. T. MOORE explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Duncan	Edgerton	Erickson
Forrest	Frank	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Grant
Guest	Guffey	Haddon
Hager	Harris	Hart
Hartnett	Hartz	Hayes
Henderson-Myers	Herbkersman	Hiott
Hixon	Holman	Hosey

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Huff	J. E. Johnson	J. L. Johnson
Jones	Jordan	Kilmartin
Kirby	Landing	Lawson
Ligon	Lowe	Luck
Magnuson	Martin	May
McCabe	McCravy	McGinnis
Mitchell	Montgomery	T. Moore
Morgan	Neese	B. Newton
Oremus	Pedalino	Rankin
Reese	Rivers	Robbins
Rose	Sanders	Schuessler
Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Teeple	Terrible	Vaughan
Waters	Weeks	Wetmore
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

**Total--106**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**S. 28--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. T. MOORE, with unanimous consent, it was ordered that S. 28 be read the third time tomorrow.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. HOSEY a leave of absence for the remainder of the day.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

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**RECURRENCE TO THE MORNING HOUR**

Rep. T. MOORE moved that the House recur to the morning hour, which was agreed to.

**S. 29--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 29 -- Senators Hutto, Reichenbach, Goldfinch, Leber, Jackson, Alexander, Rice, Fernandez, Campsen, Chaplin, Devine, Adams, Young, Garrett, Elliott, Turner, Ott, Graham, Cromer, Verdin and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO THE DEFINITIONS PERTAINING TO THE DISSEMINATION OF HARMFUL MATERIAL TO MINORS, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE AS AN OFFENSE; BY AMENDING SECTION 16-15-395, RELATING TO THE DEFINITION OF FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-405, RELATING TO THE DEFINITION OF SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN; BY AMENDING SECTION 16-15-410, RELATING TO THE DEFINITION OF THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; BY AMENDING SECTION 23-3-430, RELATING TO SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 29 (LC-29.DG0002H), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 16-15-375, by striking the first undesignated paragraph before the first item and



inserting:

The following definitions apply to Section 16-15-385, disseminating or exhibiting to minors harmful material or performances; Section 16-15-387, employing a person under the age of eighteen years to appear in a state of sexually explicit nudity in a public place; Section 16-15-395, first degree sexual exploitation of a minor; Section 16-15-405, second degree sexual exploitation of a minor; Section 16-15-410, third degree sexual exploitation of a minor; Section 16-15-412, morphed image of an identifiable minor; arrest warrant; Section 16-15-415, promoting prostitution of a minor; and Section 16-15-425, participating in prostitution of a minor.

Amend the bill further, by adding an appropriately numbered SECTION to read:

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

Section 16-15-412. (A) Any warrant for arrest for an alleged crime or offense under Section 16-15-395, first degree sexual exploitation of a minor; Section 16-15-405, second degree sexual exploitation of a minor; or, Section 16-15-410, third degree sexual exploitation of a minor, that concerns a morphed image of an identifiable minor may only be issued upon:

(1) a return of a “true bill” of an indictment by the state grand jury, or

(2) a finding of probable cause following an investigation conducted by the Internet Crimes Against Children Task Force in conjunction with the Attorney General’s office.

(B) If an arrest warrant is issued under subsection (A)(2), the prosecution must be handled by the Attorney General’s office or his designee.

Amend the bill further, by adding appropriately numbered SECTIONS to read:

SECTION X. Section 38-90-20(A) of the S.C. Code is amended to read:

(A) A captive insurance company, when permitted by its articles of incorporation, articles of organization, operating agreement, or charter, may apply to the director for a license to provide any and all insurance, except workers’ compensation insurance written on a direct basis, authorized by this title; including, without limitation, liquor liability insurance; however:

(1) a pure captive insurance company may not insure any risks other than those of its parent, affiliated companies, controlled

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unaffiliated business, risks assumed from a risk pool for the purpose of risk sharing, or a combination of them;

(2) an association captive insurance company may not insure any risks other than those of the member organizations of its association and their affiliated companies;

(3) an industrial insured captive insurance company may not insure any risks other than those of the industrial insureds that comprise the industrial insured group and their affiliated companies;

(4) a special purpose captive insurance company may provide insurance or reinsurance, or both, for risks as approved by the director;

(5) a captive insurance company may not provide personal motor vehicle or homeowner's insurance coverage written on a direct basis;

(6) a captive insurance company may not accept or cede reinsurance except as provided in Section 38-90-110.

(7) a captive insurance company may not issue eroding or declining insurance coverage whereby the occurrence or aggregate limits are reduced by costs or expenses arising from the insurance company's duty to defend a claim.

SECTION X. Section 61-2-60 of the S.C. Code is amended by adding:

(9) regulations governing the development, implementation, education, and enforcement of responsible alcohol server training positions.

SECTION X. Section 61-2-145 of the S.C. Code is amended to read:

Section 61-2-145. (A) In addition to all other requirements, a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement ~~for a total coverage~~with an annual aggregate limit of at least one million dollars during the period of the biennial permit or license, unless the person licensed or permitted to sell alcoholic beverages qualifies under the terms of a liquor liability risk mitigation program pursuant to subsection (E). Failure to maintain this coverage during the period of the biennial permit or license constitutes grounds for suspension or revocation of the permit or license and is sufficient grounds for the department to seek an emergency revocation order as provided in Sections 12-60-1340 and 1-23-370(c). An insurance policy issued pursuant to this section must provide for minimum coverage of at least fifty percent of the total aggregate limit, per occurrence, given rise to the claim.

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(B) The department shall add this requirement to all applications and renewals for biennial permits or licenses to sell alcoholic beverages for on-premises consumption, in which the permittees and licensees remain open and sell alcoholic beverages for on-premises consumption after five o'clock p.m. Each applicant or person renewing its license or permit, to whom this requirement applies, shall provide the department with documentation of a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the required amounts.

(C) Each insurer writing liquor liability insurance policies or general liability insurance policies with a liquor liability endorsement to a person licensed or permitted to sell alcoholic beverages for on-premises consumption, in which the person so licensed or permitted remains open to sell alcoholic beverages for on-premises consumption after five o'clock p.m., must notify the department in a manner prescribed by department regulation of the lapse or termination of the liquor liability insurance policy or the general liability insurance policy with a liquor liability endorsement within thirty days of the lapse or termination.

(D) For the purposes of this section, the term "alcoholic beverages" means beer, wine, alcoholic liquors, and alcoholic liquor by the drink as defined in Chapter 4, Title 61, and Chapter 6, Title 61.

(E) A person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, may qualify for liquor liability risk mitigation. A person qualifies if the person and the entity for which the person obtained the license or permit:

(1) stop serving alcohol by twelve o'clock a.m. A person meeting the requirements of this item may reduce the required annual aggregate limit by one hundred thousand dollars, and an additional one hundred thousand dollars for each hour earlier until six o'clock p.m.;

(2) complete an alcohol server training course pursuant to Title 61, Chapter 3;

(3) have less than forty percent of its total sales deriving from alcohol sales; or

(4) are a nonprofit organization which is exempt from taxation pursuant to Section 501(c) of Title 26 of United States Code, as amended, or the entity is engaging in a single event for which a Beer and Wine Special Event License or Liquor Special Event Permit is obtained.

(5) A person meeting the requirement of item (2) or (3) may reduce the required annual aggregate limit by one hundred thousand

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dollars each. An entity meeting the requirements of item (4) may reduce the annual aggregate limit by five hundred thousand dollars. A person complying with any combination of items (1)-(4) must receive the permitted reduction in the required annual aggregate limit for each item the entity complies with provided a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, must at all times maintain coverage with an annual aggregate limit of at least two hundred fifty thousand dollars during the period of the biennial permit or license.

(6) Insurers must establish liquor liability mitigation measures and offer premium discounts for compliance therewith that reduce the risk to the general public associated with the service of on-premises consumption of alcohol.

(F) For purposes of this section, the calculation of total sales shall include sales of alcohol sold for on-premises consumption and all food and nonalcoholic beverages sold on the premises where the alcohol is sold, including food and nonalcoholic beverages sold by third-party vendors.

SECTION X. Title 61 of the S.C. Code is amended by adding:

#### CHAPTER 3

##### Alcohol Server Training

Section 61-3-100. For the purposes of this chapter, the following definitions apply:

(1) "Alcohol" means beer, wine, alcoholic liquors, or any other type of alcoholic beverage that contains any amount of alcohol and is used as a beverage for human consumption.

(2) "Alcohol server" means an individual who sells, serves, transfers, or dispenses alcohol for on-premises consumption at permitted or licensed premises and may include a permittee, licensee, manager, or other employee of a permittee or licensee. "Alcohol server" does not include an individual employed or volunteering on a temporary basis for a one-time special event, such as a banquet, or at an event that has a temporary permit to sell beer, wine, or alcoholic liquors by the drink and does not include an individual transferring alcohol from one location to another as a distributor, wholesaler, or as otherwise lawfully authorized to transfer alcohol from one location to another by this title; and does not include an individual who cannot lawfully serve or deliver alcohol pursuant to Sections 61-4-90(D) and 61-6-2200.

(3) "Alcohol server certificate" means an authorization issued by the department for an individual to be employed or engaged as an alcohol

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server for on-premises consumption.

(4) "DAODAS" means the South Carolina Department of Alcohol and Other Drug Abuse Services.

(5) "Department" means the South Carolina Department of Revenue.

(6) "Division" means the South Carolina Law Enforcement Division.

(7) "Employee" means a person who is employed by a permittee or a licensee.

(8) "Licensee" means a person issued a license by the department pursuant to Title 61 to sell, serve, transfer, or dispense alcoholic liquors or alcoholic liquor by the drink for on-premises consumption.

(9) "Manager" means an individual employed by a permittee or licensee who manages, directs, or controls the sale, service, transfer, or dispensing of alcoholic beverages for on-premises consumption at the permitted or licensed premises.

(10) "Permittee" means a person issued a permit by the department pursuant to Title 61 to sell, serve, transfer, or dispense beer, wine, ale, porter, or other malted beverages for on-premises consumption.

(11) "Program" means an alcohol server training and education course and examination approved by the department with input from DAODAS and the division that is administered by authorized providers.

(12) "Provider" means an individual, partnership, corporation, or other legal entity authorized by the department that offers and administers a program.

Section 61-3-110. (A) An entity may not qualify for the liquor liability mitigation program pursuant to Section 61-2-145(E)(2) unless all employees who are employed as an alcohol server or a manager on permitted or licensed premises obtain, within sixty calendar days of employment, an alcohol server certificate pursuant to the provisions of this chapter. If a permittee or licensee functions or is employed as an alcohol server or manager on the permitted or licensed premises, then the permittee or licensee must also complete training on responsible alcohol server training and obtain an alcohol server certificate pursuant to the provisions of this chapter. An alcohol server shall not consume alcohol or be mentally or physically impaired by alcohol, drugs, or controlled substances while serving alcohol.

(B) Each permittee or licensee shall maintain at all times on its permitted or licensed premises copies of the alcohol server certificates of the permittee or licensee, if applicable, and the alcohol server certificates of each manager and each alcohol server then employed by

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the permittee or licensee. Copies of the alcohol server certificate must be made available, upon request, to the department, the division, or the agents and employees of each. For the purposes of enforcement of the provisions of this chapter, a permittee or licensee must also make available to the department or the division, when requested, the hire date of an alcohol server.

(C) Failure to produce a copy of an alcohol server certificate when an alcohol server has been employed for sixty calendar days subjects the permittee or licensee to noncompliance with Section 61-2-145(E).

Section 61-3-120. (A)(1) The department, in collaboration with DAODAS and the division, is authorized to approve alcohol server training programs, based on best-evidence practice standards, offered by providers. A program that has not received approval within sixty days from submission shall be considered denied. A provider may appeal denial pursuant to Section 61-2-260 and the South Carolina Administrative Procedures Act.

(2) A provider must provide alcohol server training programs to all applicable individuals free of charge.

(B) The curricula of each program must include the following subjects:

- (1) state laws and regulations pertaining to:
  - (a) the sale and service of alcoholic beverages;
  - (b) the permitting and licensing of sellers of alcoholic beverages;
  - (c) impaired driving or driving under the influence of alcohol or drugs;
  - (d) liquor liability issues;
  - (e) the carrying of concealed weapons by authorized permit holders into businesses selling and serving alcoholic beverages; and
  - (f) life consequences, such as the loss of education scholarships, to minors relating to the unlawful use, transfer, or sale of alcoholic beverages;
- (2) the effect that alcohol has on the body and human behavior including, but not limited to, its effect on an individual's ability to operate a motor vehicle when intoxicated;
- (3) information on blood alcohol concentration and factors that change or alter blood alcohol concentration;
- (4) the effect that alcohol has on an individual when taken in combination with commonly used prescription or nonprescription drugs or with illegal drugs;
- (5) information on recognizing the signs of intoxication and

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methods for preventing intoxication;

(6) methods of recognizing problem drinkers and techniques for intervening with and refusing to serve problem drinkers;

(7) methods of identifying and refusing to serve or sell alcoholic beverages to individuals under twenty-one years of age and intoxicated individuals;

(8) methods for properly and effectively checking the identification of an individual, for identifying illegal identification, and for handling situations involving individuals who have provided illegal identification;

(9) South Carolina law enforcement information; and

(10) other topics related to alcohol server education and training designated by the department, in collaboration with DAODAS and the division, to be included.

(C) The department shall approve only online-designed training programs that meet each of the following criteria:

(1) a program must cover the content specified in subsection (B);

(2) the content in a program must clearly identify and focus on the knowledge, skills, and abilities needed to responsibly serve alcoholic beverages and must be developed using best practices in instructional design and exam development to ensure that the program is fair and legally defensible;

(3) a program shall be offered online;

(4) online training must be at least four hours, be available in English and Spanish, and include a test;

(5) online or computer-based training programs must use linear navigation that requires the completion of a module before the course proceeds to the next module, with no content omitted; be interactive; have audio for content; and include a test;

(6) training and testing must be conducted online. All tests must be monitored by an online proctor. A passing grade for a test, as provided by the program, is required; and

(7) training certificates are issued by the provider only after training is complete and a test has been passed successfully.

Within ten business days after a training is completed, each provider must give to the department a report of all individuals who have successfully completed the training and testing. The provider must also maintain these records for at least five years following the end of the training program for purposes of verifying certification validity by the department or the division.

(D) The department, in collaboration with DAODAS and the

division, may suspend or revoke the authorization of a provider that the department determines has violated the provisions of this chapter. If a provider's authorization is suspended or revoked, then that provider must cease operations in this State immediately and refund any money paid to it by individuals enrolled in that provider's program at the time of the suspension or revocation.

Section 61-3-130. (A) The provider of a program that is authorized by the department must pay a fee, in an amount to be determined by the department, not to exceed five hundred dollars per year, renewable each year. State agency providers are exempt from payment. Each fee shall be deposited into the Responsible Alcohol Server Training Fund to assist with the costs associated with implementation and enforcement of the provisions of this chapter.

(B) The Responsible Alcohol Server Training Fund is a revolving fund, and no funds deposited therein shall revert to the general fund of the state treasury.

(C) On or before the second Tuesday of each year, the department, with the assistance of the division, must make a report of all income and expenditures made from the Responsible Alcohol Server Training Fund as of December thirty-first of the previous year. A copy of the report shall be given to the Governor, the Speaker of the House of Representatives, and the President of the Senate; posted on the websites of the department and the division; and recorded in the journals of each body of the General Assembly at the beginning of each legislative year.

Section 61-3-140. (A)(1) The department must issue an alcohol server certificate to each applicant who completes an approved program or a recertification program and who provides other information as may be required by the department in an application form that is available on the department's website. A person must apply for an alcohol server certificate within six months of completing a program. The department, if circumstances warrant the issuance of a temporary alcohol server certificate, may issue a temporary alcohol server certificate that is valid for a period of no more than thirty calendar days.

(2) The department, in collaboration with DAODAS and the division, may issue an alcohol server certificate to an individual from outside of the State who applies for an alcohol server certificate if the individual has an alcohol server certificate from a nationally recognized or comparable, state-recognized alcohol server certification program that the department, DAODAS, and the division find meets or exceeds the programs offered in this State.

(B) Alcohol server certificates shall not be issued to graduates of



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programs that are not approved by the department.

(C) An alcohol server certificate is the property of the individual to whom it is issued and is transferrable among employers.

(D) Alcohol server certificates are valid for a period of five years from the date that the alcohol server certificate was issued. After the five-year period, a new or recertified alcohol server certificate must be obtained pursuant to the provisions of this chapter.

(E) Upon expiration of an alcohol server certificate, the individual to whom the alcohol server certificate was issued may obtain recertification in accordance with regulations promulgated by the department and approved by the General Assembly.

(F) The department must issue and renew alcohol server certificates for all qualifying applicants free of charge.

(G) An applicant must be deemed to be a qualifying applicant for the purpose of alcohol server certificate issuance and renewal if they have successfully completed all training and testing requirements as found in Section 61-3-120.

Section 61-3-150. As a requirement for application or renewal of a permit or license for on-premises consumption under Chapter 4, Title 61 or Chapter 6, Title 61, a permittee or licensee for on-premises consumption seeking to utilize Section 61-2-145(E) must submit to the department proof that the permittee or licensee, if applicable, and each manager and alcohol server employed by the permittee or licensee during the upcoming or prior permit or license period have or have held valid alcohol server certificates at all times that alcoholic beverages were sold, served, or dispensed.

Section 61-3-160. The division and the department are responsible for enforcement of the provisions of this chapter. The department is responsible for bringing administrative actions for violations of the provisions of this chapter or related regulations, and those actions shall proceed according to the provisions of Section 61-2-260 and the South Carolina Administrative Procedures Act.

SECTION X. Section 61-6-2220 of the S.C. Code is amended to read:

Section 61-6-2220. A person or establishment licensed to sell alcoholic liquors or liquor by the drink pursuant to this article may not knowingly sell these beverages to persons in an intoxicated condition; these sales are considered violations of the provisions thereof and subject to the penalties contained herein.

SECTION X. Section 15-38-15(F) of the S.C. Code is amended to read:

(F) This section does not apply to a defendant whose conduct is

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determined to be wilful, wanton, reckless, grossly negligent, or intentional or conduct involving the use, sale, or possession of alcohol or the illegal or illicit use, sale, or possession of drugs.

SECTION X. Section 56-5-2930 (C) and (H) of the S.C. Code is amended to read:

(C) ~~The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine. If the trier of fact determines that the person convicted under the provisions of this section did any act forbidden by law or neglected any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately caused a collision that occurred while the person was driving in violation of this section, the court may impose an additional sentence of a fine of not more than four hundred dollars or an additional period of imprisonment of not more than thirty days. However, in lieu of the thirty-day imprisonment, the court may provide for forty-eight hours of public service employment. The public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. Notwithstanding the provisions of Sections 23-3-540, 22-3-550, and 14-25-65, this additional sentence may be imposed by the magistrate or municipal court for any offense for which the court would otherwise have jurisdiction.~~

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services and participate in and complete a DUI victim impact panel operated by an IRS-classified 501(c)(3) nonprofit organization, which may include online victim impact panels. The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy-five dollars. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. The Department of Alcohol and Other Drug Abuse Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed five hundred dollars for education services, two thousand dollars for

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treatment services, and two thousand five hundred dollars in total for all services. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant has successfully completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

SECTION X. Section 56-5-2933 (C) and (H) of the S.C. Code is amended to read:

~~(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine. If the trier of fact determines that the person convicted under the provisions of this section did any act forbidden by law or neglected any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately caused a collision that occurred while the person was driving in violation of this section, the court may impose an additional sentence of a fine of not more than four hundred dollars or an additional period of imprisonment of not more than thirty days. However, in lieu of the thirty-day imprisonment, the court may provide for forty-eight hours of public service employment. The public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. Notwithstanding the provisions of Sections 23-3-540, 22-3-550, and 14-25-65, this additional sentence may be imposed by the magistrate or municipal court for any offense for which the court would otherwise have jurisdiction.~~

~~(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services and participate and complete a DUI victim impact panel operated by an IRS-classified 501(c)(3) nonprofit organization which may include online victim impact panels. The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy-five dollars. An assessment of the extent and nature~~

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of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. The Department of Alcohol and Other Drug Abuse Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed five hundred dollars for education services, two thousand dollars for treatment services, and two thousand five hundred dollars in total for all services. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant successfully has completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

SECTION X. Section 56-5-2945 of the S.C. Code is amended to read:

Section 56-5-2945. (A) A person who, while under the influence of alcohol, drugs, or the combination of alcohol and drugs, drives a motor vehicle and when driving a motor vehicle does any act forbidden by law or neglects any duty imposed by law in the driving of the motor vehicle which act or neglect proximately causes moderate bodily injury to another person is guilty of the offense of felony driving under the influence, second degree, and, upon conviction, must be punished by a mandatory fine of not less than twenty-five hundred dollars nor more than five thousand dollars and imprisoned up to ten years.

(B) A person who, while under the influence of alcohol, drugs, or the combination of alcohol and drugs, drives a motor vehicle and when driving a motor vehicle does any act forbidden by law or neglects any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately causes great bodily injury or death to another person, is guilty of the offense of felony driving under the influence, first

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degree, and, upon conviction, must be punished:

(1) by a mandatory fine of not less than five thousand one hundred dollars nor more than ten thousand one hundred dollars and mandatory imprisonment for not less than thirty days nor more than fifteen years when great bodily injury results;

(2) by a mandatory fine of not less than ten thousand one hundred dollars nor more than twenty-five thousand one hundred dollars and mandatory imprisonment for not less than one year nor more than twenty-five years when death results.

(C) A part of the mandatory sentences required to be imposed by this section must not be suspended, and probation must not be granted for any portion.

~~(B)~~(D) As used in this section, "great bodily injury" means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ. As used in this section, "moderate bodily injury" means physical injury that involves prolonged loss of consciousness, or that causes temporary or moderate disfigurement or temporary loss of the function of a bodily member or organ, or injury that requires medical treatment when the treatment requires the use of regional or general anesthesia or injury that results in a fracture or dislocation. Moderate bodily injury does not include a one-time treatment and subsequent observation of scratches, cuts, abrasions, bruises, burns, splinters, or any other injuries that do not ordinarily require extensive medical care.

~~(C)(1)~~(E)(1) The Department of Motor Vehicles shall suspend the driver's license of a person who is convicted pursuant to this section. For suspension purposes of this section, convictions arising out of a single incident must run concurrently.

(2) After the person is released from prison, the person shall enroll in the Ignition Interlock Device Program pursuant to Section 56-5-2941, end the suspension, and obtain an ignition interlock restricted license pursuant to Section 56-1-400. The ignition interlock device is required to be affixed to the motor vehicle for:

\_\_\_\_\_ (a) three years when great bodily injury results and five years when a death occurs; or

\_\_\_\_\_ (b) one year when the conviction was for felony driving under the influence, second degree.

~~(D)~~(F) One hundred dollars of each fine imposed pursuant to this section must be placed by the Comptroller General into a special restricted account to be used by the Department of Public Safety for the

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Highway Patrol.

SECTION X. Section 56-5-2951(I) of the S.C. Code is amended to read:

(I)(1) Except as provided in item (3), the period of a driver's license, permit, or nonresident operating privilege suspension for, or denial of issuance of a license or permit to, an arrested person who has no previous convictions for violating Section 56-5-2930, 56-5-2933, or 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs within the ten years preceding a violation of this section, and who has had no previous suspension imposed pursuant to Section 56-1-286, 56-5-2951, or 56-5-2990, within the ten years preceding a violation of this section is:

(a) six months for a person who refuses to submit to a test pursuant to Section 56-5-2950; or

(b) ~~one month~~three months for a person who takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more.

(2) The period of a driver's license, permit, or nonresident operating privilege suspension for, or denial of issuance of a license or permit to, a person who has been convicted previously for violating Section 56-5-2930, 56-5-2933, or 56-5-2945, or another law of this State or another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or another drug within the ten years preceding a violation of this section, or who has had a previous suspension imposed pursuant to Section 56-1-286, 56-5-2951, or 56-5-2990, within the ten years preceding a violation of this section is:

(a) for a second offense, ~~nine months~~one year if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~two six~~ months if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more;

(b) for a third offense, ~~twelve eighteen~~ months if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~three nine~~ months if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more; and

(c) for a fourth or subsequent offense, ~~fifteen months~~two years if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~four months~~one year if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more.

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(3)(a) In lieu of serving the remainder of a suspension or denial of the issuance of a license or permit, a person may enroll in the Ignition Interlock Device Program pursuant to Section 56-5-2941, end the suspension or denial of the issuance of a license or permit, and obtain an ignition interlock restricted license pursuant to Section 56-1-400. The ignition interlock device is required to be affixed to the motor vehicle equal to the length of time remaining on the person's suspension or denial of the issuance of a license or permit. If the length of time remaining is less than three months, the ignition interlock device is required to be affixed to the motor vehicle for three months.

(b) The person must receive credit for the number of days the person maintained an ignition interlock restriction on the temporary alcohol license.

(c) Once a person has enrolled in the Ignition Interlock Device Program and obtained an ignition interlock restricted license, the person is subject to Section 56-5-2941 and cannot subsequently choose to serve the suspension.

SECTION X. The South Carolina Department of Insurance must publish an annual report summarizing liquor liability insurance rate trends, including the number and amount of premium increases, the reasons cited for the increases, and any regulatory actions taken. The annual report must be sent to the Chairman of the House of Representatives Judiciary Committee and Chairman of the Senate Judiciary Committee by January thirtieth of each year.

Renumber sections to conform.

Amend title to conform.

Rep. T. MOORE explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Bowers	Bradley	Brewer
Brittain	Burns	Bustos

[HJ]

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Calhoon	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Duncan	Edgerton	Erickson
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Govan	Grant
Guest	Guffey	Haddon
Hager	Harris	Hart
Hartnett	Hartz	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hixon	Holman	Huff
J. E. Johnson	J. L. Johnson	Jones
Jordan	Kilmartin	Kirby
Landing	Lawson	Ligon
Long	Lowe	Luck
Magnuson	Martin	May
McCabe	McCravy	McGinnis
Mitchell	Montgomery	T. Moore
Morgan	Neese	B. Newton
W. Newton	Oremus	Pace
Pedalino	Rankin	Reese
Rivers	Robbins	Rose
Rutherford	Sanders	Schuessler
Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Teeple	Terrible	Vaughan
Waters	Weeks	Wetmore
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

**Total--109**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

[HJ]



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**S. 29--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. T. MOORE, with unanimous consent, it was ordered that S. 29 be read the third time tomorrow.

**S. 136--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 136 -- Senators Tedder, Leber, Kimbrell and Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS, SO AS TO PROVIDE THE STATE MUST DISMISS CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THE ENACTMENT OF THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, AND TO PROVIDE THE DISMISSAL OF THESE CHARGES DOES NOT MANDATE THE DISMISSAL OF OTHER RELATED CHARGES OR MAY SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 136 (LC-136.DG0001H), which was adopted:

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

SECTION X. Section 38-90-20(A) of the S.C. Code is amended to read:

(A) A captive insurance company, when permitted by its articles of incorporation, articles of organization, operating agreement, or charter, may apply to the director for a license to provide any and all insurance, except workers' compensation insurance written on a direct basis, authorized by this title; including, without limitation, liquor liability insurance; however:

(1) a pure captive insurance company may not insure any risks other than those of its parent, affiliated companies, controlled unaffiliated business, risks assumed from a risk pool for the purpose of risk sharing, or a combination of them;

(2) an association captive insurance company may not insure any risks other than those of the member organizations of its association and their affiliated companies;

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(3) an industrial insured captive insurance company may not insure any risks other than those of the industrial insureds that comprise the industrial insured group and their affiliated companies;

(4) a special purpose captive insurance company may provide insurance or reinsurance, or both, for risks as approved by the director;

(5) a captive insurance company may not provide personal motor vehicle or homeowner's insurance coverage written on a direct basis;

(6) a captive insurance company may not accept or cede reinsurance except as provided in Section 38-90-110.

(7) a captive insurance company may not issue eroding or declining insurance coverage whereby the occurrence or aggregate limits are reduced by costs or expenses arising from the insurance company's duty to defend a claim.

SECTION X. Section 61-2-60 of the S.C. Code is amended by adding:

(9) regulations governing the development, implementation, education, and enforcement of responsible alcohol server training positions.

SECTION X. Section 61-2-145 of the S.C. Code is amended to read:

Section 61-2-145. (A) In addition to all other requirements, a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement ~~for a total coverage~~with an annual aggregate limit of at least one million dollars during the period of the biennial permit or license, unless the person licensed or permitted to sell alcoholic beverages qualifies under the terms of a liquor liability risk mitigation program pursuant to subsection (E). Failure to maintain this coverage during the period of the biennial permit or license constitutes grounds for suspension or revocation of the permit or license and is sufficient grounds for the department to seek an emergency revocation order as provided in Sections 12-60-1340 and 1-23-370(c). An insurance policy issued pursuant to this section must provide for minimum coverage of at least fifty percent of the total aggregate limit, per occurrence, given rise to the claim.

(B) The department shall add this requirement to all applications and renewals for biennial permits or licenses to sell alcoholic beverages for on-premises consumption, in which the permittees and licensees remain open and sell alcoholic beverages for on-premises consumption after five o'clock p.m. Each applicant or person renewing its license or

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permit, to whom this requirement applies, shall provide the department with documentation of a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the required amounts.

(C) Each insurer writing liquor liability insurance policies or general liability insurance policies with a liquor liability endorsement to a person licensed or permitted to sell alcoholic beverages for on-premises consumption, in which the person so licensed or permitted remains open to sell alcoholic beverages for on-premises consumption after five o'clock p.m., must notify the department in a manner prescribed by department regulation of the lapse or termination of the liquor liability insurance policy or the general liability insurance policy with a liquor liability endorsement within thirty days of the lapse or termination.

(D) For the purposes of this section, the term "alcoholic beverages" means beer, wine, alcoholic liquors, and alcoholic liquor by the drink as defined in Chapter 4, Title 61, and Chapter 6, Title 61.

(E) A person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, may qualify for liquor liability risk mitigation. A person qualifies if the person and the entity for which the person obtained the license or permit:

(1) stop serving alcohol by twelve o'clock a.m. A person meeting the requirements of this item may reduce the required annual aggregate limit by one hundred thousand dollars, and an additional one hundred thousand dollars for each hour earlier until six o'clock p.m.;

(2) complete an alcohol server training course pursuant to Title 61, Chapter 3;

(3) have less than forty percent of its total sales deriving from alcohol sales; or

(4) are a nonprofit organization which is exempt from taxation pursuant to Section 501(c) of Title 26 of United States Code, as amended, or the entity is engaging in a single event for which a Beer and Wine Special Event License or Liquor Special Event Permit is obtained.

(5) A person meeting the requirement of item (2) or (3) may reduce the required annual aggregate limit by one hundred thousand dollars each. An entity meeting the requirements of item (4) may reduce the annual aggregate limit by five hundred thousand dollars. A person complying with any combination of items (1)-(4) must receive the permitted reduction in the required annual aggregate limit for each item the entity complies with provided a person licensed or permitted to sell

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alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, must at all times maintain coverage with an annual aggregate limit of at least two hundred fifty thousand dollars during the period of the biennial permit or license.

(6) Insurers must establish liquor liability mitigation measures and offer premium discounts for compliance therewith that reduce the risk to the general public associated with the service of on-premises consumption of alcohol.

(F) For purposes of this section, the calculation of total sales shall include sales of alcohol sold for on-premises consumption and all food and nonalcoholic beverages sold on the premises where the alcohol is sold, including food and nonalcoholic beverages sold by third-party vendors.

SECTION X. Title 61 of the S.C. Code is amended by adding:

#### CHAPTER 3

#### Alcohol Server Training

Section 61-3-100. For the purposes of this chapter, the following definitions apply:

(1) "Alcohol" means beer, wine, alcoholic liquors, or any other type of alcoholic beverage that contains any amount of alcohol and is used as a beverage for human consumption.

(2) "Alcohol server" means an individual who sells, serves, transfers, or dispenses alcohol for on-premises consumption at permitted or licensed premises and may include a permittee, licensee, manager, or other employee of a permittee or licensee. "Alcohol server" does not include an individual employed or volunteering on a temporary basis for a one-time special event, such as a banquet, or at an event that has a temporary permit to sell beer, wine, or alcoholic liquors by the drink and does not include an individual transferring alcohol from one location to another as a distributor, wholesaler, or as otherwise lawfully authorized to transfer alcohol from one location to another by this title; and does not include an individual who cannot lawfully serve or deliver alcohol pursuant to Sections 61-4-90(D) and 61-6-2200.

(3) "Alcohol server certificate" means an authorization issued by the department for an individual to be employed or engaged as an alcohol server for on-premises consumption.

(4) "DAODAS" means the South Carolina Department of Alcohol and Other Drug Abuse Services.

(5) "Department" means the South Carolina Department of Revenue.

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(6) “Division” means the South Carolina Law Enforcement Division.

(7) “Employee” means a person who is employed by a permittee or a licensee.

(8) “Licensee” means a person issued a license by the department pursuant to Title 61 to sell, serve, transfer, or dispense alcoholic liquors or alcoholic liquor by the drink for on-premises consumption.

(9) “Manager” means an individual employed by a permittee or licensee who manages, directs, or controls the sale, service, transfer, or dispensing of alcoholic beverages for on-premises consumption at the permitted or licensed premises.

(10) “Permittee” means a person issued a permit by the department pursuant to Title 61 to sell, serve, transfer, or dispense beer, wine, ale, porter, or other malted beverages for on-premises consumption.

(11) “Program” means an alcohol server training and education course and examination approved by the department with input from DAODAS and the division that is administered by authorized providers.

(12) “Provider” means an individual, partnership, corporation, or other legal entity authorized by the department that offers and administers a program.

Section 61-3-110. (A) An entity may not qualify for the liquor liability mitigation program pursuant to Section 61-2-145(E)(2) unless all employees who are employed as an alcohol server or a manager on permitted or licensed premises obtain, within sixty calendar days of employment, an alcohol server certificate pursuant to the provisions of this chapter. If a permittee or licensee functions or is employed as an alcohol server or manager on the permitted or licensed premises, then the permittee or licensee must also complete training on responsible alcohol server training and obtain an alcohol server certificate pursuant to the provisions of this chapter. An alcohol server shall not consume alcohol or be mentally or physically impaired by alcohol, drugs, or controlled substances while serving alcohol.

(B) Each permittee or licensee shall maintain at all times on its permitted or licensed premises copies of the alcohol server certificates of the permittee or licensee, if applicable, and the alcohol server certificates of each manager and each alcohol server then employed by the permittee or licensee. Copies of the alcohol server certificate must be made available, upon request, to the department, the division, or the agents and employees of each. For the purposes of enforcement of the provisions of this chapter, a permittee or licensee must also make available to the department or the division, when requested, the hire date

of an alcohol server.

(C) Failure to produce a copy of an alcohol server certificate when an alcohol server has been employed for sixty calendar days subjects the permittee or licensee to noncompliance with Section 61-2-145(E).

Section 61-3-120. (A)(1) The department, in collaboration with DAODAS and the division, is authorized to approve alcohol server training programs, based on best-evidence practice standards, offered by providers. A program that has not received approval within sixty days from submission shall be considered denied. A provider may appeal denial pursuant to Section 61-2-260 and the South Carolina Administrative Procedures Act.

(2) A provider must provide alcohol server training programs to all applicable individuals free of charge.

(B) The curricula of each program must include the following subjects:

(1) state laws and regulations pertaining to:

(a) the sale and service of alcoholic beverages;

(b) the permitting and licensing of sellers of alcoholic beverages;

(c) impaired driving or driving under the influence of alcohol or drugs;

(d) liquor liability issues;

(e) the carrying of concealed weapons by authorized permit holders into businesses selling and serving alcoholic beverages; and

(f) life consequences, such as the loss of education scholarships, to minors relating to the unlawful use, transfer, or sale of alcoholic beverages;

(2) the effect that alcohol has on the body and human behavior including, but not limited to, its effect on an individual's ability to operate a motor vehicle when intoxicated;

(3) information on blood alcohol concentration and factors that change or alter blood alcohol concentration;

(4) the effect that alcohol has on an individual when taken in combination with commonly used prescription or nonprescription drugs or with illegal drugs;

(5) information on recognizing the signs of intoxication and methods for preventing intoxication;

(6) methods of recognizing problem drinkers and techniques for intervening with and refusing to serve problem drinkers;

(7) methods of identifying and refusing to serve or sell alcoholic beverages to individuals under twenty-one years of age and intoxicated

individuals;

(8) methods for properly and effectively checking the identification of an individual, for identifying illegal identification, and for handling situations involving individuals who have provided illegal identification;

(9) South Carolina law enforcement information; and

(10) other topics related to alcohol server education and training designated by the department, in collaboration with DAODAS and the division, to be included.

(C) The department shall approve only online-designed training programs that meet each of the following criteria:

(1) a program must cover the content specified in subsection (B);

(2) the content in a program must clearly identify and focus on the knowledge, skills, and abilities needed to responsibly serve alcoholic beverages and must be developed using best practices in instructional design and exam development to ensure that the program is fair and legally defensible;

(3) a program shall be offered online;

(4) online training must be at least four hours, be available in English and Spanish, and include a test;

(5) online or computer-based training programs must use linear navigation that requires the completion of a module before the course proceeds to the next module, with no content omitted; be interactive; have audio for content; and include a test;

(6) training and testing must be conducted online. All tests must be monitored by an online proctor. A passing grade for a test, as provided by the program, is required; and

(7) training certificates are issued by the provider only after training is complete and a test has been passed successfully.

Within ten business days after a training is completed, each provider must give to the department a report of all individuals who have successfully completed the training and testing. The provider must also maintain these records for at least five years following the end of the training program for purposes of verifying certification validity by the department or the division.

(D) The department, in collaboration with DAODAS and the division, may suspend or revoke the authorization of a provider that the department determines has violated the provisions of this chapter. If a provider's authorization is suspended or revoked, then that provider must cease operations in this State immediately and refund any money paid to it by individuals enrolled in that provider's program at the time

of the suspension or revocation.

Section 61-3-130. (A) The provider of a program that is authorized by the department must pay a fee, in an amount to be determined by the department, not to exceed five hundred dollars per year, renewable each year. State agency providers are exempt from payment. Each fee shall be deposited into the Responsible Alcohol Server Training Fund to assist with the costs associated with implementation and enforcement of the provisions of this chapter.

(B) The Responsible Alcohol Server Training Fund is a revolving fund, and no funds deposited therein shall revert to the general fund of the state treasury.

(C) On or before the second Tuesday of each year, the department, with the assistance of the division, must make a report of all income and expenditures made from the Responsible Alcohol Server Training Fund as of December thirty-first of the previous year. A copy of the report shall be given to the Governor, the Speaker of the House of Representatives, and the President of the Senate; posted on the websites of the department and the division; and recorded in the journals of each body of the General Assembly at the beginning of each legislative year.

Section 61-3-140. (A)(1) The department must issue an alcohol server certificate to each applicant who completes an approved program or a recertification program and who provides other information as may be required by the department in an application form that is available on the department's website. A person must apply for an alcohol server certificate within six months of completing a program. The department, if circumstances warrant the issuance of a temporary alcohol server certificate, may issue a temporary alcohol server certificate that is valid for a period of no more than thirty calendar days.

(2) The department, in collaboration with DAODAS and the division, may issue an alcohol server certificate to an individual from outside of the State who applies for an alcohol server certificate if the individual has an alcohol server certificate from a nationally recognized or comparable, state-recognized alcohol server certification program that the department, DAODAS, and the division find meets or exceeds the programs offered in this State.

(B) Alcohol server certificates shall not be issued to graduates of programs that are not approved by the department.

(C) An alcohol server certificate is the property of the individual to whom it is issued and is transferrable among employers.

(D) Alcohol server certificates are valid for a period of five years from the date that the alcohol server certificate was issued. After the



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five-year period, a new or recertified alcohol server certificate must be obtained pursuant to the provisions of this chapter.

(E) Upon expiration of an alcohol server certificate, the individual to whom the alcohol server certificate was issued may obtain recertification in accordance with regulations promulgated by the department and approved by the General Assembly.

(F) The department must issue and renew alcohol server certificates for all qualifying applicants free of charge.

(G) An applicant must be deemed to be a qualifying applicant for the purpose of alcohol server certificate issuance and renewal if they have successfully completed all training and testing requirements as found in Section 61-3-120.

Section 61-3-150. As a requirement for application or renewal of a permit or license for on-premises consumption under Chapter 4, Title 61 or Chapter 6, Title 61, a permittee or licensee for on-premises consumption seeking to utilize Section 61-2-145(E) must submit to the department proof that the permittee or licensee, if applicable, and each manager and alcohol server employed by the permittee or licensee during the upcoming or prior permit or license period have or have held valid alcohol server certificates at all times that alcoholic beverages were sold, served, or dispensed.

Section 61-3-160. The division and the department are responsible for enforcement of the provisions of this chapter. The department is responsible for bringing administrative actions for violations of the provisions of this chapter or related regulations, and those actions shall proceed according to the provisions of Section 61-2-260 and the South Carolina Administrative Procedures Act.

SECTION X. Section 61-6-2220 of the S.C. Code is amended to read:

Section 61-6-2220. A person or establishment licensed to sell alcoholic liquors or liquor by the drink pursuant to this article may not knowingly sell these beverages to persons in an intoxicated condition; these sales are considered violations of the provisions thereof and subject to the penalties contained herein.

SECTION X. Section 15-38-15(F) of the S.C. Code is amended to read:

(F) This section does not apply to a defendant whose conduct is determined to be wilful, wanton, reckless, grossly negligent, or intentional ~~or conduct involving the use, sale, or possession of alcohol~~ or the illegal or illicit use, sale, or possession of drugs.

SECTION X. Section 56-5-2930 (C) and (H) of the S.C. Code is amended to read:

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(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine. If the trier of fact determines that the person convicted under the provisions of this section did any act forbidden by law or neglected any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately caused a collision that occurred while the person was driving in violation of this section, the court may impose an additional sentence of a fine of not more than four hundred dollars or an additional period of imprisonment of not more than thirty days. However, in lieu of the thirty-day imprisonment, the court may provide for forty-eight hours of public service employment. The public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. Notwithstanding the provisions of Sections 23-3-540, 22-3-550, and 14-25-65, this additional sentence may be imposed by the magistrate or municipal court for any offense for which the court would otherwise have jurisdiction.

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services and participate in and complete a DUI victim impact panel operated by an IRS-classified 501(c)(3) nonprofit organization, which may include online victim impact panels. The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy-five dollars. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available after the date of enrollment. The Department of Alcohol and Other Drug Abuse Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed five hundred dollars for education services, two thousand dollars for treatment services, and two thousand five hundred dollars in total for all services. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant has successfully completed services. An applicant who is unable to pay for services shall perform fifty hours of

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community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

SECTION X. Section 56-5-2933 (C) and (H) of the S.C. Code is amended to read:

~~(C) The fine for a first offense must not be suspended. The court is prohibited from suspending a monetary fine below that of the next preceding minimum monetary fine. If the trier of fact determines that the person convicted under the provisions of this section did any act forbidden by law or neglected any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately caused a collision that occurred while the person was driving in violation of this section, the court may impose an additional sentence of a fine of not more than four hundred dollars or an additional period of imprisonment of not more than thirty days. However, in lieu of the thirty-day imprisonment, the court may provide for forty-eight hours of public service employment. The public service employment must be served at a time when the person is not working and does not interfere with his regular employment under terms and conditions the court considers proper. Notwithstanding the provisions of Sections 23-3-540, 22-3-550, and 14-25-65, this additional sentence may be imposed by the magistrate or municipal court for any offense for which the court would otherwise have jurisdiction.~~

(H) A person convicted of violating this section, whether for a first offense or subsequent offense, must enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services and participate and complete a DUI victim impact panel operated by an IRS-classified 501(c)(3) nonprofit organization which may include online victim impact panels. The maximum fee for enrollment in the DUI victim impact panel shall not exceed seventy-five dollars. An assessment of the extent and nature of the alcohol and drug abuse problem of the applicant must be prepared and a plan of education or treatment, or both, must be developed for the applicant. The Alcohol and Drug Safety Action Program shall determine if the applicant successfully has completed the services. The applicant must attend the first Alcohol and Drug Safety Action Program available

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after the date of enrollment. The Department of Alcohol and Other Drug Abuse Services shall determine the cost of services provided by each certified Alcohol and Drug Safety Action Program. Each applicant shall bear the cost of services recommended in the applicant's plan of education or treatment. The cost may not exceed five hundred dollars for education services, two thousand dollars for treatment services, and two thousand five hundred dollars in total for all services. An applicant may not be denied services due to an inability to pay. Inability to pay for services may not be used as a factor in determining if the applicant successfully has completed services. An applicant who is unable to pay for services shall perform fifty hours of community service as arranged by the Alcohol and Drug Safety Action Program, which may use the completion of this community service as a factor in determining if the applicant successfully has completed services. The court must be notified whether an offender failed to enroll in a certified program within thirty days or failed to participate in the plan of education or treatment. The court may hold the individual in contempt of court if the individual cannot show cause as to why no enrollment occurred within the mandated thirty days or why no progress has been made on the plan of education or treatment.

SECTION X. Section 56-5-2945 of the S.C. Code is amended to read:

Section 56-5-2945. (A) A person who, while under the influence of alcohol, drugs, or the combination of alcohol and drugs, drives a motor vehicle and when driving a motor vehicle does any act forbidden by law or neglects any duty imposed by law in the driving of the motor vehicle which act or neglect proximately causes moderate bodily injury to another person is guilty of the offense of felony driving under the influence, second degree, and, upon conviction, must be punished by a mandatory fine of not less than twenty-five hundred dollars nor more than five thousand dollars and imprisoned up to ten years.

(B) A person who, while under the influence of alcohol, drugs, or the combination of alcohol and drugs, drives a motor vehicle and when driving a motor vehicle does any act forbidden by law or neglects any duty imposed by law in the driving of the motor vehicle, which act or neglect proximately causes great bodily injury or death to another person, is guilty of the offense of felony driving under the influence, first degree, and, upon conviction, must be punished:

(1) by a mandatory fine of not less than five thousand one hundred dollars nor more than ten thousand one hundred dollars and mandatory imprisonment for not less than thirty days nor more than fifteen years when great bodily injury results;

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(2) by a mandatory fine of not less than ten thousand one hundred dollars nor more than twenty-five thousand one hundred dollars and mandatory imprisonment for not less than one year nor more than twenty-five years when death results.

~~(C)~~ A part of the mandatory sentences required to be imposed by this section must not be suspended, and probation must not be granted for any portion.

~~(B)~~(D) As used in this section, "great bodily injury" means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ. As used in this section, "moderate bodily injury" means physical injury that involves prolonged loss of consciousness, or that causes temporary or moderate disfigurement or temporary loss of the function of a bodily member or organ, or injury that requires medical treatment when the treatment requires the use of regional or general anesthesia or injury that results in a fracture or dislocation. Moderate bodily injury does not include a one-time treatment and subsequent observation of scratches, cuts, abrasions, bruises, burns, splinters, or any other injuries that do not ordinarily require extensive medical care.

~~(C)~~(1)~~(E)~~(1) The Department of Motor Vehicles shall suspend the driver's license of a person who is convicted pursuant to this section. For suspension purposes of this section, convictions arising out of a single incident must run concurrently.

(2) After the person is released from prison, the person shall enroll in the Ignition Interlock Device Program pursuant to Section 56-5-2941, end the suspension, and obtain an ignition interlock restricted license pursuant to Section 56-1-400. The ignition interlock device is required to be affixed to the motor vehicle for:

(a) three years when great bodily injury results and five years when a death occurs; or

(b) one year when the conviction was for felony driving under the influence, second degree.

~~(D)~~(F) One hundred dollars of each fine imposed pursuant to this section must be placed by the Comptroller General into a special restricted account to be used by the Department of Public Safety for the Highway Patrol.

SECTION X. Section 56-5-2951(I) of the S.C. Code is amended to read:

(I)(1) Except as provided in item (3), the period of a driver's license, permit, or nonresident operating privilege suspension for, or denial of

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issuance of a license or permit to, an arrested person who has no previous convictions for violating Section 56-5-2930, 56-5-2933, or 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs within the ten years preceding a violation of this section, and who has had no previous suspension imposed pursuant to Section 56-1-286, 56-5-2951, or 56-5-2990, within the ten years preceding a violation of this section is:

(a) six months for a person who refuses to submit to a test pursuant to Section 56-5-2950; or

(b) ~~one month~~three months for a person who takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more.

(2) The period of a driver's license, permit, or nonresident operating privilege suspension for, or denial of issuance of a license or permit to, a person who has been convicted previously for violating Section 56-5-2930, 56-5-2933, or 56-5-2945, or another law of this State or another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or another drug within the ten years preceding a violation of this section, or who has had a previous suspension imposed pursuant to Section 56-1-286, 56-5-2951, or 56-5-2990, within the ten years preceding a violation of this section is:

(a) for a second offense, ~~nine months~~one year if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~two-six~~ months if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more;

(b) for a third offense, ~~twelve-eighteen~~ months if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~three-nine~~ months if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more; and

(c) for a fourth or subsequent offense, ~~fifteen months~~two years if the person refuses to submit to a test pursuant to Section 56-5-2950, or ~~four months~~one year if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more.

(3)(a) In lieu of serving the remainder of a suspension or denial of the issuance of a license or permit, a person may enroll in the Ignition Interlock Device Program pursuant to Section 56-5-2941, end the suspension or denial of the issuance of a license or permit, and obtain an ignition interlock restricted license pursuant to Section 56-1-400. The

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ignition interlock device is required to be affixed to the motor vehicle equal to the length of time remaining on the person's suspension or denial of the issuance of a license or permit. If the length of time remaining is less than three months, the ignition interlock device is required to be affixed to the motor vehicle for three months.

(b) The person must receive credit for the number of days the person maintained an ignition interlock restriction on the temporary alcohol license.

(c) Once a person has enrolled in the Ignition Interlock Device Program and obtained an ignition interlock restricted license, the person is subject to Section 56-5-2941 and cannot subsequently choose to serve the suspension.

SECTION X. The South Carolina Department of Insurance must publish an annual report summarizing liquor liability insurance rate trends, including the number and amount of premium increases, the reasons cited for the increases, and any regulatory actions taken. The annual report must be sent to the Chairman of the House of Representatives Judiciary Committee and Chairman of the Senate Judiciary Committee by January thirtieth of each year.

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

Renumber sections to conform.

Amend title to conform.

Rep. BRITTAIN explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 5

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Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	B. J. Cox
B. L. Cox	Crawford	Cromer
Davis	Duncan	Edgerton
Erickson	Forrest	Frank
Gagnon	Garvin	Gatch
Gilliard	Govan	Grant
Guest	Guffey	Haddon
Hager	Harris	Hart
Hartnett	Hartz	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hixon	Holman	Huff
J. E. Johnson	J. L. Johnson	Jones
Jordan	Kilmartin	Kirby
Landing	Lawson	Ligon
Long	Lowe	Luck
Magnuson	Martin	May
McCabe	McGinnis	Mitchell
Montgomery	T. Moore	Morgan
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Sessions
M. M. Smith	Spann-Wilder	Stavrinakis
Taylor	Teeple	Terrible
Vaughan	Waters	Weeks
Wetmore	White	Whitmire
Wickensimer	Williams	Willis
Wooten	Yow	

**Total--107**



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Those who voted in the negative are:

Gibson	Gilliam	Hiott
McCravy	G. M. Smith	

**Total--5**

So, the Bill, as amended, was read the second time and ordered to third reading.

**S. 136--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. B. NEWTON, with unanimous consent, it was ordered that S. 136 be read the third time tomorrow.

**S. 287--POINT OF ORDER**

The following Bill was taken up:

S. 287 -- Senators Alexander, Hutto, Grooms, Verdin, Davis, Turner, Gambrell, Hembree, Cromer, Kimbrell, Elliott, Zell, Ott, Garrett, Graham and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-65 SO AS TO PROVIDE REGULATIONS FOR THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION; AND TO PROVIDE A TIMELINE FOR THE REQUIRED DEALER CERTIFICATION, DIRECTORY PUBLICATION, AND EFFECTIVE DATE OF CERTAIN PROVISIONS.

**POINT OF ORDER**

Rep. B. NEWTON made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

**S. 307--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 307 -- Senators Climer, Kimbrell, Williams and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 36 TO TITLE 56 SO AS TO PROVIDE GUIDELINES FOR A PEER-TO-PEER CAR SHARING PROGRAM,

[HJ]

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TO OUTLINE INSURANCE AND LIABILITY PROCEDURES, AND  
TO PROVIDE DEFINITIONS.

Rep. M. M. SMITH explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	B. J. Cox
B. L. Cox	Crawford	Cromer
Davis	Duncan	Edgerton
Erickson	Forrest	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Govan
Grant	Guest	Haddon
Hager	Harris	Hart
Hartnett	Hartz	Hayes
Henderson-Myers	Herbkersman	Hiott
Hixon	Holman	Huff
J. E. Johnson	J. L. Johnson	Jones
Jordan	Kilmartin	Kirby
Landing	Lawson	Ligon
Long	Lowe	Luck
Magnuson	Martin	May
McCabe	McCravy	McGinnis
Mitchell	Montgomery	T. Moore
Morgan	Neese	B. Newton
W. Newton	Oremus	Pedalino
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teeple

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Terribile	Vaughan	Waters
Weeks	Wetmore	White
Whitmire	Wickensimer	Williams
Willis	Wooten	Yow

**Total--108**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**STATEMENT FOR JOURNAL**

I was temporarily out of the Chamber on constituent business during the vote on S. 307. If I had been present, I would have voted in favor of the Bill.

Rep. Brandon Guffey

**S. 307--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. M. M. SMITH, with unanimous consent, it was ordered that S. 307 be read the third time tomorrow.

**S. 176--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 176 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS, SO AS TO CORRECT A CROSS REFERENCE IN THE DEFINITIONS OF "ATTEST," "PRACTICE OF ACCOUNTING," AND "SUBSTANTIAL EQUIVALENCY"; BY AMENDING SECTION 40-2-30, RELATING TO LICENSING OR REGISTRATION REQUIREMENTS AND FORMS FOR ISSUANCE OF A REPORT BY A PERSON OTHER THAN CPA OR PA, SO AS TO INCLUDE ELECTRONIC FILES AND METADATA TAGS AMONG THE ITEMS THAT MUST MEET CERTAIN REQUIREMENTS TO USE THE TITLE CERTIFIED PUBLIC ACCOUNTANT, PUBLIC ACCOUNTANT, AND ABBREVIATIONS CPA AND PA; BY AMENDING SECTION 40-2-

[HJ]

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35, RELATING TO REQUIREMENTS FOR LICENSE TO PRACTICE, SO AS TO REVISE THE EDUCATIONAL REQUIREMENTS FOR LICENSURE, REVISE WHAT AN APPLICANT MUST HAVE ON RECORD WITH THE BOARD TO DEMONSTRATE COMPLIANCE WITH CERTAIN REQUIREMENTS, REVISE CERTAIN TIME REQUIREMENTS RELATED TO THE CPA EXAM, AND REVISE THE EDUCATIONAL EXPERIENCE AN APPLICANT MUST HAVE; BY AMENDING SECTION 40-2-40, RELATING TO THE GRANTING OR RENEWAL OF REGISTRATION TO PRACTICE AS A FIRM, SO AS TO PROVIDE THAT A PERSON WHO PERFORMS COMPILATION SERVICES MUST HOLD A REGISTRATION ISSUED PURSUANT TO SECTION 40-2-40 AND PROVIDE THAT OWNERSHIP MAY ALSO BE HELD THROUGH A REVOCABLE GRANTOR TRUST; BY AMENDING SECTION 40-2-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO ADD REVIEW AND PROVIDE INPUT ON PROPOSED LEGISLATIVE CHANGES RELATED TO THE PRACTICE OF ACCOUNTING AS A POWER OF THE BOARD; BY AMENDING SECTION 40-2-80, RELATING TO INVESTIGATIONS OF COMPLAINTS OR OTHER INFORMATION SUGGESTING VIOLATIONS, SO AS TO PROVIDE THAT AN INSPECTOR-INVESTIGATOR MUST HAVE BEEN LICENSED AS A CERTIFIED PUBLIC ACCOUNTANT FOR AT LEAST THE PREVIOUS FIVE YEARS; BY AMENDING SECTION 40-2-240, RELATING TO LICENSING OF PERSONS LICENSED IN ANOTHER STATE, SO AS TO REVISE HOW PERSONS LICENSED IN OTHER STATES CAN BE LICENSED IN THIS STATE; BY AMENDING SECTION 40-2-245, RELATING TO REQUIREMENTS TO PRACTICE IF LICENSED OUT OF STATE, SO AS TO REVISE THE REQUIREMENTS TO PRACTICE IF LICENSED OUT OF STATE; AND TO REPEAL SECTION 40-2-20(18), SECTION 40-2-35(H), AND SECTION 40-2-35(I) OF THE S.C. CODE.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to S. 176 (LC-176.WAB0007H), which was adopted:

Amend the bill, as and if amended, SECTION 5, by striking Section 40-2-35(C)(4)(2)(f) and inserting:

(f) ~~merges~~mergers and acquisitions;

Amend the bill further, SECTION 5, by striking Section 40-2-

[HJ]

35(C)(4)(b) and inserting:

(b) Applicants who have completed a post-baccalaureate degree, or a baccalaureate degree ~~and an additional thirty semester credit hours of education,~~ with at least one hundred fifty total semester credit hours, must also satisfy the experience requirements in subsection 40-2-35(G)(1)(b), which requires one year of relevant experience.

Amend the bill further, SECTION 6, by striking Section 40-2-35(E)(3) and inserting:

(E)(3) in addition to the requirements of (C)(2) and (C)(3), the applicant must have on record with the board official transcripts ~~that meet the education requirement and that demonstrate successful completion of of at least one hundred twenty semester hours credit, including: the requirements of subsection (C)(1), (2), and (3)-~~demonstrating successful completion of either:

(a) at least one hundred twenty semester hours of credit; or

(b) a conferred baccalaureate degree.

~~— (a) at least twenty four semester hours of accounting in course areas that are applicable to a baccalaureate, masters, or doctoral degree, including a minimum of six semester credit hours at the undergraduate level or three semester credit hours at the graduate level of principles or introductory accounting. The remaining semester credit hours, or the substantial equivalent, must cover some or all of the following subject matter content: financial accounting for business organizations, financial statement auditing and attestation services, taxation, accounting information systems, financial accounting for government and not for profit entities, managerial or cost accounting, mergers and acquisitions, accounting-based data analytics and interrogation techniques, financial planning, fraud examination, internal controls and risk assessment, financial statement analysis, accounting research and analysis, tax research and analysis, accounting professional ethics, and other areas approved by the board; and~~

~~— (b) at least twenty four semester hours of business courses that are applicable to a baccalaureate, masters, or doctoral degree and that cover some or all of the following subject matter content: business law, economics, management, marketing, finance, business communications, statistics, quantitative methods, data analytics, data interrogation techniques, business data acumen, information systems or technology, business ethics, and other areas approved by the board, which may include semester credit hours, or the substantial equivalent, in accounting content not used toward meeting the requirement in subitem (a).~~

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Amend the bill further, SECTION 8, by striking Section 40-2-35(G)(1)(4)(b) and inserting:

(b) applicants who have completed a post-baccalaureate degree, or a baccalaureate degree ~~and an additional thirty semester credit hours of education,~~ with at least one hundred fifty total semester credit hours, must complete one year of relevant experience;

Amend the bill further, SECTION 8, by striking Section 40-2-35(G)(8) and inserting:

(8) The accounting experience required by this subsection may ~~only be attained after an applicant satisfies the requirements of subsections (C)(1), (2), and (3).~~ begin upon successful completion of subsections (C)(2) and (C)(3), and:

(a) at least one hundred twenty semester hours of credit, or

(b) a conferred baccalaureate degree.

Renumber sections to conform.

Amend title to conform.

Rep. M. M. SMITH explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	B. J. Cox
B. L. Cox	Crawford	Cromer
Davis	Duncan	Edgerton
Erickson	Frank	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Govan
Grant	Guest	Haddon
Hager	Harris	Hart

[HJ]

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Hartnett	Hartz	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Holman
Huff	J. E. Johnson	J. L. Johnson
Jones	Jordan	Kilmartin
Kirby	Landing	Lawson
Ligon	Long	Lowe
Luck	Magnuson	Martin
May	McCabe	McCravy
McDaniel	McGinnis	Mitchell
Montgomery	T. Moore	Morgan
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teeple
Terribile	Vaughan	Waters
Weeks	Wetmore	White
Whitmire	Wickensimer	Williams
Willis	Wooten	Yow

**Total--111**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**STATEMENT FOR JOURNAL**

I was temporarily out of the Chamber on constituent business during the vote on S. 176. If I had been present, I would have voted in favor of the Bill.

Rep. Brandon Guffey

**S. 176--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. M. M. SMITH, with unanimous consent, it was ordered that S. 176 be read the third time tomorrow.

[HJ]

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**S. 101--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 101 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-80-50, RELATING TO INFORMATION REQUIREMENTS CONCERNING THE REGISTRATION OF FIREFIGHTERS BY THE OFFICE OF THE STATE FIRE MARSHAL, SO AS TO REVISE AND CLARIFY THE REQUIREMENTS.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to S. 101 (LC-101.WAB0003H), which was adopted:

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

SECTION X. Section 40-80-10(B) of the S.C. Code is amended to read:

(B) For purposes of this chapter:

(1) "Employer" means any fire department ~~or other entity~~ which puts an individual or employee in service as a firefighter or assigns any person to work or to official duties as a firefighter whether or not the firefighter receives financial compensation.

(2) "Employment date" means the date the fire chief certifies the firefighter has been added to the fire department's roster as a recruit or is trained and prepared to perform firefighting duties.

(3) "Fire chief" means the highest ranking officer or official in charge of a fire department, whether or not called by some other title.

(4) "Fire department" means ~~any organization providing rescue, fire suppression, and related activities including any public or government sponsored organizations engaged in rescue, fire suppression, and related activities~~ any legally organized fire department or fire service in this State that:

(a) engages in fire suppression and other related fire service activities;

(b) provides fire protection to a dedicated response district, other than their own property and must be officially recognized, created or chartered by a town, municipality, county, or the state;

(c) has a Public Protection Classification (PPC) rating through the Insurance Services Office (ISO). This rating may be as an individual department or in conjunction with neighboring districts;

(d) is dispatched by a 911 dispatch center or a local



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government-owned Public Safety Answering Point (PSAP). Effective no later than July 1, 2026 the fire department must be verified by the State Fire Marshal's Office and issued a valid South Carolina Fire Department (SCFD) number and is eligible for a National Emergency Response Information System (NERIS) number; and

(e) is registered and maintains a roster of its members with both the State Fire Marshal and the South Carolina State Firefighters' Association.

(5) "Firefighter" means any person, male or female, paid or unpaid, who engages in rescue, fire suppression, or related activities under the supervision of a fire chief or fire department.

(6) "Firefighting duties" means duties relating to rescue, fire suppression, public safety, and related activities as assigned by a fire chief.

SECTION X. Section 40-80-40(C) of the S.C. Code is amended to read:

(C) A firefighter who works for or serves more than one fire department must be registered by each fire department.

Renumber sections to conform.

Amend title to conform.

Rep. M. M. SMITH explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	B. J. Cox
B. L. Cox	Crawford	Cromer
Davis	Duncan	Edgerton
Erickson	Forrest	Frank

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Gagnon	Garvin	Gatch
Gibson	Gilliard	Govan
Grant	Guest	Haddon
Hager	Harris	Hart
Hartnett	Hartz	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Holman
Huff	J. E. Johnson	J. L. Johnson
Jones	Jordan	Kilmartin
Kirby	Landing	Lawson
Ligon	Long	Lowe
Luck	Magnuson	Martin
May	McCabe	McCravy
McDaniel	McGinnis	Mitchell
Montgomery	T. Moore	Morgan
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teeple
Terribile	Vaughan	Waters
Weeks	Wetmore	White
Whitmire	Wickensimer	Williams
Willis	Yow	

**Total--110**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**STATEMENT FOR JOURNAL**

I was temporarily out of the Chamber on constituent business during the vote on S. 101. If I had been present, I would have voted in favor of the Bill.

Rep. Brandon Guffey

[HJ]

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**S. 101--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. M. M. SMITH, with unanimous consent, it was ordered that S. 101 be read the third time tomorrow.

**S. 171--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to S. 171 (LC-171.SA0001H), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 44-96-170(N)(1) and (2) and inserting:

~~(1) For sales made on or after November 1, 1991, t~~There is imposed a fee of two dollars for each new and used tire sold with a Department of Transportation number to the ultimate consumer, whether or not the tire is mounted by the seller. This fee is applicable to all ~~tires included in new and used retail motor vehicles~~ unmounted tire sales. The wholesaler or retailer receiving new tires from unlicensed wholesalers is responsible for paying the fee imposed by this subsection. This fee shall not be collected on farm or agricultural tires, including tires designed for use in

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the production of farm products as defined in Section 46-1-75(E)(1).

(2) The Department of Revenue shall administer, collect, and enforce the tire recycling fee in the same manner that the sales and use taxes are collected pursuant to Chapter 36 of Title 12. The fee imposed by this subsection must be remitted on a monthly basis. ~~Instead of the discount allowed pursuant to Section 12-36-2610, the taxpayer may retain three percent of the total fees collected as an administrative collection allowance. This allowance applies whether or not the return is timely filed.~~

Renumber sections to conform.

Amend title to conform.

Rep. M. M. SMITH explained the amendment.

The amendment was then adopted.

Rep. M. M. SMITH explained the Bill.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 79; Nays 23

Those who voted in the affirmative are:

Alexander	Anderson	Bamberg
Bannister	Bauer	Bernstein
Bowers	Brewer	Brittain
Burns	Bustos	Caskey
Chapman	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Davis	Duncan	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliard	Grant
Haddon	Harris	Hart
Hartnett	Hartz	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Holman	Huff
J. L. Johnson	Kirby	Landing
Lawson	Ligon	Long
Martin	McCabe	McDaniel
McGinnis	Montgomery	T. Moore
Morgan	Neese	B. Newton

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W. Newton	Oremus	Pace
Rivers	Robbins	Rose
Rutherford	Sanders	Schuessler
Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Teeple	Terrible	Waters
Weeks	Wetmore	Whitmire
Wickensimer	Williams	Willis
Wooten		

**Total--79**

Those who voted in the negative are:

Beach	Bradley	Chumley
Crawford	Cromer	Edgerton
Erickson	Frank	Gilliam
Guest	J. E. Johnson	Jordan
Kilmartin	Lowe	Luck
Magnuson	May	McCravy
Mitchell	Rankin	Reese
White	Yow	

**Total--23**

So, the Bill, as amended, was read the second time and ordered to third reading.

**STATEMENT FOR JOURNAL**

I was temporarily out of the Chamber on constituent business during the vote on S. 171. If I had been present, I would have voted against the Bill.

Rep. Brandon Guffey

**S. 171--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. M. M. SMITH, with unanimous consent, it was ordered that S. 171 be read the third time tomorrow.

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**S. 51--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

S. 51 -- Senators Davis, Grooms, Stubbs, Massey, Garrett, Sutton, Turner, Graham, Gambrell, Zell, Johnson, Rice, Campsen, Sabb, Tedder, Fernandez, Leber, Devine, Climer, Cromer, Hutto, Young, Kimbrell, Matthews, Jackson, Blackmon, Adams, Hembree, Corbin, Williams, Goldfinch, Bennett, Reichenbach, Elliott, Chaplin, Verdin, Kennedy, Alexander and Walker: A JOINT RESOLUTION TO ENCOURAGE SANTEE COOPER TO ISSUE A REQUEST FOR PROPOSAL TO SOLICIT PROPOSALS ON UTILIZING ASSETS ASSOCIATED WITH V.C. SUMMER UNITS 2 AND 3, AND FOR CONSIDERATIONS RELATED TO A REQUEST FOR PROPOSAL.

Rep. GATCH explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Bowers	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Duncan	Edgerton
Erickson	Forrest	Frank
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Grant	Guest	Guffey
Haddon	Hager	Harris
Hart	Hartnett	Hartz
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Holman
Huff	J. E. Johnson	J. L. Johnson
Jones	Jordan	Kilmartin
Kirby	Landing	Lawson

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Ligon	Long	Lowe
Luck	Magnuson	Martin
May	McCabe	McCravy
McDaniel	McGinnis	Mitchell
Montgomery	T. Moore	Morgan
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teeple
Terribile	Vaughan	Waters
Weeks	Wetmore	White
Whitmire	Wickensimer	Williams
Willis	Wooten	Yow

**Total--111**

Those who voted in the negative are:

**Total--0**

So, the Joint Resolution was read the second time and ordered to third reading.

**ABSTENTION FROM VOTING**

May 1, 2025

The Honorable Speaker G. Murrell Smith Jr.  
506 Blatt Building  
Columbia, SC 29201

Dear Speaker Smith,

I am notifying you in accordance with S.C. Code Ann. Section 8- 13- 700 that I will not participate in the vote on S.51 relating to a Joint Resolution to encourage Santee Cooper to issue a request for proposal to solicit proposals on utilizing assets associated with V.C. Summer Units 2 and 3, and for considerations related to a request for proposal out of an abundance of caution. I will abstain from this vote because of a potential conflict of interest as an economic interest of myself and the business

[HJ]

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with which I am associated may be affected. Please note this in the House Journal.

Sincerely,  
Representative Heath Sessions  
House District Number 46

**RECORD FOR VOTING**

I inadvertently voted on S. 51 on May 1, 2025. I should have abstained.

Rep. Heath Sessions

**S. 51--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HERBKERSMAN, with unanimous consent, it was ordered that S. 51 be read the third time tomorrow.

**S. 275--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 275 -- Senators Grooms, Walker, Climer, Zell and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-10, RELATING TO ELECTRIC VEHICLE DEFINITIONS SO AS TO ADD DEFINITIONS FOR ELECTRIC VEHICLES AND CHARGING STATIONS; AND BY AMENDING SECTION 58-27-1060, RELATING TO ELECTRIC VEHICLE CHARGING STATIONS, SO AS TO PROVIDE THAT AN ELECTRIC UTILITY OR OTHER PROVIDER THAT OFFERS AN ELECTRIC VEHICLE CHARGING STATION DIRECTLY TO THE PUBLIC SHALL DO SO ON A NON-DISCRIMINATORY BASIS UNDER THE SAME FEES AND CONDITIONS OFFERED TO PRIVATE PROVIDERS OF ELECTRIC VEHICLE CHARGING STATIONS; AND TO REGULATE REVENUE.

Rep. GATCH explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg

[HJ]



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Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Duncan	Edgerton
Erickson	Forrest	Frank
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Grant	Guest	Guffey
Haddon	Hager	Harris
Hart	Hartnett	Hartz
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Holman	Huff	J. E. Johnson
J. L. Johnson	Jones	Jordan
Kilmartin	Kirby	Landing
Lawson	Ligon	Long
Lowe	Luck	Magnuson
Martin	May	McCravy
McDaniel	McGinnis	Mitchell
T. Moore	Morgan	Neese
B. Newton	W. Newton	Oremus
Pedalino	Rankin	Reese
Rivers	Robbins	Rose
Rutherford	Sanders	Schuessler
Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Teeple	Terrible	Vaughan
Waters	Weeks	Wetmore
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

**Total--109**

Those who voted in the negative are:

**Total--0**

[HJ]

120

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So, the Bill was read the second time and ordered to third reading.

**S. 275--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HERBKERSMAN, with unanimous consent, it was ordered that S. 275 be read the third time tomorrow.

**H. 4247--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4247 -- Reps. Herbkersman and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 39-73-10, RELATING TO STATE COMMODITY CODE DEFINITIONS, SO AS TO PROVIDE THAT THE ADMINISTRATOR OF THE STATE COMMODITY CODE BE THE SOUTH CAROLINA ATTORNEY GENERAL; BY AMENDING SECTION 39-73-40, RELATING TO TRANSACTIONS WHERE PROHIBITION IS NOT APPLICABLE, SO AS TO ADD AGENTS OR INVESTMENT ADVISOR REPRESENTATIVES AS INDIVIDUALS SUBJECT TO AN ORDER TO DENY, SUSPEND, OR REVOKE A PERSON'S LICENSE; BY AMENDING SECTION 39-73-60, RELATING TO PROHIBITED ACTS, SO AS TO REPLACE SECTION 39-73-310 WITH SECTION 39-73-30; BY AMENDING SECTION 39-73-80, RELATING TO STATE SECURITIES LAWS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 39-73-315, RELATING TO ADMINISTRATOR ACTIONS TO PREVENT VIOLATIONS OR IMMINENT VIOLATIONS, SO AS TO PROVIDE THAT THE ADMINISTRATOR CAN ISSUE AN ORDER RELATED TO ANY ACTION THAT MAY VIOLATE THIS CHAPTER; BY AMENDING SECTION 39-73-320, RELATING TO LEGAL, EQUITABLE, AND SPECIAL REMEDIES AVAILABLE TO A COURT FOR ENFORCEMENT, SO AS TO PROVIDE THAT THE ADMINISTRATOR MAY MAINTAIN AN ACTION IN THE RICHLAND COUNTY COURT OF COMMON PLEAS; BY AMENDING SECTION 39-73-325, RELATING TO PENALTIES FOR VIOLATIONS, SO AS TO PROVIDE THAT THE ADMINISTRATOR MAY REFER VIOLATIONS TO THE APPROPRIATE DIVISION OF THE OFFICE OF ATTORNEY GENERAL OR OTHER AUTHORITY; BY AMENDING SECTION 39-73-330, RELATING TO THE ADMINISTRATION OF THIS CHAPTER, SO AS TO MAKE CONFORMING CHANGES; BY

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AMENDING SECTION 39-73-340, RELATING TO THE AUTHORITY TO PROMULGATE REGULATIONS, FORMS, AND ORDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 39-73-350, RELATING TO THE APPLICABILITY OF SECTIONS 39-73-20, 39-73-50, AND 39-73-60 TO PERSONS WHO SELL, BUY, OR OFFER TO SELL OR BUY COMMODITIES IN THIS STATE, SO AS TO PROVIDE GUIDELINES FOR APPLICABLE RADIO AND TELEVISION COMMUNICATIONS; BY AMENDING SECTION 39-73-360, RELATING TO JUDICIAL REVIEW, SO AS TO PROVIDE GUIDELINES; BY AMENDING SECTION 39-73-370, RELATING TO DEFENSE IN A CASE BASED ON FAILURE TO MAKE PHYSICAL DELIVERY, SO AS TO MAKE CONFORMING CHANGES; BY ADDING SECTION 39-73-375 SO AS TO PROVIDE THAT THE ATTORNEY GENERAL MAY RETAIN FUNDS FROM FINES AND PENALTIES TO OFFSET RELEVANT EXPENSES; BY ADDING SECTION 39-73-400 SO AS TO PROVIDE FOR SEVERABILITY OF THIS CHAPTER; AND BY REPEALING SECTION 39-73-355 RELATING TO ADMINISTRATIVE PROCEEDINGS.

Rep. WOOTEN explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	B. J. Cox
B. L. Cox	Crawford	Cromer
Davis	Dillard	Duncan
Edgerton	Erickson	Forrest
Frank	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Grant	Guest

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Guffey	Haddon	Hager
Harris	Hart	Hartnett
Hartz	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Holman	Huff
J. E. Johnson	J. L. Johnson	Jones
Jordan	Kilmartin	Kirby
Landing	Lawson	Ligon
Long	Lowe	Magnuson
Martin	May	McCabe
McCravy	McDaniel	McGinnis
Montgomery	T. Moore	Morgan
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Teeple	Terrible
Vaughan	Waters	Weeks
Wetmore	White	Whitmire
Wickensimer	Williams	Willis
Wooten	Yow	

**Total--110**

Those who voted in the negative are:

**Total--0**

So, the Bill was read the second time and ordered to third reading.

**STATEMENT FOR JOURNAL**

I was absent from the Chamber during the vote for H. 4247. Had I been present, I would have voted in favor of H. 4247.

Rep. Bill Taylor

**H. 4247--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. WOOTEN, with unanimous consent, it was ordered that H. 4247 be read the third time tomorrow.

[HJ]

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**LEAVE OF ABSENCE**

The SPEAKER granted Rep. WHITE a leave of absence for the remainder of the day.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**RECURRENCE TO THE MORNING HOUR**

Rep. KIRBY moved that the House recur to the morning hour, which was agreed to.

**H. 3813--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., Wednesday, April 30, 2025

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 3813:

H. 3813 -- Rep. Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-430, RELATING TO BEAR HUNTING, SO AS TO REMOVE REFERENCES TO A REGISTERED PARTY DOG HUNT IN GAME ZONE 1.

and asks for a Committee of Conference and has appointed Senators Campsen, Turner and Ott to the Committee of Conference on the part of the Senate.

Very respectfully,  
President

Whereupon, the Chair appointed Reps. HIXON, HIOTT and MCDANIEL to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

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**REPORTS OF STANDING COMMITTEES**

Rep. BANNISTER, from the Committee on Ways and Means, submitted a favorable report on:

H. 4129 -- Reps. Brewer, Guffey, M. M. Smith, Hartnett, Teeple, B. L. Cox, Sessions, Mitchell, Stavrinakis, Pedalino, Brittain, Hayes, Guest, Luck, Atkinson, Bamberg and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-19-5 SO AS TO PROVIDE THAT A PERSON WHO PAYS A FEE TO PLAY A GAME IN WHICH SKILL PREDOMINATES OVER CHANCE AND RECEIVES A PRIZE PROPORTIONATE TO HOW SKILLFULLY HE PLAYED IS NOT GAMBLING.

Ordered for consideration tomorrow.

Rep. ERICKSON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3974 -- Reps. Calhoon, Bernstein, Erickson, Schuessler, Bauer, Guffey and McGinnis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO CHAPTER 10, TITLE 59 SO AS TO AUTHORIZE EVALUATORS TO EVALUATE PUBLIC SCHOOL STUDENTS FOR HEALTH, BEHAVIORAL HEALTH, OR THERAPEUTIC NEEDS, TO AUTHORIZE PRIVATE PROVIDERS TO PROVIDE RELATED SERVICES AT SCHOOLS DURING THE SCHOOL DAY, TO SPECIFY THESE EVALUATIONS AND SERVICES ONLY MAY OCCUR UPON REQUEST OF THE PARENT OR GUARDIAN OF THE STUDENT, TO PROVIDE SCHOOL DISTRICTS MAY NOT PROHIBIT SUCH EVALUATIONS OR SERVICES IN SCHOOLS DURING THE SCHOOL DAY, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL ADOPT A RELATED MODEL POLICY, TO PROVIDE REQUIREMENTS FOR THE MODEL POLICY, TO PROVIDE SCHOOL DISTRICTS SHALL ADOPT RELATED POLICIES, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Rep. ERICKSON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 4339 -- Reps. Erickson, Terribile, Bradley, Martin, Huff, Mitchell, Forrest, Anderson, Duncan, Kilmartin, Lawson, Hager, M. M. Smith,

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Beach, Frank, J. L. Johnson, Gilliam, Rankin, Bauer, Teeple, Pedalino, McCabe, Bustos, Wickensimer, Cobb-Hunter, Vaughan, Haddon, Willis, Long, Chapman, Pace, Caskey, Chumley, Whitmire, Morgan, Magnuson, Gibson, Davis, Edgerton, Hartz, Bernstein, Harris, B. Newton, Hewitt, Waters, Luck, Rivers, Hartnett, B. L. Cox, Reese, Taylor, Bowers, Gagnon, Herbkersman, Jordan, McGinnis, Moss, Spann-Wilder, Weeks, Gilreath, Cromer and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA HEALTHY SCHOOLS ACT" BY ADDING SECTION 59-10-325 SO AS TO PROTECT THE HEALTH AND WELL-BEING OF CHILDREN BY PROHIBITING THE USE OF HARMFUL FOOD ADDITIVES IN SCHOOL MEALS, ENSURING INGREDIENT TRANSPARENCY, ESTABLISHING COMPLIANCE PROCEDURES AND ENFORCEMENT MECHANISMS, TO PROVIDE A PERIODIC REVIEW AND POSSIBLE UPDATES OF PROHIBITED ADDITIVES, TO DEFINE NECESSARY TERMS, AND TO MAKE RELATED FINDINGS.

Ordered for consideration tomorrow.

Rep. ERICKSON, from the Committee on Education and Public Works, submitted a favorable report on:

S. 269 -- Senators Turner, Elliott and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-275 SO AS TO PROVIDE THAT PUBLIC SCHOOL DISTRICTS WITH MORE THAN FIFTEEN THOUSAND STUDENTS MAY USE SECURITY PERSONNEL LICENSED AS A PROPRIETARY SECURITY BUSINESS; BY AMENDING SECTION 40-18-60, RELATING TO QUALIFICATIONS OF A LICENSEE, SO AS TO ADD PROVISIONS CONCERNING PUBLIC SCHOOL DISTRICTS APPLYING FOR LICENSURE; BY AMENDING SECTION 40-18-80, RELATING TO QUALIFICATIONS OF APPLICANTS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL IMPLEMENT CERTAIN RELATED TRAINING REQUIREMENTS; AND BY AMENDING SECTION 40-18-140, RELATING TO EXCEPTIONS FROM APPLICATIONS OF THIS CHAPTER, SO AS TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS ARE EXCLUDED FROM THESE REQUIREMENTS.

Ordered for consideration tomorrow.

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Rep. ERICKSON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

S. 77 -- Senators Hembree, Grooms and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE ELECTRONIC TRANSMISSION OF SUCH MEETINGS AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BY JULY 1, 2025.

Ordered for consideration tomorrow.

Rep. ERICKSON, from the Committee on Education and Public Works, submitted a favorable report on:

S. 79 -- Senators Hembree and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-18-1115 SO AS TO ESTABLISH A PILOT PROGRAM TO PERMIT PUBLIC SCHOOL DISTRICTS TO HIRE NONCERTIFIED TEACHERS IN A RATIO UP TO TEN PERCENT OF ITS ENTIRE TEACHING STAFF, TO PROVIDE ACADEMIC, EVALUATION, AND EXPERIENCE REQUIREMENTS, TO FURTHER THE PROGRAM FOR ANNUAL PROGRAM REPORTING, AND TO PROVIDE NONCERTIFIED TEACHER REGISTRATION AND CLEARANCE REQUIREMENTS.

Ordered for consideration tomorrow.

Rep. ERICKSON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3802 -- Reps. Bustos, Hartnett, Landing, Teeple, Edgerton, Magnuson, J. L. Johnson, Bamberg, Sanders, Bowers, Pope, Long and Frank: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-100, RELATING TO PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOL DISTRICTS BY HOME SCHOOL, CHARTER SCHOOL, AND GOVERNOR'S SCHOOL STUDENTS, SO AS TO INCLUDE PARTICIPATION IN COCURRICULAR ACTIVITIES, EXTRACURRICULAR ACTIVITIES, AND CAREER AND



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TECHNICAL EDUCATION, TO PROVIDE EQUAL TREATMENT FOR SUCH STUDENTS AND STUDENTS ENROLLED IN PUBLIC SCHOOLS IN THE DISTRICT, AND TO DEFINE NECESSARY TERMS, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4444 -- Rep. Forrest: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A ONE-MILE PORTION OF UNITED STATES HIGHWAY 378 FROM THE TRAFFIC CIRCLE IN SALUDA COUNTY WEST TOWARDS THE TOWN OF SALUDA "FIREMAN LANDON 'CALE' BODIE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4445 -- Rep. Forrest: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME SOUTH CAROLINA HIGHWAY 391 IN SALUDA COUNTY FROM THE LEXINGTON/SALUDA COUNTY LINE EXTENDING ONE MILE NORTH THE "FIRE CHIEF CHAD SATCHEL MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4446 -- Reps. Anderson and Hewitt: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF POWELL ROAD IN GEORGETOWN COUNTY FROM ITS INTERSECTION WITH SINGLETON ROAD TO HAROLD ROAD "DEPUTY SHERIFF LEROY GASQUE SR. MEMORIAL HIGHWAY" AND ERECT

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APPROPRIATE MARKERS OR SIGNS CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. DAVIS, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

H. 4385 -- Reps. Jones, B. J. Cox, J. L. Johnson, King, Williams, Rivers, Kirby, Hosey, Clyburn, Bauer, McDaniel, Waters and Dillard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 25-11-730 SO AS TO PROVIDE THAT THE DEPARTMENT OF VETERANS' AFFAIRS SHALL ADOPT CRITERIA FOR ADMISSIONS TO AND DISCHARGES FROM SOUTH CAROLINA VETERANS' HOMES AND TO PROVIDE FOR THE SUBMISSION OF SUCH CRITERIA.

Ordered for consideration tomorrow.

Rep. DAVIS, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments on:

H. 4343 -- Reps. Wetmore, Erickson, Edgerton, Terribile, Cromer, Schuessler, Crawford, Davis, Calhoon, Oremus, Holman, Pedalino, Bernstein, Cobb-Hunter, Dillard, Bauer, Henderson-Myers, Landing, McDaniel and Waters: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-33-31 SO AS TO REQUIRE HUMAN TRAFFICKING AWARENESS AND PREVENTION CONTINUING EDUCATION TRAINING FOR LICENSED PRACTICAL NURSES, REGISTERED NURSES, OR ADVANCED PRACTICE REGISTERED NURSES EXCLUDING CERTIFIED REGISTERED NURSE ANESTHETISTS; BY ADDING SECTION 40-47-39 SO AS TO REQUIRE HUMAN TRAFFICKING AWARENESS AND PREVENTION CONTINUING EDUCATION TRAINING FOR PHYSICIANS; AND BY ADDING SECTION 40-47-953 SO AS TO REQUIRE HUMAN TRAFFICKING AWARENESS AND PREVENTION CONTINUING EDUCATION TRAINING FOR PHYSICIAN ASSISTANTS.

Ordered for consideration tomorrow.

**THURSDAY, MAY 1, 2025**

Rep. DAVIS, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments on:

H. 3453 -- Reps. Rose, Pope and Spann-Wilder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-111-20, RELATING TO FREE TUITION FOR CERTAIN VETERANS' CHILDREN, SO AS TO PROVIDE THAT A VETERAN'S CHILD QUALIFIES FOR FREE TUITION IF THAT CHILD HAS BEEN A RESIDENT OF SOUTH CAROLINA SINCE BIRTH.

Ordered for consideration tomorrow.

Rep. DAVIS, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments on:

H. 4165 -- Reps. Davis, M. M. Smith, B. L. Cox, Hartnett, Holman and Sessions: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 20 TO CHAPTER 53, TITLE 44 SO AS TO TITLE THE ARTICLE "NON-OPIOID TREATMENTS FOR PAIN MANAGEMENT," TO DEFINE NECESSARY TERMS, TO PROVIDE FOR THE CREATION OF AN EDUCATIONAL PAMPHLET BY THE DEPARTMENT OF PUBLIC HEALTH REGARDING NON-OPIOID ALTERNATIVES FOR THE TREATMENT OF PAIN, AND TO PROVIDE GUIDELINES FOR PRACTITIONERS OFFERING NON-OPIOID TREATMENT.

Ordered for consideration tomorrow.

Rep. DAVIS, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

H. 4189 -- Reps. Davis and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 1-3-240, 1-5-40, 1-11-20, 1-23-600, 1-25-60, 2-13-240, 3-5-40, 3-5-50, 3-5-60, 3-5-70, 3-5-80, 3-5-90, 3-5-100, 3-5-110, 3-5-120, 3-5-130, 3-5-140, 3-5-150, 3-5-160, 3-5-170, 3-5-180, 3-5-190, 3-5-320, 3-5-330, 3-5-340, 3-5-350, 3-5-360, 4-12-30, 4-29-67, 4-33-10, 4-33-20, 4-33-30, 5-31-2010, 6-1-150, 6-11-285, 6-11-290, 6-11-1210, 6-11-1230, 6-11-1430, 6-15-30, 6-19-30, 6-19-35, 6-19-40, 6-21-400, 7-5-186, 7-5-310, 10-5-270, 10-9-10, 10-9-20, 10-9-30, 10-9-35, 10-9-40, 10-9-110, 10-9-200, 10-9-260, 10-9-320, 11-11-170, 11-11-230, 11-37-200, 11-58-70, 11-58-80, 12-6-3370, 12-6-3420, 12-6-3550, 12-6-3775, 12-23-810, 12-

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Ordered for consideration tomorrow.

Rep. DAVIS, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments on:

S. 221 -- Senators Ott and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA KRATOM CONSUMER PROTECTION ACT" BY ADDING ARTICLE 20 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE FOR THE REGULATION OF THE SALE OF KRATOM PRODUCTS BY RETAILERS AND PROCESSORS AND TO CREATE PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE.

Ordered for consideration tomorrow.

#### **HOUSE RESOLUTION**

The following was introduced:

H. 4469 -- Reps. G. M. Smith, Weeks, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton,

[HJ]

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Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR GALLOWAY AND MOSELEY JEWELRY STORE IN SUMTER COUNTY AND TO CONGRATULATE OWNERS BRITTON MOSELEY AND DANNY CHANDLER UPON THE NINETIETH ANNIVERSARY OF THE STORE'S SPARKLING PRESENCE IN SUMTER.

The Resolution was adopted.

### HOUSE RESOLUTION

The following was introduced:

H. 4470 -- Reps. Gagnon, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE

**THURSDAY, MAY 1, 2025**

RESOLUTION TO RECOGNIZE AND HONOR CLARISSA T. ADAMS, CHIEF OF STAFF FOR THE SOUTH CAROLINA OFFICE OF THE STATE TREASURER, UPON THE OCCASION OF HER RETIREMENT AFTER FORTY-ONE YEARS OF EXEMPLARY SERVICE TO THE STATE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4471 -- Reps. Dillard, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO HONOR AND REMEMBER J. WILBUR WALKER, PRINCIPAL OF WASHINGTON ELEMENTARY AND HIGH SCHOOL IN GREENVILLE, FOR HIS DISTINGUISHED SERVICE AS AN EDUCATOR.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4472 -- Reps. Willis, Gilliam, Rankin, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach,

[HJ]



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Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THOMAS R. HIGGS II, LAURENS COUNTY ADMINISTRATOR, FOR HIS OUTSTANDING SERVICE AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS AS HE LEAVES HIS POST TO BECOME COLLETON COUNTY ADMINISTRATOR.

The Resolution was adopted.

### HOUSE RESOLUTION

The following was introduced:

H. 4473 -- Reps. Rose, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis,

**THURSDAY, MAY 1, 2025**

Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE WOMAN'S CLUB OF COLUMBIA AND ITS MEMBERS UPON THE ONE HUNDREDTH ANNIVERSARY AND TO THANK THE ORGANIZATION FOR ITS MANY YEARS OF SERVICE TO THE PEOPLE OF THE CITY OF COLUMBIA.

The Resolution was adopted.

**H. 4474--ADOPTED AND SENT TO SENATE**

The following was introduced:

H. 4474 -- Reps. Jordan, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF THE HONORABLE RALPH KING ANDERSON JR. OF FLORENCE COUNTY AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Concurrent Resolution was adopted and sent to the Senate.

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**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 616 -- Senators Matthews and Hutto: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SC 46 FROM S-97 (EPPS AVENUE) TO I-95 IN JASPER COUNTY "MAYOR BRONCO BOSTICK HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 617 -- Senator Young: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE SHAWS CREEK BRIDGE ON US 1 IN AIKEN COUNTY AS THE "VIETNAM VETERANS MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 633 -- Senators Bennett, Adams, Alexander, Allen, Blackmon, Campsen, Cash, Chaplin, Climer, Corbin, Cromer, Davis, Devine, Elliott, Fernandez, Gambrell, Garrett, Goldfinch, Graham, Grooms, Hembree, Hutto, Jackson, Johnson, Kennedy, Kimbrell, Leber, Martin, Massey, Matthews, Nutt, Ott, Peeler, Rankin, Reichenbach, Rice, Sabb, Stubbs, Sutton, Tedder, Turner, Verdin, Walker, Williams, Young and Zell: A CONCURRENT RESOLUTION TO DECLARE NOVEMBER 2025 AS "LUNG CANCER AWARENESS MONTH" IN THE STATE OF SOUTH CAROLINA.

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The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**INTRODUCTION OF BILLS**

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 4475 -- Reps. Guffey, Sessions and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS.

Referred to Committee on Ways and Means

H. 4476 -- Reps. Rutherford, Bamberg, J. Moore and Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 80 TO TITLE 39 ENTITLED "SOUTH CAROLINA-BAHAMAS TRADE COMMISSION" SO AS TO ESTABLISH THE SOUTH CAROLINA-BAHAMAS TRADE COMMISSION AND PROVIDE FOR ITS MEMBERSHIP AND PURPOSE.

Referred to Committee on Labor, Commerce and Industry

H. 4477 -- Rep. Landing: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "HEIRS' PROPERTY TAX RELIEF ACT" BY AMENDING SECTION 12-37-3150, RELATING TO DETERMINING WHEN AN ASSESSIBLE TRANSFER OF INTEREST OCCURS, SO AS TO EXCLUDE TRANSFERS MADE AMONG FAMILY MEMBERS TO CLEAR THE TITLE OF HEIRS' PROPERTY.

Referred to Committee on Ways and Means

S. 114 -- Senators Adams, Grooms, Rice and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-3-340 SO AS TO PROVIDE THAT UPON REQUEST OF A LAW ENFORCEMENT AGENCY, A WIRELESS TELECOMMUNICATIONS CARRIER SHALL PROVIDE CALL

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LOCATION INFORMATION CONCERNING THE TELECOMMUNICATIONS DEVICE OF THE USER TO THE LAW ENFORCEMENT AGENCY IN ORDER TO RESPOND TO A CALL FOR EMERGENCY SERVICES OR IN AN EMERGENCY SITUATION THAT INVOLVES THE RISK OF DEATH OR SERIOUS PHYSICAL HARM, TO PROVIDE A CIVIL OR CRIMINAL ACTION MAY NOT BE BROUGHT AGAINST A WIRELESS SERVICE PROVIDER UNDER THIS SECTION UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE SLED SHALL OBTAIN CONTACT INFORMATION FROM WIRELESS SERVICE PROVIDERS TO FACILITATE A REQUEST FROM A LAW ENFORCEMENT AGENCY.

Referred to Committee on Judiciary

S. 196 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 91 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH LICENSURE REQUIREMENTS, EXEMPTIONS, AND TYPES OF LICENSES, REQUIRE AN EXAMINATION FOR LICENSURE, PROVIDE EXEMPTIONS FOR EXAMINATION, REQUIRE CONTINUING EDUCATION, ESTABLISH A PROCESS FOR RENEWAL, SET STANDARDS OF CONDUCT FOR ADJUSTERS, AND TO PROVIDE FOR THE DENIAL, NONRENEWAL, OR REVOCATION OF A LICENSE AND PENALTIES, AMONG OTHER THINGS; BY ADDING CHAPTER 92 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH LICENSURE REQUIREMENTS AND TYPES OF LICENSES, REQUIRE AN EXAMINATION FOR LICENSURE AND PROVIDE EXEMPTIONS TO EXAMINATION, PROVIDE FOR THE DENIAL, NONRENEWAL, OR REVOCATION OF A LICENSE, REQUIRE A BOND OR LETTER OF CREDIT, REQUIRE CONTINUING EDUCATION, ALLOW FOR FEES, AND SET STANDARDS OF CONDUCT FOR PUBLIC ADJUSTERS, AMONG OTHER THINGS; TO AMEND SECTION 38-1-20, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION; AND BY REPEALING CHAPTERS 47 AND 48 OF TITLE 38.

Referred to Committee on Labor, Commerce and Industry

S. 583 -- Senators Davis, Massey and Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION HOURS REQUIRED FOR LICENSEES OF THE BOARD OF

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FUNERAL EXAMINERS, SO AS TO REVISE PHYSICAL ATTENDANCE REQUIREMENTS FOR CONTINUING EDUCATION INSTRUCTION, AND TO DEFINE "PHYSICAL ATTENDANCE."

Referred to Committee on Labor, Commerce and Industry

S. 623 -- Senator Goldfinch: A BILL TO EXEMPT GEORGETOWN COUNTY FROM CERTAIN BUILDING REQUIREMENTS AND TO ALLOW THE COUNTY TO INSTEAD ENFORCE AE STANDARDS IN GEORGETOWN COUNTY'S FLOOD DAMAGE PREVENTION ORDINANCE.

Referred to Georgetown Delegation

Rep. LANDING moved that the House recede until 2:00 p.m., which was agreed to.

### **THE HOUSE RESUMES**

At 2:00 p.m. the House resumed, Acting SPEAKER HIOTT in the Chair.

### **POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

### **RECURRENCE TO THE MORNING HOUR**

Rep. BUSTOS moved that the House recur to the morning hour, which was agreed to.

### **COMMITTEE APPOINTMENT**

The following was received:

April 30, 2025  
The Honorable Courtney Waters  
South Carolina House of Representatives  
Columbia, South Carolina 29201

Dear Chris:

[HJ]

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It is with pleasure that I appoint you to serve on the Judiciary Committee, effective immediately. I know that you will serve on this committee with honor and distinction.

I appreciate your willingness to serve in this capacity and for your previous service on the Medical, Military and Public and Municipal Affairs Committee. Please do not hesitate to contact me if I may be of assistance to you in any way.

Sincerely,  
G. Murrell Smith Jr.  
Speaker of the House  
Received as information.

#### **INTRODUCTION OF BILLS**

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 4478 -- Reps. Burns, Hiott and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 48-35-50, RELATING TO THE STATE FORESTER PROHIBITING FIRES, SO AS TO REQUIRE NOTICE OF THE PROHIBITION TO THE SOUTH CAROLINA EMERGENCY MANAGEMENT DIVISION FOR BROADCAST OF THE PROHIBITION ON ALL TELECOMMUNICATION DEVICES WITHIN SOUTH CAROLINA.

On motion of Rep. BURNS, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

S. 618 -- Senator Peeler: A BILL TO AMEND ACT 389 OF 1907, AS AMENDED, SO AS TO RESTATE THE COMPOSITION OF THE BOARD OF PUBLIC WORKS FOR THE CITY OF GAFFNEY, TO ADD TWO ADDITIONAL MEMBERS, AND TO SPECIFY THE MANNER OF ELECTION AND OF ELECTIONS; AND TO REPEAL ACT 205 OF 1953 AND ACT 128 OF 1967 RELATED TO THE BOARD.

On motion of Rep. LAWSON, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

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**H. 4305--AMENDED, POINT OF ORDER, RULE 5.10  
WAIVED PURSUANT TO RULE 5.15, ORDERED TO THIRD  
READING**

The following Bill was taken up:

H. 4305 -- Rep. Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 25 TO CHAPTER 71, TITLE 38 ENTITLED "WELLNESS REIMBURSEMENT PROGRAMS" SO AS TO DEFINE TERMS, PROHIBIT CERTAIN ACTS BY WELLNESS REIMBURSEMENT PROGRAMS, REQUIRE REGISTRATION INCLUDING AN APPLICATION AND FEES WITH THE SECRETARY OF STATE, EXEMPT BROKERS FROM REGISTERING, AND TO PROVIDE FINES FOR FAILING TO REGISTER WHEN REQUIRED.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 4305 (LC-4305.PH0001H), which was adopted:

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

SECTION 1. Title 38 of the S.C. Code is amended by adding:  
CHAPTER 105

Wellness Reimbursement Programs

Section 38-105-10. As used in this chapter:

(1) "Broker" means an independent health insurance agent licensed in this State.

(2) "Director" means the director of the Department of Insurance or his designee.

(3) "Person" means a natural person, corporation, mutual company, unincorporated association, partnership, joint venture, limited liability company, trust, estate, foundation, not-for-profit corporation, unincorporated organization, government, or governmental subdivision or agency.

(4) "Wellness reimbursement program" means a self-insured medical reimbursement plan or a wellness and integrated medical plan expense reimbursement plan:

(a) that is created pursuant to 26 C.F.R. 1.105-11 and Sections 105 and 125 of the Internal Revenue Code;

(b) that has issued a contract to provide services and pay claims pertaining to reimbursements of qualified medical expenses relating to Section 213(d) of the Internal Revenue Code; and



(c) that is intended, created, marketed, and sold as an ancillary product to an individual or group health insurance coverage or self-insured group health plan.

“Wellness Reimbursement program” does not include any underlying individual or group health insurance coverage or a self-insured group health plan.

(5) “Wellness reimbursement program administrator” means any person who manages the operation of a wellness reimbursement program.

Section 38-105-20. (A) No wellness reimbursement program administrator may sell, offer, market, promote, or operate a wellness reimbursement program without first being licensed by the director.

(B) Application for a license must be on forms prescribed by the director and must be accompanied by an initial license fee of five thousand dollars, annual financial statements or reports for the two preceding calendar years, and any other documents that the director may require to ensure that the wellness reimbursement program administrator meets the requirements for licensure set forth in this chapter. Thereafter, an application fee for a renewal offering must be five hundred dollars. These fees must be retained by the director to offset the costs of processing and maintaining the registration of wellness reimbursement programs required by the chapter.

(C) In addition to the documents required under subsection (B), a wellness reimbursement program administrator must submit a letter or document from the Internal Revenue Service or the U.S. Department of Labor approving of the specific wellness reimbursement program in question.

(D) A wellness reimbursement program administrator must make and keep a full and correct record of its business and affairs and the director shall inspect these records at least every three years. The information from these records must be furnished to the director on demand and the original books or records must be open to examination by the director when demanded. The cost of the examination must be borne by the wellness reimbursement program administrator.

(E) A wellness reimbursement program administrator must file and maintain with the director a surety bond in favor of the State executed by a surety company authorized to transact business in this State. The director may set the requirements of such surety bond as necessary.

(F) Before granting any license, the director or his designee must be satisfied that the wellness reimbursement program administrator is competent, trustworthy, financially responsible, has a good personal and

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business reputation, has not had an insurance license revoked, suspended, or denied in any jurisdiction within the preceding five years, and has not been convicted of a crime involving fraud, dishonesty, or moral turpitude in any jurisdiction. For purposes of this section, “convicted” includes a plea of guilty or a plea of nolo contendere.

(G) The director may revoke or suspend any license issued to a wellness reimbursement program administrator when he finds that any condition exists which would have prohibited issuance of the original license, that the wellness reimbursement program administrator has violated any provision of this chapter, or that the wellness reimbursement program administrator has deceived or dealt unjustly with the citizens of this State. In lieu of revocation or suspension of license, the director may impose an administrative monetary penalty not to exceed one thousand dollars for each offense.

(H) Any wellness reimbursement program administrator who fails to obtain a license is guilty of a misdemeanor and, upon conviction, must be fined not more than twenty thousand dollars or imprisoned for not more than two years, or both, and is subject to revocation of any licenses issued by the director. Any fine revenue received may be retained by the director to offset the expenses of enforcing this chapter.

Section 38-105-30. (A) A wellness reimbursement program administrator must attest to the director and to the employer or employee that the wellness reimbursement program complies with all federal and state laws.

(B) A wellness reimbursement program administrator must not cause or knowingly permit the use of any advertisement, promotion, solicitation, representation, proposal, or offer that is untrue, deceptive, or misleading.

(C) In the event the wellness reimbursement program results in a taxable event for either the employer or the employee associated with the wellness reimbursement program, the wellness reimbursement program administrator must defend the employer and its employees against any and all claims or suit that arises out of or by virtue of the wellness reimbursement program and must indemnify the employer and its employees for a loss or judgment incurred by them as a result of the claim or suit.

Section 38-105-40. (A) A broker is not required to register as a wellness reimbursement program administrator to acquire commissions paid by such company.

(B) A broker is not an employee of the wellness reimbursement program administrator and is only necessary to facilitate the partnership

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of the wellness reimbursement program administrator and the respective employee group enrolling in the wellness reimbursement program being that the services of the wellness reimbursement program are not straight-to-market services.

(C) Notwithstanding subsections (A) and (B), a broker must not cause or knowingly permit the use of any advertisement, promotion, solicitation, representation, proposal, or offer that is untrue, deceptive, or misleading.

(D) A broker must exercise good faith and fair dealing to a person when offering, selling, marketing, or promoting a wellness reimbursement program.

Section 38-105-50. (A) The director shall enforce this chapter.

(B) A person who violates any part of this chapter must be fined not more than twenty thousand dollars or imprisoned for not more than two years, or both, for each violation, and is subject to revocation of any license issued by the director. Any fine revenue received may be retained by the director to offset the expenses of enforcing this chapter.

(C) The director may promulgate rules and regulations as it deems necessary to implement this chapter.

Section 38-105-60. Nothing in this chapter applies to any health or wellness programs or activities offered by an individual or group health coverage or self-insured group health plan to its enrollees.

SECTION 2. Every three years after the effective date of this act, the Department of Insurance shall prepare a report, to be filed with the House Labor, Commerce, and Industry Committee, the Senate Banking and Insurance Committee, and the General Assembly, addressing the implementation of Section 38-105-10, et. Seq., as it relates to the requirements for the programs outlined in this chapter, and any other information requested by the General Assembly to be included within the report.

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

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SECTION 4. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Rep. GAGNON explained the amendment.

The amendment was then adopted.

Rep. HERBKERSMAN proposed the following Amendment No. 2 to H. 4305 (LC-4305.PH0002H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 38-105-10(4) and inserting:

(4) “Wellness reimbursement program” means a self-insured medical reimbursement plan or a wellness ~~and~~-integrated medical plan expense reimbursement plan:

(a) that is created pursuant to 26 C.F.R. 1.105-11 and Sections 105 and 125 of the Internal Revenue Code;

(b) that has issued a contract to provide services and pay claims pertaining to reimbursements of qualified medical expenses relating to Section 213(d) of the Internal Revenue Code; and

(c) that is intended, created, marketed, and sold as an ancillary product to an individual or group health insurance coverage or self-insured group health plan.

“Wellness Reimbursement program” does not include any underlying individual or group health insurance coverage or a self-insured group health plan.

Amend the bill further, SECTION 1, by striking Section 38-105-20(C) and inserting:

(C) In addition to the documents required under subsection (B), a wellness reimbursement program administrator must comply with Federal ERISA requirements, or submit a letter or document from the Internal Revenue Service or the U.S. Department of Labor approving of the specific wellness reimbursement program in question.

Renumber sections to conform.

Amend title to conform.

Rep. GAGNON explained the amendment.

The amendment was then adopted.

#### **POINT OF ORDER**

Rep. PACE made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not

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been printed in the House Calendar at least one statewide legislative day prior to second reading.

ACTING SPEAKER HIOTT sustained the Point of Order.

Rep. HERBKERSMAN moved to waive Rule 5.10, pursuant to Rule 5.15.

By a division vote of 71-15, Rule 5.10 was waived, pursuant to Rule 5.15.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 88; Nays 14

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bauer	Bernstein	Bowers
Bradley	Brewer	Brittain
Bustos	Calhoon	Caskey
Chapman	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Crawford	Davis	Dillard
Erickson	Forrest	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Grant
Guest	Guffey	Hager
Hartnett	Hartz	Hayes
Herbkersman	Hewitt	Hiott
Hixon	Holman	J. E. Johnson
J. L. Johnson	Jones	Jordan
Kirby	Landing	Lawson
Ligon	Long	Luck
Martin	McGinnis	Mitchell
Montgomery	J. Moore	T. Moore
Neese	B. Newton	W. Newton
Oremus	Pedalino	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder

[HJ]

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Stavrinakis	Taylor	Teeple
Vaughan	Waters	Weeks
Wetmore	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

**Total—88**

Those who voted in the negative are:

Beach	Burns	Cromer
Duncan	Edgerton	Frank
Harris	Huff	Kilmartin
Magnuson	May	Morgan
Pace	Terrible	

**Total--14**

So, the Bill, as amended, was read the second time and ordered to third reading.

**H. 4305--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. HERBKERSMAN, with unanimous consent, it was ordered that H. 4305 be read the third time tomorrow.

**S. 220--POINT OF ORDER, RULE 5.10 WAIVED PURSUANT  
TO RULE 5.15, ORDERED TO THIRD READING**

The following Bill was taken up:

S. 220 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-21-10, RELATING TO DEFINITIONS, SO AS TO DEFINE TERMS; BY AMENDING SECTION 38-21-30, RELATING TO THE AUTHORITY OF INSURERS TO INVEST IN SECURITIES OF SUBSIDIARIES, SO AS TO INCLUDE HEALTH MAINTENANCE ORGANIZATIONS; BY AMENDING SECTION 38-21-70, RELATING TO CONTENTS OF STATEMENTS, SO AS TO FURTHER EXPLAIN THE REQUIREMENTS OF REPORTING THE DESCRIPTION OF TRANSACTIONS; BY AMENDING SECTION 38-21-90, RELATING TO APPROVAL OF COMMISSIONER OF ACQUISITION OF CONTROL, SO AS TO REQUIRE THE PERSON

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ACQUIRING CONTROL OF A DOMESTIC INSURER TO MAINTAIN OR RESTORE CAPITAL; BY AMENDING SECTION 38-21-160, RELATING TO INFORMATION WHICH NEED NOT BE DISCLOSED IN REGISTRATION STATEMENTS, SO AS TO DESIGNATE THAT THE DEFINITION DOES NOT APPLY FOR OTHER PURPOSES; BY AMENDING SECTION 38-21-225, RELATING TO THE ANNUAL ENTERPRISE RISK REPORT, SO AS TO IDENTIFY EXEMPTIONS FOR FILING THE GROUP CAPITAL CALCULATION AND TO REQUIRE FILING RESULTS OF THE LIQUIDITY STRESS TEST FOR SOME INSURERS; BY AMENDING SECTION 38-21-250, RELATING TO STANDARDS FOR TRANSACTIONS WITHIN INSURANCE SYSTEMS, SO AS TO OUTLINE RESPONSIBILITIES OF THE DIRECTOR, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-21-290, RELATING TO CONFIDENTIAL INFORMATION, SO AS TO REQUIRE THE DIRECTOR TO KEEP GROUP CAPITAL CALCULATIONS, GROUP CAPITAL RATIO AND LIQUIDITY STRESS TEST RESULTS, AND SUPPORTING DISCLOSURES CONFIDENTIAL; AND TO ADD REFERENCES TO THIRD-PARTY CONSULTANTS.

Rep. GAGNON explained the Bill.

**POINT OF ORDER**

Rep. MAGNUSON made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

Acting Speaker HIOTT sustained the Point of Order.

Rep. GATCH moved to waive Rule 5.10, pursuant to Rule 5.15.

By a division vote 78-16, Rule 5.10 was waived, pursuant to Rule 5.15.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 87; Nays 13

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Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bauer	Bernstein	Bowers
Bradley	Brewer	Brittain
Bustos	Caskey	Chapman
Cobb-Hunter	Collins	B. J. Cox
B. L. Cox	Crawford	Davis
Dillard	Duncan	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliard	Grant
Guest	Guffey	Haddon
Hager	Hartnett	Hartz
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Holman	J. E. Johnson	J. L. Johnson
Jones	Jordan	Kilmartin
Kirby	Landing	Lawson
Ligon	Long	Luck
Martin	McGinnis	Mitchell
Montgomery	J. Moore	T. Moore
Neese	B. Newton	Oremus
Pedalino	Reese	Rivers
Rose	Rutherford	Sanders
Schuessler	Sessions	G. M. Smith
M. M. Smith	Spann-Wilder	Stavrinakis
Taylor	Teeple	Vaughan
Waters	Weeks	Wetmore
Whitmire	Wickensimer	Williams
Willis	Wooten	Yow

**Total--87**

Those who voted in the negative are:

Beach	Burns	Cromer
Edgerton	Harris	Huff
Magnuson	May	McCravy
Morgan	Pace	Rankin
Terribile		

**Total--13**

[HJ]



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So, the Bill was read the second time and ordered to third reading.

**S. 220--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. GATCH, with unanimous consent, it was ordered that S. 220 be read the third time tomorrow.

**S. 210--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 210 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES AND TO ADD TERMS; BY AMENDING SECTION 38-90-20, RELATING TO REQUIREMENTS OF CAPTIVE INSURANCE COMPANIES, SO AS TO AMEND MEETING REQUIREMENTS AND OUTLINE COMPONENTS OF A PLAN OF OPERATION; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION

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FUND CREATED, SO AS TO INCREASE THE ALLOWED TRANSFER OF COLLECTED TAXES; AND BY AMENDING SECTION 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to S. 210 (LC-210.PH0002H), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 38-90-20(A) and inserting:

(A) A captive insurance company, when permitted by its articles of incorporation, articles of organization, operating agreement, or charter, may apply to the director for a license to provide any and all insurance, except workers' compensation insurance written on a direct basis, authorized by this title; including, without limitation, liquor liability insurance; however:

(1) a pure captive insurance company may not insure any risks other than those of its parent, affiliated companies, controlled unaffiliated business, risks assumed from a risk pool for the purpose of risk sharing, or a combination of them;

(2) an association captive insurance company may not insure any risks other than those of the member organizations of its association and their affiliated companies;

(3) an industrial insured captive insurance company may not insure any risks other than those of the industrial insureds that comprise the industrial insured group and their affiliated companies;

(4) a special purpose captive insurance company may provide insurance or reinsurance, or both, for risks as approved by the director;

(5) a captive insurance company may not provide personal motor vehicle or homeowner's insurance coverage written on a direct basis;

(6) a captive insurance company may not accept or cede reinsurance except as provided in Section 38-90-110;

(7) a captive insurance company may not issue eroding or declining liquor liability insurance coverage whereby the occurrence or aggregate limits are reduced by costs or expenses arising from the insurance company's duty to defend a claim.

Renumber sections to conform.

Amend title to conform.

Rep. GAGNON explained the amendment.

The amendment was then adopted.

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The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bauer	Beach	Bernstein
Bowers	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Caskey	Chapman
Clyburn	Cobb-Hunter	Collins
B. J. Cox	B. L. Cox	Crawford
Cromer	Davis	Dillard
Duncan	Edgerton	Erickson
Forrest	Frank	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Grant
Guest	Guffey	Haddon
Hager	Hartnett	Hartz
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Holman	Huff	J. E. Johnson
J. L. Johnson	Jones	Jordan
Kilmartin	Kirby	Landing
Lawson	Ligon	Long
Luck	Magnuson	Martin
May	McCravy	McGinnis
Mitchell	Montgomery	J. Moore
T. Moore	Morgan	Neese
B. Newton	W. Newton	Oremus
Pace	Pedalino	Rankin
Reese	Rivers	Robbins
Rose	Rutherford	Sanders
Schuessler	Sessions	G. M. Smith
M. M. Smith	Spann-Wilder	Stavrinakis
Taylor	Teeple	Terrible
Vaughan	Waters	Weeks
Wetmore	Whitmire	Wickensimer

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Williams  
Yow

Willis

Wooten

**Total--106**

Those who voted in the negative are:

**Total--0**

So, the Bill, as amended, was read the second time and ordered to third reading.

**S. 210--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HERBKERSMAN, with unanimous consent, it was ordered that S. 210 be read the third time tomorrow.

**H. 3876--POINT OF ORDER**

The following Bill was taken up:

H. 3876 -- Reps. Hewitt, Bailey, Kirby, Oremus, Hardee, McGinnis, Hayes, Cobb-Hunter, Ligon, Rutherford, B. L. Cox, Henderson-Myers and Atkinson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-36-72 SO AS TO SPECIFY THE PARTY RESPONSIBLE FOR COLLECTING AND REMITTING CERTAIN TAXES AND FEES IMPOSED ON ACCOMMODATIONS; BY AMENDING SECTION 12-36-70, RELATING TO THE DEFINITION OF RETAILER, SO AS TO INCLUDE PERSONS OPERATING AS AN ACCOMMODATIONS INTERMEDIARY AND TO DELETE AN EXCEPTION; BY AMENDING SECTION 12-36-920, RELATING TO THE ACCOMMODATIONS TAX, SO AS TO SPECIFY THE PARTY RESPONSIBLE FOR COLLECTING AND REMITTING CERTAIN TAXES AND FEES IMPOSED ON ACCOMMODATIONS AND TO REQUIRE AN ANNUAL REPORT ON IMPOSITIONS; BY AMENDING SECTION 6-1-510, RELATING TO THE LOCAL ACCOMMODATIONS TAX, SO AS TO INCLUDE GROSS PROCEEDS OF PERSONS ACTING AS A MERCHANT OF RECORD; BY AMENDING SECTION 6-1-520, RELATING TO THE LOCAL ACCOMMODATIONS TAX SO AS TO REQUIRE A LOCAL GOVERNMENT TO NOTIFY THE DEPARTMENT OF REVENUE AND THE STATE TREASURER OF CERTAIN

[HJ]

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IMPOSITIONS; BY AMENDING SECTION 6-1-570, RELATING TO REMITTING THE LOCAL ACCOMMODATIONS TAX, SO AS TO CLARIFY THE TAX IS TO BE COLLECTED; BY AMENDING SECTION 6-1-630, RELATING TO THE BEACH PRESERVATION FEE, SO AS TO REQUIRE THE FEE TO BE COLLECTED AND REMITTED IN THE SAME MANNER AS THE LOCAL ACCOMMODATIONS TAX AND TO REQUIRE THE LOCAL GOVERNMENT TO NOTIFY THE DEPARTMENT OF REVENUE AND THE STATE TREASURER OF THE IMPOSITION OF THE FEE; AND BY AMENDING SECTION 5-7-30, RELATING TO THE POWERS OF A MUNICIPALITY, SO AS TO REQUIRE CERTAIN UNIFORM SERVICE CHARGES ON ACCOMMODATIONS BE COLLECTED AND REMITTED IN THE SAME MANNER AS THE LOCAL ACCOMMODATIONS TAX AND TO REQUIRE THE LOCAL GOVERNMENT TO NOTIFY THE DEPARTMENT OF REVENUE AND THE STATE TREASURER OF THE IMPOSITION OF THE FEE.

**POINT OF ORDER**

Rep. CRAWFORD made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

Acting Speaker HIOTT sustained the Point of Order.

**SPEAKER IN CHAIR**

**H. 4303--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4303 -- Reps. Gatch, Cobb-Hunter, Sessions, M. M. Smith, Brewer, Rutherford, Gagnon, Guest, Guffey, Weeks, Hosey and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-620, RELATING TO TAX RATES ON PRODUCTS CONTAINING TOBACCO, SO AS TO TAX CIGARETTES FOR HEATING ONE AND ONE-QUARTER MILLS ON EACH CIGARETTE.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 4303 (LC-4303.DG0003H), which was adopted:

[HJ]

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Amend the bill, as and if amended, SECTION 1, by striking Section 12-21-620(A)(2) and inserting:

(2) upon all cigarettes for heating made of tobacco or any substitute for tobacco, ~~one and one-quarter~~fourteen and one-quarter mills on each cigarette;

Renumber sections to conform.

Amend title to conform.

Rep. B. NEWTON explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 93; Nays 6

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Cromer	Davis	Duncan
Edgerton	Erickson	Forrest
Frank	Gagnon	Garvin
Gatch	Gibson	Gilliam
Grant	Guest	Guffey
Haddon	Hager	Hartnett
Hartz	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Holman	Huff	J. E. Johnson
J. L. Johnson	Jones	Jordan
Kilmartin	Kirby	Landing
Lawson	Ligon	Luck
Magnuson	Martin	McGinnis
Montgomery	J. Moore	T. Moore
Morgan	Neese	B. Newton
W. Newton	Oremus	Pedalino

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Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Sessions	G. M. Smith
M. M. Smith	Taylor	Teeple
Terribile	Vaughan	Waters
Weeks	Whitmire	Williams
Willis	Wooten	Yow

**Total--93**

Those who voted in the negative are:

Crawford	McCravy	Mitchell
Spann-Wilder	Stavrinakis	Wetmore

**Total--6**

So, the Bill, as amended, was read the second time and ordered to third reading.

**ABSTENTION FROM VOTING**

May 1, 2025

The Honorable G. Murrell Smith Jr.  
506 Blatt Building  
Columbia, SC 29201

Dear Speaker Smith,

I am notifying you in accordance with S.C. Code Ann. Section 8-13-700 that I will not participate in the vote on H. 4303 by amending Section 12-21-620, relating to tax rates on products containing tobacco, so as to tax cigarettes for heating one and one-quarter mills on each cigarette out of an abundance of caution. I will abstain from this vote because of a potential conflict of interest as an economic interest of myself and/or a business with which I am associated may be affected. Please note this in the House Journal.

Sincerely,

Representative Jordan Pace  
House District Number 117

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**H. 4303--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. B. NEWTON, with unanimous consent, it was ordered that H. 4303 be read the third time tomorrow.

**OBJECTION TO RECALL**

Rep. BAUER asked unanimous consent to recall H. 3762 from the Committee on Judiciary.

Rep. LONG objected.

**OBJECTION TO RECALL**

Rep. B. NEWTON asked unanimous consent to recall S. 507 from the Committee on Ways and Means.

Rep. CROMER objected.

**OBJECTION TO RECALL**

Rep. WILLIS asked unanimous consent to recall S. 11 from the Committee on Ways and Means.

Rep. CROMER objected.

**OBJECTION TO RECALL**

Rep. WOOTEN asked unanimous consent to recall H. 4186 from the Committee on Medical, Military, Public and Municipal Affairs.

Rep. EDGERTON objected.

**H. 4342--RECALLED FROM COMMITTEE ON MEDICAL,  
MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

On motion of Rep. M. M. SMITH, with unanimous consent, the following Bill was ordered recalled from the Committee on Medical, Military, Public and Municipal Affairs:

H. 4342 -- Rep. M. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-15-175, RELATING TO REQUIREMENTS FOR RESTRICTED INSTRUCTORS' LICENSES ISSUED BY THE BOARD OF DENTISTRY, SO AS TO REMOVE LIMITATIONS ON CERTAIN CREDENTIALING REQUIREMENTS.



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**OBJECTION TO RECALL**

Rep. BAUER asked unanimous consent to recall S. 534 from the Committee on Ways and Means.

Rep. LONG objected.

**H. 3430--DEBATE ADJOURNED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3430 -- Reps. B. Newton, Murphy, Caskey, Mitchell, Pope, W. Newton, Bannister, Sessions, Jordan, Robbins, Collins, Martin, Lawson, Wickensimer, Landing, Long, Hiott, Forrest, Sanders, Teeple, Oremus, Hartz, Guest, Pedalino, M. M. Smith, Schuessler, Chapman, Gatch, McGinnis, Neese, Hardee, Ligon, Taylor, Willis, Vaughan, Brittain, Erickson, Bradley, Rankin, Hager, Whitmire, Gilliam, Crawford, Hewitt, Yow, Hixon, Ballentine, Gagnon and Brewer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 11-7-70 SO AS TO PROVIDE THAT THE GOVERNOR SHALL APPOINT THE STATE AUDITOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 1-3-240, RELATING TO REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE STATE AUDITOR; AND BY REPEALING SECTION 11-7-10 RELATING TO THE SELECTION OF THE STATE AUDITOR.

Rep. B. NEWTON moved to adjourn debate on the Senate Amendments, which was agreed to.

**H. 3309--DEBATE ADJOURNED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3309 -- Reps. G. M. Smith, Gatch, Herbkersman, Pope, B. Newton, Wooten, Robbins, Mitchell, Chapman, W. Newton, Taylor, Forrest, Hewitt, Kirby, Schuessler, Yow, Long, M. M. Smith, Hardee, Montgomery, Atkinson, Hixon, Ligon, Anderson, Weeks, Willis, Govan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA ENERGY SECURITY ACT" BY AMENDING SECTION 58-3-20, RELATING TO THE MEMBERSHIP, ELECTION, AND QUALIFICATIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO CHANGE THE

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NUMBER OF COMMISSIONERS FROM SEVEN TO THREE TO BE ELECTED BY THE GENERAL ASSEMBLY FROM THE STATE AT LARGE; BY AMENDING SECTION 58-3-140, RELATING TO THE PUBLIC SERVICE COMMISSION'S POWERS TO REGULATE PUBLIC UTILITIES, SO AS TO ESTABLISH CONSIDERATIONS AND STATE POLICY FOR THE COMMISSION'S DECISION-MAKING PROCESS, TO ESTABLISH A SCHEDULE FOR CERTAIN TESTIMONY AND DISCOVERY IN CONTESTED PROCEEDINGS, TO PERMIT ELECTRICAL UTILITY CUSTOMERS TO ADDRESS THE COMMISSION AS PUBLIC WITNESSES, AND TO ESTABLISH REQUIREMENTS FOR AN INDEPENDENT THIRD-PARTY CONSULTANT HIRED BY THE COMMISSION; BY AMENDING SECTION 58-3-250, RELATING TO SERVICE OF ORDERS AND DECISIONS ON PARTIES, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS REPRESENTATION OF PUBLIC INTEREST BEFORE THE COMMISSION, SO AS TO ESTABLISH ITS CONSIDERATIONS FOR PUBLIC INTEREST; BY ADDING SECTION 58-4-150 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO PREPARE A COMPREHENSIVE STATE ENERGY ASSESSMENT AND ACTION PLAN AND TO ESTABLISH REQUIREMENTS FOR THIS PLAN; BY ADDING CHAPTER 38 TO TITLE 58 SO AS TO ESTABLISH THE SOUTH CAROLINA ENERGY POLICY RESEARCH AND ECONOMIC DEVELOPMENT INSTITUTE; BY ADDING SECTION 58-33-195 SO AS TO ENCOURAGE DOMINION ENERGY, THE PUBLIC SERVICE AUTHORITY, DUKE ENERGY CAROLINAS, AND DUKE ENERGY PROGRESS TO EVALUATE CERTAIN ELECTRICAL GENERATION FACILITIES AND PROVIDE FOR CONSIDERATIONS RELATED TO THESE FACILITIES; BY ADDING SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN ELECTRICAL GENERATION AND TRANSMISSION FACILITIES WITH INVESTOR-OWNED ELECTRIC UTILITIES, AND TO PROVIDE REQUIREMENTS FOR JOINT OWNERSHIP; BY AMENDING ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO ESTABLISH THE COUNCIL IN THE OFFICE OF REGULATORY STAFF, TO PROVIDE FOR ITS DUTIES AND MEMBERSHIP, AND TO PROVIDE FOR THE COUNCIL'S DIRECTOR; BY AMENDING

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SECTION 37-6-604, RELATING TO THE CONSUMER ADVOCATE'S INTERVENTION ON MATTERS FILED AT THE COMMISSION, SO AS TO TRANSFER THESE DUTIES TO THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 58-33-196 SO AS TO ENCOURAGE CONSIDERATION OF DEPLOYMENT OF NUCLEAR FACILITIES AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 58-37-70 SO AS TO PERMIT A SMALL MODULAR NUCLEAR PILOT PROGRAM AND TO ESTABLISH REQUIREMENTS; BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 58 SO AS TO PROVIDE FOR STATE AGENCY REVIEW OF ENERGY INFRASTRUCTURE PROJECT APPLICATIONS AND TO PROVIDE A SUNSET, AND BY ADDING ARTICLE 1 TO CHAPTER 37 TO INCLUDE ALL OTHER SECTIONS OF CHAPTER 37; BY AMENDING SECTION 58-40-10, RELATING TO THE DEFINITION OF "CUSTOMER-GENERATOR," SO AS TO ESTABLISH CHARACTERISTICS FOR A "CUSTOMER-GENERATOR"; BY AMENDING SECTION 58-41-30, RELATING TO VOLUNTARY RENEWABLE ENERGY PROGRAMS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS AND CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-41-10, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF "ENERGY STORAGE FACILITIES"; BY AMENDING SECTION 58-41-20, RELATING TO PROCEEDINGS FOR ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES AND RELATED PROCESSES, SO AS TO AUTHORIZE COMPETITIVE PROCUREMENT PROGRAMS FOR RENEWABLE ENERGY, CAPACITY, AND STORAGE, TO PERMIT COMPETITIVE PROCUREMENT OF NEW RENEWABLE ENERGY CAPACITY AND ESTABLISH REQUIREMENTS FOR NON-COMPETITIVE PROCUREMENT PROGRAMS, AND TO DELETE LANGUAGE REGARDING THE COMMISSION HIRING THIRD-PARTY EXPERTS FOR THESE PROCEEDINGS; BY ADDING SECTION 58-41-25 SO AS TO PROVIDE FOR A PROCESS FOR COMPETITIVE PROCUREMENT OF RENEWABLE ENERGY FACILITIES; BY AMENDING SECTION 58-33-20, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION "LIKE FACILITY" AND AMENDING THE DEFINITION OF "MAJOR UTILITY FACILITY"; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE FOR A LIKE

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FACILITY, TO ESTABLISH REQUIREMENTS AND CONSIDERATIONS FOR PROPOSED FACILITIES, TO PROVIDE WHAT ACTIONS MAY BE TAKEN WITHOUT PERMISSION FROM THE COMMISSION, AND TO MAKE TECHNICAL CHANGES; BY AMENDING SECTION 58-37-40, RELATING TO INTEGRATED RESOURCES PLANS, SO AS TO ADD CONSIDERATION OF A UTILITY'S TRANSMISSION AND DISTRIBUTION RESOURCE PLAN, TO ESTABLISH PROCEDURAL REQUIREMENTS AND EVALUATION BY THE COMMISSION, AND REQUIRE PARTIES TO BEAR THEIR OWN COSTS; BY AMENDING SECTION 58-3-260, RELATING TO COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES, SO AS TO MODIFY REQUIREMENTS FOR ALLOWABLE EX PARTE COMMUNICATIONS AND BRIEFINGS, AND TO PERMIT COMMISSION TOURS OF UTILITY PLANTS OR OTHER FACILITIES UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-3-270, RELATING TO EX PARTE COMMUNICATION COMPLAINT PROCEEDINGS AT THE ADMINISTRATIVE LAW COURT, SO AS TO PERMIT AN ORDER TOLLING ANY DEADLINES ON A PROCEEDING SUBJECT TO A COMPLAINT TO THE EXTENT THE PROCEEDING WAS PREJUDICED SO THAT THE COMMISSION COULD NOT CONSIDER THE MATTER IMPARTIALLY; BY ADDING CHAPTER 43 TO TITLE 58 SO AS TO ESTABLISH ECONOMIC DEVELOPMENT RATES FOR ELECTRICAL UTILITIES; BY AMENDING SECTION 58-33-310, RELATING TO AN APPEAL FROM A FINAL ORDER OR DECISION OF THE COMMISSION, SO AS TO REQUIRE A FINAL ORDER ISSUED PURSUANT TO CHAPTER 33, TITLE 58 BE IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT AND TO PROVIDE FOR AN EXPEDITED HEARING; BY AMENDING SECTION 58-33-320, RELATING TO JOINT HEARINGS AND JOINT INVESTIGATIONS, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-4-160 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE ESTABLISHING A THIRD-PARTY ADMINISTRATOR FOR ENERGY EFFICIENCY AND DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO ADD A REFERENCE TO "DEMAND-SIDE MANAGEMENT PROGRAM" AND PROVIDE DEFINITIONS FOR "COST-EFFECTIVE" AND

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"DEMAND-SIDE MANAGEMENT PILOT PROGRAM"; BY AMENDING SECTION 58-37-20, RELATING TO COMMISSION PROCEDURES ENCOURAGING ENERGY EFFICIENCY PROGRAMS, SO AS TO EXPAND COMMISSION CONSIDERATIONS FOR COST-EFFECTIVE, DEMAND-SIDE MANAGEMENT AND ENERGY EFFICIENCY PROGRAMS, AND REQUIRE EACH INVESTOR-OWNED ELECTRICAL UTILITY TO SUBMIT AN ANNUAL REPORT TO THE COMMISSION REGARDING ITS DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-37-35 SO AS TO PERMIT PROGRAMS AND CUSTOMER INCENTIVES TO ENCOURAGE OR PROMOTE DEMAND-SIDE MANAGEMENT PROGRAMS FOR CUSTOMER-SITED DISTRIBUTION RESOURCES, AND TO PROVIDE CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-37-50, RELATING TO AGREEMENTS FOR ENERGY EFFICIENCY AND CONSERVATION MEASURES, SO AS TO ESTABLISH CERTAIN TERMS AND RATE RECOVERY FOR AGREEMENTS FOR FINANCING AND INSTALLING ENERGY EFFICIENCY AND CONSERVATION MEASURES, AND FOR APPLICATION TO A RESIDENCE OCCUPIED BEFORE THE MEASURES ARE TAKEN; BY ADDING SECTION 58-31-215 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY, IN CONSULTATION WITH THE DEPARTMENT OF COMMERCE, TO SERVE AS AN ANCHOR SUBSCRIBER OF NATURAL GAS AND PIPELINE CAPACITY FOR THIS STATE, TO ESTABLISH THE "ENERGY INVESTMENT AND ECONOMIC DEVELOPMENT FUND," AND TO PROVIDE FOR RELATED REQUIREMENTS; BY AMENDING SECTION 58-3-70, RELATING TO COMPENSATION OF PUBLIC SERVICE COMMISSION MEMBERS, SO AS TO ESTABLISH SALARIES IN AMOUNTS EQUAL TO NINETY-SEVEN AND ONE-HALF PERCENT OF SUPREME COURT ASSOCIATE JUSTICES; BY ADDING SECTION 58-41-50 SO AS TO PROVIDE REQUIREMENTS AND CONSIDERATION FOR CO-LOCATED RESOURCES BETWEEN A UTILITY AND ITS CUSTOMER UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 58-4-15 SO AS TO ESTABLISH THE DIVISION OF CONSUMER ADVOCACY WITHIN THE OFFICE OF REGULATORY STAFF AND TO TRANSFER THE DUTIES OF THE DIVISION OF CONSUMER ADVOCACY IN THE DEPARTMENT

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OF CONSUMER AFFAIRS TO THE OFFICE OF REGULATORY STAFF; BY AMENDING SECTION 58-40-10, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "RENEWABLE ENERGY RESOURCE"; AND FOR OTHER PURPOSES.

Rep. B. NEWTON moved to adjourn debate on the Senate Amendments, which was agreed to.

**H. 3947--SENATE AMENDMENTS CONCURRED IN AND  
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3947 -- Reps. Hixon, Pedalino, McCabe, Vaughan and Taylor: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-57-340, RELATING TO BIENNIAL CONTINUING EDUCATION REQUIREMENTS FOR LICENSURE RENEWAL BY THE REAL ESTATE COMMISSION, SO AS TO PROVIDE NONRESIDENT BROKERS AND NONRESIDENT ASSOCIATES WHO SUCCESSFULLY SATISFY CONTINUING EDUCATION REQUIREMENTS OF THEIR JURISDICTION OF RESIDENCE MAY BE EXEMPT FROM THE CONTINUING EDUCATION REQUIREMENTS OF THIS STATE WITH APPROVAL OF THE COMMISSION.

Rep. HIXON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis

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Dillard	Duncan	Edgerton
Erickson	Forrest	Frank
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Grant	Guest	Guffey
Haddon	Hager	Harris
Hartnett	Hartz	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Holman
Huff	J. E. Johnson	J. L. Johnson
Jones	Jordan	Kilmartin
Kirby	Landing	Lawson
Ligon	Long	Luck
Magnuson	Martin	May
McCravy	McGinnis	Mitchell
Montgomery	J. Moore	T. Moore
Morgan	Neese	B. Newton
W. Newton	Oremus	Pedalino
Rankin	Reese	Rivers
Robbins	Rose	Sanders
Schuessler	Sessions	G. M. Smith
M. M. Smith	Spann-Wilder	Stavrinakis
Taylor	Teeple	Terrible
Vaughan	Waters	Weeks
Wetmore	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

**Total--106**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

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**S. 62--SENATE AMENDMENTS CONCURRED IN AND BILL  
ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

S. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-115, RELATING TO THE STANDARD APPLICATION PROCESS, SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY AMENDING SECTION 59-8-120, RELATING TO ADMINISTRATION OF FUND, SO AS TO PROVIDE FOR THE ADMINISTRATION OF THE K-12 EDUCATION LOTTERY SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING TO FUNDS TO CREATE, OVERSEE, AND THE ADMINISTER PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS, AND TERMINATION OF SCHOLARSHIPS, SO AS TO APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM FROM THE SOUTH CAROLINA EDUCATION LOTTERY ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO TERMINATION OF SCHOLARSHIP STUDENT'S PROGRAM; NOTIFICATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140, RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO PROCEDURES TO INFORM STUDENTS AND THEIR PARENTS OF ELIGIBILITY AND APPROVED EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS REQUIRED OF EDUCATION SERVICE PROVIDERS WHO



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EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170, RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES ; AND BY AMENDING SECTION 59-150-350, RELATING TO THE EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

Rep. ERICKSON explained the Senate Amendments.

On motion of Rep. BRADLEY, with unanimous consent, the remarks of Rep. ERICKSON were ordered printed in the Journal.

**Remarks by Representative Erickson**

Mr. Speaker:

Providing parents with more options for educating their children is in the best interest of students, parents, and the State of South Carolina.

Every child has unique educational needs, and those needs are often best served in settings other than a child's zoned public school.

Parents are the first and most important educators for their children, and can responsibly exercise decision-making power over which educational setting best fits their child's unique needs.

South Carolina has long embraced school choice in other areas, including higher education and early childhood education.

Senate bill 62 is modeled on existing school choice programs, including Higher Education Tuition Grants, the South Carolina Education Lottery Act, and the Child Early Reading Development and Education Program in the South Carolina Read to Succeed Act.

The General Assembly has carefully and respectfully crafted this act to comply with the South Carolina Supreme Court's interpretation of Article XI, Section 4 of the South Carolina Constitution in *Eidson v. S.C. Department of Education* and specifically finds that Chief Justice Kittredge's description of the Education Scholarship Trust Fund program represents how the program created by this act is structured.

This bill has intentionally selected a trust mechanism to effectuate the

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aims of this Act in a way that is structurally akin to other statutory legal trusts that, like this one, involve a trustee holding and administering funds that, when placed and held in that fund are not funds of the State but, instead, are equitably owned by the beneficial owners who are the trust beneficiaries (here, the scholarship recipients), and in which the funds cannot revert to the grantor for general discretionary use; and

The Education Scholarship Trust Fund is not like some other trust funds set out in state law where the trust concept only designates the funds as segregated accounts within the state treasury, but, instead, the General Assembly intends that the Trust Fund operate as a legally enforceable trust like the South Carolina Retirement System.

Based on the South Carolina Supreme Court's decision in *Hartness v. Patterson*, and the subsequent constitutional amendment that adopted Article XI, Section 4, the funds deposited in the South Carolina Education Scholarship Trust Fund cease to be public funds upon that deposit and any benefit conferred on any religious or other private educational institution is indirect only.

The scholarships provide educational services that directly benefit school-aged children and where the funds go stems immediately from the parent's decision.

Mr. Speaker, I move to concur with the Senate amendments to Senate bill 62.

Rep. Shannon Erickson

**ACTING SPEAKER HIOTT IN CHAIR**

Rep. ERICKSON continued speaking.

**SPEAKER IN CHAIR**

Rep. ERICKSON continued speaking.

Rep. GARVIN spoke against the Senate Amendments.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. GOVAN a temporary leave of absence.

Rep. GARVIN continued speaking.

**ACTING SPEAKER HIOTT IN CHAIR**

[HJ]

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Rep. GARVIN continued speaking.

Rep. BAMBERG spoke against the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 73; Nays 32

Those who voted in the affirmative are:

Bailey	Ballentine	Bannister
Beach	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	B. J. Cox	Crawford
Cromer	Davis	Duncan
Edgerton	Erickson	Forrest
Frank	Gagnon	Gatch
Gilliam	Guest	Guffey
Haddon	Hager	Hartnett
Hartz	Herbkersman	Hewitt
Hiott	Hixon	Huff
J. E. Johnson	Jordan	Kilmartin
Landing	Lawson	Ligon
Long	Magnuson	May
McCravy	McGinnis	Mitchell
T. Moore	Morgan	Neese
B. Newton	W. Newton	Oremus
Pace	Pedalino	Rankin
Robbins	Sanders	Schuessler
Sessions	G. M. Smith	M. M. Smith
Taylor	Teeple	Terrible
Vaughan	Weeks	Whitmire
Wickensimer	Willis	Wooten
Yow		

**Total--73**

Those who voted in the negative are:

Alexander	Anderson	Atkinson
Bamberg	Bauer	Clyburn
Cobb-Hunter	Collins	Dillard
Garvin	Gibson	Gilliard

[HJ]

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Govan	Grant	Hayes
Henderson-Myers	Howard	J. L. Johnson
Jones	Kirby	Luck
Martin	McDaniel	J. Moore
Reese	Rivers	Rose
Spann-Wilder	Stavrinakis	Waters
Wetmore	Williams	

**Total--32**

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**SPEAKER IN CHAIR**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. J. E. JOHNSON a leave of absence for the remainder of the day.

**H. 3309--RECONSIDERED**

Rep. GATCH moved to reconsider the vote whereby debate was adjourned on the following Bill, which was agreed to:

H. 3309 -- Reps. G. M. Smith, Gatch, Herbkersman, Pope, B. Newton, Wooten, Robbins, Mitchell, Chapman, W. Newton, Taylor, Forrest, Hewitt, Kirby, Schuessler, Yow, Long, M. M. Smith, Hardee, Montgomery, Atkinson, Hixon, Ligon, Anderson, Weeks, Willis, Govan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA ENERGY SECURITY ACT" BY AMENDING SECTION 58-3-20, RELATING TO THE MEMBERSHIP, ELECTION, AND QUALIFICATIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO CHANGE THE NUMBER OF COMMISSIONERS FROM SEVEN TO THREE TO BE ELECTED BY THE GENERAL ASSEMBLY FROM THE STATE AT LARGE; BY AMENDING SECTION 58-3-140, RELATING TO THE PUBLIC SERVICE COMMISSION'S POWERS TO REGULATE PUBLIC UTILITIES, SO AS TO ESTABLISH CONSIDERATIONS AND STATE POLICY FOR THE COMMISSION'S DECISION-MAKING PROCESS, TO ESTABLISH A SCHEDULE FOR CERTAIN TESTIMONY AND DISCOVERY IN CONTESTED

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PROCEEDINGS, TO PERMIT ELECTRICAL UTILITY CUSTOMERS TO ADDRESS THE COMMISSION AS PUBLIC WITNESSES, AND TO ESTABLISH REQUIREMENTS FOR AN INDEPENDENT THIRD-PARTY CONSULTANT HIRED BY THE COMMISSION; BY AMENDING SECTION 58-3-250, RELATING TO SERVICE OF ORDERS AND DECISIONS ON PARTIES, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS REPRESENTATION OF PUBLIC INTEREST BEFORE THE COMMISSION, SO AS TO ESTABLISH ITS CONSIDERATIONS FOR PUBLIC INTEREST; BY ADDING SECTION 58-4-150 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO PREPARE A COMPREHENSIVE STATE ENERGY ASSESSMENT AND ACTION PLAN AND TO ESTABLISH REQUIREMENTS FOR THIS PLAN; BY ADDING CHAPTER 38 TO TITLE 58 SO AS TO ESTABLISH THE SOUTH CAROLINA ENERGY POLICY RESEARCH AND ECONOMIC DEVELOPMENT INSTITUTE; BY ADDING SECTION 58-33-195 SO AS TO ENCOURAGE DOMINION ENERGY, THE PUBLIC SERVICE AUTHORITY, DUKE ENERGY CAROLINAS, AND DUKE ENERGY PROGRESS TO EVALUATE CERTAIN ELECTRICAL GENERATION FACILITIES AND PROVIDE FOR CONSIDERATIONS RELATED TO THESE FACILITIES; BY ADDING SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN ELECTRICAL GENERATION AND TRANSMISSION FACILITIES WITH INVESTOR-OWNED ELECTRIC UTILITIES, AND TO PROVIDE REQUIREMENTS FOR JOINT OWNERSHIP; BY AMENDING ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO ESTABLISH THE COUNCIL IN THE OFFICE OF REGULATORY STAFF, TO PROVIDE FOR ITS DUTIES AND MEMBERSHIP, AND TO PROVIDE FOR THE COUNCIL'S DIRECTOR; BY AMENDING SECTION 37-6-604, RELATING TO THE CONSUMER ADVOCATE'S INTERVENTION ON MATTERS FILED AT THE COMMISSION, SO AS TO TRANSFER THESE DUTIES TO THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 58-33-196 SO AS TO ENCOURAGE CONSIDERATION OF DEPLOYMENT OF NUCLEAR FACILITIES AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 58-37-70 SO AS TO PERMIT A SMALL MODULAR NUCLEAR PILOT

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PROGRAM AND TO ESTABLISH REQUIREMENTS; BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 58 SO AS TO PROVIDE FOR STATE AGENCY REVIEW OF ENERGY INFRASTRUCTURE PROJECT APPLICATIONS AND TO PROVIDE A SUNSET, AND BY ADDING ARTICLE 1 TO CHAPTER 37 TO INCLUDE ALL OTHER SECTIONS OF CHAPTER 37; BY AMENDING SECTION 58-40-10, RELATING TO THE DEFINITION OF "CUSTOMER-GENERATOR," SO AS TO ESTABLISH CHARACTERISTICS FOR A "CUSTOMER-GENERATOR"; BY AMENDING SECTION 58-41-30, RELATING TO VOLUNTARY RENEWABLE ENERGY PROGRAMS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS AND CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-41-10, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF "ENERGY STORAGE FACILITIES"; BY AMENDING SECTION 58-41-20, RELATING TO PROCEEDINGS FOR ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES AND RELATED PROCESSES, SO AS TO AUTHORIZE COMPETITIVE PROCUREMENT PROGRAMS FOR RENEWABLE ENERGY, CAPACITY, AND STORAGE, TO PERMIT COMPETITIVE PROCUREMENT OF NEW RENEWABLE ENERGY CAPACITY AND ESTABLISH REQUIREMENTS FOR NON-COMPETITIVE PROCUREMENT PROGRAMS, AND TO DELETE LANGUAGE REGARDING THE COMMISSION HIRING THIRD-PARTY EXPERTS FOR THESE PROCEEDINGS; BY ADDING SECTION 58-41-25 SO AS TO PROVIDE FOR A PROCESS FOR COMPETITIVE PROCUREMENT OF RENEWABLE ENERGY FACILITIES; BY AMENDING SECTION 58-33-20, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION "LIKE FACILITY" AND AMENDING THE DEFINITION OF "MAJOR UTILITY FACILITY"; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE FOR A LIKE FACILITY, TO ESTABLISH REQUIREMENTS AND CONSIDERATIONS FOR PROPOSED FACILITIES, TO PROVIDE WHAT ACTIONS MAY BE TAKEN WITHOUT PERMISSION FROM THE COMMISSION, AND TO MAKE TECHNICAL CHANGES; BY AMENDING SECTION 58-37-40, RELATING TO INTEGRATED RESOURCES PLANS, SO AS TO ADD CONSIDERATION OF A UTILITY'S TRANSMISSION AND DISTRIBUTION RESOURCE PLAN, TO ESTABLISH

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PROCEDURAL REQUIREMENTS AND EVALUATION BY THE COMMISSION, AND REQUIRE PARTIES TO BEAR THEIR OWN COSTS; BY AMENDING SECTION 58-3-260, RELATING TO COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES, SO AS TO MODIFY REQUIREMENTS FOR ALLOWABLE EX PARTE COMMUNICATIONS AND BRIEFINGS, AND TO PERMIT COMMISSION TOURS OF UTILITY PLANTS OR OTHER FACILITIES UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-3-270, RELATING TO EX PARTE COMMUNICATION COMPLAINT PROCEEDINGS AT THE ADMINISTRATIVE LAW COURT, SO AS TO PERMIT AN ORDER TOLLING ANY DEADLINES ON A PROCEEDING SUBJECT TO A COMPLAINT TO THE EXTENT THE PROCEEDING WAS PREJUDICED SO THAT THE COMMISSION COULD NOT CONSIDER THE MATTER IMPARTIALLY; BY ADDING CHAPTER 43 TO TITLE 58 SO AS TO ESTABLISH ECONOMIC DEVELOPMENT RATES FOR ELECTRICAL UTILITIES; BY AMENDING SECTION 58-33-310, RELATING TO AN APPEAL FROM A FINAL ORDER OR DECISION OF THE COMMISSION, SO AS TO REQUIRE A FINAL ORDER ISSUED PURSUANT TO CHAPTER 33, TITLE 58 BE IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT AND TO PROVIDE FOR AN EXPEDITED HEARING; BY AMENDING SECTION 58-33-320, RELATING TO JOINT HEARINGS AND JOINT INVESTIGATIONS, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-4-160 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE ESTABLISHING A THIRD-PARTY ADMINISTRATOR FOR ENERGY EFFICIENCY AND DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO ADD A REFERENCE TO "DEMAND-SIDE MANAGEMENT PROGRAM" AND PROVIDE DEFINITIONS FOR "COST-EFFECTIVE" AND "DEMAND-SIDE MANAGEMENT PILOT PROGRAM"; BY AMENDING SECTION 58-37-20, RELATING TO COMMISSION PROCEDURES ENCOURAGING ENERGY EFFICIENCY PROGRAMS, SO AS TO EXPAND COMMISSION CONSIDERATIONS FOR COST-EFFECTIVE, DEMAND-SIDE MANAGEMENT AND ENERGY EFFICIENCY PROGRAMS, AND REQUIRE EACH INVESTOR-OWNED ELECTRICAL UTILITY TO SUBMIT AN ANNUAL REPORT TO THE COMMISSION

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REGARDING ITS DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-37-35 SO AS TO PERMIT PROGRAMS AND CUSTOMER INCENTIVES TO ENCOURAGE OR PROMOTE DEMAND-SIDE MANAGEMENT PROGRAMS FOR CUSTOMER-SITED DISTRIBUTION RESOURCES, AND TO PROVIDE CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-37-50, RELATING TO AGREEMENTS FOR ENERGY EFFICIENCY AND CONSERVATION MEASURES, SO AS TO ESTABLISH CERTAIN TERMS AND RATE RECOVERY FOR AGREEMENTS FOR FINANCING AND INSTALLING ENERGY EFFICIENCY AND CONSERVATION MEASURES, AND FOR APPLICATION TO A RESIDENCE OCCUPIED BEFORE THE MEASURES ARE TAKEN; BY ADDING SECTION 58-31-215 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY, IN CONSULTATION WITH THE DEPARTMENT OF COMMERCE, TO SERVE AS AN ANCHOR SUBSCRIBER OF NATURAL GAS AND PIPELINE CAPACITY FOR THIS STATE, TO ESTABLISH THE "ENERGY INVESTMENT AND ECONOMIC DEVELOPMENT FUND," AND TO PROVIDE FOR RELATED REQUIREMENTS; BY AMENDING SECTION 58-3-70, RELATING TO COMPENSATION OF PUBLIC SERVICE COMMISSION MEMBERS, SO AS TO ESTABLISH SALARIES IN AMOUNTS EQUAL TO NINETY-SEVEN AND ONE-HALF PERCENT OF SUPREME COURT ASSOCIATE JUSTICES; BY ADDING SECTION 58-41-50 SO AS TO PROVIDE REQUIREMENTS AND CONSIDERATION FOR CO-LOCATED RESOURCES BETWEEN A UTILITY AND ITS CUSTOMER UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 58-4-15 SO AS TO ESTABLISH THE DIVISION OF CONSUMER ADVOCACY WITHIN THE OFFICE OF REGULATORY STAFF AND TO TRANSFER THE DUTIES OF THE DIVISION OF CONSUMER ADVOCACY IN THE DEPARTMENT OF CONSUMER AFFAIRS TO THE OFFICE OF REGULATORY STAFF; BY AMENDING SECTION 58-40-10, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "RENEWABLE ENERGY RESOURCE"; AND FOR OTHER PURPOSES.



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**H. 3309--SENATE AMENDMENTS AMENDED AND  
RETURNED TO THE SENATE**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3309 -- Reps. G. M. Smith, Gatch, Herbkersman, Pope, B. Newton, Wooten, Robbins, Mitchell, Chapman, W. Newton, Taylor, Forrest, Hewitt, Kirby, Schuessler, Yow, Long, M. M. Smith, Hardee, Montgomery, Atkinson, Hixon, Ligon, Anderson, Weeks, Willis, Govan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA ENERGY SECURITY ACT" BY AMENDING SECTION 58-3-20, RELATING TO THE MEMBERSHIP, ELECTION, AND QUALIFICATIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO CHANGE THE NUMBER OF COMMISSIONERS FROM SEVEN TO THREE TO BE ELECTED BY THE GENERAL ASSEMBLY FROM THE STATE AT LARGE; BY AMENDING SECTION 58-3-140, RELATING TO THE PUBLIC SERVICE COMMISSION'S POWERS TO REGULATE PUBLIC UTILITIES, SO AS TO ESTABLISH CONSIDERATIONS AND STATE POLICY FOR THE COMMISSION'S DECISION-MAKING PROCESS, TO ESTABLISH A SCHEDULE FOR CERTAIN TESTIMONY AND DISCOVERY IN CONTESTED PROCEEDINGS, TO PERMIT ELECTRICAL UTILITY CUSTOMERS TO ADDRESS THE COMMISSION AS PUBLIC WITNESSES, AND TO ESTABLISH REQUIREMENTS FOR AN INDEPENDENT THIRD-PARTY CONSULTANT HIRED BY THE COMMISSION; BY AMENDING SECTION 58-3-250, RELATING TO SERVICE OF ORDERS AND DECISIONS ON PARTIES, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS REPRESENTATION OF PUBLIC INTEREST BEFORE THE COMMISSION, SO AS TO ESTABLISH ITS CONSIDERATIONS FOR PUBLIC INTEREST; BY ADDING SECTION 58-4-150 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO PREPARE A COMPREHENSIVE STATE ENERGY ASSESSMENT AND ACTION PLAN AND TO ESTABLISH REQUIREMENTS FOR THIS PLAN; BY ADDING CHAPTER 38 TO TITLE 58 SO AS TO ESTABLISH THE SOUTH CAROLINA ENERGY POLICY RESEARCH AND ECONOMIC DEVELOPMENT INSTITUTE; BY ADDING SECTION 58-33-195

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SO AS TO ENCOURAGE DOMINION ENERGY, THE PUBLIC SERVICE AUTHORITY, DUKE ENERGY CAROLINAS, AND DUKE ENERGY PROGRESS TO EVALUATE CERTAIN ELECTRICAL GENERATION FACILITIES AND PROVIDE FOR CONSIDERATIONS RELATED TO THESE FACILITIES; BY ADDING SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN ELECTRICAL GENERATION AND TRANSMISSION FACILITIES WITH INVESTOR-OWNED ELECTRIC UTILITIES, AND TO PROVIDE REQUIREMENTS FOR JOINT OWNERSHIP; BY AMENDING ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO ESTABLISH THE COUNCIL IN THE OFFICE OF REGULATORY STAFF, TO PROVIDE FOR ITS DUTIES AND MEMBERSHIP, AND TO PROVIDE FOR THE COUNCIL'S DIRECTOR; BY AMENDING SECTION 37-6-604, RELATING TO THE CONSUMER ADVOCATE'S INTERVENTION ON MATTERS FILED AT THE COMMISSION, SO AS TO TRANSFER THESE DUTIES TO THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 58-33-196 SO AS TO ENCOURAGE CONSIDERATION OF DEPLOYMENT OF NUCLEAR FACILITIES AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 58-37-70 SO AS TO PERMIT A SMALL MODULAR NUCLEAR PILOT PROGRAM AND TO ESTABLISH REQUIREMENTS; BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 58 SO AS TO PROVIDE FOR STATE AGENCY REVIEW OF ENERGY INFRASTRUCTURE PROJECT APPLICATIONS AND TO PROVIDE A SUNSET, AND BY ADDING ARTICLE 1 TO CHAPTER 37 TO INCLUDE ALL OTHER SECTIONS OF CHAPTER 37; BY AMENDING SECTION 58-40-10, RELATING TO THE DEFINITION OF "CUSTOMER-GENERATOR," SO AS TO ESTABLISH CHARACTERISTICS FOR A "CUSTOMER-GENERATOR"; BY AMENDING SECTION 58-41-30, RELATING TO VOLUNTARY RENEWABLE ENERGY PROGRAMS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS AND CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-41-10, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF "ENERGY STORAGE FACILITIES"; BY AMENDING SECTION 58-41-20, RELATING TO PROCEEDINGS FOR ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES AND RELATED PROCESSES, SO AS TO AUTHORIZE COMPETITIVE

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PROCUREMENT PROGRAMS FOR RENEWABLE ENERGY, CAPACITY, AND STORAGE, TO PERMIT COMPETITIVE PROCUREMENT OF NEW RENEWABLE ENERGY CAPACITY AND ESTABLISH REQUIREMENTS FOR NON-COMPETITIVE PROCUREMENT PROGRAMS, AND TO DELETE LANGUAGE REGARDING THE COMMISSION HIRING THIRD-PARTY EXPERTS FOR THESE PROCEEDINGS; BY ADDING SECTION 58-41-25 SO AS TO PROVIDE FOR A PROCESS FOR COMPETITIVE PROCUREMENT OF RENEWABLE ENERGY FACILITIES; BY AMENDING SECTION 58-33-20, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION "LIKE FACILITY" AND AMENDING THE DEFINITION OF "MAJOR UTILITY FACILITY"; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE FOR A LIKE FACILITY, TO ESTABLISH REQUIREMENTS AND CONSIDERATIONS FOR PROPOSED FACILITIES, TO PROVIDE WHAT ACTIONS MAY BE TAKEN WITHOUT PERMISSION FROM THE COMMISSION, AND TO MAKE TECHNICAL CHANGES; BY AMENDING SECTION 58-37-40, RELATING TO INTEGRATED RESOURCES PLANS, SO AS TO ADD CONSIDERATION OF A UTILITY'S TRANSMISSION AND DISTRIBUTION RESOURCE PLAN, TO ESTABLISH PROCEDURAL REQUIREMENTS AND EVALUATION BY THE COMMISSION, AND REQUIRE PARTIES TO BEAR THEIR OWN COSTS; BY AMENDING SECTION 58-3-260, RELATING TO COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES, SO AS TO MODIFY REQUIREMENTS FOR ALLOWABLE EX PARTE COMMUNICATIONS AND BRIEFINGS, AND TO PERMIT COMMISSION TOURS OF UTILITY PLANTS OR OTHER FACILITIES UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-3-270, RELATING TO EX PARTE COMMUNICATION COMPLAINT PROCEEDINGS AT THE ADMINISTRATIVE LAW COURT, SO AS TO PERMIT AN ORDER TOLLING ANY DEADLINES ON A PROCEEDING SUBJECT TO A COMPLAINT TO THE EXTENT THE PROCEEDING WAS PREJUDICED SO THAT THE COMMISSION COULD NOT CONSIDER THE MATTER IMPARTIALLY; BY ADDING CHAPTER 43 TO TITLE 58 SO AS TO ESTABLISH ECONOMIC DEVELOPMENT RATES FOR ELECTRICAL UTILITIES; BY AMENDING SECTION 58-33-310, RELATING TO AN APPEAL

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FROM A FINAL ORDER OR DECISION OF THE COMMISSION, SO AS TO REQUIRE A FINAL ORDER ISSUED PURSUANT TO CHAPTER 33, TITLE 58 BE IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT AND TO PROVIDE FOR AN EXPEDITED HEARING; BY AMENDING SECTION 58-33-320, RELATING TO JOINT HEARINGS AND JOINT INVESTIGATIONS, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-4-160 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE ESTABLISHING A THIRD-PARTY ADMINISTRATOR FOR ENERGY EFFICIENCY AND DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO ADD A REFERENCE TO "DEMAND-SIDE MANAGEMENT PROGRAM" AND PROVIDE DEFINITIONS FOR "COST-EFFECTIVE" AND "DEMAND-SIDE MANAGEMENT PILOT PROGRAM"; BY AMENDING SECTION 58-37-20, RELATING TO COMMISSION PROCEDURES ENCOURAGING ENERGY EFFICIENCY PROGRAMS, SO AS TO EXPAND COMMISSION CONSIDERATIONS FOR COST-EFFECTIVE, DEMAND-SIDE MANAGEMENT AND ENERGY EFFICIENCY PROGRAMS, AND REQUIRE EACH INVESTOR-OWNED ELECTRICAL UTILITY TO SUBMIT AN ANNUAL REPORT TO THE COMMISSION REGARDING ITS DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-37-35 SO AS TO PERMIT PROGRAMS AND CUSTOMER INCENTIVES TO ENCOURAGE OR PROMOTE DEMAND-SIDE MANAGEMENT PROGRAMS FOR CUSTOMER-SITED DISTRIBUTION RESOURCES, AND TO PROVIDE CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-37-50, RELATING TO AGREEMENTS FOR ENERGY EFFICIENCY AND CONSERVATION MEASURES, SO AS TO ESTABLISH CERTAIN TERMS AND RATE RECOVERY FOR AGREEMENTS FOR FINANCING AND INSTALLING ENERGY EFFICIENCY AND CONSERVATION MEASURES, AND FOR APPLICATION TO A RESIDENCE OCCUPIED BEFORE THE MEASURES ARE TAKEN; BY ADDING SECTION 58-31-215 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY, IN CONSULTATION WITH THE DEPARTMENT OF COMMERCE, TO SERVE AS AN ANCHOR SUBSCRIBER OF NATURAL GAS AND

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PIPELINE CAPACITY FOR THIS STATE, TO ESTABLISH THE "ENERGY INVESTMENT AND ECONOMIC DEVELOPMENT FUND," AND TO PROVIDE FOR RELATED REQUIREMENTS; BY AMENDING SECTION 58-3-70, RELATING TO COMPENSATION OF PUBLIC SERVICE COMMISSION MEMBERS, SO AS TO ESTABLISH SALARIES IN AMOUNTS EQUAL TO NINETY-SEVEN AND ONE-HALF PERCENT OF SUPREME COURT ASSOCIATE JUSTICES; BY ADDING SECTION 58-41-50 SO AS TO PROVIDE REQUIREMENTS AND CONSIDERATION FOR CO-LOCATED RESOURCES BETWEEN A UTILITY AND ITS CUSTOMER UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 58-4-15 SO AS TO ESTABLISH THE DIVISION OF CONSUMER ADVOCACY WITHIN THE OFFICE OF REGULATORY STAFF AND TO TRANSFER THE DUTIES OF THE DIVISION OF CONSUMER ADVOCACY IN THE DEPARTMENT OF CONSUMER AFFAIRS TO THE OFFICE OF REGULATORY STAFF; BY AMENDING SECTION 58-40-10, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "RENEWABLE ENERGY RESOURCE"; AND FOR OTHER PURPOSES.

Rep. GATCH proposed the following Amendment No. 1A to H. 3309 (LC-3309.HA0110H), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 6.

Amend the bill further, by deleting SECTION 11.

Amend the bill further, SECTION 14, by striking Section 58-37-70(C)(1) and inserting:

(C)(1) Electrical utilities and the South Carolina Public Service Authority ~~shall~~may evaluate the potential for deploying small modular nuclear facilities at suitable sites within this State. A "suitable site" may include sites of current nuclear facilities, sites where nuclear facilities have been proposed but not constructed, and brownfield sites, such as coal generation sites.

Amend the bill further, SECTION 15.A., by striking Section 58-37-120(A)(1) and inserting:

Section 58-37-120. (A)(1) Any agency presented with an application for a permit for an energy infrastructure project shall promptly provide a public comment period if required by regulation and shall review and issue a decision on the application no later than six months after the date the application is received by the agency. If the agency fails to undertake

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review of and take final action upon the application within the six-month review period, as defined in subsection (A)(3), the application shall be deemed approved, and the agency shall promptly issue documentation of such approval.

Amend the bill further, SECTION 15.A., by striking Section 58-37-120(D) and (E) and inserting:

(D) Upon receipt of an application, the agency shall promptly review it for sufficiency and shall provide the applicant with a list of all technical and administrative deficiencies within thirty days of receipt, or if a public comment period is required, fifteen days from the end of the comment period. The identification by the agency of deficiencies in the application shall not toll the six-month period for agency determination.

~~—(E) No later than sixty days prior to filing any permit applications under this section, a public utility that plans to construct or has entered into agreements to construct any energy infrastructure project which may result in the use of eminent domain must provide written notice, via certified U.S. mail, to any property owners whose properties may be acquired or condemned. This notice must clearly state the need for the project, its preferred and any alternative locations or routes, a phone number or email that property owners may contact at the utility, and an appropriate contact at the Office of Regulatory Staff. No later than thirty days after filing an application, the utility must also hold a public meeting to solicit feedback from interested members of the affected community and on the date an application is filed, must provide notice of said meeting in a newspaper or other publication of general circulation in each county where the project may be located and in writing to all landowners whose property may be condemned.~~

Amend the bill further, SECTION 20, by striking Section 58-42-10(F)(3) and inserting:

(3) the expiration of any existing contracts ~~for~~ with qualifying facilities pursuant to the Public Utility Regulatory ~~Practices~~ Policies Act.

Amend the bill further, SECTION 23, by striking Section 58-37-40(C)(2) and inserting:

(2) The commission shall approve an electrical utility's or the Public Service Authority's integrated resource plan if the commission determines that the proposed integrated resource plan represents the most reasonable and prudent means of meeting the electrical utility's or the Public Service Authority's energy and capacity needs as of the time the plan is reviewed. ~~To determine whether the integrated resource plan is the most reasonable and prudent means of meeting energy and~~

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capacity needs, the commission, in its discretion, shall consider whether the plan appropriately balances the following factors:~~In reviewing an integrated resource plan, the commission shall give due consideration as to the resources and actions necessary for the utility to fulfill compliance and reliability obligations pursuant to the Federal Energy Regulatory Commission, the North American Electric Reliability Corporation, the ~~Southeastern Electric~~ SERC Reliability ~~Council~~ Corporation, and the Nuclear Regulatory Commission requirements, as well as environmental requirements applicable to resources serving customers in this state. Matters related to the scope and sufficiency of an electrical utility's demand-side plans and activities shall be considered exclusively in proceedings conducted pursuant to Section 58-37-20.~~ In reviewing an integrated resource plan, the commission shall focus its review on the decisions which the applicant must make in the near term based on the triennial integrated resource plan under consideration at the time and shall approve a plan if it finds that the plan appropriately balances the following factors:

(a) resource adequacy and capacity to serve anticipated peak electrical load, including the need for electric capacity and energy required to support economic development and industry retention in the electrical utility's or the Public Service Authority's service territory and to meet applicable planning reserve margins;

(b) consumer affordability and least reasonable cost considering the resources needed to support economic development and industry retention, and other risks and benefits;

(c) compliance with applicable state and federal environmental regulations;

(d) power supply reliability;

(e) commodity price risks;

(f) diversity of generation supply;~~and~~

(g) the efficiencies and optimum plans for any electrical utility system spanning state lines located within the electrical utility's or the Public Service Authority's balancing authority area; and

(h) other foreseeable conditions that the commission determines to be for the public's interest.

Amend the bill further, SECTION 29, by striking Section 58-37-20(B) and (C) and inserting:

(B) The commission ~~shall~~ may approve any program filed by a public utility if the program is found to be cost-effective. Furthermore, the commission may, in its discretion, approve ~~demand-side~~

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~~management pilot programs and~~ any program filed by a public utility that is not cost-effective, so long as the proposed demand-side management program is targeted to low-income customers, ~~and provided that~~ the public utility's portfolio of demand-side management programs is cost-effective as a whole.

(C) The South Carolina Public Service Commission ~~may~~ must adopt procedures that ~~encourage~~ require electrical utilities and public utilities providing gas services subject to the jurisdiction of the commission to plan for and invest in all reasonable, prudent, and available energy efficiency and demand-side resources that are cost-effective energy efficient technologies and energy conservation programs that achieve net energy savings of at least 0.66 percent of total retail sales as of May 15, 2027, or a higher level as in an amount to be determined by the commission. ~~Energy efficiency shall be considered a component of the requirement for a utility to make every reasonable effort to minimize fuel costs as outlined in Section 58-27-865(F) and the commission may grant a proportional disallowance based on evidence in record.~~ If an electrical utility fails to meet the requirements of this section as determined by the commission, the commission is authorized to appoint a third-party administrator to carry out the residential low-income energy efficiency duties pursuant to this section on behalf of the electrical utility if the commission determines that having such a third-party administrator is in the public interest and consistent with law. ~~Such a program shall be funded through the existing energy efficiency rider mechanism, with those funds transferred to the third party administrator.~~ Upon notice and hearings that the commission may require, the commission may issue rules, regulations, or orders pursuant to this chapter to implement applicable programs and measures under this section. If adopted, these procedures must: provide incentives and cost recovery for energy suppliers and distributors who invest in energy supply and end-use technologies that are cost-effective, environmentally acceptable, and reduce energy consumption or system or local coincident peak demand; allow energy suppliers and distributors to recover costs and obtain a reasonable rate of return on their investment in qualified demand-side management programs sufficient to make these programs at least as financially attractive as construction of new generating facilities; require the Public Service Commission to establish rates and charges that ensure that the net income of an electrical or gas utility regulated by the commission after implementation of specific cost-effective energy conservation measures is at least as high as the net income would have been if the energy conservation measures had not been implemented.



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For purposes of this section only, the term “demand-side activity” means a program conducted by an electrical utility or public utility providing gas services for the reduction or more efficient use of energy requirements of the utility or its customers including, but not limited to, utility transmission and distribution system efficiency, customer conservation and efficiency, load management, cogeneration, and renewable energy technologies.

Amend the bill further, by deleting SECTIONS 43, 44.A, 44.B, and 44.C.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Section 58-4-50(A)(9) of the S.C. Code is amended to read:

(A)(9) to serve as a facilitator or otherwise act directly or indirectly to resolve disputes and issues involving matters within the jurisdiction of the commission. In accordance with the mission of the Office of Regulatory Staff as provided for in Section 58-4-10 and in the context of settlement negotiations, the Office of Regulatory Staff shall consider any applicable requirements set out for the Public Service Commission pursuant to Section 58-3-140;

Renumber sections to conform.

Amend title to conform.

Rep. GATCH explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 88; Nays 13

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Beach	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Clyburn	Collins
B. J. Cox	B. L. Cox	Crawford
Davis	Dillard	Duncan
Edgerton	Erickson	Forrest
Frank	Gagnon	Gatch
Gibson	Gilliam	Gilliard
Govan	Guest	Guffey

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Haddon	Hager	Hartnett
Hartz	Hayes	Herbkersman
Hewitt	Hiott	Hixon
Holman	Howard	Huff
J. L. Johnson	Jordan	Kilmartin
Kirby	Landing	Lawson
Ligon	Long	Magnuson
Martin	May	McCravy
McDaniel	McGinnis	Mitchell
T. Moore	Morgan	Neese
B. Newton	W. Newton	Oremus
Pedalino	Rankin	Robbins
Sanders	Schuessler	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Teeple	Terrible	Vaughan
Weeks	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

**Total--88**

Those who voted in the negative are:

Bauer	Cobb-Hunter	Garvin
Grant	Henderson-Myers	Jones
J. Moore	Reese	Rivers
Rose	Spann-Wilder	Waters
Wetmore		

**Total--13**

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**ABSTENTION FROM VOTING**

May 1, 2025  
The Honorable House Murrell Smith, Jr.  
506 Blatt Building  
Columbia, SC 29201

**THURSDAY, MAY 1, 2025**

Dear Speaker Smith,

I am notifying you in accordance with S.C. Code Ann. Section 8-13-700 that I will not participate in the vote on H. 3309 relating to the "South Carolina Energy Security Act" out of an abundance of caution. I will abstain from this vote because of a potential conflict of interest as an economic interest of myself and the business with which I am associated may be affected. Please note this in the House Journal.

Sincerely,

Representative Phillip Bowers

House District Number 3

**H. 4381--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4381 -- Reps. Atkinson and Kirby: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME NESMITH CORNER ROAD IN THE COMMUNITY OF NESMITH IN WILLIAMSBURG COUNTY "COLUMBUS PRESSLEY AND CLAUDIE E. PRESSLEY MEMORIAL ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Concurrent Resolution was adopted and sent to the Senate.

**H. 4416--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4416 -- Reps. Mitchell and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF OLD STAGECOACH ROAD IN THE TOWN OF BETHUNE IN KERSHAW COUNTY FROM MCLAUGHLIN ROAD TO STEPHENS LANE "CHARLIE AND PAT STEPHENS INTERSECTION" AND ERECT APPROPRIATE SIGNS OR MARKERS CONTAINING THESE WORDS.

The Concurrent Resolution was adopted and sent to the Senate.

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**H. 4429--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4429 -- Rep. Burns: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS ALONG UNITED STATES HIGHWAY 276 IN GREENVILLE COUNTY AT 35°5'30" N BY 82°36' 53" W CONTAINING THE WORDS "ALAMO COVE" TO HONOR THE FIREFIGHTERS WHO COURAGEOUSLY FOUGHT TO CONTAIN AND EXTINGUISH THE PERSIMMON RIDGE FIRE.

The Concurrent Resolution was adopted and sent to the Senate.

**S. 523--ADOPTED AND RETURNED TO SENATE WITH CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 523 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SC 31 AND SC 9 IN HORRY COUNTY SOUTH CAROLINA THE "S.C. DEPARTMENT OF TRANSPORTATION COMMISSIONER TONY K. COX INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Concurrent Resolution was adopted and returned to the Senate with concurrence.

**S. 561--ADOPTED AND RETURNED TO SENATE WITH CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 561 -- Senator Reichenbach: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF RIVER ROAD (STATE ROAD S-40) FROM THE INTERSECTION OF PINE STREET (S-21-312) TO THE INTERSECTION OF SHIRLEY ROAD (S-21-1114) IN FLORENCE COUNTY "BILLY EADDY ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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The Concurrent Resolution was adopted and returned to the Senate with concurrence.

**H. 3832--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3832 -- Reps. W. Newton, Herbkersman, Dillard, Kirby and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-62-50, RELATING TO THE TAX REBATE FOR CERTAIN MOTION PICTURE PRODUCTION COMPANIES, SO AS TO INCREASE THE ANNUAL LIMIT, AND BY ALLOWING THE USE OF REBATES FOR CERTAIN EXPENDITURES AND EXPENSES; BY REPEALING SECTION 12-62-60 RELATING TO DISTRIBUTION OF ADMISSIONS TAXES FOR REBATES TO MOTION PICTURE PRODUCTION COMPANIES AND CERTAIN DEPARTMENTAL EXPENSES; AND BY ADDING SECTION 12-6-3830 SO AS TO PROVIDE A TAX CREDIT FOR AN ACCREDITED THEATER PRODUCTION.

Rep. B. NEWTON moved to adjourn debate on the Bill until Wednesday, May 7, which was agreed to.

**H. 4176--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4176 -- Reps. Murphy, Brewer, Gatch, Stavrinakis, Wetmore, Rutherford, Herbkersman, W. Newton, Rose, Robbins, Bernstein, Cobb-Hunter, Bamberg, Govan, Grant, Kirby, Alexander and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "I-95 ECONOMIC AND EDUCATION STIMULUS ACT" BY ADDING CHAPTER 36 TO TITLE 1 SO AS TO ESTABLISH THE SOUTH CAROLINA GAMING COMMISSION THAT MAY AWARD CASINO LICENSES IN CERTAIN COUNTIES.

Rep. B. NEWTON moved to adjourn debate on the Bill until Wednesday, May 7, which was agreed to.

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**S. 165--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 165 -- Senators Campsen, Graham and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA CONSERVATION EDUCATION ACT"; AND BY ADDING SECTION 50-9-980 SO AS TO ESTABLISH THE SOUTH CAROLINA CONSERVATION EDUCATION FUND AND THE PURPOSE FOR WHICH REVENUES IN THE FUND MAY BE EXPENDED.

Rep. WILLIAMS proposed the following Amendment No. 1 to S. 165 (LC-165.PH0001H), which was tabled:

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

SECTION 1. Chapter 6, Title 48 of the S.C. Code is amended by adding:

Section 48-6-90. (A) The South Carolina Conservation Education Fund is established for the purpose of connecting youth with nature through classroom and outdoor natural resource conservation education.

(B) The fund is eligible to receive appropriations of state general funds, federal funds, local government funds, donations, gifts, and grants.

(C) Revenues for the fund must be remitted to the State Treasurer and credited to an account that is separate and distinct from the general fund. Balances in the fund must be retained and carried forward annually and interest earned on balances in the fund must be credited to the fund.

(D) Revenues from the fund must only be used by the department for the purpose of connecting youth with nature through classroom and outdoor natural resource conservation education programs approved by the department, to include, but is not limited to:

(1) funding for natural resource conservation education classes and programs approved by the department; and

(2) funding for youth to attend outdoor natural resource conservation education programs approved by the department.

SECTION 2. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Rep. WILLIAMS moved to table the amendment, which was agreed to.

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Rep. FORREST explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 92; Nays 11

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Clyburn	Cobb-Hunter
Collins	B. J. Cox	B. L. Cox
Crawford	Davis	Dillard
Duncan	Erickson	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Govan	Grant	Guest
Guffey	Haddon	Hager
Hartnett	Hartz	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Holman
Howard	J. L. Johnson	Jones
Jordan	Kirby	Landing
Lawson	Ligon	Long
Luck	Martin	McCravy
McDaniel	McGinnis	Mitchell
Neese	B. Newton	W. Newton
Oremus	Pedalino	Rankin
Reese	Rivers	Robbins
Rose	Sanders	Schuessler
Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Teeple	Vaughan	Waters
Weeks	Wetmore	Whitmire
Wickensimer	Williams	Willis
Wooten	Yow	

**Total--92**

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Those who voted in the negative are:

Beach	Cromer	Edgerton
Frank	Huff	Kilmartin
Magnuson	May	Morgan
Pace	Terrible	

**Total--11**

So, the Bill was read the second time and ordered to third reading.

### **S. 165--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HIXON, with unanimous consent, it was ordered that S. 165 be read the third time tomorrow.

### **RECURRENCE TO THE MORNING HOUR**

Rep. FORREST moved that the House recur to the morning hour, which was agreed to.

### **HOUSE RESOLUTION**

The following was introduced:

H. 4479 -- Reps. Bernstein, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CELEBRATE THE JOYOUS OCCASION OF THE FIFTIETH ANNIVERSARY OF THE KOREAN COMMUNITY PRESBYTERIAN CHURCH IN COLUMBIA AND TO



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CONGRATULATE AND HONOR PASTOR KIM JONG-HYUN AND THE CONGREGATION FOR THEIR YEARS OF DEDICATED SERVICE TO THE KOREAN COMMUNITY IN THE MIDLANDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4480 -- Reps. Garvin, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE AND HONOR CELEBRATED PERFORMER WILLIAM RHINEHART FOR HIS DISTINGUISHED CAREER AS AN ACCOMPLISHED AMERICAN MUSICIAN AND ENTERTAINER.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4481 -- Reps. Mitchell, Yow, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton,

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Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis and Wooten: A HOUSE RESOLUTION TO RECOGNIZE AND CONGRATULATE HOPEWELL BAPTIST CHURCH OF CHESTERFIELD ON THE OCCASION OF ITS HISTORIC ONE HUNDRED EIGHTY-FIFTH ANNIVERSARY AND TO COMMEND THE CHURCH FOR NEARLY TWO CENTURIES OF SERVICE TO GOD AND THE COMMUNITY.

The Resolution was adopted.

### HOUSE RESOLUTION

The following was introduced:

H. 4482 -- Reps. Williams, Luck, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer,

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Willis, Wooten and Yow: A HOUSE RESOLUTION TO COMMEND PASTOR MICHAEL R. CANNON UPON HIS INSTALLATION AS PASTOR OF CHERRY GROVE MISSIONARY BAPTIST CHURCH IN DARLINGTON AND TO EXTEND HEARTFELT CONGRATULATIONS TO HIM ON THIS SIGNIFICANT MILESTONE OF CONDUCTING HIS RECENT INSTALLATION SERVICE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4483 -- Reps. Williams, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE CHARLENE SANSBURY WILLIAMS OF DARLINGTON COUNTY ON THE OCCASION OF HER ONE HUNDRED FIRST BIRTHDAY, AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

The Resolution was adopted.

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**HOUSE RESOLUTION**

The following was introduced:

H. 4484 -- Reps. Lawson, Erickson, Pedalino, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE THE WEEK OF MAY 18 THROUGH 24, 2025, AS THE FIFTY-FIRST "EMERGENCY MEDICAL SERVICES WEEK" IN SOUTH CAROLINA, IN RECOGNITION OF THE VITAL CONTRIBUTIONS THAT EMERGENCY MEDICAL SERVICES TEAMS MAKE TO PUBLIC HEALTH AND TO THE STATE OF SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4485 -- Reps. Grant, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones,

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Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE DOUGLAS FURTICK, ALSO KNOWN AS 803FRESH, ON THE PHENOMENAL SUCCESS OF HIS HIT SONG "BOOTS ON THE GROUND," TO HONOR HIS CONTRIBUTIONS TO SOUTHERN SOUL MUSIC, AND TO RECOGNIZE HIM AS A NATIVE OF THE WAGENER-SALLEY AREA WHO CONTINUES TO REPRESENT SOUTH CAROLINA WITH PRIDE ON THE NATIONAL AND INTERNATIONAL STAGE.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 614 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME HOLLY HALL ROAD IN BEAUFORT COUNTY "REVEREND JEANNINE R. SMALLS ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 620 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE STRETCH OF HIGHWAY 276 AT 35°5'30" N BY 82°36' 53" W IN GREENVILLE COUNTY "ALAMO COVE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 625 -- Senators Chaplin and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SC 340 AND I-20 IN DARLINGTON COUNTY "GOVERNOR DAVID M. BEASLEY INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 627 -- Senators Chaplin and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE LAKE PRESTWOOD BRIDGE IN DARLINGTON COUNTY "SPEAKER JAY LUCAS BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**INTRODUCTION OF BILL**

The following Bill was introduced, read the first time, and referred to appropriate committee:

S. 268 -- Senators Bennett, Leber and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 80 TO TITLE 39 SO AS TO PROVIDE THAT A COVERED ONLINE SERVICE SHALL TAKE CARE IN THE USE OF A MINOR'S PERSONAL DATA AND IN THE DESIGN AND IMPLEMENTATION OF THE SERVICE TO PREVENT HARM TO

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MINORS, TO PROVIDE THAT THE ONLINE SERVICE MUST PROVIDE MINORS WITH EASILY ACCESSIBLE TOOLS TO LIMIT TIME SPENT ON THE SERVICE AND PROTECT PERSONAL DATA, TO PROVIDE LIMITS ON HOW MUCH OF A MINOR'S DATA THE SERVICE MAY COLLECT AND RESTRICT THE USE OF SUCH DATA, TO PROVIDE THAT ONLINE SERVICES MUST OFFER PARENTS TOOLS TO HELP THEM PROTECT MINORS USING THE SERVICE AND TO ENABLE THEM TO REPORT HARMS TO MINORS ON ONLINE SERVICES, TO PROVIDE THAT ONLINE SERVICES MUST ISSUE A PUBLIC REPORT ON THE SERVICE'S PRACTICES PERTAINING TO MINORS, AND TO DEFINE NECESSARY TERMS.

Referred to Committee on Judiciary

Rep. HEWITT moved that the House do now adjourn, which was agreed to.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 3004 -- Rep. Pope: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES TAYLOR CREEK ALONG SOUTH CAROLINA HIGHWAY 901 IN YORK COUNTY "JACK ARMOUR MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

H. 3972 -- Reps. Hosey, Govan and Clyburn: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME SOUTH CAROLINA HIGHWAY 389 IN ORANGEBURG COUNTY FROM THE TOWN OF NEESES TO THE ORANGEBURG/AIKEN COUNTY LINE "BENJAMIN F. CORBETT MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

H. 4474 -- Reps. Jordan, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest,

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Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF THE HONORABLE RALPH KING ANDERSON JR. OF FLORENCE COUNTY AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

**ADJOURNMENT**

At 5:10 p.m. the House, in accordance with the motion of Rep. MARTIN, adjourned in memory of Patrick "Pops" McClure, to meet at 10:00 a.m. tomorrow.

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