

NO. 56

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

WEDNESDAY, MAY 7, 2025
(STATEWIDE SESSION)

Wednesday, May 7, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 11:00 a.m.

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

Our thought for today is from Isaiah 49:22: “Thus says the Lord God, I will soon lift up my hand to the nations, and raise my signal to the peoples.”

Let us pray. Lord God, Heavenly Father, thank You for coming to us in this place as these people represent the peoples of our State. Lift them up as You have promised, that they may be encouraged to do the work assigned them. You are the one who can meet every need. Give them the needed strength and integrity and help them discern the right path to take. Give each Your special blessing. Continue to care for and provide the needed direction for our Nation, President, State, Governor, Speaker, and all who labor in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Hear us, O Lord, as we pray. 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.

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. L. Cox
Crawford	Cromer	Davis

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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
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.

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LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. B. J. COX a leave of absence for the day due to a prior commitment.

ACTING SPEAKER HIOTT IN CHAIR

DOCTOR OF THE DAY

Announcement was made that Dr. Robert Ridgeway III of Clarendon County was the Doctor of the Day for the General Assembly.

CO-SPONSORS ADDED AND REMOVED

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 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. 3858
Date: ADD:
05/07/25 KIRBY, HIXON, CROMER and GILREATH

CO-SPONSOR(S) ADDED

Bill Number: H. 4176
Date: ADD:
05/07/25 GILLIARD and RIVERS

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CO-SPONSOR(S) ADDED

Bill Number: H. 4519
Date: ADD:
05/07/25 POPE, WICKENSIMER, HIXON, FORREST,
DUNCAN, SANDERS, CHAPMAN, WOOTEN,
LANDING, BRADLEY, PEDALINO, HAGER,
SESSIONS, GATCH, J. E. JOHNSON,
J. L. JOHNSON, RANKIN, GILLIAM, TEEPLE,
HARTNETT, ROBBINS, ANDERSON, T. MOORE,
J. MOORE, DAVIS and MCGINNIS

CO-SPONSOR(S) REMOVED

Bill Number: H. 3876
Date: REMOVE:
05/07/25 MCGINNIS

***SPEAKER PRO TEMPORE* IN CHAIR**

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, and that it be enrolled for ratification:

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.

S. 623--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

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.

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Rep. HEWITT proposed the following Amendment No. 1 to S. 623 (LC-623.SA0001H), which was adopted:

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

SECTION 1. Georgetown County is exempt from building requirements for properties within, or affected by, the limit of moderate wave action line as shown on the May 9, 2023, flood insurance rate map and may enforce AE standards as set forth in Georgetown County's Flood Damage Prevention ordinance and the current state building code.

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

SECTION X. The provisions of this act are repealed upon the adoption of the next limit of moderate wave action line.

Renumber sections to conform.

Amend title to conform.

Rep. HEWITT 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 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bannister	Beach	Bowers
Bradley	Brewer	Brittain
Burns	Bustos	Calhoon
Chapman	Chumley	Cobb-Hunter
Collins	B. L. Cox	Crawford
Cromer	Davis	Duncan
Edgerton	Erickson	Forrest
Frank	Gagnon	Gatch
Gibson	Gilliam	Gilreath
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hartnett	Hartz	Hayes
Herbkersman	Hewitt	Hiott
Hixon	Holman	Howard
Huff	J. E. Johnson	Jones

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Jordan	Landing	Lawson
Ligon	Long	Luck
Martin	May	McCabe
McCravy	McGinnis	Mitchell
Montgomery	T. Moore	Morgan
Moss	Neese	B. Newton
W. Newton	Oremus	Pace
Pedalino	Pope	Rankin
Rivers	Robbins	Rose
Rutherford	Sanders	Schuessler
Sessions	G. M. Smith	M. M. Smith
Taylor	Teeple	Terrible
Vaughan	Weeks	Wetmore
White	Whitmire	Wickensimer
Willis	Wooten	Yow

Total--93

Those who voted in the negative are:

Total--0

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

SENT TO THE SENATE

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

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

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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.

H. 4339 -- Reps. Erickson, Terribile, Bradley, Martin, Huff, Mitchell, Forrest, Anderson, Duncan, Kilmartin, Lawson, Hager, M. M. Smith, 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, Guffey and Pope: 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.

H. 4343 -- Reps. Wetmore, Erickson, Edgerton, Terribile, Cromer, Schuessler, Crawford, Davis, Calhoon, Oremus, Holman, Pedalino, Bernstein, Cobb-Hunter, Dillard, Bauer, Henderson-Myers, Landing, McDaniel, Waters, Alexander and Spann-Wilder: 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

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**AWARENESS AND PREVENTION CONTINUING EDUCATION
TRAINING FOR PHYSICIAN ASSISTANTS.**

H. 3453 -- Reps. Rose, Pope, Spann-Wilder and J. Moore: 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.

H. 4478 -- Reps. Burns, Hiott, Pope, McGinnis and Haddon: 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.

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.

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, and that it be enrolled for ratification:

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-

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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.

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. 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.

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.

S. 221 -- Senator Ott: 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

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CREATE PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE.

H. 3858--AMENDED AND ORDERED TO THIRD READING

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, J. Moore, Caskey, Moss, Huff, Beach, Terribile, Kilmartin, Hardee, Taylor, Yow, J. E. Johnson, Landing, Frank, Forrest, Oremus, Kirby, Hixon, Cromer and Gilreath: 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.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 3858 (LC-3858.SA0004H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 50-23-70(A) and inserting:

(A) The fee for a certificate of title for a watercraft is ~~ten~~ twenty dollars, ~~and the fee for a certificate of title for an outboard motor is ten dollars.~~

Amend the bill further, SECTION 1, by striking Section 50-23-200(1) and inserting:

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(1) alter, forge, or counterfeit a certificate of title or manufacturer's or importer's statement of origin for a watercraft ~~or for an outboard motor~~;

Amend the bill further, SECTION 1, by striking Section 50-23-205(A), (B), and (C) and inserting:

(A) A stolen or abandoned, junked, adrift, destroyed, or salvaged watercraft ~~or outboard motor~~, a watercraft ~~or outboard motor~~ for which the true owner is not determined, or a watercraft ~~or outboard motor~~ on which the manufacturer's or assigned serial number has been destroyed, removed, covered, altered, or defaced may be seized.

(B) Upon seizure of the watercraft ~~or outboard motor~~, the department shall notify a person claiming an interest in it, and the person has the right to prove his interest before the circuit court in the county where the property was seized. If no action is filed within sixty days of notification, the department may retain the property for official use or transfer the property to another public entity for official use, sell the property at public auction, or, if the watercraft ~~or outboard motor~~ is determined to be unsafe, destroy it. The proceeds derived from the sale must be deposited in the Boating Operating Fund of the department for administration of the program.

(C) When the department determines the owner of a seized watercraft ~~or outboard motor~~ and related marine equipment, it shall notify the owner by certified mail of the procedure, the location, and the fact that he has not less than thirty days from the date of the certified letter to remove the equipment from the department's storage facility. If a security interest has been perfected, the department must notify the lienholder by certified mail allowing thirty days to respond. Failure to respond within thirty days or remove the watercraft ~~or outboard motor~~ by the date designated forfeits the equipment to the department to be used or disposed of according to law.

Amend the bill further, SECTION 1, by striking Section 50-23-250 and inserting:

Section 50-23-250. The director, for the purpose of more effectively carrying out the provisions of this chapter, shall have the power to employ and appoint the necessary enforcement officers for enforcement of this chapter. The duties of such enforcement officers shall include but not be limited to investigating applications for certificate of title, inspecting watercraft, ~~or outboard motors~~, in or at public facilities for purposes of locating stolen property, and investigating and reporting thefts of watercraft, ~~or outboard motors~~. With respect to the enforcement of the provisions of this chapter, such

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enforcement officers shall have and may exercise throughout this State all of the powers of peace officers.

Amend the bill further, SECTION 6, by striking Section 12-37-220(54) and inserting:

(54) ~~fifty~~42.8571 percent of the fair market value of watercraft as defined in Section 50-23-5, regardless of the county in which the watercraft is located, however, this exemption does not apply to boats and watercraft classified as a primary or secondary residence as provided for in 12-34-224.

Renumber sections to conform.

Amend title to conform.

Rep. COLLINS explained the amendment.

The amendment was then adopted.

Rep. BREWER proposed the following Amendment No. 2 to H. 3858 (LC-3858.DG0002H), which was adopted:

Amend the bill, as and if amended, by striking SECTION 6 and inserting:

SECTION X.A. Section 12-37-220(B) of the S.C. Code is amended by adding:

(54) 42.8571 percent of the fair market value of watercraft as defined in Section 50-23-5; however, this exemption does not apply to a boat or watercraft classified as a primary or secondary residence as provided for in 12-37-224.

B. A boat or watercraft that qualifies for both the exemption set forth in Section 12-37-220(B)(38)(b) and the exemption set forth Section 12-37-220(B)(54) of the S.C. Code is only eligible for the higher effective exemption. Such exemptions cannot be combined and are not cumulative.

C. Section 12-37-220(B)(38)(b) is repealed on January 1, 2030, and thereafter, any ordinance adopted pursuant thereto, is null and void, and shall not apply to any property tax year beginning after 2029.

D. Notwithstanding the exemption amount allowed pursuant to Section 12-37-220(B)(54), as added by subsection A of this SECTION, the percentage exemption amount is phased-in in three equal and cumulative percentage installments, applicable for property tax years beginning after 2026.

Renumber sections to conform.

Amend title to conform.

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Rep. BREWER 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 89; Nays 7

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bannister	Bauer
Beach	Bernstein	Bowers
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Chumley	Collins
B. L. Cox	Crawford	Cromer
Davis	Duncan	Edgerton
Erickson	Forrest	Frank
Gagnon	Gatch	Gibson
Guest	Haddon	Hager
Hardee	Harris	Hartnett
Hartz	Hayes	Herbkersman
Hewitt	Hiott	Hixon
Holman	Howard	Huff
Jones	Jordan	Kilmartin
Kirby	Landing	Lawson
Ligon	Long	Magnuson
Martin	May	McCabe
McGinnis	Mitchell	Montgomery
T. Moore	Morgan	Moss
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Pope	Rankin	Rivers
Robbins	Sanders	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Teeple
Terribile	Vaughan	Wetmore
White	Wickensimer	Willis
Wooten	Yow	

Total--89

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Those who voted in the negative are:

Gilliam	Gilliard	King
Luck	McDaniel	Waters
Weeks		

Total--7

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

STATEMENT FOR JOURNAL

I was out of the Chamber meeting with constituents during the vote on H. 3858. If I had been present, I would have voted in favor of the Bill.
Rep. Jerry Govan

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3858. If I had been present, I would have voted in favor of the Bill.
Rep. Lee Gilreath

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3858. If I had been present, I would have voted in favor of the Bill.
Rep. Heath Sessions

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3858. If I had been present, I would have voted in favor of the Bill.
Rep. Brandon Guffey

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3858. If I had been present, I would have voted in favor of the Bill.
Rep. John McCravy

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H. 3876--REQUESTS FOR DEBATE

The following Bill was taken up:

H. 3876 -- Reps. Hewitt, Bailey, Kirby, Oremus, Hardee, 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 MERCHANTS 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 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

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REVENUE AND THE STATE TREASURER OF THE IMPOSITION
OF THE FEE.

Ways and Means Committee proposed the following Amendment No.
1 to H. 3876 (LC-3876.DG0001H):

Amend the bill, as and if amended, by deleting SECTION 8.

Renumber sections to conform.

Amend title to conform.

Rep. COLLINS explained the amendment.

Reps. OREMUS, FRANK, PACE, MAGNUSON, EDGERTON,
BEACH, WHITE, BALLENTINE, CHAPMAN, MORGAN,
TERRIBLE, LIGON, GILREATH, CROMER and HUFF requested
debate on the Bill.

LEAVE OF ABSENCE

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

H. 4129--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

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.

Reps. LONG and BREWER proposed the following Amendment No.
1 to H. 4129 (LC-4129.AHB0002H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section
16-19-5 and inserting:

Section 16-19-5. (A) For the purposes of this chapter, a person who
pays a fee to participate in a game, activity, or event in which skill
predominates over chance including, but not limited to, a Professional
Golf Association (PGA) Tournament; a National Association for Stock
Car Auto Racing (NASCAR) event; a billfishing or bass fishing

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tournament; an Association of Tennis Professional Tour event or Women's Tennis Association Tour event; a turkey shoot; or any non-card-based predominant skill game, activity, or event, and receives a thing of value proportionate to how skillfully he plays in the game, activity, or event is not gambling.

(B) Nothing in this section should be misinterpreted as permitting any physical or electronic card-based game when skill predominates the outcome of the game, activity, or event is determined primarily by the participant's mental or physical abilities, strategy, or learned capacity. If the game, activity, or event involves a material element of chance by which the outcome is determined through randomness, defeating the participants skill, such as "turn of a card" or "roll of the dice" this is gambling and therefore illegal.

Renumber sections to conform.

Amend title to conform.

Rep. LONG 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 99; Nays 9

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bauer
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	Crawford	Davis
Dillard	Duncan	Erickson
Forrest	Gagnon	Gatch
Gibson	Gilliam	Gilliard
Govan	Guest	Guffey
Haddon	Hager	Hardee
Hart	Hartnett	Hartz
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Holman	Hosey	Howard

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Huff	J. E. Johnson	J. L. Johnson
Jones	Jordan	Kilmartin
King	Kirby	Landing
Lawson	Long	Luck
Magnuson	Martin	May
McDaniel	Mitchell	Montgomery
T. Moore	Morgan	Moss
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	Whitmire
Williams	Wooten	Yow

Total--99

Those who voted in the negative are:

Beach	Calhoon	Cromer
Edgerton	Gilreath	Ligon
McCabe	McCravy	White

Total--9

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

H. 3802--INTERRUPTED DEBATE

The following Bill was taken up:

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,

[HJ]

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EXTRACURRICULAR ACTIVITIES, AND CAREER AND 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.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3802 (LC-3802.WAB0001H) :

Amend the bill, as and if amended, SECTION 1, by striking Section 59-63-100(B)(3) and (4) and inserting:

(3) student participating in interscholastic activities, ~~cocurricular activities, extracurricular activities, or career and technical education~~:

(a) resides within the attendance boundaries of the school for which the student participates; or

(b) in the case of a Governor's school student, resides or attends a Governor's school within the attendance boundaries of the school for which the student participates; ~~and~~

(4) student notifies the superintendent of the school district in writing of his intent to participate in the interscholastic activity, cocurricular activity, extracurricular activity, or career and technical education as a representative of the school before the beginning date of the season for the activity in which he wishes to participate; ~~and~~

(5) district has space available for the student pursuant to district policy established pursuant to subsection (K).

Amend the bill further, SECTION 1, by striking Section 59-63-100(J) and inserting:

(J) For purposes of this section;

(1) a Governor's school student or a home school student may participate at the same time in interscholastic activities, curricular activities, extracurricular activities, and career and technical education, without limitation or additional requirements imposed by the district that are not placed on students enrolled in the district; ~~and~~

(2) a home school student transferring from one public high school to another public high school in grades nine through eleven or from one public middle school to another public middle school in grades six through eight is not subject to any prohibition by the South Carolina High School League, or its successor organization, on a transfer student from participating in an interscholastic sport upon transfer. After the initial transfer, any subsequent transfer by a student to another public school shall be subject to the South Carolina High School League, or its successor organization's eligibility rules.

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(K) The State Department of Education shall develop model guidelines for home school students to participate in cocurricular activities, extracurricular activities, or career and technical education in schools within or outside of their public school attendance zone. The model guidelines shall assist local boards of trustees in establishing a home school student interdistrict participation policy. The model guidelines shall serve as the minimum standard, ensuring a baseline of expectations for all districts. Each local policy shall be based on an evaluation of available data reflecting student, school, district, and community needs to ensure access and efficient resource allocation. The policy must include and describe the application requirements, timelines, communication plans, capacity standards, approval and denial criteria, priorities of acceptance, and transportation. Capacity standards are required to be based on objective measures such as facility constraints, staffing levels, and class size limits. A school district may, but is not required to, expand capacity at a school or in a program to accommodate increased demand for home school student program participation. Each district shall review and publicly post available capacity for home school student participation on its website and update this information at least annually. School districts are not required to provide transportation but must disclose their transportation policy. Districts may establish cost-sharing agreements for home school students who require transportation. All school districts must have a home school student participation policy in place within one hundred twenty days of the publication of the model guidelines by the department. Any school district with an existing home school student participation policy must review and ensure compliance with this section within sixty days of its enactment. The department shall review all local home school student participation policies to ensure alignment with the model guidelines. If a district fails to meet minimum standards, the department may withhold administrative funding until the district demonstrates full compliance. The provisions of this chapter do not restrict a school district's ability to enact or enforce a home school student participation policy.

Renumber sections to conform.

Amend title to conform.

Rep. ERICKSON explained the amendment.

Further proceedings were interrupted by the expiration of time on the uncontested calendar, the pending question being consideration of Amendment No. 1.

[HJ]

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RECURRENCE TO THE MORNING HOUR

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

H. 3802--AMENDED AND ORDERED TO THIRD READING

Debate was resumed on the following Bill, the pending question being the consideration of Amendment No. 1:

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 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.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3802 (LC-3802.WAB0001H):

Amend the bill, as and if amended, SECTION 1, by striking Section 59-63-100(B)(3) and (4) and inserting:

(3) student participating in interscholastic activities, ~~cocurricular activities, extracurricular activities, or career and technical education~~:

(a) resides within the attendance boundaries of the school for which the student participates; or

(b) in the case of a Governor's school student, resides or attends a Governor's school within the attendance boundaries of the school for which the student participates; ~~and~~

(4) student notifies the superintendent of the school district in writing of his intent to participate in the interscholastic activity, cocurricular activity, extracurricular activity, or career and technical education as a representative of the school before the beginning date of the season for the activity in which he wishes to participate; ~~and~~ and

(5) district has space available for the student pursuant to district policy established pursuant to subsection (K).

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Amend the bill further, SECTION 1, by striking Section 59-63-100(J) and inserting:

(J) For purposes of this section-;

(1) a Governor's school student or a home school student may participate at the same time in interscholastic activities, curricular activities, extracurricular activities, and career and technical education, without limitation or additional requirements imposed by the district that are not placed on students enrolled in the district-; and

(2) a home school student transferring from one public high school to another public high school in grades nine through eleven or from one public middle school to another public middle school in grades six through eight is not subject to any prohibition by the South Carolina High School League, or its successor organization, on a transfer student from participating in an interscholastic sport upon transfer. After the initial transfer, any subsequent transfer by a student to another public school shall be subject to the South Carolina High School League, or its successor organization's eligibility rules.

(K) The State Department of Education shall develop model guidelines for home school students to participate in cocurricular activities, extracurricular activities, or career and technical education in schools within or outside of their public school attendance zone. The model guidelines shall assist local boards of trustees in establishing a home school student interdistrict participation policy. The model guidelines shall serve as the minimum standard, ensuring a baseline of expectations for all districts. Each local policy shall be based on an evaluation of available data reflecting student, school, district, and community needs to ensure access and efficient resource allocation. The policy must include and describe the application requirements, timelines, communication plans, capacity standards, approval and denial criteria, priorities of acceptance, and transportation. Capacity standards are required to be based on objective measures such as facility constraints, staffing levels, and class size limits. A school district may, but is not required to, expand capacity at a school or in a program to accommodate increased demand for home school student program participation. Each district shall review and publicly post available capacity for home school student participation on its website and update this information at least annually. School districts are not required to provide transportation but must disclose their transportation policy. Districts may establish cost-sharing agreements for home school students who require transportation. All school districts must have a home school student participation policy in place within one hundred twenty days of the publication of the model

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guidelines by the department. Any school district with an existing home school student participation policy must review and ensure compliance with this section within sixty days of its enactment. The department shall review all local home school student participation policies to ensure alignment with the model guidelines. If a district fails to meet minimum standards, the department may withhold administrative funding until the district demonstrates full compliance. The provisions of this chapter do not restrict a school district's ability to enact or enforce a home school student participation policy.

Renumber sections to conform.

Amend title to conform.

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

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Ligon	Long	Luck
Magnuson	Martin	May
McCabe	McCravy	Mitchell
Montgomery	T. Moore	Morgan
Moss	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--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.

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3802. If I had been present, I would have voted in favor of the Bill.

Rep. Brandon Guffey

ABSTENTION FROM VOTING

May 7, 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. 3802, amending Section

[HJ]

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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 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, 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 Paula Calhoon
House District Number 87

S. 507--ORDERED TO THIRD READING

The following Bill was taken up:

S. 507 -- Senators Peeler, Alexander and Turner: 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 109; Nays 2

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Calhoon	Caskey	Chapman

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

Total--109

Those who voted in the negative are:

Howard J. L. Johnson

Total--2

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

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S. 214--INTERRUPTED DEBATE

The following Bill was taken up:

S. 214 -- Senators Massey and Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-31-10, RELATING TO THE CREATION OF THE COMMISSION FOR MINORITY AFFAIRS, ITS COMPOSITION, AND THE REQUIREMENT THAT A MAJORITY OF THE COMMISSION BE AFRICAN AMERICAN, SO AS TO REMOVE THE REQUIREMENT THAT A MAJORITY OF THE COMMISSION MUST BE AFRICAN AMERICAN.

Rep. PACE proposed the following Amendment No. 1 to S. 214 (LC-214.SA0003H), which was ruled out of order:

Amend the bill, as and if amended, SECTION 3, by striking Section 1-31-40 and inserting:

Section 1-31-40. ~~(A) The commission shall:~~

~~— (1) provide the minority community consisting of African Americans, Native American Indians, Hispanics/Latinos, Asians, and others with a single point of contact for statistical and technical assistance in the areas of research and planning for a greater economic future;~~

~~— (2) work with minority officials on the state, county, and local levels of government in disseminating statistical data and its impact on their constituencies;~~

~~— (3) provide for publication of a statewide statistical abstract on minority affairs;~~

~~— (4) provide statistical analyses for members of the General Assembly on the state of minority communities as the State experiences economic growth and changes;~~

~~— (5) provide the minority community with assistance and information on Voting Rights Act submissions in the State, as well as other related areas of concern to the minority community;~~

~~— (6) determine, approve, and acknowledge by certification state recognition for Native American Indian entities; however, notwithstanding their state certification, the tribes have no power or authority to take any action which would establish, advance, or promote any form of gambling in this State;~~

~~— (7) establish advisory committees representative of minority groups, as the commission considers appropriate to advise the commission;~~

~~— (8) act as liaison with the business community to provide~~

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~~programs and opportunities to fulfill its duties under this chapter;~~

~~— (9) seek federal and other funding on behalf of the State of South Carolina for the express purpose of implementing various programs and services for African Americans, Native American Indians, Hispanics/Latinos, Asians, and other minority groups;~~

~~— (10) promulgate regulations as may be necessary to carry out the provisions of this article including, but not limited to, regulations regarding State Recognition of Native American Indian entities in the State of South Carolina;~~

~~— (11) establish and maintain a twenty four hour toll free telephone number and electronic website in accordance with Section 8-30-10; and~~

~~— (12) perform other duties necessary to implement programs.~~

~~— (B) The commission may delegate these powers and duties as necessary.~~

~~— (C) Nothing in this chapter recognizes, creates, extends, or forms the basis of any right or claim of interest in land or real estate in this State for any Native American tribe which is recognized by the State. The primary purpose of the commission is to enforce the provisions of Article 29, Chapter 1, Title 1.~~

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

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

Article 29

Diversity, Equity, and Inclusion

Section 1-1-1910. (A) The State of South Carolina is charged with enforcing our civil-rights laws. The purpose of this chapter is to ensure that it does so by ending illegal preferences and discrimination.

(B) It is the policy of the State of South Carolina to protect the civil rights of all citizens of South Carolina and to promote individual initiative, excellence, and hard work. Accordingly, all public entities of this State, including all public institutions of higher learning, all of its political subdivisions, and public school districts and public charter schools, must:

(1) terminate all discriminatory and illegal preferences, mandates, policies, programs, activities, guidance, regulations, enforcement actions, consent orders, and requirements; and

(2) enforce the state's longstanding civil rights laws to combat illegal private-sector DEI mandates, policies, programs, and activities.

Section 1-1-1920. (A) For the purposes of this chapter:

(1) "Public entity" means any agency, office, division, or other unit

by any name of every agency, office, or department of this State, and all of its political subdivisions, including all institutions of higher learning and public school districts and public charter schools.

(2) “Diversity, Equity, and Inclusion” or “DEI” means any preferences, mandates, policies, programs, activities, guidance, regulations, enforcement actions, consent orders, or requirements implemented by a public entity that constitutes illegal discrimination on the basis of race, color, religion, sex, or national origin.

Section 1-1-1930. Except as required by federal law, a public entity shall not:

(1) implement, maintain, or promote diversity, equity, and inclusion including, but not limited to, influencing employment practices or admissions on the basis of diversity, equity, or inclusion;

(2) give preferential treatment on the basis of diversity, equity, and inclusion;

(3) compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement;

(4) establish or support any office, unit or division within that public entity that is established or exists, in whole or in part, for the promotion of diversity, equity, and inclusion; or

(5) require an individual to participate in a diversity, equity, and inclusion program or training.

Section 1-1-1940. (A) Before any public entity may enter into any contract or award any grant, the applicable contractor or grant recipient must certify that it does not operate any unlawful programs or hiring practices that violate state or federal antidiscrimination laws.

(B) Before any public entity may make a contribution, disbursement, transfer, or distribution of any funds, regardless of source and including lottery scholarship funding, to an organization, the organization must certify that it does not operate any programs promoting DEI in violation of any applicable state or federal antidiscrimination laws.

(C) The head of each public entity shall include in every contract, grant, or incentives award:

(1) a term requiring the contractual counterparty or grant or incentives recipient to agree that its compliance in all respects with all applicable state and federal antidiscrimination laws is material to the government’s decision to award such contract, grant, or incentive; and

(2) a term requiring such counterparty or recipient to certify that

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it does not operate any programs promoting DEI that violate any applicable state or federal antidiscrimination laws.

Section 1-1-1950. (A) As used in this section:

(1) “Accrediting agency” means an agency or association that accredits institutions of higher learning.

(2) “Accreditation cycle” means the period of time during which a constituent institution is accredited.

(B) An institution of higher learning shall pursue accreditation with an accrediting agency that is different from its current accrediting agency if its current accrediting agency requires the institution of higher learning to maintain a DEI program that constitutes illegal discrimination on the basis of race, color, religion, sex, or national origin.

(C) If the institution is not granted candidacy status by any regional accrediting agency that is different from its current accrediting agency at least three years prior to the expiration of its current accreditation, the institution may remain with its current accrediting agency for an additional accreditation cycle.

Section 1-1-1960. (A)(1) This article does not apply to lawful state or private sector employment and contracting preferences for veterans of the U.S. Armed Forces or persons protected by the Randolph-Sheppard Act, 20 U.S.C. 107, et seq.

(2) This article does not prevent state or local governments, contractors, or federally funded state and local educational agencies or institutions of higher education from engaging in First Amendment-protected speech.

(B)(1) This article is not intended to and does not create any private right or benefit, substantive or procedural, enforceable at law or in equity by any party against the State, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(2) The Inspector General may investigate and address or enforce any allegations of violations of this article. The Inspector General shall develop a process and platform whereby complaints may be filed regarding potential violations of this article. An individual making a report pursuant to this article is protected by the provisions set forth in Chapter 27, Title 8.

(3) Every public entity shall report to the Department of Administration by August first of each year the total number and nature of the complaints made to the respective entity in the previous year regarding a violation of the provisions of this article and the resolution, or status, of the complaint. The department shall provide a report to the Speaker of the House of Representatives, the President of the Senate, the

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Inspector General, and the Attorney General by October first of each year summarizing this information. Nothing in this item requires the disclosure of the identity of the individual who made the complaint.

(4) The Attorney General may enforce the provisions of this article and may bring an action for injunctive or declaratory relief in any court of competent jurisdiction.

Section 1-1-1970. (A) The provisions of this article shall not be construed to infringe upon, diminish, or otherwise take away any rights, protections, or privileges afforded to individuals with disabilities under the laws of this State or the United States including, but not limited to, the Americans with Disabilities Act of 1990, as amended, and any other applicable federal or state law.

(B) The provisions of this article shall not be construed to diminish or infringe upon any right protected under the First Amendment to the United States Constitution.

(C) The provisions of this article shall not be construed to limit any person's right to pursue any additional civil remedy otherwise allowed by law.

SECTION X. Section 1-13-110 of the S.C. Code is repealed.

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.

Amend the bill further, by striking SECTION 4 and inserting:

SECTION 4. This act takes effect upon approval by the Governor [and first applies to Fiscal Year 2025-2026 and School Year 2025-2026.](#)

Renumber sections to conform.

Amend title to conform.

Rep. PACE explained the amendment.

POINT OF ORDER

Rep. HART raised the Rule 9.3 Point of Order that Amendment No. 1 to S. 214 was not germane.

Rep. PACE argued contra.

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The SPEAKER *PRO TEMPORE* cited House Rule 9.3 and stated that the Bill's substantial effect concerned the makeup of the membership of the Commission on Minority Affairs. He stated that Amendment No. 1 concerned the purposes, activities, and operations of the Minority Affairs Commission and went beyond the scope of the bill. He sustained the Point of Order and ruled Amendment No. 1 out of order.

Rep. PACE proposed the following Amendment No. 2 to S. 214 (LC-214.SA0002H), which was tabled:

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

SECTION 1. The State Commission for Minority Affairs is hereby eliminated. Any funds, including carry forward funds, appropriated to the commission must be reverted to the General Fund.

SECTION 2. Chapter 31, Title 1 of the S.C. Code is repealed.

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Rep. PACE explained the amendment.

Rep. B. NEWTON moved to table the amendment.

Rep. BEACH demanded the yeas and nays which were taken, resulting as follows:

Yeas 87; Nays 20

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Bernstein
Bowers	Bradley	Brewer
Brittain	Bustos	Calhoon
Caskey	Clyburn	Cobb-Hunter
Collins	Davis	Dillard
Erickson	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Govan	Grant
Guffey	Haddon	Hager
Hardee	Hart	Hartnett
Hartz	Henderson-Myers	Herbkersman

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Hewitt	Hiott	Hixon
Holman	Hosey	Howard
J. E. Johnson	J. L. Johnson	Jones
Jordan	King	Kirby
Landing	Ligon	Long
Luck	Martin	McDaniel
Montgomery	T. Moore	Moss
Neese	B. Newton	W. Newton
Pedalino	Pope	Reese
Rivers	Robbins	Rose
Rutherford	Sanders	Schuessler
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teeple
Vaughan	Waters	Weeks
Wetmore	Whitmire	Wickensimer
Williams	Willis	Wooten

Total--87

Those who voted in the negative are:

Beach	Burns	Chumley
Cromer	Duncan	Edgerton
Frank	Gilreath	Huff
Kilmartin	Magnuson	May
McCabe	McCravy	Morgan
Oremus	Pace	Rankin
Terrible	White	

Total--20

So, the amendment was tabled.

Rep. HIOTT moved that the House recede until 2:30 p.m., which was agreed to.

Further proceedings were interrupted by the House receding.

THE HOUSE RESUMES

At 2:30 p.m. the House resumed, the SPEAKER in the Chair.

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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. W. NEWTON moved that the House recur to the morning hour, which was agreed to.

S. 214--ORDERED TO THIRD READING

Debate was resumed on the following Bill, the pending question being the consideration of the Bill:

S. 214 -- Senators Massey and Jackson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-31-10, RELATING TO THE CREATION OF THE COMMISSION FOR MINORITY AFFAIRS, ITS COMPOSITION, AND THE REQUIREMENT THAT A MAJORITY OF THE COMMISSION BE AFRICAN AMERICAN, SO AS TO REMOVE THE REQUIREMENT THAT A MAJORITY OF THE COMMISSION MUST BE AFRICAN AMERICAN.

Rep. W. NEWTON explained the Bill.

Rep. GRANT spoke against the Bill.

Rep. GOVAN spoke against the Bill.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 76; Nays 31

Those who voted in the affirmative are:

Bailey	Ballentine	Bannister
Beach	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Chumley	Collins
Crawford	Cromer	Davis

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Duncan	Edgerton	Erickson
Forrest	Frank	Gagnon
Gatch	Gilreath	Guest
Guffey	Haddon	Hager
Harris	Hartnett	Hartz
Hiott	Hixon	Huff
J. E. Johnson	Jordan	Kilmartin
Landing	Lawson	Ligon
Long	Lowe	Magnuson
Martin	May	McCabe
Mitchell	Montgomery	T. Moore
Morgan	Moss	Neese
B. Newton	W. Newton	Oremus
Pace	Pedalino	Pope
Rankin	Robbins	Schuessler
Sessions	G. M. Smith	M. M. Smith
Taylor	Teeple	Terrible
Vaughan	White	Whitmire
Wickensimer	Willis	Wooten
Yow		

Total--76

Those who voted in the negative are:

Anderson	Atkinson	Bamberg
Bauer	Bernstein	Clyburn
Dillard	Garvin	Gilliard
Govan	Grant	Hayes
Henderson-Myers	Hosey	Howard
J. L. Johnson	Jones	King
Kirby	Luck	McDaniel
J. Moore	Reese	Rivers
Rose	Rutherford	Spann-Wilder
Stavrinakis	Waters	Wetmore
Williams		

Total--31

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

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OBJECTION TO RECALL

Rep. WOOTEN asked unanimous consent to recall H. 4186 from the Committee on Medical, Military, Public and Municipal Affairs.

Rep. KING objected.

OBJECTION TO RECALL

Rep. BAUER asked unanimous consent to recall S. 534 from the Committee on Ways and Means.

Rep. CROMER objected.

OBJECTION TO RECALL

Rep. BERNSTEIN asked unanimous consent to recall S. 11 from the Committee on Ways and Means.

Rep. CROMER objected.

OBJECTION TO RECALL

Rep. BAUER asked unanimous consent to recall H. 3762 from the Committee on Judiciary.

Rep. HUFF objected.

**H. 3862--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3862 -- Reps. Erickson, G. M. Smith, Gilliam, Mitchell and M. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-50, RELATING TO CHARTER SCHOOL ADMISSIONS PREFERENCES, SO AS TO REVISE CRITERIA FOR ADMISSIONS PREFERENCES, AND TO ADD PROVISIONS CONCERNING STUDENTS WITH MULTIPLE ENROLLMENT PREFERENCES.

Rep. ERICKSON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 113; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Ballentine	Bannister	Bauer

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Beach	Bernstein	Bowers
Bradley	Brewer	Brittain
Burns	Bustos	Calhoon
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
B. L. Cox	Crawford	Cromer
Davis	Duncan	Edgerton
Erickson	Forrest	Frank
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Gilreath	Govan	Guest
Guffey	Haddon	Hager
Hardee	Harris	Hartnett
Hartz	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Holman	Hosey
Huff	J. E. Johnson	J. L. Johnson
Jones	Jordan	Kilmartin
King	Landing	Lawson
Ligon	Long	Lowe
Luck	Magnuson	Martin
May	McCabe	McCravy
McDaniel	McGinnis	Mitchell
Montgomery	J. Moore	T. Moore
Morgan	Moss	Neese
B. 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--113

Those who voted in the negative are:

[HJ]

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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.

LEAVE OF ABSENCE

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

**H. 3127--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3127 -- Reps. Robbins, Wooten, Lawson, Pope, Chapman, Pedalino, W. Newton, Sanders, Duncan, Hixon, Taylor, Gagnon, Oremus, Hartz, Davis, M. M. Smith, Vaughan, Williams, Erickson, Bradley, Cromer and Gilreath: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-750, RELATING TO FAILURE TO STOP MOTOR VEHICLES WHEN SIGNALLED BY LAW ENFORCEMENT VEHICLES, SO AS TO PROVIDE THAT WHERE CERTAIN AGGRAVATING CIRCUMSTANCES OCCUR THE OFFENDER IS GUILTY OF A FELONY, AND TO PROVIDE PENALTIES.

Rep. RUTHERFORD proposed the following Amendment No. 1A to H. 3127 (LC-3127.DG0011H), which was ruled out of order:

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

SECTION X. Section 56-5-750 of the S.C. Code is amended by adding:

(H) A law enforcement officer may not engage in a vehicle pursuit with a motor vehicle driver that fails to stop when signaled by the officer unless the patrol vehicle has at least one million dollars in automobile liability insurance coverage.

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

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POINT OF ORDER

Rep. ROBBINS raised the Rule 9.3 Point of Order that Amendment No. 1 was not germane to H. 3127.

Rep. RUTHERFORD argued contra.

The SPEAKER stated that the Bill concerned legal penalties for failure to stop for a blue light, but the Amendment required minimum insurance coverage for law enforcement vehicles. He stated the Amendment's effect and impact went beyond the scope of the Bill, and he sustained the Point of Order.

Rep. RUTHERFORD proposed the following Amendment No. 2A to H. 3127 (LC-3127.DG0010H), which was tabled:

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

SECTION X. Section 56-5-750 of the S.C. Code is amended to read:

(H) (1) A law enforcement officer may not engage in vehicle pursuits with a motor vehicle driver that fails to stop when signaled by the officer unless:

(a) there is probable cause to believe that a person in the vehicle has committed a crime of violence as defined in Section 16-23-10;

(b) there is probable cause to believe that a person in the vehicle has escaped from a state or local detention facility; or

(c) the officer has received authorization to engage in the pursuit from a supervising officer and there is supervisory control of the pursuit. The supervisor must consider alternatives to the pursuit before permitting authorization.

(2) A pursuing officer or supervisor must consider safety hazards including, but not limited to, speed, weather, traffic, road conditions, and if minors are present in the vehicles while in pursuit or supervising a pursuit.

(3) No later than January 1, 2026, the South Carolina Law Enforcement Training Council shall establish supplemental statewide policies, procedures, and training courses that may further advise upon or restrict the circumstances under which a law enforcement officer is authorized to engage in vehicle pursuit. State and local law enforcement agencies must abide by all vehicle pursuit policies, procedures, and training requirements adopted by the training council.

Renumber sections to conform.

Amend title to conform.

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Rep. RUTHERFORD explained the amendment.

Rep. WOOTEN spoke against the amendment.

Rep. ROBBINS spoke against the amendment.

Rep. ROBBINS moved to table the amendment, which was agreed to.

Rep. ROBBINS proposed the following Amendment No. 3A to H. 3127 (LC-3127.DG0015H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 56-5-750(B)(3) and inserting:

(3) where the person is found to have led law enforcement upon a high-speed pursuit, the person is guilty of a felony and, upon conviction, must be imprisoned for ~~not less than one year and~~ not more than ~~five ten~~ years, ~~no part of which may be suspended,~~ and the person's driver's license must be suspended for a period of one year from the date of conviction. For the purposes of this section, a high-speed pursuit occurs when the driver of the vehicle increases speed or takes evasive actions to avoid the pursuing law enforcement vehicle.

Renumber sections to conform.

Amend title to conform.

Rep. ROBBINS explained the amendment.

Rep. WOOTEN spoke in favor of the amendment.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 14

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Caskey
Chapman	Chumley	Collins
B. L. Cox	Crawford	Cromer
Davis	Duncan	Edgerton
Erickson	Forrest	Frank
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilreath
Govan	Guest	Guffey

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Haddon	Hager	Harris
Hartnett	Hartz	Hayes
Herbkersman	Hiott	Hixon
Holman	Huff	Jordan
Landing	Lawson	Ligon
Long	Lowe	Luck
Magnuson	Martin	May
McCabe	McCravy	McGinnis
Mitchell	Montgomery	J. Moore
T. Moore	Morgan	Moss
B. Newton	W. Newton	Oremus
Pace	Pedalino	Pope
Rankin	Reese	Robbins
Rose	Sanders	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Teeple
Terribile	Vaughan	Weeks
Wetmore	White	Whitmire
Wickensimer	Williams	Willis
Wooten	Yow	

Total--95

Those who voted in the negative are:

Clyburn	Dillard	Gilliard
Grant	Henderson-Myers	Hosey
Howard	J. L. Johnson	Jones
King	McDaniel	Rivers
Rutherford	Spann-Wilder	

Total--14

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**H. 3276--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

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H. 3276 -- Reps. Pope, Robbins, Chapman, W. Newton, Taylor, Forrest, McGinnis, Calhoon, Bernstein, Wooten, Hart, Erickson, Bradley, Ligon, Anderson, Schuessler, Hixon, M. M. Smith and Hartnett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA HANDS-FREE AND DISTRACTED DRIVING ACT"; BY AMENDING SECTION 56-5-3890, RELATING TO UNLAWFUL USE OF A WIRELESS ELECTRONIC COMMUNICATION DEVICE WHILE OPERATING A MOTOR VEHICLE, SO AS TO PROVIDE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS MOBILE ELECTRONIC DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; AND BY AMENDING SECTION 56-1-720, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, SO AS TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION.

Rep. BRITTAIN explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 77; Nays 37

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bannister	Bauer
Bernstein	Bradley	Brewer
Brittain	Bustos	Calhoon
Caskey	Chapman	Clyburn
Cobb-Hunter	Collins	B. L. Cox
Crawford	Davis	Dillard
Duncan	Erickson	Forrest
Gagnon	Gatch	Gibson
Gilliam	Govan	Guest
Haddon	Hager	Hardee
Hartnett	Hartz	Hayes
Herbkersman	Hiott	Hixon
Holman	J. L. Johnson	Jones
Jordan	Kirby	Landing
Lawson	Ligon	Lowe

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Martin	McCabe	McGinnis
Montgomery	T. Moore	Moss
Neese	B. Newton	W. Newton
Pedalino	Pope	Rankin
Rivers	Robbins	Rose
Sanders	Schuessler	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Teeple	Vaughan	Weeks
Wetmore	Whitmire	Wickensimer
Willis	Wooten	

Total--77

Those who voted in the negative are:

Beach	Bowers	Burns
Chumley	Cromer	Edgerton
Frank	Garvin	Gilliard
Gilreath	Grant	Guffey
Harris	Henderson-Myers	Hosey
Howard	Huff	King
Long	Luck	Magnuson
May	McCravy	Mitchell
J. Moore	Morgan	Oremus
Pace	Reese	Rutherford
Sessions	Spann-Wilder	Terrible
Waters	White	Williams
Yow		

Total--37

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.

**H. 3175--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3175 -- Reps. Collins, Mitchell, Forrest and Calhoon: A BILL TO
AMEND THE SOUTH CAROLINA CODE OF LAWS BY

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AMENDING SECTION 56-3-1230, RELATING TO SPECIFICATIONS OF LICENSE PLATES, THE PERIODIC ISSUANCE OF NEW PLATES, AND THE ISSUANCE OF REVALIDATION STICKERS, SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES SHALL ISSUE LICENSE PLATES COMMEMORATING THE TWO HUNDRED FIFTIETH ANNIVERSARY OF THE AMERICAN REVOLUTION.

Rep. COLLINS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

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

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Pace	Pedalino	Pope
Rankin	Reese	Rivers
Robbins	Rose	Schuessler
Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Teeple	Terribile	Vaughan
Weeks	Wetmore	White
Whitmire	Wickensimer	Williams
Willis	Wooten	Yow

Total--108

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.

H. 3058--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED

The Senate Amendments to the following Bill were taken up for consideration:

H. 3058 -- Reps. Wooten, Pope, Spann-Wilder, McCravy, Taylor, Cobb-Hunter, Govan, Erickson, Bradley, Guffey, W. Newton, B. Newton and Willis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-330 SO AS TO DEFINE NECESSARY TERMS FOR THE OFFENSE OF INTENTIONALLY DISSEMINATING INTIMATE IMAGES OR DIGITALLY FORGED INTIMATE IMAGES WITHOUT EFFECTIVE CONSENT; AND BY ADDING SECTION 16-15-332 SO AS TO CREATE THE OFFENSE OF INTENTIONALLY DISSEMINATING INTIMATE IMAGES OR DIGITALLY FORGED INTIMATE IMAGES WITHOUT EFFECTIVE CONSENT, TO PROVIDE GRADUATED PENALTIES, AND TO PROVIDE AN EXCEPTION FOR LAW ENFORCEMENT UNDER CERTAIN CIRCUMSTANCES.

Rep. T. MOORE explained the Senate Amendments.

[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	Bannister	Bauer
Beach	Bernstein	Bowers
Bradley	Brewer	Brittain
Burns	Bustos	Calhoon
Caskey	Chapman	Chumley
Cobb-Hunter	Collins	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
Hartnett	Hartz	Hayes
Henderson-Myers	Herbkersman	Hixon
Holman	Hosey	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	Neese
B. Newton	W. Newton	Oremus
Pace	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

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Williams
Yow

Willis

Wooten

Total--112

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.

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber in a leadership meeting during the vote on H. 3058. As a primary sponsor on the bill, I would have voted to concur in the Senate Amendments.

Rep. Tommy Pope

ACTING SPEAKER HIOTT IN CHAIR

**H. 3910--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3910 -- Reps. Davis, G. M. Smith and B. J. Cox: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 3-1-150 AND 63-3-510, RELATING TO JURISDICTION OVER CERTAIN LANDS RELINQUISHED BY THE UNITED STATES AND THE EXCLUSIVE ORIGINAL JURISDICTION OF THE FAMILY COURT, RESPECTIVELY, BOTH SO AS TO PROVIDE FOR CONCURRENT JURISDICTION WITH THE UNITED STATES IN CERTAIN MATTERS INVOLVING JUVENILES WITHIN A MILITARY INSTALLATION.

Rep. DAVIS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

[HJ]

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Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bannister	Bauer
Beach	Bernstein	Bowers
Bradley	Brewer	Burns
Bustos	Calhoon	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	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	Hartnett
Hartz	Hayes	Henderson-Myers
Herbkersman	Hiott	Hixon
Holman	Hosey	Huff
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	Neese	B. 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

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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.

LEAVE OF ABSENCE

ACTING SPEAKER HIOTT granted Rep. GUFFEY a temporary leave of absence.

H. 4216--SENT TO THE SENATE

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 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

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NONRESIDENT INDIVIDUALS, SO AS TO MAKE A
CONFORMING CHANGE.

Rep. MCDANIEL spoke against the Bill.

Rep. HUFF demanded the yeas and nays which were taken, resulting
as follows:

Yeas 64; Nays 47

Those who voted in the affirmative are:

Atkinson	Bailey	Bannister
Bowers	Bradley	Brewer
Brittain	Bustos	Calhoon
Caskey	Chapman	Collins
B. L. Cox	Crawford	Davis
Erickson	Forrest	Gagnon
Gatch	Gibson	Gilliam
Guest	Haddon	Hager
Hardee	Hartnett	Hartz
Hayes	Herbkersman	Hiott
Hixon	Holman	Jordan
Landing	Lawson	Ligon
Long	Lowe	Martin
McGinnis	Mitchell	T. Moore
Moss	Neese	B. Newton
W. Newton	Pedalino	Pope
Rankin	Robbins	Sanders
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Teeple	Vaughan	Whitmire
Wickensimer	Willis	Wooten
Yow		

Total--64

Those who voted in the negative are:

Alexander	Anderson	Bauer
Beach	Bernstein	Chumley
Clyburn	Cobb-Hunter	Cromer
Dillard	Duncan	Edgerton
Frank	Garvin	Gilliard

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Gilreath	Govan	Grant
Harris	Henderson-Myers	Hosey
Howard	Huff	J. L. Johnson
Jones	Kilmartin	King
Kirby	Luck	Magnuson
May	McCravy	McDaniel
J. Moore	Morgan	Oremus
Pace	Reese	Rivers
Rose	Rutherford	Spann-Wilder
Terribile	Waters	Wetmore
White	Williams	

Total--47

So, the Bill was read the third time and ordered sent to the Senate.

**S. 614--ADOPTED AND RETURNED TO SENATE WITH
CONCURRENCE**

The following Concurrent Resolution was taken up:

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 adopted and returned to the Senate with concurrence.

**S. 617--ADOPTED AND RETURNED TO SENATE WITH
CONCURRENCE**

The following Concurrent Resolution was taken up:

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.

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The Concurrent Resolution was adopted and returned to the Senate with concurrence.

**S. 620--ADOPTED AND RETURNED TO SENATE WITH
CONCURRENCE**

The following Concurrent Resolution was taken up:

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.

The Concurrent Resolution was adopted and returned to the Senate with concurrence.

**S. 625--ADOPTED AND RETURNED TO SENATE WITH
CONCURRENCE**

The following Concurrent Resolution was taken up:

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 adopted and returned to the Senate with concurrence.

**S. 627--ADOPTED AND RETURNED TO SENATE WITH
CONCURRENCE**

The following Concurrent Resolution was taken up:

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

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ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Concurrent Resolution was adopted and returned to the Senate with concurrence.

S. 616--ADOPTED AND RETURNED TO SENATE WITH CONCURRENCE

The following Concurrent Resolution was taken up:

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 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, which was agreed to.

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H. 4176--CONTINUED

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, Garvin, Gilliard and Rivers: 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. BANNISTER moved to continue the Bill, which was agreed to.

S. 287--DEBATE ADJOURNED

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.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 287 (LC-287.VR0001H):

Amend the bill, as and if amended, SECTION 1, by striking Section 44-95-65(A)(7) and inserting:

(7) "Packaging" means any receptacle that uses reasonable, commercially available technology that reduces the ability of a minor to access the contents of the receptacle, prevents tampering or contamination, and contains an ENDS product.

Amend the bill further, SECTION 1, by striking Section 44-95-65(D), (E), (F), and (G) and inserting:

(D) The certification form shall prescribe such information as the Attorney General determines, but shall, at a minimum, separately list

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each brand name, category, product name, and flavor, and both the name of any foreign company or companies physically manufacturing each ENDS product and/or component and the full address of the foreign company or companies at which the ENDS product or component thereof is physically manufactured for each ENDS product that is sold in South Carolina.

(E) The information submitted by the manufacturer pursuant to ~~subsection~~subsections (C) ~~and (D) of this section~~ is exempt from disclosure under Chapter 30, Title 4, the Freedom of Information Act. The Attorney General shall not disclose such information except as required or authorized by law.

(F) Any manufacturer submitting a certification pursuant to subsection (B) shall notify the Attorney General within thirty days of any material change to the certification, including a change to the name, brand style, ~~or~~ packaging, or location of the manufacturing facilities of a certified ENDS product covered under subsection (B)(1) or (2), or the issuance by the FDA of:

- (1) a marketing granted order pursuant to 21 U.S.C. Section 387j;
- (2) an order revoking a marketing authorization or other order with respect to a manufacturer or an ENDS product; or
- (3) any notice of action taken by the FDA affecting the ability of the ENDS product to be introduced or delivered into interstate commerce for commercial distribution.

(G) The Attorney General shall develop and maintain a directory listing all manufacturers of ENDS products that have provided certifications, including all information provided in the certification form as required by subsection (D), that comply with this section and all ENDS products that are listed in those certifications.

Amend the bill further, SECTION 1, by striking Section 44-95-65(M) and inserting:

(M) The Attorney General, the South Carolina Law Enforcement Division (SLED), or the South Carolina Department of Revenue or any state or local law enforcement agency shall have the power to enforce the provisions of this section and to seize and destroy any ENDS products that are not listed on the directory, at the end of the grace periods provided herein, and which are in possession of a distributor or retailer. The cost of seizure and destruction shall be borne by the ~~distributor or retailer from whom the ENDS products are seized~~manufacturer.

Amend the bill further, SECTION 1, by striking Section 44-95-65(N)(1) and inserting:

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(N)(1) Except as provided in ~~paragraphs~~[items](#) (2) and (3) of this subsection, beginning ~~October 1, 2025~~[April 1, 2026](#), or on the date that the Attorney General first makes the directory available for public inspection on its official website, whichever is later, ENDS products not included in the directory, may not be sold for retail sale in South Carolina, either directly or through an importer, distributor, wholesaler, retailer, or similar intermediary or intermediaries.

Amend the bill further, SECTION 1, by striking Section 44-95-65(P)(3) and inserting:

(3) A manufacturer shall provide written notice to the Attorney General thirty calendar days prior to the termination of the authority of an agent appointed pursuant to ~~paragraphs~~[items](#) (1) and (2) of this subsection. No less than five calendar days prior to the termination of an existing agent appointment, a manufacturer shall provide to the Attorney General the name, address, and telephone number of its newly appointed agent for service of process and shall provide any other information relating to the new appointment as may be requested by the Attorney General. In the event an agent terminates an agency appointment, the manufacturer shall notify the Attorney General of the termination within five calendar days and shall include proof to the satisfaction of the Attorney General of the appointment of a new agent.

Amend the bill further, SECTION 1, by striking Section 44-95-65(X)(2) and inserting:

(2) use, in the labeling or design of the product, its packaging, its advertisement, or in its marketing materials, images of or references to [children's toys](#), cartoons, cartoon characters, superheroes, television shows, video games and movies, or other similar characters or references, that have been commonly used to market products to minors;

Amend the bill further, SECTION 1, by striking Section 44-95-65(Z) and inserting:

(Z) To the extent that 21 USC Section 387(j) is amended, or subsequent regulations or other official federal guidance is issued, changing compliance requirements or standards for an ENDS product to become federally compliant, each manufacturer of an ENDS product that is sold for retail in South Carolina must submit documentation to the Attorney General substantiating compliance with such new federal requirements or standards within thirty days of when compliance with requirement or standard is mandated. Verified compliance with new federal requirements or standards shall be grounds for adding a manufacturer and their ENDS products to the directory established pursuant to subsection (G).

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(AA) A retailer must utilize commercially available age verification software to scan a state or federal issued identification in order to verify the purchaser of an ENDS product is eighteen years of age or older.

(BB) All ENDS products sold in this State must have on the packaging up-to-date commercially available labeling that allows a retailer and purchaser to scan the product prior to purchase to determine who manufactured the product, any distributor, wholesaler, person or entity who possessed the product prior to the retailer or consumer, the ingredients contained in the product, documentation attesting to compliance with state and federal laws regarding ENDS products, and the date it was manufactured and where it was manufactured.

(CC) The Attorney General may promulgate regulations for the implementation and enforcement of this section.

Amend the bill further, SECTION 2, <<section_placeholder>> , by striking the <<placeholder>> undesignated paragraph and inserting:

SECTION 2. (A) The first certification required pursuant to Section 44-95-65(B) shall be required by ~~August 1, 2025~~April 1, 2026.

(B) The directory established pursuant to Section 44-95-65~~(E)~~(G) shall be operational by ~~October 1, 2025~~April 1, 2026, or on the date that the Attorney General first makes the directory available, whichever is later. The Attorney General shall notify retailers, wholesalers, and distributors of ENDS products when the directory is operational.

(C) The provisions contained in Section 44-95-65~~(H)~~(K) and ~~(M)~~(Q) shall be effective on the date that the directory established pursuant to Section 44-95-65~~(E)~~(G) is operational.

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 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

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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 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

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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 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

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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

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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

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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

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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 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

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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 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

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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 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

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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)~~~~(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,

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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.

(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

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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.

SECTION X. Section 16-17-501(3) of the S.C. Code is amended to read:

(3) "Electronic smoking device" means any device that may be used to deliver any aerosolized or vaporized substance, including e-liquid, to the person inhaling from the device including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. "Electronic smoking device" includes any component, part, or accessory of the device, and also includes any substance intended to be aerosolized or vaporized during the use of the device whether or not the substance includes nicotine. "Electronic smoking device" also includes any ENDS product, as defined by Section 44-95-65. "Electronic smoking device" does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

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

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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.

Rep. TEEPLE moved to adjourn debate on the Bill until Tuesday, January 13.

Rep. B. NEWTON moved to table the motion.

Rep. ROSE demanded the yeas and nays which were taken, resulting as follows:

Yeas 26; Nays 79

Those who voted in the affirmative are:

Alexander	Brewer	Clyburn
Crawford	Forrest	Guest
Hager	Henderson-Myers	Herbkersman
Hixon	Hosey	J. L. Johnson
Jordan	Lawson	Ligon
Martin	T. Moore	Neese
B. Newton	W. Newton	Pedalino
Pope	Rivers	Schuessler
Sessions	Wetmore	

Total--26

Those who voted in the negative are:

Anderson	Atkinson	Bailey
Bannister	Bauer	Beach
Bernstein	Bowers	Bradley
Burns	Bustos	Calhoon
Caskey	Chapman	Chumley
Collins	B. L. Cox	Cromer
Davis	Dillard	Duncan
Edgerton	Erickson	Frank
Gagnon	Garvin	Gatch
Gilliam	Gilreath	Govan

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Grant	Guffey	Haddon
Hardee	Harris	Hartnett
Hayes	Hiott	Holman
Huff	Jones	Kilmartin
King	Kirby	Landing
Long	Lowe	Luck
Magnuson	May	McCabe
McCravy	McDaniel	McGinnis
Mitchell	J. Moore	Morgan
Moss	Oremus	Pace
Rankin	Reese	Robbins
Rose	Rutherford	Sanders
M. M. Smith	Spann-Wilder	Teeple
Terribile	Vaughan	Waters
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

Total--79

So, the House refused to table the motion.

The question then recurred to the motion to adjourn debate until Tuesday, January 13, which was agreed to.

H. 4165--AMENDED AND INTERRUPTED DEBATE

The following Bill was taken up:

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.

The Committee on Medical, Military, Public and Municipal Affairs proposed the following Amendment No. 1 to H. 4165 (LC-4165.VR0002H), which was adopted:

[HJ]

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Amend the bill, as and if amended, SECTION 1, Section 44-53-2030, by striking the section before the numbered items and inserting:

~~Except in the provision of emergency services and care before providing anesthesia, prior~~ Prior to prescribing, ordering, dispensing, or administering an opioid drug listed as a Schedule II controlled substance for the treatment of pain, a healthcare practitioner shall:

Amend the bill further, SECTION 1, Section 44-53-2030, by inserting after the numbered items:

Excluded from the requirements of this section are opioids prescribed for medical emergencies, acute trauma, hospitalized patients, cancer, palliative or end-of-life care, sickle cell disease, perioperative care, or prescribed per current Centers for Disease Control Clinical Practice Guidelines for Prescribing Opioids.

Renumber sections to conform.

Amend title to conform.

Rep. SESSIONS explained the amendment.

The amendment was then adopted.

Rep. SESSIONS explained the Bill.

Rep. EDGERTON proposed the following Amendment No. 2 to H. 4165 (LC-4165.DG0001H):

Amend the bill, as and if amended, SECTION 1, by striking Section 44-53-2020(A) and (B) and inserting:

(A) The Department of Public Health ~~shall~~ may develop and publish on its website an educational pamphlet regarding the use of non-opioid alternatives for the treatment of pain. The pamphlet must include:

(1) information on available non-opioid alternatives for the treatment of pain, including non-opioid medicinal drugs or drug products and nonpharmacological therapies; and

(2) the advantages and disadvantages of the use of non-opioid alternatives.

(B) The Department of Public Health ~~shall~~ may work with the South Carolina Opioid Recovery Fund to explore and utilize, to the extent permissible by state and federal law, opioid abatement funding for educational and healthcare services related to non-opioid alternatives.

Amend the bill further, SECTION 1, Section 44-53-2030, by striking the undesignated paragraph before the first item and inserting:

Section 44-53-2030. Prior to prescribing, ordering, dispensing, or administering an opioid drug listed as a Schedule II controlled substance

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for the treatment of pain, a healthcare practitioner ~~shall~~may:

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

SECTION 2. The educational pamphlet required by Section 44-53-2020(A) ~~shall~~may be posted on the Department of Public Health's website ~~no later than September 30, 2025~~.

Renumber sections to conform.

Amend title to conform.

Rep. EDGERTON explained the amendment.

Rep. EDGERTON spoke in favor of the amendment.

Rep. MAGNUSON moved that the House do now adjourn, which was agreed to by a division vote of 68 to 31.

Further proceedings were interrupted by adjournment, the pending question being consideration of Amendment No. 2.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 4322 -- Rep. Rose: A CONCURRENT RESOLUTION TO REQUEST THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF THE INTERSTATE HIGHWAY 26/UNITED STATES HIGHWAY 76 BRIDGE THAT CROSSES INTERSTATE HIGHWAY 20 IN RICHLAND COUNTY "SOLOMON-GIBBONS MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE CONTAINING THESE WORDS.

H. 4231 -- Rep. Mitchell: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME KEYS LANE IN KERSHAW COUNTY FROM OLD GEORGETOWN ROAD TO PROVIDENCE ROAD "LEONARD L. PRICE MEMORIAL LANE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

H. 4243 -- Reps. Anderson and Hewitt: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF EXODUS DRIVE IN GEORGETOWN COUNTY (SOUTH CAROLINA HIGHWAY #S-264), BEGINNING WITH ITS INTERSECTION AT NORTH

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FRASER STREET (UNITED STATES HIGHWAY 701), SPANNING APPROXIMATELY 7.97 MILES, AND ENDING AT A SECOND INTERSECTION WITH UNITED STATES HIGHWAY 701 "JOHNNY MORANT HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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.

ADJOURNMENT

At 4:50 p.m. the House in accordance with the motion of Rep. MAGNUSON adjourned to meet at 10:00 a.m. tomorrow.

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H. 3058	44, 45, 46	H. 4342	8
H. 3127	37, 38, 39	H. 4343	7
H. 3175	43	H. 4478	8
H. 3276	41	H. 4484	75
H. 3453	8	H. 4519	4
H. 3762	35		
H. 3802	18, 19, 21, 24	S. 77	9
H. 3832	53	S. 79	9
H. 3858	3, 10, 12, 14	S. 214	26, 33
H. 3862	35, 36	S. 221	9
H. 3876	4, 15, 16	S. 269	8
H. 3910	47	S. 287	53
H. 3974	6	S. 507	24
H. 4129	16	S. 614	50
H. 4165	73, 74	S. 616	52
H. 4176	3, 53	S. 617	51
H. 4186	35	S. 618	4
H. 4216	48	S. 620	51
H. 4231	75	S. 623	4
H. 4243	75	S. 625	51
H. 4322	75	S. 627	52
H. 4339	7		