

NO. 60

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

TUESDAY, MAY 12, 2026
(STATEWIDE SESSION)

Tuesday, May 12, 2026
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

Deliberations were opened with prayer by Rev. Jeff Lingerfelt as follows:

Our thought for today is Psalm 33:22: "Let your steadfast love, o Lord, be upon us, even as we hope in you."

Let us pray. O Lord, our gracious Father, the Psalmist reminds us that all who take refuge in You rejoice; let them forever sing for joy, as You spread Your protection over them, that those who love Your name may exult in You. For You bless the righteous, O Lord; You cover them with favor as with a shield. We look to You, for there is none who compares with You. Your faithfulness and steadfast love exceed human comprehension. You never react to the incompetence of man. But You govern the hearts of men like channels of waters. You move their hearts wherever You will. As we approach the final week of the legislative session, we ask for insight, wisdom and understanding to govern as Your Representatives in the affairs of this State. May we lead in such a way that would benefit the citizens of this State and that exalt, praise and honor, the King of Heaven and earth. Ascribe greatness to our God. He is the rock, His work is perfect; for all His ways are just, a God of truth and without injustice; righteous and upright is He." 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.

After corrections to the Journal of the proceedings of Friday, the SPEAKER ordered it confirmed.

MOTION ADOPTED

Rep. MCCRAVY moved that when the House adjourns, it adjourn in memory of Don "DJ" Keller, which was agreed to.

SILENT PRAYER

The House stood in silent prayer for the family and friends of Don "DJ" Keller.

TUESDAY, MAY 12, 2026

In Memory of Officer D.J. Keller

I would ask that we adjourn in memory and pause for a moment of silence and prayer to lift up the family and loved ones of Officer D.J. Keller of Greenwood, who tragically lost his life in the line of duty yesterday while courageously protecting the public from a violent criminal. We also lift up the members of the Greenwood City Police Department, first responders, and the entire Greenwood community who are mourning this loss.

Representatives McCravy and Gibson

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C. Thursday, May 7, 2026

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Peeler, Hutto and Davis to the Committee of Conference on the part of the Senate on H. 5126:

H. 5126 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2026, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very Respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 7, 2026

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3022:

H. 3022 -- Reprs. M. M. Smith, Guest, Kirby and W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY

[HJ]

TUESDAY, MAY 12, 2026

AMENDING SECTION 43-21-130, RELATING TO THE LONG-TERM CARE COUNCIL, SO AS TO CORRECT REFERENCES TO CERTAIN AGENCIES WITH MEMBERSHIP ON THE COUNCIL; BY AMENDING SECTION 43-21-140, RELATING TO THE PURPOSE AND DUTIES OF COUNCIL, SO AS TO PROVIDE FOR THE SHARING OF DATA WITH MEMBER AGENCIES; AND FOR OTHER PURPOSES.

and has ordered the Bill enrolled for ratification.

Very respectfully,
President
Received as information.

HOUSE RESOLUTION

The following was introduced:

H. 5685 -- Reps. Williams, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, 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, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. 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, Scott, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE SMITH FUNERAL HOME OF FLORENCE ON THE OCCASION OF ITS RECENT SEVENTY-FIFTH ANNIVERSARY AND TO WISH THIS FAMILY-OWNED BUSINESS MUCH CONTINUED SUCCESS IN THE DAYS TO COME.

The Resolution was adopted.

[HJ]

TUESDAY, MAY 12, 2026

HOUSE RESOLUTION

The following was introduced:

H. 5686 -- Reps. Williams, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, 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, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. 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, Scott, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE FOUNDERS AND OWNERS OF IDEAL FUNERAL PARLOR IN FLORENCE COUNTY FOR EIGHTY YEARS OF DEDICATION IN MEETING THE NEEDS OF THEIR COMMUNITY AND TO CONGRATULATE THEM FOR SETTING AN EXAMPLE OF SUCCESSFUL AFRICAN AMERICAN ENTERPRISE IN THE PEE DEE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5687 -- Reps. Guffey, King, Ligon, Martin, Moss, Pope, Sessions and Terribile: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR YMCA CAMP THUNDERBIRD OF YORK COUNTY, FOR ITS OUTSTANDING CONTRIBUTIONS TO THE COMMUNITY AND THE LASTING IMPACT IT HAS HAD ON GENERATIONS OF YOUNG PEOPLE AND FAMILIES FOR OVER NINETY YEARS AND TO DECLARE FRIDAY, AUGUST 28, 2026, AS "CAMP THUNDERBIRD DAY" IN SOUTH CAROLINA.

[HJ]

TUESDAY, MAY 12, 2026

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5688 -- Reps. Clyburn, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, 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, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. 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, Scott, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO HONOR AND RECOGNIZE THE WARDLAW ACADEMY GIRLS VARSITY BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM ON WINNING THE SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS 1A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5689 -- Reps. C. Mitchell, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan,

[HJ]

TUESDAY, MAY 12, 2026

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, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, D. 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, Scott, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE NORTH CENTRAL ELEMENTARY SCHOOL OF THE KERSHAW COUNTY SCHOOL DISTRICT ON BEING SELECTED AS A BEATING THE ODDS INVESTIGATIVE STUDY SCHOOL BY THE SOUTH CAROLINA EDUCATION OVERSIGHT COMMITTEE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5690 -- Reps. Henderson-Myers, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. 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, Scott, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR PASTOR ALLEN DAWKINS OF SPARTANBURG COUNTY FOR

[HJ]

TUESDAY, MAY 12, 2026

OVER THIRTY-FIVE YEARS OF FAITHFUL MINISTRY AND SERVICE TO BELIEVERS' FELLOWSHIP ASSEMBLIES OF GOD.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5691 -- Reps. Davis, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Dillard, Duncan, Edgerton, Erickson, Ford, 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, Laster, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. 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, Scott, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE MAY 10-16, 2026, AS "HOSPITAL WEEK IN SOUTH CAROLINA."

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5692 -- Reps. Garvin, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Ford, Forrest, Frank, Gagnon, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman,

[HJ]

TUESDAY, MAY 12, 2026

Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lastinger, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, McCabe, McCravy, McDaniel, McGinnis, C. Mitchell, D. 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, Scott, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terrible, Vaughan, Waters, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF FRANK PALMA ARDAIOLO OF SEABROOK ISLAND AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

ROLL CALL

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

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bannister
Bauer	Beach	Bernstein
Bowers	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	Cox	Crawford
Cromer	Davis	Dillard
Duncan	Edgerton	Erickson
Ford	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

TUESDAY, MAY 12, 2026

Huff	J. E. Johnson	Jones
Jordan	Kilmartin	King
Kirby	Landing	Lastinger
Lawson	Ligon	Long
Lowe	Luck	Magnuson
Martin	McCabe	McCray
McDaniel	McGinnis	C. Mitchell
D. Mitchell	Montgomery	T. Moore
Moss	Neese	B. Newton
W. Newton	Oremus	Pace
Pedalino	Pope	Rankin
Reese	Rivers	Robbins
Rose	Rutherford	Sanders
Schuessler	Scott	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Taylor	Teeple	Terribile
Vaughan	Waters	Wetmore
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

Total Present--118

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

STATEMENT BY REP. POPE

Rep. POPE made a statement relative to Rep. MCCABE's service in the House.

STATEMENT BY REP. MCCABE

Rep. MCCABE made a statement relative to his service in the House.

[HJ]

TUESDAY, MAY 12, 2026

DOCTOR OF THE DAY

Announcement was made that Dr. Richard McCain of Columbia was the Doctor of the Day for the General Assembly.

ACTING SPEAKER HIOTT IN CHAIR

S. 1048--DEBATE ADJOURNED

The following Bill was taken up:

S. 1048 -- Senator Corbin: A BILL TO PROVIDE THAT SINGLE-FAMILY DWELLING UNITS IN THE BLUE RIDGE COMMUNITY IN GREENVILLE COUNTY MUST BE BUILT ON FIVE ACRE TRACTS, TO PROVIDE THAT MULTI-FAMILY DWELLINGS BUILT IN THE BLUE RIDGE COMMUNITY MUST BE BUILT ON A TRACT OF LAND THAT IS EQUAL TO FIVE ACRES OF LAND FOR EACH DWELLING UNIT, AND TO PROVIDE FOR AN EXCEPTION.

Rep. HEWITT moved to adjourn debate on the Bill, which was agreed to.

S. 1162--ORDERED TO THIRD READING

The following Bill was taken up:

S. 1162 -- Senator Gambrell: A BILL TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES OF ANDERSON COUNTY SCHOOL DISTRICT 2, SO AS TO PROVIDE THAT SIX MEMBERS OF THE SEVEN-MEMBER GOVERNING BODY MUST BE ELECTED FROM SINGLE-MEMBER DISTRICTS.

The yeas and nays were taken resulting as follows:

Yeas 114; Nays 0

Those who voted in the affirmative are:

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

[HJ]

TUESDAY, MAY 12, 2026

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

Total--114

Those who voted in the negative are:

Total--0

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

[HJ]

TUESDAY, MAY 12, 2026

SPEAKER IN CHAIR

LEAVE OF ABSENCE

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

S. 831--CONFERENCE REPORT ADOPTED

S. 831 – Committee of Conference
The General Assembly, Columbia, S.C., May 08, 2026

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 831 -- Senators Grooms, Jackson, Kimbrell, Sutton and Bennett: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 57-1-25 SO AS TO ESTABLISH A COORDINATING COUNCIL FOR TRANSPORTATION AND MOBILITY AND DEFINE ITS MEMBERSHIP, POWERS, AND RESPONSIBILITIES; BY AMENDING SECTION 57-1-360, RELATING TO THE CHIEF INTERNAL AUDITOR, SO AS TO CLARIFY QUALIFICATIONS AND SCOPE OF ACTIVITIES; BY AMENDING SECTION 57-1-370, RELATING TO THE DEVELOPMENT OF A LONG-RANGE STATEWIDE TRANSPORTATION PLAN, SO AS TO MANDATE THAT THE DEPARTMENT OF TRANSPORTATION IS RESPONSIBLE FOR DEVELOPING THE PLAN; BY AMENDING SECTION 57-3-20, RELATING TO RESPONSIBILITIES AND DUTIES OF THE DEPUTY SECRETARIES, SO AS TO PROVIDE FOR THE RESPONSIBILITIES AND DUTIES OF THE DEPUTY SECRETARIES; BY ADDING SECTION 57-3-205 SO AS TO ALLOW THE DEPARTMENT TO ENTER INTO PUBLIC-PRIVATE PARTNERSHIP AGREEMENTS; BY AMENDING SECTION 57-3-615, RELATING TO HIGHWAY TOLLS AND USAGE, SO AS TO ALLOW THE IMPOSITION OF TOLLS IN CERTAIN SITUATIONS; BY ADDING SECTION 57-3-790 SO AS TO WAIVE THE STATE'S IMMUNITY; BY ADDING SECTION 57-3-800 SO AS TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO RECIPROCAL AGREEMENTS WITH OTHERS TO ENFORCE TOLL VIOLATIONS; BY AMENDING SECTION 57-5-820, RELATING TO THE CONSENT OF A MUNICIPALITY TO WORK ON STATE HIGHWAYS, SO AS TO PROVIDE FOR CANCELLATION OF PROJECTS IN CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 57-5-830,

[HJ]

TUESDAY, MAY 12, 2026

RELATING TO THE ASSENT OF MUNICIPALITY TO PLANS, SO AS TO PROVIDE THAT COSTS CAUSED BY AN UNREASONABLE DELAY ARE THE RESPONSIBILITY OF THE MUNICIPALITY; BY ADDING SECTION 57-5-105 SO AS TO IDENTIFY AND TRANSFER OWNERSHIP OF NONESSENTIAL ROADS TO THE STATE HIGHWAY SYSTEM; BY ADDING SECTION 57-5-1085 SO AS TO IMPOSE FEES ON NEW DEVELOPMENTS WITHIN THE STATE IN ORDER TO MITIGATE CONGESTION CAUSED BY ADDITIONAL TRAFFIC; BY AMENDING SECTION 57-5-1320, RELATING TO TURNPIKE PROJECT DEFINITIONS, SO AS TO INCLUDE NONTAX REVENUES OR OTHER LEGALLY AVAILABLE FUNDS AS A SOURCE FOR FUNDING TURNPIKE FACILITIES; BY AMENDING SECTION 57-5-1330, RELATING TO GENERAL POWERS OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO ALLOW THE DEPARTMENT TO CONTRACT WITH OTHER POLITICAL SUBDIVISIONS IN DESIGNATING, ESTABLISHING, PLANNING, ABANDONING, FINANCING, IMPROVING, CONSTRUCTING, MAINTAINING, AND REGULATING TURNPIKE FACILITIES; BY AMENDING SECTION 57-5-1335, RELATING TO THE FEASIBILITY STUDIES, SO AS TO REQUIRE THE DEPARTMENT TO COMPLETE A FEASIBILITY STUDY PRIOR TO A BRIDGE CONSTRUCTION QUALIFYING AS TURNPIKE FACILITY; BY AMENDING SECTION 57-5-1340, RELATING TO ADDITIONAL POWERS OF THE DEPARTMENT, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 57-5-1350, RELATING TO A REQUEST FOR AN ISSUANCE OF TURNPIKE BONDS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 57-5-1360, RELATING TO POWERS AND DUTIES OF THE STATE FISCAL ACCOUNTABILITY AUTHORITY UPON RECEIPT OF REQUEST, SO AS TO PROVIDE THAT A RESOLUTION APPROVING ANY PROPOSED TURNPIKE BONDS MAY NOT BE ADOPTED UNLESS THE STATE BOARD CONDUCTS A HEARING BEFORE APPROVAL; BY AMENDING SECTION 57-5-1380, RELATING TO TURNPIKE REVENUE PLEDGED FOR PAYMENT OF BONDS, SO AS TO CLARIFY THAT TURNPIKE BONDS ISSUED BY THIS ARTICLE DO NOT CONSTITUTE AN INDEBTEDNESS OF THE STATE; BY AMENDING SECTION 57-5-1390, RELATING TO BOND INTEREST, MATURITY, AND REDEMPTION, SO AS TO UPDATE TERMS; BY AMENDING SECTION 57-5-1400,

[HJ]

TUESDAY, MAY 12, 2026

RELATING TO THE SALE OF BONDS AND EXPENSES INCIDENT TO SALE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 57-5-1410, RELATING TO THE EXECUTION OF BONDS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 57-5-1420, RELATING TO THE APPLICATION OF BOND PROCEEDS, SO AS TO PROVIDE THAT THE PROCEEDS DERIVED FROM THE SALE OF TURNPIKE BONDS MUST BE APPLIED ONLY TO THE PURPOSES AUTHORIZED BY THIS ARTICLE AND PROVIDED IN THE BOND RESOLUTION; BY AMENDING SECTION 57-5-1430, RELATING TO DENOMINATIONS OF TURNPIKE BONDS, SO AS TO PROVIDE THAT TURNPIKE BONDS MUST EACH BE IN THE DENOMINATION OF ONE THOUSAND OR FIVE THOUSAND DOLLARS OR SOME MULTIPLE THEREOF OR SUCH LARGER DENOMINATIONS AS MAY BE AUTHORIZED BY THE AUTHORITY IN THE BOND RESOLUTION; BY AMENDING SECTION 57-5-1440, RELATING TO THE FORM OF BONDS, SO AS TO REMOVE THE PROVISION THAT TURNPIKE BONDS ISSUED PURSUANT TO THIS ARTICLE MAY BE IN THE FORM OF NEGOTIABLE COUPON BONDS, PAYABLE TO BEARER; BY AMENDING SECTION 57-5-1450, RELATING TO THE RESOLUTION TO ISSUE BONDS, SO AS TO PROVIDE THAT THE DEPARTMENT AND THE AUTHORITY MAY RELY ON THE WORK PRODUCT OF THIRD-PARTY PROFESSIONALS TO PROVIDE FINANCIAL, FEASIBILITY, OR PRACTICABILITY STUDIES RELATED TO THE TURNPIKE FACILITIES; BY AMENDING SECTION 57-5-1460, RELATING TO THE POWERS AND DUTIES OF THE GOVERNOR AND THE STATE TREASURER UPON RECEIPT OF THE BOND RESOLUTION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 57-5-1480, RELATING TO THE PROVISION THAT IT IS LAWFUL FOR FIDUCIARIES AND SINKING FUND COMMISSIONS TO INVEST IN TURNPIKE BONDS, SO AS TO REMOVE THE STATE FISCAL ACCOUNTABILITY AUTHORITY AND INCLUDE THE RETIREMENT SYSTEM INVESTMENT COMMISSION; BY AMENDING SECTION 57-5-1490, RELATING TO PENALTIES FOR FAILURE TO PAY TOLLS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 57-5-1495, RELATING TO THE COLLECTION OF TOLLS, SO AS TO CHANGE THE DEFINITION OF "ELECTRONIC TOLL COLLECTION SYSTEM" AND ADD THAT A CERTIFICATE

TUESDAY, MAY 12, 2026

THAT A TOLL VIOLATION HAS OCCURRED BASED UPON ELECTRONIC MEANS IS PRIMA FACIE EVIDENCE OF THE VIOLATION; BY ADDING SECTION 57-5-1710 SO AS TO ALLOW THE DEPARTMENT TO USE PHASED DESIGN-BUILD AS A PROJECT DELIVERY METHOD AND PROSCRIBE THE PROCEDURE FOR ENTERING INTO A PHASED DESIGN-BUILD CONTRACT; BY ADDING SECTION 57-5-1720 SO AS TO ALLOW THE DEPARTMENT TO AWARD HIGHWAY CONSTRUCTION CONTRACTS USING A CONSTRUCTION MANAGER/GENERAL CONTRACTOR PROCEDURE; BY AMENDING SECTION 57-11-210, RELATING TO DEFINITIONS PERTAINING TO STATE HIGHWAY BONDS, SO AS TO DEFINE "ALTERNATIVE FUEL FEES"; BY AMENDING SECTION 56-3-645, RELATING TO ALTERNATIVE FUEL FEES FOR VEHICLES POWERED BY ELECTRICITY, HYDROGEN, AND FUELS OTHER THAN MOTOR FUEL, SO AS TO INCREASE FEES, PROVIDE FOR ADJUSTMENT OF THE FEES, AND TO CREDIT THE FEES TO THE STATE HIGHWAY FUND; BY AMENDING SECTION 11-43-140, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO DESIGNATE THE SECRETARY OF TRANSPORTATION AS AN EX OFFICIO MEMBER; BY AMENDING SECTION 11-35-710, RELATING TO EXEMPTIONS IN THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, SO AS TO INCLUDE AN EXEMPTION FOR THE PURCHASE AND MANAGEMENT OF INFORMATION TECHNOLOGY BY THE DEPARTMENT OF TRANSPORTATION; BY ADDING SECTION 12-28-315 SO AS TO PRESCRIBE A USER FEE ON ELECTRICITY CONSUMED WHEN USING A PUBLICLY ACCESSIBLE ELECTRIC VEHICLE CHARGING STATION; BY AMENDING SECTION 12-28-2740, RELATING TO THE DISTRIBUTION OF A GASOLINE USER FEE AMONG COUNTIES, REQUIREMENTS FOR THE EXPENDITURE OF FUNDS, AND COUNTY TRANSPORTATION COMMITTEES, SO AS TO PROVIDE FOR THE POWERS AND RESPONSIBILITIES OF THE COUNTY TRANSPORTATION COMMITTEES AND PROCEDURES FOR USING "C" FUNDS REVENUES; AND BY AMENDING SECTION 12-28-2920, RELATING TO CONSTRUCTION OF TOLL ROADS, SO AS TO DEFINE HOW FUNDS DERIVED FROM TOLLS MAY BE USED.

[HJ]

TUESDAY, MAY 12, 2026

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

SECTION 1. Section 57-1-410 of the S.C. Code is amended to read:

Section 57-1-410. The ~~commission~~ Governor shall appoint, with the advice and consent of the Senate, a Secretary of Transportation who shall serve at the pleasure of the ~~commission~~ Governor. A person appointed to this position shall possess practical and successful business and executive ability and be knowledgeable in the field of transportation. The Secretary of Transportation shall receive such compensation as may be established under the provisions of Section 8-11-160 and for which funds have been authorized in the general appropriations act.

SECTION 2. Notwithstanding Section 57-1-410, as amended by this act, ~~the~~ Secretary, who is currently serving and has been confirmed by the Senate immediately before the effective date of SECTION 1, shall continue in that capacity until a successor has been appointed by the Governor and confirmed by the Senate.

SECTION 3. Section 1-30-10(B)(1)(iv) of the S.C. Code is amended to read:

(iv) in the case of the Department of Transportation, a ~~seven member commission constituted in a manner provided by law, and~~ a Secretary of Transportation appointed by and serving at the pleasure of the Governor.

SECTION 4. Effective January 1, 2027, the Commission of the Department of Transportation is abolished and its functions, powers, duties, responsibilities, and authority are devolved upon the Secretary of the Department of Transportation unless otherwise provided for in this act.

SECTION 5. Section 1-30-105 of the S.C. Code is amended to read:

Section 1-30-105. (A) Effective on July 1, 1993, the following agencies, boards, and commissions, including all of the allied, advisory, affiliated, or related entities as well as the employees, funds, property, and all contractual rights and obligations associated with any such agency, except for those subdivisions specifically included under another department, are hereby transferred to and incorporated in and shall be administered as part of the Department of Transportation to be initially divided into divisions for Mass Transit, Construction and Maintenance, Engineering and Planning, and Finance and

TUESDAY, MAY 12, 2026

Administration; however, the State Highway Commission as constituted on June 30, 1993, under the provisions of Title 56, shall be the governing authority for the department until February 15, 1994, or as soon as its successors are elected or appointed and qualified, whichever is later.

Department of Highways and Public Transportation, except the Motor Vehicle Division, which was established as the Department of Motor Vehicles by Section 56-1-5, and the State Highway Patrol, formerly provided for at Section 56-1-10, et seq.

(B) Notwithstanding another provision of law, effective January 1, 2027, the governing authority of the Department of Transportation is the Secretary of Transportation pursuant to Section 57-1-410.

SECTION 6. Section 11-43-140 of the S.C. Code is amended to read:

Section 11-43-140. The board of directors is the governing board of the bank. The board consists of seven voting directors as follows: the ~~Chairman~~Secretary of the Department of Transportation ~~Commission~~, ex officio; one director appointed by the Governor who shall serve as chairman; one director appointed by the Governor; one director appointed by the Speaker of the House of Representatives; one member of the House of Representatives appointed by the Speaker, ex officio; one director appointed by the President of the Senate; and one member of the Senate appointed by the President of the Senate, ex officio. Directors appointed by the Governor, the Speaker of the House, and the President of the Senate shall serve terms coterminous with those of their appointing authority. The terms for the legislative members are coterminous with their terms of office. The vice chairman must be elected by the board. Any person appointed to fill a vacancy must be appointed in the same manner as the original appointee for the remainder of the unexpired term.

SECTION 7. Section 11-43-150(D) of the S.C. Code is amended to read:

~~(D) Before providing a loan or other financial assistance to a qualified borrower on a qualified project, the board of directors must submit the decision to the Department of Transportation Commission for its consideration. The Department of Transportation Commission can approve or reject the board of directors' decisions or request additional information from the board of directors. This requirement does not apply to decisions by the board that relate to any payment or contractual obligations that the Department of Transportation has to the bank that are pledged to any bonds issued by the bank.~~

SECTION 8. Section 57-1-10 of the S.C. Code is amended to read:

Section 57-1-10. For the purposes of this title, the following words,

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TUESDAY, MAY 12, 2026

phrases, and terms are defined as follows:

(1) ~~“Commission” means the administrative and governing authority of the Department of Transportation~~ Reserved.

(2) “Department” means the Department of Transportation (DOT).

(3) “Secretary of Transportation” means the Chief Administrative Officer of the Department of Transportation.

SECTION 9. Section 57-1-40 of the S.C. Code is amended to read:

Section 57-1-40. (A) It is unlawful for ~~a member of the commission or an official~~, an engineer, agent, or other employee, acting for or on behalf of the department ~~or commission~~, to accept or agree to accept, receive or agree to receive, or ask or solicit, either directly or indirectly, with the intent to have his decision or action on any question, matter, cause, or proceeding which at the time may be pending or which by law may be brought before him in his official capacity or in his place of trust or profit influenced, any:

(1) money;

(2) contract, promise, undertaking, obligation, gratuity, or security for the payment of money or for the delivery or conveyance of anything of value;

(3) political appointment or influence, present, or reward;

(4) employment; or

(5) other thing of value.

A person violating the provisions of subsection (A) is guilty of a felony and, upon conviction, must be imprisoned not more than five years and is disqualified forever from holding any office of trust or profit under the Constitution or laws of this State.

(B) It is unlawful for a person to give or offer to give, promise, or cause or procure to be promised, offered, or given, either directly or indirectly, to ~~a member of the commission or an official~~, an engineer, agent, or other employee acting for or on behalf of the ~~commission or~~ department with the intent to have his decision or action on any question, matter, cause, or proceeding which at the time may be pending or which by law may be brought before him in his official capacity or in his place of trust or profit influenced, any:

(1) money;

(2) contract, promise, undertaking, obligation, gratuity, or security for the payment of money or for the delivery or conveyance of anything of value;

(3) political appointment or influence, present, or reward;

(4) employment; or

(5) other thing of value.

TUESDAY, MAY 12, 2026

A person violating the provisions of subsection (B) is guilty of a felony and, upon conviction, must be imprisoned not more than five years and is disqualified forever from holding any office of trust or profit under the Constitution or laws of this State.

(C) ~~The members and employees of the commission and employees~~Any official or employee of the department are subject to the provisions of Chapter 13, Title 8, the State Ethics Act, and the provisions of Chapter 78, Title 15, the South Carolina Tort Claims Act.

SECTION 10. Section 57-1-430(A) of the S.C. Code is amended to read:

(A) The secretary is charged with the affirmative duty to establish and carry out the policies of the ~~commission~~department, to administer the day-to-day affairs of the department, to direct the implementation of the Statewide Transportation Improvement Program and the Statewide Mass Transit Plan, and to ensure the timely completion of all projects undertaken by the department, and routine operation and maintenance requests, and emergency repairs. ~~He~~The secretary must represent the department in its dealings with other state agencies, local governments, special districts, and the federal government. ~~The secretary must prepare an annual budget for the department that must be approved by the commission before becoming effective.~~

SECTION 11. Section 57-1-500 of the S.C. Code is amended to read:

Section 57-1-500. The secretary must provide for a workshop of at least two biennial contact hours concerning ethics and the Administrative Procedures Act for ~~the commissioners~~, the secretary, the chief internal auditor, and senior management employees of the Department of Transportation; and a biennial ethics workshop of at least two contact hours for all other department employees.

SECTION 12. Section 57-3-50 of the S.C. Code is amended to read:

Section 57-3-50. The ~~commission~~department may establish such highway districts as in its opinion ~~shall be~~are necessary for the proper and efficient performance of its duties. The ~~commission~~department, every ten years, must review the number of highway districts and the territory embraced within the districts and make ~~such~~ changes ~~as~~that may be necessary for the proper and efficient operation of the districts.

SECTION 13. Section 57-1-90(A) of the S.C. Code is amended to read:

(A) In formulating transportation policy, promulgating regulations, allocating funds, and planning, designing, constructing, equipping, operating and maintaining transportation facilities, no action of the ~~South Carolina Transportation Commission~~secretary, or the South Carolina Department of Transportation shall have the effect of discriminating against motorcycles, motorcycle operators, or motorcycle

TUESDAY, MAY 12, 2026

passengers. No regulation or action of the ~~commission~~secretary, or department shall have the effect of enacting a prohibition or imposing a requirement that applies only to motorcycles or motorcyclists, and the principal purpose of which is to restrict or inhibit access or motorcycles and motorcyclists to any highway, bridge, tunnel, or other transportation facility.

SECTION 14. Section 57-3-210(A) of the S.C. Code is amended to read:

(A) The department is authorized to utilize public transit funds to contract directly with private operators of public transit systems to provide service to the general public, provided that the private operators have established a plan of service that has been approved by the local governmental entity that has jurisdiction over the area to be served, the department, ~~the commission~~, and the federal government.

SECTION 15. Section 57-3-700 of the S.C. Code is amended to read:

Section 57-3-700. With the approval of the ~~commission~~Secretary of Transportation, the county officials may designate the department, acting through its agents and employees, as agents of the county in securing necessary ~~rights-of-way~~rights of way and other lands.

SECTION 16. Section 57-5-10 of the S.C. Code is amended to read:

Section 57-5-10. The state highway system shall consist of a statewide system of connecting highways that shall be constructed to the Department of Transportation's standards and that shall be maintained by the department in a safe and serviceable condition as state highways. The department may utilize funding sources including, but not limited to, the State Non-Federal Aid Highway Fund and the State Highway Fund as established by Section 57-11-20 in carrying out the provisions of this section. The complete state highway system shall mean the system of state highways as now constituted, consisting of the roads, streets, and highways designated as state highways or designated for construction or maintenance by the department pursuant to law, together with the roads, streets, and highways added to the state highway system by the ~~Commission of the Department~~Secretary of Transportation, and the roads, streets, and highways that may be added to the system pursuant to law. Roads and highways in the state highway system are classified into three classifications:

- (1) interstate system of highways;
- (2) state highway primary system; and
- (3) state highway secondary system.

SECTION 17. Section 57-5-50 of the S.C. Code is amended to read:

Section 57-5-50. The ~~commission~~Secretary of Transportation may transfer any route or section of route from the state highway secondary

TUESDAY, MAY 12, 2026

system to the state highway primary system, or vice versa, when, in ~~its~~the secretary's judgment, such transfer is advisable to better serve the traveling public.

SECTION 18. Section 57-5-90 of the S.C. Code is amended to read:

Section 57-5-90. The ~~commission~~department may establish such belt lines or spurs as it deems proper and construct and maintain such belt lines and spurs from funds otherwise provided by law for the construction and maintenance of the state highway system, but the total length of such belt lines and spurs to be established or constructed in any county shall not exceed two miles in any one fiscal year; provided, that should the ~~commission~~department fail to establish belt lines or spurs during a fiscal year the allocation to the counties shall be continued from year to year and the mileage shall be cumulative. Provided, further, that any mileage that accumulated prior to June 30, 1972, under this section shall remain to the credit of the county to which it accumulated.

SECTION 19. Section 57-5-310 of the S.C. Code is amended to read:

Section 57-5-310. The ~~commission and the~~ Department of Transportation may own such real estate, in fee simple or by lease, as shall be deemed necessary for the purpose of facilitating the proper operation of the department or for the building and maintenance of the public highways in the state highway system.

SECTION 20. Section 57-5-340 of the S.C. Code is amended to read:

Section 57-5-340. The department shall continuously inventory all of its real property. When, in the judgment of the department any real estate acquired as provided in this chapter is no longer necessary for the proper operation of the department or highway systems, the department shall vigorously attempt to sell the property by advertising for competitive bids in local newspapers or by direct negotiations, but in every case of the sale or transfer of any real estate by the ~~commission or the~~ department, the sale or transfer shall be made public by publishing notice of it ~~in the minutes of the next succeeding meeting of the commission~~on the website maintained by the department. The ~~commission and the~~ department shall convey by deed, signed by the Secretary of the Department of Transportation and the Deputy Director of the Division of Finance and Administration, any real estate disposed of under this section. Any funds derived from the sale of surplus property by authority of this section shall be credited to the funding category from which funds were drawn to finance the department's acquisition of the property. However, any funds derived from the sale of ~~right-of-way~~right of way, which the department has purchased, in excess of the department's cost shall be distributed among the counties as C funds pursuant to Section

TUESDAY, MAY 12, 2026

12-28-2740.

SECTION 21. Sections 57-13-10 through 57-13-20 of the S.C. Code are amended to read:

Section 57-13-10. The ~~commission~~Secretary of Transportation may cooperate and negotiate with the proper authorities of adjoining states in the construction, purchase, acquisition and maintenance of bridges constructed or to be constructed across streams which constitute boundaries between this State and such adjoining states and may expend for such purposes not exceeding one half of the total cost of such bridges and approaches thereto and bear a proportionate part of the maintenance thereof, such expenditures to be made from the funds available for the construction and maintenance of highways and bridges in the state highway system.

Section 57-13-20. Any county may, with the approval of the ~~Commission~~department, provide the funds necessary for participation in the construction, purchase or acquisition of any such bridge as is described in Section 57-13-10 and shall be entitled to reimbursement therefor under the provisions of Article 1, ~~of Chapter 11 of this Title.~~

SECTION 22. Sections 57-13-40 through 57-13-50 of the S.C. Code are amended to read:

Section 57-13-40. The ~~commission~~department may permit any person, county or municipality, or any combination thereof, to construct toll bridges and appertaining structures suitable for highway traffic on any roads of the state highway system. But before any such permit is issued an agreement satisfactory to the Department of Transportation must be executed by the person receiving such permit fixing conditions under which the bridge is to be constructed, the character and design of the structure, the rate of toll to be charged traffic using it and the terms according to which it can be acquired by the State or counties concerned.

Section 57-13-50. ~~No~~A permit ~~shall~~may not be issued by the ~~Commission~~department under the authority of Section 57-13-40 except after advertisement of all the terms and conditions affecting such permit in at least five daily newspapers of this State and after the county legislative delegation of every county directly adjacent to the bridge has been given formal notice, describing such terms and conditions, and has approved such terms and conditions.

SECTION 23. Section 57-25-120(4)(d) of the S.C. Code is amended to read:

(d) land on the opposite side of a nonfreeway primary highway which is designated scenic by the ~~commission~~department.

SECTION 24. Section 57-25-140(D)(4) and (J) of the S.C. Code is

TUESDAY, MAY 12, 2026

amended to read:

(4) scenic areas designated by the ~~commission~~department or other state agency having and exercising that authority.

(J) Signs permitted under ~~items (1), (2), (3), and (4)~~ of subsection (A)(1), (2), (3), and (4) must comply with the regulations promulgated by the ~~commission~~department in accordance with uniform national standards.

SECTION 25. Section 57-25-150(A) and (D) of the S.C. Code is amended to read:

(A) The ~~commission~~department shall issue permits for the erection and maintenance of outdoor advertising signs coming within the exceptions contained in ~~items (1), (2), and (3)~~ of subsection (A) of Section 57-25-140(A)(1), (2), and (3), consistent with the safety and welfare of the traveling public necessary to carry out the policy of the State declared in this article and consistent with the national standards promulgated by the Secretary of Transportation or other appropriate federal official pursuant to ~~Title 23, United States Code~~U.S.C. Title 23.

The ~~commission~~department also shall promulgate regulations governing the issuance of the permits and standards for size, spacing, and lighting of the signs and their messages.

(D) The ~~commission~~department shall promulgate regulations governing the issuance of permits which must include mandatory maintenance to ensure that all signs are always in a good state of repair. Signs not in a good state of repair are illegal.

SECTION 26. Section 57-25-170 of the S.C. Code is amended to read:

Section 57-25-170. The ~~commission~~department may provide within the ~~right of way~~ right of way for areas at appropriate distances from interchanges on the interstate system and controlled access roads on the federal-aid primary system on which signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained under standards and regulations authorized to be adopted and promulgated by the ~~commission~~department. The standards and regulations may provide for cooperative agreements between the Department of Transportation and private interests for the use and display of names for FOOD, LODGING, and GAS information signs on the highway ~~right of way~~right of way.

SECTION 27. Section 57-25-200(A) of the S.C. Code is amended to read:

(A) Within the requirements of this article the ~~commission~~Secretary of Transportation may enter into agreements with other governmental authorities relating to the control of outdoor advertising in areas adjacent

TUESDAY, MAY 12, 2026

to the interstate and primary highway systems, including the establishment of information centers and safety rest areas and take action in the name of the State to comply with the terms of the agreements.

SECTION 28. Section 57-25-210 of the S.C. Code is amended to read:

Section 57-25-210. The ~~commission~~department is not required to expend funds for the removal of outdoor advertising under this article until federal funds are made available to the State for the purpose of carrying out the provisions of this article and the department ~~commission~~ has entered into an agreement with the Secretary of Transportation as authorized by Section 57-25-200~~department~~ and as provided by the Highway Beautification Act of 1965.

SECTION 29. Sections 57-1-310, 57-1-320, 57-1-325, 57-1-330, 57-1-340, and 57-1-350 of the S.C. Code, and Sections 6, 7, and 8 of Act 114 of 2007 are repealed.

SECTION 30. Sections 57-1-360(B) through Section 57-1-370 of the S.C. Code are amended to read:

Section 57-1-360. (B)(1) The chief internal auditor must be a certified public accountant~~Certified Public Accountant~~, a certified internal auditor, or a certified fraud examiner, and possess any other experience the State Auditor may require. The chief internal auditor must establish, implement, and maintain the exclusive internal audit function of all departmental activities. The State Auditor shall set the salary for the chief internal auditor as allowed by statute or applicable law.

(2) The audits performed by the chief internal auditor must comply with recognized governmental auditing standards. The scope of internal audit services shall cover the entire department, including all the department's activities, assets, and personnel. The scope of internal audit activities also encompasses all, but is not limited to, objective examinations of evidence to provide independent assurance on the adequacy, effectiveness, and efficiency of governance, risk management, control processes, and compliance for the department. The department and any entity contracting with the department must fully cooperate with the chief internal auditor in the discharge of his duties and responsibilities and must timely produce all books, papers, correspondence, memoranda, and other records considered necessary in connection with an internal audit. All final audit reports must be submitted to the ~~secretary, commission and~~ the Chairman of the Senate Transportation Committee, the Chairman of the Senate Finance Committee, the Chairman of the House of Representatives Education and Public Works Committee, and the Chairman of the House of Representatives Ways and Means Committee before being made public.

TUESDAY, MAY 12, 2026

All final audit reports shall be published on the department's and the State Auditor's websites.

(3) The State Auditor is vested with the exclusive management and control of the chief internal auditor.

(4) Every four years the State Auditor shall employ an independent external firm to perform a performance and organizational audit on the Department of Transportation. The audit firm must be selected by the State Auditor. A report from the independent external firm must be completed by January 15, 2028, and every four years after that time. Upon completion, the report must be submitted to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, the Chairman of the Senate Transportation Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee.

Section 57-1-370. (A) The ~~commission~~department must develop the long-range Statewide Transportation Plan, with a minimum twenty-year forecast period at the time of adoption, that provides for the development and implementation of the multimodal transportation system for the State. The plan must be developed in a manner consistent with all federal laws or regulations and in consultation with all interested parties, particularly the metropolitan planning organizations and the nonmetropolitan planning organization area local officials. The plan may be revised from time to time as permitted by and in the manner required by federal laws or regulations.

(B) Concerning the development, content, and implementation of the Statewide Transportation Improvement Program, the ~~commission~~department must:

(1) develop a process for consulting with nonmetropolitan local officials, with responsibility for transportation, that provides an opportunity for their participation in the development of the long-range Statewide Transportation Plan and the Statewide Transportation Improvement Program;

(2) approve the Statewide Transportation Improvement Program and ensure that it is developed pursuant to federal laws and regulations and approve an updated Statewide Transportation Improvement Program from time to time as permitted by and in the manner required by federal laws or regulations;

(3) develop and revise the transportation plan for inclusion in the Statewide Transportation Improvement Program, for each nonmetropolitan planning area in consultation with local officials with

TUESDAY, MAY 12, 2026

responsibility for transportation;

(4) work in consultation with each metropolitan planning organization to develop and revise a transportation improvement program for each metropolitan planning area;

(5) select from the approved Statewide Transportation Improvement Program the transportation projects undertaken in nonmetropolitan areas in consultation with the affected nonmetropolitan local officials with responsibility for transportation;

(6) select projects to be undertaken, in consultation with each metropolitan planning organization, from the metropolitan planning organization's approved transportation improvement plan in metropolitan areas not designated as a transportation management area;

(7) consult with each metropolitan planning organization, in metropolitan areas designated as transportation management areas, concerning the projects selected to be undertaken from the approved transportation improvement program and in accordance with the priorities approved by the transportation improvement program; and

(8) when selecting projects to be undertaken from nontransportation management area metropolitan planning organizations' transportation improvement programs, or selecting the nonmetropolitan area projects to be undertaken that are included in the Statewide Transportation Improvement Program, and when consulting with metropolitan planning organizations designated as transportation management areas, the ~~commission~~department shall establish a priority list of projects to the extent permitted by federal laws or regulations, taking into consideration at least the following criteria:

(a) financial viability including a life cycle analysis of estimated maintenance and repair costs over the expected life of the project;

(b) public safety;

(c) potential for economic development;

(d) traffic volume and congestion;

(e) truck traffic;

(f) the pavement quality index;

(g) environmental impact;

(h) alternative transportation solutions; and

(i) consistency with local land use plans.

~~(C)(1) To the extent that state funds are available to address the needs of the state highway system, the commission must develop a comprehensive plan specifying objectives and performance measures for the preservation and improvement of the existing system. The projects included in this plan must be supported solely by state funds including~~

TUESDAY, MAY 12, 2026

the Non Federal Aid Highway Fund or other state revenue source. When developing the plan required by this subsection, the commission must consider, but is not limited to, considering the criteria in subsection ~~(B)(8)~~.

~~(2)(C)~~ When state funding is programmed for a project ~~selected from the plan to be undertaken~~, the department may use federal law, regulations, or guidelines relevant to the type of project being undertaken to be eligible for federal matching funds.

~~(D)~~ The commission must approve the department's annual budget.

~~(E)(D)~~ The ~~commission~~department shall have any other rights, duties, obligations, or responsibilities as specifically provided by law.

SECTION 31. Section 57-3-20 of the S.C. Code is amended to read:

Section 57-3-20. The responsibilities and duties of the following ~~division deputy directors~~ deputy secretaries must include, but not be limited to, the following:

(1) ~~division deputy director for finance and administration~~ Deputy Secretary for Finance and Administration:

(a) financial planning and management;

(b) accounting systems necessary to comply with all federal and/or state laws and/or regulations as well as all policies established by the Comptroller General; ~~and~~

(c) administrative functions, including ~~recording proceedings of the commission and developing policy and procedures to ensure compliance with these policies and procedures; and~~

(d) financial management of funding from federal, state, and local transit, rail, and other intermodal transportation.

(2) ~~division deputy director for construction, engineering, and planning~~ Deputy Secretary for Engineering:

(a) ~~develop statewide strategic highway plans; and operations~~ operation and management of the department's highway districts;

(b) direct highway engineering activities, including preconstruction, construction, design, ~~construction oversight,~~ and maintenance of state highways; and

(c) establish project and program priority lists.

(3) ~~division deputy director for intermodal and freight programs~~ Deputy Secretary for Intermodal and Freight Programs:

(a) develop a statewide public transit system;

(b) coordinate the preservation and revitalization of existing rail corridors;

(c) develop and coordinate a statewide passenger and freight rail system, including the development of a comprehensive state rail plan for

TUESDAY, MAY 12, 2026

passenger and freight railroads and rail infrastructure services;

(d) ~~plan, develop, and coordinate~~ and implement a comprehensive intermodal transportation program for the movement of passengers and freight through integrated highway, railroad, port, airport, and other transit systems; ~~and~~

~~— (e) financial management of funding from federal, state, and local transit, rail, and other intermodal sources; and~~

~~(f)~~(e) manage the Office of Railroads and the Office of Public Transit.

(4) Deputy Secretary for Planning:

(a) develop statewide strategic transportation plans; and

(b) coordinate statewide plans with federal and state-funded regional and local transportation planning organizations.

SECTION 32. Article 2, Chapter 3, Title 57 of the S.C. Code is amended by adding:

Section 57-3-205. (A) The department may enter into public-private partnership arrangements between or among the department and any public or private entity for the purpose of planning, designing, financing, constructing, operating, or maintaining the highways, roads, streets, bridges, public transit, and work, improvements or facilities incidental or related thereto under the jurisdiction of the department. The provisions of this section may be used with any other provisions of state law to accomplish one or more projects.

(B) Public-private partnership arrangements may take the form of design-build agreements, design-build-operate agreements, design-build-operate-maintain agreements, design-build-finance-operate-maintain agreements, franchise agreements, ~~pre-development~~predevelopment agreements, usage charge ~~services~~service agreements, direct agreements, guarantees, concession agreements, lease agreements, availability payments agreements, performance-based payments agreements, or any other form of contract approved by the department, or other similar arrangements or agreements pursuant to which the design, ~~right-of-way~~right of way acquisition, relocation of structures or utilities, construction, financing, management, maintenance, and operation, or any combination thereof, of a public highway, road, ~~streets~~street, buildings and facilities owned by the department, broadband technology, bridge, public transit project and work, improvements or facilities incidental or related thereto is accomplished by the department or on behalf of the department by any public or private entities or methods. Additionally, such agreements may:

TUESDAY, MAY 12, 2026

(1) be short-term or long-term agreements, but not exceed sixty years;

(2) authorize the establishment, adjustment, indexation, and enforcement of fares, usage charges, or other user fees, including time-of-day or dynamic pricing, consistent with policies adopted by the department, which may allow enforcement through photo monitoring, cashless charges, charge-by-mail, and charge-by-license plate. Such enforcement tools are authorized for projects under this section as well as on a choice lane facility designated under Article 9, Chapter 5, Title 57;

(3) specify a revenue application waterfall, reserves, rate covenants, and collection and enforcement measures; and

(4) be structured on a revenue-risk, availability-payment, or hybrid basis, including usage-based performance components.

(C) Subject to Section 57-3-615, any contracts entered into pursuant to this section may authorize funding to be established, set, modified, adjusted, and retained by the private entity, may include fares, usage charges, or other user fees for use of the project that is the subject of the arrangement, and the department may provide enforcement and collection services for the benefit of a public-private partnership arrangement. The funding may be distributed among the participants in the project as may be provided for by contract. Multiyear payment obligations may be appropriation backed availability payments or milestone payments and may include standard non-appropriation clauses and termination-for-non-appropriation remedies with predefined compensation formulas.

(D) The department may:

(1) take any action to obtain federal, state, or local assistance for a qualifying project that serves the public purpose and the public-private partnership arrangements authorized by this section and may enter into any contracts required to receive such assistance;

(2) determine that it serves the public purpose and the public-private partnership arrangements authorized by this section for all or any portion of the costs of a project to be paid, directly or indirectly, from the proceeds of a grant or loan made by federal, state, or local government or any agency or instrumentality thereof. Such assistance includes, but is not limited to, assistance under the Transportation Infrastructure Finance and Innovation Act, railroad rehabilitation and improvement financing, private activity bonds, and other federal credit or tax-exempt financing programs; and

(3) cooperate with private partners to obtain allocations or

TUESDAY, MAY 12, 2026

approvals necessary for the issuance of private activity bonds and similar instruments, and may establish or incorporate, or assist in the establishment and incorporation of, a not-for-profit corporation or entity for ~~the~~ purpose of borrowing funds through a governmental conduit bond issuer for the benefit of a project procured by the department.

(E) Any contract entered into pursuant to this section shall require the private partner or each of its prime contractors to provide performance and payment security to the extent deemed necessary by the department or required by the financing parties. Notwithstanding any other provision of law, the penal sum or amount of such security may be less than the price of the contract involved, such as the value of the construction elements of the contract, based upon the department's determination on a project-by-project basis of what sum may be required to adequately protect the department, the ~~state~~State, and the contracting and subcontracting parties.

(F) Notwithstanding any provision of law to the contrary, proposals under this section, with respect to public highway, road, bridge, building, facility, or public transit projects or work incidental or related thereto that the department determines can be more efficiently accomplished by any of the means enumerated in this section, may be evaluated and awarded by the department based on qualifications of participants or best value, or both, as evaluated by procedures of the department and taking into consideration the best interest of the State of South Carolina. Projects authorized under a predevelopment agreement may be authorized without specifying or finalizing the full or final scope of work to be performed under the procurement or ~~pre-development~~predevelopment agreement. The department may utilize a two-step request for qualifications or request for proposals process with shortlisting, conduct competitive dialogue or confidential meetings with proposers, solicit and accept alternative technical concepts, and make best-value tradeoffs without mandated formulaic weights.

(G)(1) To the extent not authorized by statutory provisions other than this section, the solicitation pursuant to subsection (B) for a given project must be submitted to the Joint Bond Review Committee for review and comment prior to advertisement of the solicitation.

(2) The contract may include an agreement to make payments to a development entity on a ~~multi-year~~multiyear basis, provided either that payment and performance obligations for succeeding fiscal periods are subject to the availability and appropriation of funds for such periods, or that specific, limited revenues are identified in a solicitation which has received review and comment by the Joint Bond Review Committee

TUESDAY, MAY 12, 2026

prior to the solicitation of the procurement and such revenues are payable solely from a revenue-producing project or from a special source, which source does not involve revenues from any tax.

(3) The department may set up separate accounts, which may be with a commercial trustee, to account for any such funds and provide for the deposit and disbursement of moneys therein under the public-private partnership arrangement.

(4) The department shall notify the Joint Bond Review Committee within thirty days of execution of the public-private partnership arrangement and shall provide the Joint Bond Review Committee an annual report within one hundred twenty days of the end of each fiscal year regarding the status of all public-private partnership arrangements outstanding.

(H) When the department proposes to enter into a public-private partnership arrangement under this section, it shall, prior to the execution and delivery of the contract documents for the public-private partnership arrangement, file a copy of the documents in the ~~office~~ Office of the Secretary of State. It is the duty of the Secretary of State to file and index the filing in a special book to be kept by such officer for such purpose. The Secretary of State shall be authorized to prepare and deliver certified copies of the filed documents and to deliver them to interested parties. For each certification a reasonable fee may be charged. No action shall be commenced on account of the validity of a public-private partnership arrangement after the expiration of twenty days from the date of the filing and indexing of the proposed contract documents for the public-private partnership arrangement in the ~~office~~ Office of the Secretary of State. The period within which such actions may be commenced shall not begin to run until such records have been filed as prescribed in this section.

(I)(1) Before entering into any public-private partnership arrangement structure, the department shall promulgate regulations governing the solicitation, evaluation, award, financing, and oversight of such projects.

(2) Notwithstanding item (1), ~~subsection (J)~~, or any other provision of law, the department may enter into agreements with an adjoining state to administer a public-private partnership arrangement structure in the ~~state~~ State as long as such agreement has been submitted to the Joint Bond Review Committee for review and comment prior to execution.

(3) The department may promulgate other regulations to implement the provisions of this section.

~~(J) No toll or usage charge may be imposed on an existing roadway unless expressly authorized by the General Assembly. Any such~~

TUESDAY, MAY 12, 2026

~~structure must be disclosed before the execution of the agreement and must include rate limitations or other mechanisms to protect the public.~~
SECTION 33. Section 57-3-615 of the S.C. Code is amended to read:

~~Section 57-3-615. If a toll is administered on a project by the Department of Transportation, the toll must be used to pay for the construction, maintenance costs, and other expenses for only that project. A toll project that is in excess of one hundred fifty million dollars may only be initiated as provided in Chapter 37 of Title 4.~~

~~No toll may be imposed on passage of any vehicle on federal interstate highways in this State which were in existence as of January 1, 1997, unless the imposition is otherwise affirmatively approved by the General Assembly in separate legislation enacted solely for that purpose.~~

(A) No toll or usage charge may be imposed on the passage of any vehicle on any publicly owned or controlled road, bridge, highway, or interstate in this State except as provided by this section. Any toll or usage charge imposition must be allowed by or not contrary to federal law. Tolls or usage charges may be imposed on a publicly owned or controlled road, bridge, highway, or interstate under any of the following circumstances:

(1) the toll or usage charge imposition is specifically authorized by the General Assembly;

(2) the toll-usage charge imposition is on managed or choice lane facilities designated as a choice lane facility under Article 9, Chapter 5, Title 57; or

(3) the usage charge imposition is reviewed by the Joint Bond Review Committee and approved by the State Fiscal Accountability Authority in connection with an agreement under Section 57-3-200 or 57-3-205 for managed or choice lane facilities prior to the solicitation of proposals for the agreement. The manner and method of usage charge imposition and rate setting are not required to be reviewed or approved, but must be set forth in the agreement, as may be amended from time to time.

(B) Usage charges imposed under subsection (A)(2) or (3) of this section may only be imposed on managed or choice lane facilities that increase the capacity of the applicable road, bridge, highway, or interstate. Managed or choice lane facilities are those facilities that are actively managed to achieve more effective and efficient use of a road, bridge, highway, or interstate using various strategies including, but not limited to, pricing, vehicle eligibility, and access control; the managed or choice lane facilities shall be in addition to and not in place of existing lanes. Usage charges are charges imposed for the use of, or right to use,

TUESDAY, MAY 12, 2026

managed or choice lane facilities.

(C) ~~Usage charges~~ Tolls may continue to be imposed on the passage of vehicles on any publicly owned or controlled road, bridge, highway, or interstate in this State on which tolls or usage charges were imposed as of January 1, 2026.

SECTION 34. Article 7, Chapter 3, Title 57 of the S.C. Code is amended by adding:

Section 57-3-790. (A) The State waives its immunity under the 11th Amendment of the United States Constitution and consents to suit in a federal court for lawsuits arising out of the department's compliance, discharge, or enforcement of responsibilities assumed pursuant to 23 U.S.C. Sections 326 and 327. The waiver of immunity under this section is valid only if:

(1) the Secretary of Transportation executes a memorandum of understanding with the United States Department of Transportation accepting the jurisdiction of the federal courts as required by 23 U.S.C. Sections 326(c) and 327(c);

(2) before execution of the memorandum of understanding under subsection (A), the South Carolina Attorney General has issued an opinion letter to the Secretary of Transportation and the administrator of the Federal Highway Administration that the memorandum of understanding and the waiver of immunity are valid and binding upon the State;

(3) the act or omission that is the subject of the lawsuit arises out of or relates to compliance, discharge, or enforcement of responsibilities assumed by the department pursuant to 23 U.S.C. Sections 326 and 327; and

(4) the memorandum of understanding is in effect when the act or omission that is the subject of the federal lawsuit occurred.

(B) Within one year of submitting an application to assume administration of 23 U.S.C. Sections 326 and 327, otherwise known as the National Environmental Policy Act (NEPA) Assignment Program pursuant to this section, the secretary shall issue a NEPA Manual detailing the manner in which the department will carry out its NEPA responsibilities. The department must provide a public comment period of at least thirty days on a draft NEPA Manual prior to issuance of a final NEPA Manual.

(C) The department must annually publish a report describing the department's assumption of NEPA responsibilities. The annual report must be made available to the public and posted on the department's website. That report shall include, but not be limited to, an analysis of

TUESDAY, MAY 12, 2026

time savings, an analysis of positive and negative financial impacts, and a summary of any legal actions challenging the department's actions under the program.

(D) The Secretary of Transportation is given the authority to coordinate with the Director of the Department of Environmental Services, the Director of the Department of Natural Resources, the Director of the Department of Archives and History, and any other agency head whose agency may impact the issuance of environmental decisions necessary to expedite the delivery of transportation projects. Such agency heads must be responsive to such requests of the Secretary of Transportation. The department shall include in the report required in subsection (C) on all state agency activities related to permit and environmental decisions related to transportation projects.

SECTION 35. Article 7, Chapter 3, Title 57 of the S.C. Code is amended by adding:

Section 57-3-800. The Department of Transportation may enter into reciprocal agreements with other jurisdictions including the federal government and any state, or agencies or departments thereof, to enforce toll or usage charge violations. The agreement shall provide that, when another jurisdiction certifies that the owner of a vehicle registered in this State has failed to pay a toll or usage charge, processing fee, or civil penalty due to that jurisdiction, the unpaid toll or usage charge, processing fee, or civil penalty may be enforced by placing a registration suspension as if the owner of the motor vehicle has an outstanding judgment for failure to pay a toll or usage charge under Section 56-3-1335, upon electronic notification by the Department of Transportation to the Department of Motor Vehicles. The agreement shall only be enforceable to the extent that:

(1) the other jurisdiction has its own reciprocal procedure for toll or usage charge violation enforcement and does, in fact, reciprocate in enforcing toll or usage charge violations within this State by withholding the registration renewal of registered owners of motor vehicles from such jurisdiction, and the other jurisdiction provides due process and appeal protections to avoid the likelihood that a false, mistaken, or unjustified claim will be pursued against the owner of a vehicle registered in this State;

(2) drivers and vehicles licensed or registered in this State, while operating on the highways and bridges of the other jurisdiction, shall receive the benefits, privileges, and exemptions of a similar kind with regard to toll or usage charge enforcement as are extended to the drivers and vehicles licensed or registered in the other jurisdiction while they

TUESDAY, MAY 12, 2026

are operating on the highways and bridges of this State;

(3) the owner of a vehicle registered in this State may present evidence to the other toll or usage charge agency or jurisdiction by mail or other means to invoke rights of due process without having to appear personally in the jurisdiction where the violation allegedly occurred;

(4) the reciprocal violation enforcement arrangement between the department and the other toll or usage charge agency provides that each party shall charge the other for costs associated with registration holds, or the like, in their respective jurisdictions.

SECTION 36. Article 9, Chapter 5, Title 57 of the S.C. Code is amended by adding:

Section 57-5-1345. (A) In order to administer, collect, and enforce any toll or usage charge, toll or usage charge violation, processing fee, civil penalty, or registration-based enforcement mechanism authorized by this title, the Department of Transportation shall coordinate with the Department of Motor Vehicles to ensure access to current motor vehicle and owner registration data.

(B) The Department of Transportation shall, at a minimum, receive updated toll and usage charge related vehicle data from the Department of Motor Vehicles monthly. The data shall include, but is not limited to, vehicle identifiers, registration status indicators, and any information necessary to support toll or ~~usage charge~~ usage charge billing, notice, enforcement actions, or registration renewal blocks authorized by law.

(C) The Department of Transportation and the Department of Motor Vehicles shall enter into a memorandum of understanding governing:

- (1) the frequency, format, and method of data exchange;
- (2) data security standards and confidentiality requirements;
- (3) limitations on use of the data solely for toll or usage charge administration and enforcement purposes; and
- (4) procedures to ensure data accuracy, error resolution, and due process protections for registered vehicle owners.

(D) No toll or usage charge enforcement action that relies upon registration suspension, renewal block, or similar Department of Motor Vehicles action may be initiated unless the vehicle data relied upon has been updated in accordance with this section.

(E) Nothing in this section authorizes the disclosure of personal information except as otherwise permitted by state and federal law.

SECTION 37. Sections 57-5-820 through 57-5-830 of the S.C. Code are amended to read:

Section 57-5-820. (A) As used in this section and Section 57-5-830:

- (1) "Structurally deficient" means not adequate to handle the

TUESDAY, MAY 12, 2026

vehicle weights authorized on roads leading to them.

(2) “Functionally obsolete” means narrow clearances or sharp roadway approach angles that make passage difficult or hazardous, or with too few lanes for existing traffic needs.

(B)(1) All work to be performed by the ~~Department~~department on state highways within a municipality must be with the consent and approval of the proper municipal authorities, except that work performed or to be performed on a bridge and its approaches, certified by the ~~Department~~department as functionally obsolete or structurally deficient, to remove, replace, or improve such bridge and its approaches shall not require prior consent and approval of a municipal authority if the bridge crosses the intracoastal waterway.

(2) A decision by a municipality to not consent and approve the work must be communicated in writing to the department within one hundred eighty days of receiving notice of the work from the department. A decision to disapprove of the work shall result in the cancellation of the project, unless the project is determined by the Governor to be in the best interest of the State.

(3) Failure to provide consent and approval within one hundred eighty days shall be deemed acceptance of the work.

(4) A municipality shall not conditionally approve the work to be performed by the department.

Section 57-5-830. In every case of a proposed permanent improvement, construction, reconstruction, or alteration by the ~~Department~~department of any highway or highway facility within a municipality, the municipality may review and approve the plans before the work is started, but in no event shall such review and approval of the plans delay the project schedule as communicated by the department to the municipality; except that a municipality may not have the right to review and approve plans to remove, replace, or improve a bridge and its approaches within its limits where such bridge and its approaches have been certified by the ~~Department~~department to be functionally obsolete or structurally deficient and if the bridge crosses the intracoastal waterway. Any costs incurred by the department caused by the unreasonable delay in the review and approval of the plans shall be the responsibility of the municipality.

SECTION 38. Sections 57-5-1320 through 57-5-1360 of the S.C. Code are amended to read:

Section 57-5-1320. As used in this article: ~~Unless the context indicates another meaning or intent:~~

(1) “Department” means the Department of Transportation;

[HJ]

TUESDAY, MAY 12, 2026

(2) "~~Turnpike-Choice lane facility~~" means any express highway or limited access highway constructed or any specified lanes or portion thereof, designated and ratified or approved as such under the provisions of this article ~~by the department~~, whether or not financed with ~~turnpike~~ bonds, including any bridge, tunnel, overpass, underpass, interchange, entrance plaza, approach, ~~toll-access house~~, service station and administration and storage and other buildings and facilities which the department considers necessary or desirable. A ~~turnpike-choice lane~~ facility constitutes a portion or extension of any existing or proposed highway in the state highway system;

(3) "~~Bonds or turnpike bonds~~" means revenue bonds of the State authorized under the provisions of this article and Paragraph (9), Section 13, Article X of the South Carolina Constitution;

(4) "Authority" means the State Fiscal Accountability Authority;

(5) "~~Turnpike-Choice lane facility revenues~~" means all revenues resulting from ~~tolls-usage charges~~ or other charges derived from the operation of a ~~turnpike-choice lane~~ facility, including revenues derived from concession leases or other concessionaire operated facilities; and, to the extent designated by the bond resolution, such nontax revenues or other legally available funds as are or may be made available to the department from whatever source for the purpose of operating, financing, enforcing, and maintaining, or any combination thereof, choice lane facilities;

(6) "Bond resolution" means the resolution or resolutions of the state board authority making provision for the issuance of turnpike revenue bonds; as may be supplemented or amended from time to time;

(7) "General obligation bonds" means state highway bonds issued pursuant to Paragraph (6)(a), Section 13, Article X of the South Carolina Constitution;

(8) "State" means the State of South Carolina.

Section 57-5-1330. ~~1.(A)~~ The department may designate, establish, plan, improve, construct, maintain, operate, and regulate ~~turnpike-choice lane~~ facilities as a part of the state highway system or any federal aid system whenever the department determines the traffic conditions, present or future, justify the facilities, except that the department may not designate as a ~~turnpike-choice lane~~ facility any highway, road, bridge, or other transportation facility funded in whole or in part by a then imposed local option sales and use tax ~~as provided in imposed~~ pursuant to Chapter 37 of Title 4, unless by agreement with the applicable county government. The department may utilize choice lane facilities revenues and funds available for the maintenance of the state

TUESDAY, MAY 12, 2026

highway system for the maintenance and operation of any ~~turnpike choice lane facility~~ financed pursuant to this article. The authority to designate choice lane facilities under this section shall at all times be subject to the provisions of Section 57-3-615, and such designation shall not be effective until ratified or approved by the State Fiscal Accountability Authority.

~~2.(B) In every highway construction project, except federal and state secondary projects, rehabilitation and widening of federal and state primary and secondary road and bridge projects and highway safety projects, the Department shall consider making all or part of the highway construction a turnpike facility and financing it by the use of turnpike bonds. It shall make an entry in the construction project file indicating whether or not it determines making all or part of the project a turnpike facility. If the department determines it is feasible to make all or part of the any construction project a turnpike choice lane facility, then it may engage in the preliminary estimates and studies incident to the determination of the feasibility or practicability of constructing any toll road choice lane facility as it from time to time considers necessary and the cost of the preliminary estimates and studies must be paid from the general highway fund and must be reimbursed from funds provided under this authority only if the studies and estimates lead to the construction of a toll road choice lane facility.~~

~~3.(C) The department may acquire such lands and property including rights of access as may be needed for turnpike choice lane facilities by gift, devise, purchase, or condemnation by easement or in fee simple in the same manner as now or hereafter authorized by law for acquiring property or property rights in connection with other state highways.~~

~~4.(D) In designating, establishing, planning, abandoning, improving, constructing, maintaining and regulating turnpike choice lane facilities the department may exercise such authorizations as are granted to the department by the provisions of other statute law applicable to the state highway system, except as they may be inconsistent with the provisions included herein.~~

~~5.(E)(1) The Department department may contract with any person, partnership, association or corporation desiring the use of any part of the turnpike choice lane facility, including the right of way right of way adjoining the paved portion, for placing thereon telephone, telegraph, electric light or power lines, gas stations, garages, stores, hotels and restaurants or for any other purpose, except tracks for railroad or railway use and to fix the terms, conditions, rents and rates of charges for such use provided that a sufficient number of the aforementioned facilities~~

TUESDAY, MAY 12, 2026

shall be authorized to be established in each service area along any such ~~turnpike-choice lane~~ project to permit reasonable competition by private business in the public interest. Revenues from these contracts would be included in ~~turnpike-choice lane~~ facility revenues.

(2) The department may contract with any political subdivision desiring to assist the department, whether financially, in kind, or otherwise, in any of the designating, establishing, planning, abandoning, financing, improving, constructing, maintaining, and regulating choice lane facilities as may be set forth in a short-term or long-term intergovernmental agreement between the department and the political subdivision. Revenues from these contracts may be pledged for the term thereof and may be included in choice lane facility revenues should the contract so provide. The right to receive any payments under such an intergovernmental agreement may be maintained by the department or assigned to the trustee for the bonds, as may be provided or authorized in the bond resolution. The authority to enter into such an intergovernmental agreement is concurrent and supplementary to those general powers granted political subdivisions and the department in the South Carolina Code of Laws, including, without limitation, Title 57.

Section 57-5-1335. ~~The Department of Transportation~~ department, before constructing a bridge or replacing an existing bridge which qualifies is or is anticipated to be designated as a ~~turnpike-choice lane~~ facility ~~as defined in Section 57-5-1320~~, shall conduct the feasibility study ~~required by referenced in~~ Section 57-5-1330 and shall forward copies of the study to the Chairman of the Transportation and Finance Committees of the Senate and the Education and Public Works and Ways and Means Committees of the House of Representatives within fifteen days of the completion of the study.

Section 57-5-1340. In addition to the powers listed above, the South Carolina Department of Transportation may:

~~1-(1) Request~~ request the issuance of ~~turnpike~~ bonds for the purpose of paying all or any part of the cost of any one or more ~~turnpike-choice lane~~ projects;

~~2-(2) Fix~~ fix and revise from time to time and charge and collect a program of ~~tolls usage charges~~ for transit over each designated ~~turnpike~~ choice lane facility; ~~constructed by it~~; and each program may provide for dynamic charges, scheduled charges, variable charges, uniform charges, or some combination thereof, and may take into account the weight and class of certain vehicles, real-time and planned usage, and any other factors deemed appropriate by the department;

~~3-(3) Combine~~ combine, for the purposes of financing ~~the any choice~~

TUESDAY, MAY 12, 2026

lane facilities, any two or more ~~turnpike-choice lane~~ facilities;

4-(4) ~~Control~~control access to ~~turnpike-choice lane~~ facilities;

5-(5) ~~To~~to the extent permitted by a bond resolution, expend ~~turnpike-choice lane facility or facilities~~revenues in advertising the choice lane facilities and services of the ~~turnpike-choice lane~~ facility or facilities to the traveling public;

6-(6) ~~Receive~~receive and accept from any federal agency grants for or in the aid of the construction of any ~~turnpike-choice lane~~ facility;

7-(7) ~~Establish~~establish a separate division to administer ~~turnpike-choice lane~~ facilities and a separate ~~turnpike-choice lane~~ facility account;

8-(8) ~~Do~~do all acts and things necessary or convenient to carry out the powers expressly granted in this article.

Section 57-5-1350. Whenever it becomes necessary that monies be raised for a ~~turnpike-choice lane~~ facility, the ~~commission-department~~ may make request to the State Fiscal Accountability Authority for the issuance of turnpike bonds. ~~The request may be in the form of resolution adopted at any regular or special meeting of the commission.~~ The request shall set forth on the face thereof or by schedule attached thereto:

1-(1) the ~~turnpike-choice lane~~ facility proposed to be constructed or designated;

2-(2) the amount required for feasibility studies, planning, design, ~~right-of-way~~right of way acquisition, and construction of the ~~turnpike-choice lane~~ facility;

3-(3) a tentative time schedule setting forth the period of time for which the sum ~~request must~~requested is expected to be expended;

4-(4) a debt service table showing the estimated annual principal and interest requirements for the requested ~~turnpike~~bonds;

5-(5) any feasibility study obtained by the ~~commission-department~~ relating to the proposed ~~turnpike-choice lane~~ facility;

6-(6) the ~~commission's-department's~~ recommendations relating to any covenant to be made in the bond resolution of the State Fiscal Accountability Authority respecting competition between the proposed ~~turnpike-choice lane~~ facility and possible future highways whose construction would have an adverse effect upon the ~~turnpike-choice lane~~ facility revenues which would otherwise be derived by the proposed ~~turnpike-choice lane~~ facility.

Section 57-5-1360. Following the receipt of a request pursuant to Section 57-5-1350, the State Fiscal Accountability Authority shall review the request and, to the extent that it approves the request, it may effect, by bond resolution duly adopted, the issuance of ~~turnpike~~ bonds,

TUESDAY, MAY 12, 2026

or pending their issuance, may effect the issuance of bond anticipation notes pursuant to Title 11, Chapter 17.—~~A resolution approving any proposed turnpike bonds may not be adopted unless before approval the state board conducts, after not less than ten days' published notice, a public hearing in the City of Columbia.~~

SECTION 39. Sections 57-5-1380 through 57-5-1460 of the S.C. Code are amended to read:

Section 57-5-1380. (A) For the payment of the principal of and interest on all turnpike bonds, there is irrevocably pledged all turnpike revenues derived from the turnpike choice lane facility revenues financed by the bonds to the extent and in the manner prescribed by the bond resolution. Any interest earned on turnpike choice lane facility account balances must be credited to the turnpike choice lane facility account as prescribed in the bond resolution.

(B) The bonds authorized by this article are special limited obligations of the State. The principal and interest are payable solely out of the choice lane facility revenues. The bonds issued do not constitute an indebtedness of the State, State Fiscal Accountability Authority, or department within the meaning of any state constitutional provision or statutory limitation, except indebtedness payable solely from a revenue producing source or from a special source that does not include revenues from any tax within the meaning of Paragraph (9), Section 13, Article X of the South Carolina Constitution. The full faith, credit, and taxing powers of the State, State Fiscal Accountability Authority, or department are not pledged to the payment of the bonds and this fact must be plainly stated on the face of each bond. The State Fiscal Accountability Authority and the department each lack taxing power. The General Assembly finds that choice lane facilities constitute a revenue producing project for the purposes of Paragraph (9), Section 13, Article X of the South Carolina Constitution.

Section 57-5-1390. ~~Turnpike bonds~~ Bonds shall bear interest, payable on occasions prescribed by the State Fiscal Accountability Authority, at a rate not exceeding the maximum prescribed by ~~Section 11-9-350 the~~ bond resolution. Each issue of ~~turnpike bonds~~ shall mature on the occasion prescribed by the State Fiscal Accountability Authority, not exceeding forty years from the date the bonds ~~bear~~ are issued. ~~Turnpike bonds~~ Bonds may, in the discretion of the State Fiscal Accountability Authority, be made subject to redemption at par and accrued interest, plus such redemption premium as it approves and on occasions and under conditions it prescribes. ~~Turnpike bonds~~ Bonds are not redeemable before maturity unless they contain a statement to that effect.

TUESDAY, MAY 12, 2026

Section 57-5-1400. ~~Turnpike bonds~~Bonds must be sold at private or public sale under conditions prescribed by the ~~bond resolution~~State Fiscal Accountability Authority. For the purpose of bringing about successful sales of the bonds, the State Fiscal Accountability Authority may do, or cause to be done, all things ordinarily and customarily done in connection with the sale of state or municipal bonds. All expenses incident to the sales of the bonds must be paid from the proceeds of the sale of the bonds or choice lane facility revenues.

Section 57-5-1410. All ~~turnpike bonds~~ must be executed in the name of and on behalf of the State of ~~South Carolina~~ and must be signed by the Governor and the State Treasurer. The Great Seal of the State must be affixed to, impressed, or reproduced upon each of them and they must be attested by the Secretary of State. If approved by the State Fiscal Accountability Authority, ~~any one or two of~~ the officers may, in lieu of manually signing, employ the use of the facsimile of their signatures in executing any ~~turnpike bonds~~.

Section 57-5-1420. The proceeds derived from the sale of ~~turnpike bonds~~ must be applied only to the purposes ~~for which bonds are issued~~authorized by this article and provided in the bond resolution.

Section 57-5-1430. ~~Turnpike bonds~~Bonds must each be in the denomination of one thousand or five thousand dollars or some multiple thereof or such larger denominations as may be authorized by the State Fiscal Accountability Authority in the bond resolution.

Section 57-5-1440. ~~Turnpike bonds issued pursuant to this article may be in the form of negotiable coupon bonds, payable to bearer, with the privilege to the holder of having them registered in his name on the books of the State Treasurer as to principal only, or as to both principal and interest, and the principal or both principal and interest, as the case may be, thus made payable to the registered holder, subject to conditions the State Fiscal Accountability Authority prescribes. Turnpike bonds so registered as to principal in the name of the holder may thereafter be registered as payable to bearer and made payable accordingly.~~

~~Turnpike bonds~~Bonds may also be issued as fully registered bonds with both principal and interest made payable only to the registered holder. The fully registered bonds are subject to transfer under conditions the State Fiscal Accountability Authority prescribes.—~~The fully registered bonds may, if the proceedings authorizing their issuance so provide, be convertible into negotiable coupon bonds with the attributes set forth in the first paragraph of this section.~~

Section 57-5-1450. (A) ~~The~~ State Fiscal Accountability Authority, by bond resolution duly adopted, may make provision for the issuance of

TUESDAY, MAY 12, 2026

~~turnpike~~ bonds. In the bond resolution, the State Fiscal Accountability Authority may prescribe:

(1) the amount, denomination, and numbering of ~~turnpike~~ bonds to be issued;

(2) the ~~date as of which they must be issued~~ method or manner of dating the bonds;

(3) the estimated maturity schedule for the retirement of the ~~turnpike~~ bonds and a pro forma table of anticipated principal and interest payments for such bonds;

(4) the form or forms of the bonds of the particular issue;

(5) the redemption provisions or manner of determining the same, if any, applicable to the bonds;

(6) the maximum rate or rates of interest the bonds shall bear;

(7) the specific purposes for which the bonds must be issued;

(8) the purposes for which the proceeds of the bonds must be expended, in the discretion of the State Fiscal Accountability Authority, a portion of the proceeds may be used as capitalized interest during the period of construction and initial operation and for the creation of appropriate debt service reserves and other funds and accounts as the State Fiscal Accountability Authority deems necessary or expedient from the bonds and the proper operation and functioning of the choice lane facilities;

~~(9) the method and conditions by which turnpike revenues from the turnpike facility so financed must be collected and utilized;~~

~~(10)~~(9) the extent to which and the conditions under which additional parity bonds may be issued;

~~(11)~~(10) any covenant considered necessary protecting the ~~turnpike~~ choice lane facility so financed from possible future competition from other highways or comparable facilities;

~~(12)~~(11) the authorized method or methods by which the bonds must be sold and such other matters as may be considered necessary in order to effect the sale, issuance, and delivery of the bonds;

~~(12)~~ the conditions under which refunding bonds may be issued.

~~(B) Except as otherwise provided in this article, all expenses incurred in carrying out the provisions of this article are payable solely from funds provided under the authority of this article or from any funds provided by the federal government or from other special sources and no liability or obligation may be incurred by the department beyond the extent to which money has been provided under the provisions of this article.~~

~~(C)~~(B) The bond resolution shall set forth further a finding on the part of the State Fiscal Accountability Authority that the estimate of ~~turnpike~~

TUESDAY, MAY 12, 2026

choice lane facility revenues made by the ~~commission~~ department and approved by the State Fiscal Accountability Authority indicates that collection from ~~turnpike~~ choice lane facility revenues for applicable fiscal years is expected to be not less than that required for annual debt service requirements of the requested ~~turnpike~~ bonds. In making such finding, the department and the authority may rely in whole or in part on the work product of third-party professionals engaged to provide financial, feasibility, or practicability studies related to the choice lane facilities or the financing thereof through bonds.

(C) The authority, by bond resolution duly adopted, may ratify and approve, in whole or in part, or modify in any way, the designation of choice lane facilities proposed pursuant to Section 57-5-1350.

(D) The authority, by bond resolution duly adopted, may ratify and approve, in whole or in part, the combining of any choice lane facilities then existing or proposed pursuant to Section 57-5-1350; provided, however, that prior to ratifying and approving such a combination from time to time the authority shall make a finding that it is in the best interest of the State after taking into account factors including, but not limited to, geographic connection, regional transportation planning, operational efficiencies, revenue stability, bonding capacity, and such other factors as it finds relevant.

Section 57-5-1460. If following presentation of a certified copy of the bond resolution it appears to the satisfaction of the Governor and the State Treasurer that the estimated collection from the ~~sources of revenue~~ choice lane facility revenues in applicable future fiscal years are not less than that required for annual debt service requirements for the requested ~~turnpike~~ bonds, then the Governor and State Treasurer may effect the delivery of bonds in accordance with the bond resolution.

SECTION 40. Sections 57-5-1480 through 57-5-1495 of the S.C. Code are amended to read:

Section 57-5-1480. It is lawful for all executors, administrators, guardians, and other fiduciaries and all sinking fund commissions, including the ~~State Fiscal Accountability Authority~~ Retirement System Investment Commission and Public Employee Benefit Authority in their capacities as cotrustees of the funds of the South Carolina Retirement System and ~~as any~~ manager and administrator of ~~other~~ state sinking funds, to invest any monies in their hands in ~~turnpike~~ bonds.

Section 57-5-1490. Any person who uses any ~~turnpike project~~ choice lane facility and fails or refuses to pay ~~the any usage charge toll provided therefor then due~~ shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than two hundred

TUESDAY, MAY 12, 2026

dollars or by imprisonment for not more than thirty days, and in addition thereto the ~~Department~~department shall have a lien upon the vehicle driven by such person for the amount of such ~~toll~~usage charge and may take and retain possession thereof.

Section 57-5-1495. (A) As used in this section:

(1) “~~Electronic toll~~collection system” means a system of collecting ~~tolls or~~usage charges which is capable of charging an account holder or person the appropriate ~~toll or~~usage charge by electronic means ~~transmission of information from an electronic device on a motor vehicle to the toll lane, which information is used to charge the account the~~ appropriate ~~toll or charge~~.

(2) “Lessor” means any person, corporation, firm, partnership, agency, association, or organization renting or leasing vehicles to a lessee under a rental agreement, lease, or otherwise wherein the said lessee has the exclusive use of the vehicle for any period of time.

(3) “Lessee” means any person, corporation, firm, partnership, agency, association, or organization that rents, leases, or contracts for the use of one or more vehicles and has exclusive use of the vehicles for any period of time.

(4) “Owner” means a person ~~or an entity who, at the time of a toll violation and with respect to the vehicle involved in the violation, is the registrant or co-registrant of the vehicle with the Department of Motor Vehicles of this State or another state, territory, district, province, nation, or jurisdiction, other than a lienholder, having the property interest in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.~~

(5) “Photo-monitoring system” means a vehicle sensor installed to work in conjunction with a ~~toll collection~~choice lane facility which automatically produces one or more photographs, one or more microphotographs, a videotape, or other recorded images of a vehicle at the time it is used or operated in violation of ~~toll~~usage charge collection regulations.

(6) “~~Toll violation~~Violation” means the passage of a vehicle through a ~~toll~~usage fee collection point without payment of the required ~~toll~~charge.

(7) “~~Vehicle~~” means a device in, upon, or by which a person or property is or may be transported or drawn upon a highway, ~~except devices used exclusively upon stationary rails or tracks.~~ “Motor vehicle” or “vehicle” means every vehicle which is self-propelled.

(B) Notwithstanding another provision of law, when a vehicle is

TUESDAY, MAY 12, 2026

driven through a ~~turnpike-choice lane~~ facility without payment of the required ~~toll~~charge, the owner ~~and operator~~ of the vehicle is ~~jointly and severally liable~~ responsible to the Department of Transportation to pay the required ~~toll~~charge, administrative fees, and civil penalty as provided in this section. The department or its authorized agent may enforce collection of the required ~~toll~~charge as provided for in this section.

(C) A certificate, sworn to or affirmed by an agent of the department, or a facsimile of it, that a toll violation has occurred, based upon inspection of photographs, microphotographs, videotape, or other recorded images, or other electronic means, produced by a photo-monitoring system, is prima facie evidence of the violation and is admissible in any proceeding charging a toll violation pursuant to this section. A photograph, microphotograph, videotape, or other recorded image evidencing a violation must be available for inspection by the party charged and is admissible into evidence in a proceeding to adjudicate liability for a violation.

(D) The department or its authorized agent may assess and collect administrative fees of:

(1) not more than ten dollars for the first ~~toll~~-violation within a period of one year;

(2) not more than twenty-five dollars for each subsequent ~~toll~~ violation within a period of one year.

(E) Upon failure to pay the required ~~toll~~charge and administrative fees to the department within thirty days of the notice, the owner or operator may be cited for failure to pay a ~~toll~~charge pursuant to this subsection and, upon an adjudication of liability, is subject to a civil penalty not to exceed fifty dollars for each violation as contained in subsection (F). Upon an adjudication of liability, a judgment must be entered against the owner or operator, and the court must mail a copy of the judgment to the owner or operator unless the owner has opted into receiving electronic notifications based on the Department of Motor Vehicles' records, at which time the court must notify the owner electronically. Upon failure to satisfy the judgment within thirty days, the court shall notify via electronic methods pursuant to the Department of Motor Vehicles' standards, the Department of Motor Vehicles and the authorized agent, and the ~~department~~ Department of Motor Vehicles shall suspend the registration of the vehicle that was operated when the ~~toll~~charge was not paid and deny the vehicle's registration or reregistration pursuant to Section 56-3-1335. The suspension shall remain in effect until the judgment is satisfied and evidence of its satisfaction has been electronically submitted ~~presented~~ to the Department of Motor Vehicles

TUESDAY, MAY 12, 2026

and the authorized agent, and the owner pays the applicable reinstatement fee pursuant to Section 56-3-1335. An owner or operator who has been convicted of a violation of Section 57-5-1490 is not liable for the penalty imposed by this subsection.

(F) If a magistrate or municipal judge determines that the person or entity charged with liability under this section is liable, the magistrate or municipal judge shall collect the unpaid ~~tolls~~ charges and administrative fee and forward them to the department or its authorized agent. The magistrate or municipal judge also may impose a civil penalty of up to fifty dollars for each violation, plus court costs and attorney's fees. The civil penalty must be distributed in the same manner as other fines and penalties collected by the magistrate. Notwithstanding another provision of law:

(1) adjudication of liability pursuant to this section must be made by the magistrate's court of the county in which the toll facility is located or the municipal court of the city in which the ~~toll~~ choice lane facility is located; and

(2) an imposition of liability pursuant to this section must be based upon a preponderance of evidence submitted and is not a conviction as an operator pursuant to Section 57-5-1490.

(G) The department or its authorized agent shall send:

(1) a "First Notice ~~to Pay Toll of Violation~~" to the owner or operator of a vehicle which, on one occasion in any twelve-month period, is identified as having been involved in a ~~toll~~ violation. The first notice must require payment to the department of the required ~~toll~~ charge, plus an administrative fee as provided for in subsection (D), within thirty days of the mailing of the notice;

(2) a "Second Notice ~~to Pay Toll of Violation~~" to the owner or operator of a vehicle which is identified as having been involved in a second ~~toll~~ violation in a twelve-month period, or who has failed to respond to a "First Notice ~~to Pay Toll of Violation~~" within the required time period. The second notice must require payment to the department of the required ~~tolls~~ charges, plus an administrative fee as provided for in subsection (D) for each violation within thirty days of the mailing or sent date of the notice;

(3) a "Failure to Pay a ~~Toll~~" citation to the owner or operator of a vehicle which is identified as having been involved in a third ~~toll~~ violation in a twelve-month period, or who has failed to respond to the second notice within the required time period. The citation requires payment to the department of the unpaid ~~tolls~~ charges, plus an administrative fee of not more than twenty-five dollars for each

violation, within thirty days, or the recipient's appearance in magistrate's court of the county in which the violation occurred or the municipal court of the city in which the violation has occurred to contest the citation. A "Failure to Pay a Toll" citation constitutes the summons and complaint for an action to recover the ~~toll charges~~ and all applicable fees allowed pursuant to this section; and

(4) notwithstanding another provision of law, the notices and citation required by this subsection ~~(G)~~ by first-class mail to the owner or operator of the vehicle identified as being involved in the ~~toll violation, unless the owner has opted into receiving electronic notification based on the Department of Motor Vehicles' records, at which time the court must notify the owner electronically.~~ If a vehicle is registered in two or more names, the notices or citation must be ~~mailed sent~~ to the first name listed on the registration records. Notwithstanding another provision of law, personal delivery of the notices and citation is not required. A manual or automatic record of the mailing or sending of the notices or citation prepared in the ordinary course of business is prima facie evidence of the mailing of the notices or citation;

(5) the notices and citation required by this subsection must contain the following information:

(a) the name and address of the person or entity alleged to be liable for a failure to pay a ~~toll charge~~ pursuant to this section;

(b) the registration number of the vehicle involved in the ~~toll violation~~;

(c) the location where the ~~toll~~-violation took place;

(d) the date and time of the ~~toll~~ violation;

(e) the identification number of the photo-monitoring system which recorded the violation or other document locator number;

(f) information advising of the manner and time in which liability may be contested;

(g) warning advising that failure to contest liability in the manner and time provided in this section is an admission of liability; and

(h) information advising that failure to pay a ~~toll charge~~ may result in the suspension of vehicle registration.

(H) If a vehicle owner receives a notice or citation pursuant to this section for a period during which the vehicle involved in the toll violation was:

(1) reported to ~~a-any~~ law enforcement ~~division-agency~~ as having been stolen, a valid defense to an allegation of liability for a failure to pay a ~~toll charge~~ is that the vehicle had been reported to ~~a-any~~ law enforcement ~~division-agency~~ as stolen before the time the violation

TUESDAY, MAY 12, 2026

occurred and had not been recovered by the time of the violation. If an owner receives a notice or citation pursuant to this section for a violation which occurred during a time period in which the vehicle was stolen, but which had not been reported to ~~a~~any law enforcement ~~division~~agency as having been stolen, a valid defense to an allegation of liability for a ~~toll~~-violation pursuant to this section is that the vehicle was reported as stolen within two hours after the discovery of the theft by the owner. For purposes of asserting the defense provided by this ~~subitem~~item, a certified copy of the police report on the stolen vehicle, sent by first-class mail or submitted electronically to the department, its agent, the Department of Motor Vehicles or the magistrate's court or the municipal court having jurisdiction of the citation within thirty days after receipt of the notices or citation, is sufficient;

(2) leased to another person or entity, the lessor is not liable for the violation if the lessor sends to the department or to the court having jurisdiction over the citation a copy of the rental, lease, or another contract document covering the vehicle on the date of the violation, with the name and address of the lessee clearly legible, within thirty days after receiving the notices or citation. Failure to send the information within the thirty-day period renders the lessor liable for the unpaid ~~tolls~~charges and any administrative fees or penalties assessed pursuant to this section. If the lessor complies with the provisions of this ~~subitem~~item, the lessee of the vehicle on the date of the violation is subject to liability for the failure to pay the ~~toll~~charge if the department or its agent mails a notice of liability to the lessee within thirty days after receipt of a copy of the rental, lease, or other contract document.

(I) If a person or entity receives a notice or citation pursuant to this section, it is a valid defense to liability that the person or entity that receives the notice was not the owner of the vehicle at the time of the ~~toll~~-violation.

(J) If an owner who pays the required ~~tolls~~charges, fees, or penalties, or all of them pursuant to this section was not the operator of the vehicle at the time of the violation, the owner may maintain an action for indemnification against the operator.

(K) An owner of a vehicle is not liable for a penalty imposed pursuant to this section if the operator of the vehicle has been convicted of a violation of Section 57-5-1490 for the same incident.

(L) On ~~turnpike~~choice lane facilities where electronic ~~toll~~charge collection systems are utilized:

(1) a person who wants to make payment of ~~tolls~~charges electronically must apply to the department or its authorized agent to

TUESDAY, MAY 12, 2026

become an account holder. The department or its authorized agent, in its discretion, may deny the application of a person. A person whose application is accepted must execute an account holder's agreement. The terms of the account holder's agreement must be established by the department;

(2) the department shall ensure that adequate and timely notice is given to all electronic ~~toll-charge~~ collection system account holders to inform them when their accounts are delinquent. The owner of a vehicle who is an account holder under the electronic ~~toll-charge~~ collection system is not liable for a failure to pay a ~~toll-charge~~ pursuant to the provisions of this section unless the department or its authorized agent has first sent a notice of delinquency to the account holder and the account holder was delinquent at the time of the violation;

(3) the department shall not sell, distribute, or make available the names and addresses of electronic ~~toll-charge~~ collection system account holders, without the account holder's consent, to any entity that uses the information for commercial purposes. However, this restriction does not preclude the exchange of this information between entities with jurisdiction over or operating a toll highway bridge or tunnel;

(4) information or data collected by the department or its authorized agent for the purpose of establishing and monitoring electronic ~~toll-charge~~ collection accounts is not subject to disclosure under the Freedom of Information Act;

(5) notwithstanding another provision of law, all information, data, photographs, microphotographs, videotape, or other recorded images prepared pursuant to this section must be for the exclusive use of the department or its authorized agent in the discharge of its duties under this section and must not be open to the public, subject to the disclosure under the Freedom of Information Act, nor used in a court in an action or a proceeding pending unless the action or proceeding relates to the imposition of or indemnification for liability pursuant to this section.

(M) Notwithstanding any other provision of law, school buses transporting school children for a school event, shall be exempt from the payment of any tolls or usage charges.

SECTION 41. Article 11, Chapter 5, Title 57 of the S.C. Code is amended by adding:

Section 57-5-1710. (A) As used in this section, "phased design-build" means a project delivery method that uses a stepped or progressive qualifications-based selection process, followed by a progression to a contract price. The department must select the phased design-build contractor exclusively on qualifications and technical approach, without

TUESDAY, MAY 12, 2026

consideration of schedule or costs, which must deliver the project in multiple phases.

(1) The phased design-build contractor is initially under contract for preconstruction activities including, but not limited to, project validation, designing and developing plans, performing constructability reviews, and developing construction schedules and pricing.

(2) The department and the phased design-build contractor shall establish a guaranteed maximum construction cost. The guaranteed maximum construction cost is the total dollar amount within which the phased design-build ~~contractors~~contractor shall complete the final design and construction of the project including the contractor's direct costs, overhead, and profit, plus any authorized contingency. Upon agreement of the guaranteed maximum construction cost, the department and the phased design-build contractor will execute a second contract or an amendment to the initial contract for completion of the final designs and construction of the project consistent with subsection (C). Before execution of a construction contract, the department shall retain an independent third party to develop a cost estimate to verify the guaranteed maximum price submitted by the contractor.

(3) If the department and phased design-build contractor cannot reach agreement on a guaranteed maximum construction cost, then the department shall take ownership and assume liability of the design work product. Nothing shall prohibit the department from pursuing the project under any other legally allowed method.

(B) The department may only award a contract under this section if the department:

(1) determines that it is in the public's interest to use the phased design-build project delivery method; and

(2) prequalifies the prime contractor and lead designer firm that will be awarded the contract.

(C) The method for the department to award a contract using phased design-build procedures shall be:

(1) Prior to the initiating a phased design-build procurement under this section, the department shall submit a report to the Joint Bond Review Committee on the nature and scope of the project and the reasons the phased design-build procurement project delivery method will best serve the public interest. The department shall not initiate a procurement until the Joint Bond Review Committee has provided its review and comment.

(2) Upon completion of a project awarded under subsection (B), the department shall submit a ~~post-completion~~postcompletion report to the

TUESDAY, MAY 12, 2026

Joint Bond Review Committee detailing the project results, including any cost and time efficiencies achieved using the phased design-build project delivery method. This report must include a cost analysis comparing the use of phased design-build for awarding contracts with the award of contracts under the existing procedure.

(D) The department may promulgate regulations to implement the phased design-build method.

Section 57-5-1720. (A) The department may award highway construction contracts using a construction manager/general contractor (CM/GC) procedure. Under a CM/GC contract, the department shall perform preconstruction services via department personnel or via contract. A CM/GC contractor is responsible for providing advisory preconstruction services of the department's design including, but not limited to, constructability review, scheduling, pricing, and phasing. The CM/GC contractor shall be able to perform construction should the department and the contractor agree to a guaranteed maximum price.

(B) Should a guaranteed maximum price agreement be reached, construction services shall commence under a subsequent contract instrument. The contract instrument may be in the form of a CM/GC contract, a franchise agreement, or any other form of contract approved by the department. Before execution of a construction contract, the department shall retain an independent third party to develop a cost estimate to verify the guaranteed maximum price submitted by the contractor.

(C) Selection criteria shall include the contractor's cost for preconstruction services associated with the project, contractor qualifications, experience, past performance, best value, or any combination of the aforementioned criteria, or any other combination of selection criteria considered appropriate by the department.

(D) The department may promulgate regulations to implement the CM/GC project delivery method.

SECTION 42. Sections 56-5-4210 through 56-5-4220 of the S.C. Code are amended to read:

Section 56-5-4210. (A) Anything in this article to the contrary notwithstanding, the Department of Transportation with respect to state highways and local authorities with respect to highways under their jurisdiction may prescribe, by notice as herein provided, loads and weights and speed limits lower than the limits prescribed in this chapter and other laws, whenever in their judgment any road or part thereof or any bridge or culvert shall by reason of its design, deterioration, rain or other climatic or natural causes be liable to be damaged or destroyed by

TUESDAY, MAY 12, 2026

motor vehicles, trailers or semitrailers, if the gross weight or speed limit thereof shall exceed the limits prescribed in such notice. And the Department of Transportation or such local authority may, by like notice, regulate or prohibit, in whole or in part, the operation of any specified class or size of motor vehicle, trailer, or semitrailer on any highways or specified parts thereof under its jurisdiction, whenever in its judgment, such regulation or prohibition is necessary to provide for the public safety and convenience on such highways or parts thereof by reason of traffic density, intensive use thereof by the traveling public or other reasons of public safety and convenience. The notice or the substance thereof shall be posted at conspicuous places at terminals of and all intermediate cross-roads and road junctions with the section of highway to which such notice shall apply. After any such notice shall have been posted, the operation of any motor vehicle or combination contrary to its provisions shall constitute a violation of this chapter.

(B) The imposition of any restrictions pursuant to subsection (A) must first be approved by the Department of Transportation on any highways transferred to local authorities after July 2026.

Section 56-5-4220. No limitation shall be established by any county, municipal, or other local authority pursuant to the provisions of Section 56-5-4210 that would interfere with or interrupt traffic as authorized hereunder ~~over~~ along public state highways, including officially established detours for such highways and cases where such traffic passes over roads, streets or thoroughfares within the sole jurisdiction of such county, municipal, or other local authority, unless such limitations and further restrictions shall have first been approved by the Department of Transportation, except that with respect to county roads, other than such as are in use as state highway detours, the respective county road authorities shall have full power and authority to further limit the weights of vehicles upon bridges and culverts that have failed to meet the National Bridge Inspection Standards as administered by the Department of Transportation upon such public notice as they deem sufficient, and existing laws applicable thereto shall not be affected by the terms of this article.

SECTION 43. Section 11-35-710 of the S.C. Code is amended to read:

Section 11-35-710. (A) The board, upon the recommendation of the chief procurement officer, may exempt governmental bodies from purchasing certain items through the respective chief procurement officer's area of responsibility. The board may exempt specific supplies, services, information technology, or construction from the purchasing procedures required in this chapter and for just cause by unanimous

TUESDAY, MAY 12, 2026

written decision limit or may withdraw exemptions provided for in this section. The following exemptions are granted from this chapter:

(1) ~~the construction, maintenance, and repair of bridges, highways, and roads; vehicle and road equipment maintenance and repair; and other emergency-type parts or equipment utilized by the Department of Transportation or the Department of Public Safety~~ the acquisition by the Department of Transportation of: transportation planning; the construction, maintenance, design, financing, operation, and repair of bridges, highways, roads, and other improvements within the state state's rights of way; technology related to operations within the state state's rights of way; and vehicle and road equipment maintenance and repair and other emergency-type parts and equipment;

(2) the purchase of raw materials by the South Carolina Department of Corrections, Division of Prison Industries;

(3) South Carolina State Ports Authority;

(4) Division of Public Railways of the Department of Commerce;

(5) South Carolina Public Service Authority;

(6) expenditure of funds at state institutions of higher learning derived wholly from athletic or other student contests, from the activities of student organizations, and from the operation of canteens and bookstores, except as the funds are used for the procurement of construction, architect-engineer, construction-management, and land surveying services;

(7) livestock, feed, and veterinary supplies;

(8) articles for commercial sale by all governmental bodies;

(9) fresh fruits, vegetables, meats, fish, milk, and eggs;

(10) South Carolina Arts Commission and South Carolina Museum Commission for the purchase of one-of-a-kind items such as paintings, antiques, sculpture, and similar objects. Before a governmental body procures the objects, the head of the purchasing agency shall prepare a written determination specifying the need for the objects and the benefits to the State. The South Carolina Arts Commission shall review the determination and forward a recommendation to the board for approval;

(11) published books, periodicals, and technical pamphlets;

(12) South Carolina Research Authority;

(13) the purchase of supplies, services, or information technology by state offices, departments, institutions, agencies, boards, and commissions or the political subdivisions of this State from the South Carolina Department of Corrections, Division of Prison Industries;

(14) Medical University Hospital Authority, if the Medical University Hospital Authority has promulgated a procurement process

TUESDAY, MAY 12, 2026

in accordance with its enabling provision;

(15) if approved in writing by the State Engineer in advance, and if some aspect of the overall transaction is otherwise approved by the board in advance of the acquisition, an acquisition of construction from an eleemosynary corporation or foundation, or a wholly owned business thereof, established solely for the governmental body's benefit, but only if the eleemosynary corporation or foundation acquires the construction on behalf of or for the use of the governmental body and does so pursuant to this code, as required by Section 11-35-40(4);-

(16) the acquisition by the Department of Public Safety of vehicle and road equipment maintenance and repair and other emergency-type parts and equipment.

(B) The State Fiscal Accountability Authority shall maintain and post publicly a running list of all currently effective actions taken by the board pursuant to subsection (A).;

SECTION 44. Section 12-28-2740 of the S.C. Code is amended to read:

Section 12-28-2740. (A) The proceeds from ~~two and sixty-six~~ three and ninety-nine one-hundredths cents a gallon of the user fee on gasoline only as levied and provided for in this chapter must be deposited with the State Treasurer and expended for purposes set forth in this section. The monies must be apportioned among the counties of the State in the following manner:

(1) one-third distributed in the ratio which the land area of the county bears to the total land area of the State;

(2) one-third distributed in the ratio which the population of the county bears to the total population of the State as shown by the latest official decennial census;

(3) one-third distributed in the ratio which the mileage of all rural roads in the county bears to the total rural road mileage in the State as shown by the latest official records of the Department of Transportation. The Department of Revenue shall collect the information required pursuant to Section 12-28-1390 regarding the number of gallons sold in each county for use in making allocations of donor funds as provided in subsection ~~(H)~~(I). The Department of Revenue shall submit the percentage of the total represented by each county to the Department of Transportation and to each county transportation committee annually by May first of the following calendar year. Upon request of a county transportation committee, the Department of Transportation shall continue to administer the funds allocated to the county.

(B) All interest earnings on the County Transportation Fund in the State Treasury must be added to the distribution to counties under this

TUESDAY, MAY 12, 2026

section in proportion to each county's portion of the entire County Transportation Fund. Except for those funds being used in connection with highway projects administered by the Department of Transportation on behalf of counties administering their own "C" funds, these distributions of earnings and the calculation required to determine the appropriate amount shall not include those counties administering their own "C" funds.

~~(B)(C)~~(1) The funds expended must be approved by and used in furtherance of a countywide transportation plan adopted by a county transportation committee.

(2) The county legislative delegation shall appoint the county transportation committee, and shall ensure that the committee includes fair representation from municipalities and unincorporated areas of the county. All members of the county transportation committee must be residents of the county. The Department of Transportation shall publish a register on its website of members of the respective county transportation committees. The county transportation committee shall publish on the county website the members of the county transportation committee.

(3) The countywide transportation plan shall list the criteria by which projects shall be selected by the county transportation committee. The criteria shall include, but not be limited to, the condition of state and local highway roads and bridges, safety, efficient traffic operations, and economic development. The plan shall be updated at least every four years. Expenses related to preparing a plan may be incurred from "C" funds. This subsection does not prohibit the county legislative delegation from making project recommendations to the county transportation committee. The county transportation committee shall publish on the county website the countywide transportation plan.

(4) County transportation committees may join in approving a regional transportation plan, and the funds must be used in furtherance of the regional transportation plan. The regional transportation plan shall be updated every four years. Expenses related to preparing a plan may be incurred from "C" funds. This subsection does not prohibit the county legislative delegation from making project recommendations to the county transportation committee.

(5) A county transportation committee may expend from the funds allocated under this section an amount not to exceed ~~two~~ten thousand dollars for reasonable administrative expenses directly related to the activities of the committee. Administrative expenses may include costs associated with copying, mailings, public notices, correspondence, and

TUESDAY, MAY 12, 2026

recordkeeping but do not include the payment of per diem or salaries for members of the committee.

(6) A county transportation committee shall comply with notice requirements under Section 30-4-80(a). The agenda shall include the proposed actions of the county transportation committee and include the requested amount of "C" funds to be allocated.

(7) A county transportation committee shall comply with the minutes requirements of Section 30-4-90. The minutes shall include the final amount of "C" funds allocated to each recipient.

(8) A county transportation committee shall meet at least twice annually.

~~(C)(D)~~ At least twenty-five percent of a ~~A~~ At least thirty-three percent of a county's apportionment of "C" funds, based on a biennial averaging of expenditures, must ~~may~~ be expended on the state highway system for construction, improvements, and maintenance. The Secretary of Transportation, or his designee, shall approve the proposed expenditure based on the anticipated improvement to the existing condition and operations of the state highway system. The Department of Transportation shall administer all funds expended on the state highway system unless the department has given explicit authority to a county or municipal government or other agent acting on behalf of the county transportation committee to design, engineer, construct, and inspect projects using their own personnel. The county transportation committee, at its discretion, may expend up to seventy-five percent of up to sixty-seven percent of "C" construction funds for activities including other local paving or improving county roads, for street and traffic signs, and for other road and bridge projects.

~~(D)(E)~~ The funds allocated to the county also may be used to issue county bonds or state highway bonds as provided in subsection ~~(J)(K)~~ , pay directly for appropriate highway projects, including engineering, contracting, and project supervision, and match federal funds available for appropriate projects. Beginning July 1, 2002, for any new "C" fund allocations received on or after this date, the balance of uncommitted funds carried forward from one year into the next may not exceed three hundred percent of the county's total apportionment for the most recent year. Expenditures must be documented on a per-project basis upon the completion of each project in reports to the respective county transportation committees. This documentation must be provided by the agency or local government actually expending the funds and it shall include a description of the completed project and a general accounting of all expenditures made in connection with the project summaries of

TUESDAY, MAY 12, 2026

these reports then must be forwarded by each county transportation committee to the department using guidelines established by the department and the department shall compile these reports into an annual statewide report to be submitted to the General Assembly by the second Tuesday of January of each year. The documentation and reporting requirements of this subsection apply only to counties administering their own “C” funds. For purposes of this section, “uncommitted funds” means funds held in the county’s “C” fund account that have not been designated for specific projects.

~~(E)~~(F) All unexpended “C” funds allocated to a county remain in the account allocated to the county for the succeeding fiscal year and must be expended as provided in this section.

~~(F)~~(G) The countywide and regional transportation plans provided for in this section must be reviewed and approved by the Department of Transportation. Before the expenditure of funds by a county transportation committee, the committee shall adopt specifications for local road projects. In counties electing to expend their allocation directly pursuant to subsection (A), specifications of roads built with “C” funds are to be established by the countywide or regional transportation committee. In counties in which the county transportation committee elects to have “C” funds administered by the Department of Transportation, primary and secondary roads built using “C” funds must meet Department of Transportation specifications.

~~(G)~~(H) This section must not be construed as affecting the plans and implementation of plans for a Statewide Surface Transportation System as developed by the Department of Transportation.

~~(H)~~(I)(1) For purposes of this subsection, “donor county” means a county that contributes to the “C” fund an amount in excess of what it receives under the allocation formula as stated in subsection (A). In addition to the allocation to the counties pursuant to subsection (A), the Department of Transportation annually shall transfer to the donor counties an amount equal to seventeen million dollars in the ratio of the individual donor county’s contribution in excess of “C” fund revenue allocated to the county under subsection (A) to the total excess contributions of all donor counties.

(2) A county is eligible for an additional allocation from the Department of Transportation if the county contributed to the “C” fund an amount in excess of what it receives under the allocation formula as stated in subsection (A) plus what it receives under item (1). The Department of Transportation annually shall transfer to the eligible counties an amount up to three and one-half million dollars in the ratio

TUESDAY, MAY 12, 2026

of the individual eligible county's contribution to the "C" fund in excess of the eligible county's total allocations under subsection (A) and item (1) to the total excess contributions of all eligible counties remaining after all allocations under subsection (A) and item (1) have been made. Under no circumstances can an allocation under this item result in an eligible county receiving total allocations in excess of what the county contributed to the "C" fund.

~~(J)~~(1) In expending funds pursuant to this section, counties that administer their own "C" funds shall use a procurement system that requires competitive sealed bids, no bid preferences not required by state or federal law, and public advertisement of all projects. All bids for contracts in excess of one hundred thousand dollars must be accompanied by certified bid bonds, and all work awarded under the contracts must be covered by performance and payment bonds for one hundred percent of the contract value. Bid summaries must be published in a newspaper of general distribution following each award.

(2) The requirement of a bond for bid security or a bond for payment and performance may not include the requirement that the surety bond be furnished by a particular surety company or through a particular agent or broker.

~~(K)~~ State highway bonds may be issued for the completion of projects for which "C" funds may be expended for projects as determined by the county transportation committee. ~~The applicable source for payment of principal and interest on the bonds is the share of "C" fund revenues available for use by the county transportation committee.~~ The application for the bonds must be filed by the county transportation committee with ~~the Commission of the Department of Transportation and the State Treasurer, which shall forward the application to the State Fiscal Accountability Authority.~~ The Department of Transportation shall review the request and ensure it includes the information and schedules contemplated by Section 57-11-220 and that estimated principal and interest on the proposed bonds may be met from such county's "C" funds, and if it, through the Secretary of Transportation, finds that such request, as submitted or as supplemented by the department, includes the required information, demonstrates that available "C" funds will satisfy estimated principal and interest on the proposed bonds, and does not unreasonably impact the published plans of the Department of Transportation, then it shall submit such request for state highway bonds to the State Fiscal Accountability Authority. The State Fiscal Accountability Authority shall consider the ~~application~~request in the same manner that it considers state highway

TUESDAY, MAY 12, 2026

bonds, mutatis mutandis. The county transportation committee shall allocate and apply from its share of “C” fund revenues available for use by the county transportation committee the amount of principal and interest on the state highway bonds. The department shall provide notice of the debt service requirements of such state highway bonds upon the issuance thereof to the county transportation committee.

~~(K)(L)~~ Members of the committee are insulated from all personal liability arising out of matters related directly to and within the scope of the performance of official duties and functions conferred upon the committee pursuant to this section.

~~—(L) In Berkeley County, appointments made pursuant to this section are governed by the provisions of Act 159 of 1995.~~

~~—(M) In Dorchester County, appointments made pursuant to this section are governed by the provisions of Act 512 of 1996. In addition to the members and appointment procedures of the Dorchester County Transportation Committee as provided by this section and subsection, two additional members of the county transportation committee must be appointed from that portion of the Town of Summerville in Dorchester County and that portion of the City of North Charleston in Dorchester County. These members must be residents of the designated municipalities and of the county, and notwithstanding another provision of this subsection, must be appointed by the governing body of the respective municipality.~~

~~—(N) In Georgetown County, appointments made pursuant to this section are governed by the provisions of Act 515 of 1996 and Section 2, Act 141 of 2001.~~

~~(O)(M)~~ Notwithstanding other provisions of this section, the legislative delegation of a county may by delegation resolution abolish the county transportation committee and devolve its powers and duties to appoint the members of the committee to ~~on~~ the governing body of the county. This devolution may be reversed ~~and the county transportation committee reestablished~~ by a subsequent delegation resolution. ~~The exercise of county transportation committee powers and duties by a county governing body is not deemed to constitute dual office holding.~~

~~(P)(N)~~ The Department of Transportation shall perform reviews to ensure compliance with subsections ~~(C)(3), (C)(4), (C)(5), (C)(6), (C)(7), (C)(8), (C)(D), (D)(E), (F)(G), and (H)(J)~~. A county failing to comply with these subsections must have all subsequent “C” fund allocations withheld until the requirements of those subsections are met. If a county fails to comply with those subsections within twenty-four

TUESDAY, MAY 12, 2026

months, then the county forfeits fifty percent of its allocations for the following year and the forfeited amount must be divided among the other counties as provided in subsection (A).

~~(Q)~~(O) A county subject to a proposed withholding or forfeiture of “C” fund allocations pursuant to this section must be notified in writing of the department’s decision. The county, within sixty days of receipt of notice of the decision, may request a review of the decision by a panel consisting of the state highway engineer or his designee, the chairman of the affected county’s transportation committee or his designee, and a third person named by mutual agreement between the state highway engineer and the county transportation committee chairman. The panel shall meet and render a decision within ninety days of the request by the county transportation committee. The decision of the panel may be appealed by requesting a contested case hearing before the Administrative Law Court pursuant to Section 1-23-600 and the rules of procedure for the Administrative Law Court. The request for a hearing must be made within thirty days of receipt of the panel’s decision.

~~(R)~~(P) The legislative delegation of the county, by resolution, may rename the county transportation committee established by this section as the (insert name of county) Legislative Delegation transportation committee. Upon the adoption of such a resolution, all references in this section and any other provisions of law to the county transportation committee, for purposes of that county, are deemed references to that county’s legislative delegation transportation committee.

~~(S)~~ Notwithstanding the provisions of subsection (A), on July 1, 2018, and each July first thereafter until after July 1, 2021, the amount of proceeds of the user fee on gasoline only as levied for in this chapter that must be deposited with the State Treasurer and expended for the purposes of this section must be increased by .3325 cents a gallon, until such time as the total amount equals three and ninety nine one hundredths cents a gallon. Any increase in proceeds resulting from the provisions of this subsection must be used exclusively for repairs, maintenance, and improvements to the state highway system.

(Q) It is unlawful for a member of a county transportation committee, an engineer, agent, or other employee, acting for or on behalf of a committee, to accept or agree to accept, receive or agree to receive, or ask or solicit, either directly or indirectly, with the intent to have his decision or action on any question, matter, cause, or proceeding which at the time may be pending or which by law may be brought before him in his official capacity or in his place of trust or profit influenced, any:

(1) money;

TUESDAY, MAY 12, 2026

(2) contract, promise, undertaking, obligation, gratuity, or security for the payment of money or for the delivery or conveyance of anything of value;

(3) political appointment or influence, present, or reward;

(4) employment; or

(5) other thing of value.

A person violating the provisions of subsection is guilty of a felony and, upon conviction, must be imprisoned not more than five years and is disqualified forever from holding any office of trust or profit under the Constitution or laws of this State.

(R) Any official or employee of a county transportation committee is subject to the provisions of Chapter 13, Title 8, the State Ethics Act.

SECTION 45. Section 12-28-2920 of the S.C. Code is amended to read:

Section 12-28-2920. The department shall review projects for the possibility of constructing ~~toll roads~~ financed with usage charges ~~to defray the cost of these projects~~ pursuant to the authority granted the department in ~~Section 57-5-1330~~ Article 9, Chapter 5, Title 57, as well as Section Sections 57-3-200 and 57-3-205. No project may be funded in whole or in part by means of imposing a ~~toll usage charge~~ on the users of the project unless in conjunction with federal funds authorized for use on toll roads it is determined to be substantially feasible by the department, taking into account all funding sources. The funds derived from ~~tolls usage charges~~ must be:

(1) credited to the State Highway Fund ~~or;~~

(2) retained and applied by the entity or entities developing the toll applicable road pursuant to an agreement authorized under Section 57-3-200 or 57-3-205 for the purpose of funding the cost of construction, financing, operation, and maintenance of the toll applicable project; ~~or~~

~~(2)(3)~~ (3) used to service bonded indebtedness for highway transportation purposes incurred pursuant to Paragraph 9, Section 13, Article X of the South Carolina Constitution; ~~or~~

(4) used to pay for the operation and maintenance costs of the applicable project.

~~Upon repayment of the cost of construction and financing, toll charges shall cease.~~

SECTION 46. Article 11, Chapter 5, Title 57 of the S.C. Code is amended by adding:

Section 57-5-1800. (A) There is established within the Department of Transportation the Pothole Mitigation Program for the purposes of public reporting of pothole locations along the state highway system. The department must implement the program in each county.

TUESDAY, MAY 12, 2026

(B) The Pothole Mitigation Program must provide means for the public to report the location of potholes to the department via telephone, the internet, a website application, or other electronic means as determined by the department. Within one year of adoption of this act, the department shall make available on the commercial mobile application stores a free application that allows the public to report the location of a pothole. The department must post notices in conspicuous locations including the department website, the State Highway Map, rest areas, and other facilities that provide information about the means for the public to report potholes.

(C) The department must ensure that, within seven days of receiving notice of the location of a pothole, the pothole is repaired. Each pothole repair must be a permanent repair unless weather conditions, emergency events, supplier availability, or other exigent circumstance requires a temporary repair until a permanent repair can be made. The department may use its own personnel or may contract with outside parties for pothole repair pursuant to the Pothole Mitigation Program.

(D) From the Infrastructure Maintenance Trust Fund, the department shall annually allocate fifteen million dollars for full depth pavement repairs of repetitive potholes as identified in subsection (B). These funds shall be in addition to existing funds allocated for pavement rehabilitation.

SECTION 47. Section 57-5-1370 of the S.C. Code is amended to read:

Section 57-5-1370. ~~Turnpike bonds~~ Bonds may be issued from time to time under the conditions prescribed by this article.

SECTION 48. Section 57-5-1470 of the S.C. Code is amended to read:

Section 57-5-1470. All ~~turnpike~~ bonds issued under this article, and the interest thereon, are exempt from all state, county, municipal, school district, and other taxes or assessment, direct or indirect, general or special, imposed by the State of South Carolina, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, or transfer taxes. Each ~~turnpike-choice lane~~ facility constitutes a portion of the state highway system and as such is not subject to ad valorem or other forms of taxation by the State or any of its political subdivisions.

SECTION 49. Chapter 1, Title 57 of the S.C. Code is amended by adding:

Section 57-1-375. (A) Upon notification from a county that the county has appropriated funds for projects to improve the state highway system, the department must review the priority list for projects to be undertaken pursuant to Section 57-1-370(B)(8) to see if the projects proposed by the county are also on the department's priority list of

TUESDAY, MAY 12, 2026

projects to be undertaken pursuant to Section 57-1-370(B)(8).

(B) The department shall provide certification within ninety days to the county if a project proposed to be funded from funds appropriated by that county is also on the department's priority list of projects to be undertaken pursuant to Section 57-1-370(B)(8).

(C) In the event the county funds in its entirety a project certified by the department pursuant to subsection (B), the department shall reprioritize the next project within that county that is also on the department's priority list of projects to be undertaken pursuant to Section 57-1-370(B)(8) in place of the project funded by the county. This subsection does not apply to bridges that are closed, load posted, or structurally deficient.

SECTION 50. Article 9, Chapter 5, Title 57 of the S.C. Code is redesignated "Choice Lane Facilities."

SECTION 51. The General Assembly finds that the sections presented in this act constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of improving the state's transportation system as clearly enumerated in the title. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

SECTION 52. 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.

SECTION 53. (A)(1) The amendments made to the following S.C. Code Sections, as contained in this act, take effect January 1, 2027: Sections 57-1-410, 1-30-10, 1-30-105, 11-43-150, 57-1-10, 57-1-40, 57-1-430, 57-1-500, 57-3-50, 57-1-90, 57-3-210, 57-3-700, 57-5-10, 57-5-50, 57-5-90, 57-5-310, 57-5-340, 57-13-10, 57-13-20, 57-13-40, 57-13-50, 57-25-120, 57-25-140, 57-25-150, 57-25-170, 57-25-200, 57-25-210, 57-1-360, 57-1-370, and 57-5-1800.

TUESDAY, MAY 12, 2026

(2) The uncodified provisions relating to the currently serving Secretary of the Department of Transportation, the abolition of the Commission of the Department of Transportation, and the repeal of certain statutes, as contained in SECTIONS 2, 4, and 29, take effect January 1, 2027.

(B) The amendments made to the following S.C. Code Sections or additions thereto, as contained in this act, take effect on July 1, 2026: Section 11-43-140, 57-3-205, 57-5-1480, 57-5-1710, 57-5-1720, and 11-35-710.

(C) Except where specified otherwise, this act takes effect July 1, 2027. County legislative delegations have ninety days from the effective date of this act to comply with the provisions of Section 12-28-2740(C)(2).

Amend title to read:

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 57-1-410, RELATING TO THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE GOVERNOR SHALL APPOINT THE SECRETARY INSTEAD OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION; TO DEVOLVE THE DUTIES OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION UPON THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION; BY AMENDING SECTION 1-30-10, RELATING TO THE DEPARTMENTS OF STATE GOVERNMENT AND THEIR GOVERNING BODIES, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT PART OF THE GOVERNING BODY OF THE DEPARTMENT OF TRANSPORTATION IS A SEVEN-MEMBER COMMISSION; BY AMENDING SECTION 1-30-105, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE GOVERNING AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION IS THE SECRETARY OF TRANSPORTATION; BY AMENDING SECTIONS 11-43-140 AND 11-43-150, BOTH RELATING TO THE TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO REMOVE THE CHAIRMAN OF THE DEPARTMENT OF TRANSPORTATION COMMISSION AS A DIRECTOR, TO PROVIDE THAT THE SECRETARY OF TRANSPORTATION IS A MEMBER OF THE BOARD; AND TO MAKE A CONFORMING CHANGE; BY AMENDING SECTIONS 57-1-10, 57-1-40, 57-1-430, 57-1-500, 57-

[HJ]

TUESDAY, MAY 12, 2026

3-50, 57-1-90, 57-3-210, 57-3-700, 57-5-10, 57-5-50, 57-5-90, 57-5-310, 57-5-340, 57-13-10, 57-13-20, 57-13-40, 57-13-50, 57-25-120, 57-25-140, 57-25-150, 57-25-170, 57-25-200, 57-25-210, AND 57-1-370, ALL RELATING TO THE DEPARTMENT OF TRANSPORTATION, AND ITS DUTIES AND RESPONSIBILITIES, SO AS TO MAKE CONFORMING CHANGES REGARDING THE COMMISSION; BY REPEALING SECTIONS 57-1-310, 57-1-320, 57-1-325, 57-1-330, 57-1-340, 57-1-350, AND SECTIONS 6, 7, AND 8 OF ACT 114 OF 2007 ALL RELATING TO THE CREATION AND FUNCTIONS OF THE DEPARTMENT OF TRANSPORTATION AND ITS COMMISSION; BY AMENDING SECTION 57-1-360, RELATING TO AUDITS OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO SET FORTH CERTAIN REQUIREMENTS FOR THE CHIEF INTERNAL AUDITOR AND TO REQUIRE AN INDEPENDENT AUDIT OF THE DEPARTMENT EVERY FOUR YEARS; TO AMEND SECTION 57-3-20, RELATING TO THE DIVISIONS OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO ESTABLISH CERTAIN DEPUTY SECRETARIES; BY ADDING SECTION 57-3-205 SO AS TO AUTHORIZE PUBLIC-PRIVATE PARTNERSHIPS BETWEEN THE DEPARTMENT OF TRANSPORTATION AND OTHER ENTITIES AND TO SET FORTH CERTAIN REQUIREMENTS; BY AMENDING SECTION 57-3-615, RELATING TO CERTAIN TOLLS AND USAGE CHARGES, SO AS TO SPECIFY THE CIRCUMSTANCES UNDER WHICH TOLLS AND USAGE CHARGES MAY BE IMPOSED; BY ADDING SECTION 57-3-790 SO AS TO WAIVE THE STATE'S IMMUNITY UNDER THE 11TH AMENDMENT OF THE UNITED STATES CONSTITUTION FOR CERTAIN ACTIONS OF THE DEPARTMENT OF TRANSPORTATION AND TO SPECIFY THE CIRCUMSTANCES FOR WAIVING IMMUNITY; BY ADDING SECTION 57-3-800 SO AS TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO CERTAIN RECIPROCAL AGREEMENTS WITH OTHER JURISDICTIONS AND TO SPECIFY THE CIRCUMSTANCES UNDER WHICH AGREEMENTS ARE ENFORCEABLE; BY ADDING SECTION 57-5-1345 SO AS TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO COORDINATE WITH THE DEPARTMENT OF MOTOR VEHICLES TO ADMINISTER AND COLLECT TOLLS AND USAGE CHARGES; BY AMENDING SECTIONS 57-5-820 AND

[HJ]

TUESDAY, MAY 12, 2026

57-5-830, BOTH RELATING TO DEPARTMENT OF TRANSPORTATION PROJECTS AND MUNICIPALITIES, SO AS TO SET FORTH THE PROCESS BY WHICH A MUNICIPALITY MAY OBJECT TO THE PROJECT; BY AMENDING SECTIONS 57-5-1320, 57-5-1330, 57-5-1335, 57-5-1340, 57-5-1350, 57-5-1360, 57-5-1370, 57-5-1380, 57-5-1390, 57-5-1400, 57-5-1410, 57-5-1420, 57-5-1430, 57-5-1440, 57-5-1450, 57-5-1460, 57-5-1470, 57-5-1480, 57-5-1490, AND 57-5-1495, ALL RELATING TO TURNPIKE PROJECTS, SO AS TO CHANGE THE NAME OF SUCH PROJECTS TO CHOICE LANE FACILITIES, TO SPECIFY THE CIRCUMSTANCES UNDER WHICH CHOICE LANE FACILITIES MAY BE CONSTRUCTED, TO SPECIFY THE MANNER IN WHICH BONDS MAY BE ISSUED FOR SUCH CHOICE LANE FACILITIES PROJECTS, AND TO MAKE CONFORMING CHANGES; BY ADDING SECTION 57-5-1710 SO AS TO SET FORTH THE REQUIREMENTS FOR THE DEPARTMENT OF TRANSPORTATION TO SELECT AND AWARD A CONTRACT TO A PHASED DESIGN-BUILD CONTRACTOR; BY ADDING SECTION 57-5-1720 SO AS TO AUTHORIZE THE DEPARTMENT TO AWARD HIGHWAY CONSTRUCTION CONTRACTS USING A CONSTRUCTION MANAGER/GENERAL CONTRACTOR PROCEDURE; BY AMENDING SECTIONS 56-5-4210 AND 56-5-4220, BOTH RELATING TO CERTAIN ROAD RESTRICTIONS ON LOCAL ROADS, SO AS TO SPECIFY THE CIRCUMSTANCES UNDER WHICH RESTRICTIONS MAY BECOME EFFECTIVE; BY AMENDING SECTION 11-35-710, RELATING TO EXEMPTIONS FROM THE CONSOLIDATED PROCUREMENT CODE, SO AS TO SPECIFY THE EXEMPTION FOR THE DEPARTMENT OF TRANSPORTATION AND TO EXEMPT CERTAIN ROAD-RELATED ACQUISITIONS BY THE DEPARTMENT OF PUBLIC SAFETY; BY AMENDING SECTION 12-28-2740, RELATING TO "C" FUNDS, SO AS TO PROVIDE FOR THE POWERS AND RESPONSIBILITIES OF THE COUNTY TRANSPORTATION COMMITTEES AND PROCEDURES FOR USING "C" FUND REVENUES; BY AMENDING SECTION 12-28-2920, RELATING TO THE CONSTRUCTION OF CERTAIN ROADS, SO AS TO SPECIFY THE USE OF USAGE CHARGE REVENUES; BY ADDING SECTION 57-5-1800 SO AS TO ESTABLISH THE POTHOLE MITIGATION PROGRAM FOR THE PUBLIC REPORTING OF POTHOLE LOCATIONS; AND BY ADDING

TUESDAY, MAY 12, 2026

SECTION 57-1-375 SO AS TO SET FORTH A PROCESS BY WHICH COUNTY-FUNDED PROJECTS MAY REPRIORITIZE THE STATEWIDE TRANSPORTATION PLAN WITHIN THE COUNTY.

/s/Sen. Grooms	/s/Rep. Bannister
/s/Senator Bennett	/s/Rep. Erickson
/s/Senator Walker	/s/Rep. Brewer
On part of the Senate.	On part of the House.

Rep. BANNISTER explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 112; Nays 2

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bowers	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	Cox	Cromer
Davis	Duncan	Edgerton
Erickson	Ford	Forrest
Frank	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilreath	Govan	Grant
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hart	Hartnett	Hartz
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Holman	Hosey	Huff
J. E. Johnson	Jones	Jordan
Kilmartin	Kirby	Landing
Lastinger	Lawson	Ligon
Long	Lowe	Luck
Magnuson	Martin	McCrary
McDaniel	McGinnis	C. Mitchell

[HJ]

TUESDAY, MAY 12, 2026

D. Mitchell	Montgomery	T. Moore
Moss	Neese	B. Newton
W. Newton	Oremus	Pace
Pedalino	Pope	Rankin
Reese	Rivers	Robbins
Rose	Sanders	Schuessler
Scott	Sessions	G. M. Smith
M. M. Smith	Spann-Wilder	Stavrinakis
Taylor	Teepie	Terrible
Vaughan	Waters	Wetmore
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

Total--112

Those who voted in the negative are:

Gilliard King

Total--2

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

S. 819--ORDERED TO THIRD READING

The following Bill was taken up:

S. 819 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-31-45 SO AS TO ESTABLISH A PROCEDURE FOR TUBERCULOSIS TESTING OF APPLICANTS AND NEW EMPLOYEES AT NURSING HOMES AND COMMUNITY RESIDENTIAL CARE FACILITIES.

Rep. SESSIONS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 112; Nays 0

TUESDAY, MAY 12, 2026

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bowers	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	Cox	Cromer
Davis	Duncan	Edgerton
Erickson	Ford	Forrest
Frank	Garvin	Gatch
Gibson	Gilliam	Gilliard
Gilreath	Govan	Grant
Guest	Haddon	Hager
Hardee	Harris	Hart
Hartnett	Hartz	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Holman
Hosey	Huff	J. E. Johnson
Jones	Jordan	Kilmartin
King	Kirby	Landing
Lastinger	Lawson	Ligon
Long	Lowe	Luck
Magnuson	Martin	McCrary
McDaniel	McGinnis	C. Mitchell
D. Mitchell	Montgomery	T. Moore
Moss	Neese	B. Newton
W. Newton	Oremus	Pace
Pedalino	Pope	Rankin
Reese	Rivers	Robbins
Rose	Sanders	Schuessler
Scott	Sessions	G. M. Smith
M. M. Smith	Spann-Wilder	Stavrinakis
Taylor	Teeple	Terrible
Vaughan	Waters	Wetmore
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

Total--112

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TUESDAY, MAY 12, 2026

Those who voted in the negative are:

Total--0

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

S. 894--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 894 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-63-74, RELATING TO THE ELECTRONIC FILING AND TRANSMISSION OF DEATH CERTIFICATES, SO AS TO ALLOW FOR A DEATH CERTIFICATE TO BE FILED ON THE NEXT BUSINESS DAY FOLLOWING THE WEEKEND OR A HOLIDAY.

The Committee on Medical, Military, Public and Municipal Affairs proposed the following Amendment No. 1 to S. 894 (LC-894.CM0001H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-63-74(A)(1) and inserting:

(1) Notwithstanding any other provision of law, death certificates must be electronically filed with the Bureau of Vital Statistics as prescribed by the State Registrar of Vital Statistics within five days after a Burial Removal Transit Permit (BRTP) is issued or upon the funeral director assuming the physical in-person custody of the decedent, whichever is later, unless the funeral director, after a good faith effort, is unable to collect the personal data of the decedent required in subsection (A)(2), in which case the funeral director must immediately inform the bureau of the reason for the delay. In the event that a five-day period terminates on a weekend or a federal or state holiday, then the death certificate must be electronically filed at the end of the next business day.~~death.~~ As prescribed by law, the Bureau of Vital Statistics shall notify the State Election Commission of the decedent's death who shall subsequently notify the County Board of Voter Registration and Elections in which the decedent was a resident of the decedent's death for purposes of removing the decedent from the voter roll.

Renumber sections to conform.

Amend title to conform.

[HJ]

TUESDAY, MAY 12, 2026

Rep. SESSIONS explained the amendment.
The amendment was then adopted.

The question recurred to the passage of the Bill.

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

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bowers	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Caskey	Chapman
Chumley	Clyburn	Cobb-Hunter
Collins	Cox	Cromer
Davis	Duncan	Edgerton
Erickson	Ford	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
Huff	J. E. Johnson	Jones
Jordan	Kilmartin	King
Kirby	Landing	Lastinger
Lawson	Ligon	Long
Lowe	Luck	Magnuson
Martin	McCrary	McDaniel
McGinnis	C. Mitchell	Montgomery
T. Moore	Moss	Neese
B. Newton	W. Newton	Oremus
Pace	Pedalino	Pope
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Scott

[HJ]

TUESDAY, MAY 12, 2026

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

Total--114

Those who voted in the negative are:

Total--0

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

S. 453--ORDERED TO THIRD READING

The following Bill was taken up:

S. 453 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO TITLE 40, CHAPTER 15, SO AS TO PROVIDE GUIDELINES FOR THE PRACTICE OF TELEDENTISTRY IN THIS STATE, TO OUTLINE UNPROFESSIONAL CONDUCT, AND TO PROVIDE DEFINITIONS RELATED TO TELEDENTISTRY.

Rep. SESSIONS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 2

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bowers	Bradley	Brewer
Brittain	Burns	Calhoon
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Cox	Cromer	Davis
Duncan	Edgerton	Erickson

[HJ]

TUESDAY, MAY 12, 2026

Ford	Forrest	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Gilreath
Govan	Grant	Guest
Guffey	Haddon	Hardee
Harris	Hart	Hartnett
Hartz	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Holman	Hosey
Huff	J. E. Johnson	Jones
Jordan	Kilmartin	King
Kirby	Landing	Lastinger
Lawson	Ligon	Long
Lowe	Luck	Magnuson
Martin	McCrary	McDaniel
McGinnis	C. Mitchell	D. Mitchell
Montgomery	T. Moore	Moss
Neese	B. Newton	W. Newton
Oremus	Pedalino	Pope
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Scott
Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Teeple	Terrible	Vaughan
Waters	Wetmore	Whitmire
Wickensimer	Williams	Willis
Wooten	Yow	

Total--110

Those who voted in the negative are:

Frank Pace

Total--2

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

TUESDAY, MAY 12, 2026

S. 958--DEBATE ADJOURNED

The following Bill was taken up:

S. 958 -- Senators Verdin and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-7-400 SO AS TO DEFINE TERMS RELATING TO THE STATE HEALTH FACILITY LICENSURE ACT; TO PROVIDE THAT PATIENT BEDS MAY BE USED IN HALLWAYS, CORRIDORS, AND OTHER MEANS OF EGRESS DURING A JUSTIFIED EMERGENCY UPON THE DISCRETION OF THE ON-SITE EMERGENCY PHYSICIAN; TO REQUIRE THAT HOSPITALS REMOVE ALL PATIENT BEDS IN HALLWAYS, CORRIDORS, AND MEANS OF EGRESS WHEN THERE IS NO JUSTIFIED EMERGENCY; AND TO PROVIDE THAT HOSPITALS MUST MAINTAIN A CLEAR PATHWAY IN HALLWAYS, CORRIDORS, AND MEANS OF EGRESS IN A JUSTIFIED EMERGENCY, REGARDLESS OF WHETHER PATIENT BEDS ARE PRESENT.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 858--DEBATE ADJOURNED

The following Bill was taken up:

S. 858 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-11-700, RELATING TO THE DIVISION FOR REVIEW OF THE FOSTER CARE OF CHILDREN'S BOARD, SO AS TO CHANGE THE STANDARDS FOR SERVING ON THE BOARD AND THE PROCEDURE FOR TERMS OF OFFICE; TO AUTHORIZE THE DEPARTMENT OF CHILDREN'S ADVOCACY TO ESTABLISH CERTAIN STANDARDS FOR LOCAL REVIEW BOARDS; BY AMENDING SECTION 63-11-710, RELATING TO LOCAL BOARDS FOR REVIEW, SO AS TO GIVE THE DIRECTOR AUTHORIZATION TO APPOINT OR REMOVE A MEMBER OF A LOCAL BOARD; BY AMENDING SECTION 63-11-740, RELATING TO MEETINGS OF LOCAL BOARDS AND STAFFING, SO AS TO REQUIRE THE DEPARTMENT TO PROVIDE ASSISTANCE TO EACH LOCAL BOARD FOR MEETINGS; BY AMENDING SECTION 63-11-760, RELATING TO IMMUNITY FROM LIABILITY, SO AS TO CLARIFY THAT TRAINING WILL BE

[HJ]

TUESDAY, MAY 12, 2026

PROVIDED BY THE DEPARTMENT; AND BY AMENDING SECTION 63-11-770, RELATING TO COOPERATION OF PUBLIC AND PRIVATE AGENCIES, SO AS TO INCLUDE ALL PUBLIC AGENCIES PROVIDING SERVICES TO CHILDREN IN FOSTER CARE.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 1038--DEBATE ADJOURNED

The following Bill was taken up:

S. 1038 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 53-3-340 SO AS TO DESIGNATE THE FIRST DAY OF MARCH OF EACH YEAR AS "RELIGIOUS LIBERTY DAY" IN SOUTH CAROLINA.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 765--DEBATE ADJOURNED

The following Bill was taken up:

S. 765 -- Senator Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-11-83, RELATING TO PAYROLL DEDUCTIONS, SO AS TO AUTHORIZE THE COMPTROLLER GENERAL TO DEDUCT DUES FOR THE SOUTH CAROLINA WILDLIFE LAW ENFORCEMENT OFFICERS' ASSOCIATION FROM THE COMPENSATION OF STATE EMPLOYEES AND RETIREES.

Rep. HIOTT moved to adjourn debate on the Bill, which was agreed to.

S. 436--ORDERED TO THIRD READING

The following Bill was taken up:

S. 436 -- Senators Grooms, Fernandez and Leber: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO ADD AN EXEMPTION FOR A PORTION

[HJ]

TUESDAY, MAY 12, 2026

OF THE VALUE OF AIRCRAFT OF AN AIRLINE COMPANY; AND
BY AMENDING SECTION 12-37-2440, RELATING TO THE
VALUATION OF AIRCRAFT, SO AS TO SPECIFY THE MANNER
IN WHICH TIME ON THE GROUND IS CALCULATED.

Rep. STAVRINAKIS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bowers	Brewer	Brittain
Burns	Bustos	Calhoon
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Cox	Cromer	Davis
Duncan	Edgerton	Erickson
Ford	Forrest	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Gilreath
Govan	Grant	Guest
Guffey	Haddon	Hager
Hardee	Hart	Hartnett
Hartz	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Holman	Hosey
Huff	J. E. Johnson	Jones
Jordan	Kilmartin	King
Kirby	Landing	Lastinger
Lawson	Ligon	Long
Lowe	Martin	McCabe
McCrary	McDaniel	McGinnis
C. Mitchell	D. Mitchell	Montgomery
T. Moore	Moss	Neese
B. Newton	W. Newton	Oremus
Pace	Pedalino	Pope
Rankin	Reese	Rivers
Robbins	Rose	Rutherford

[HJ]

TUESDAY, MAY 12, 2026

Sanders	Schuessler	Scott
Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Teeple	Terrible	Vaughan
Waters	Wetmore	White
Whitmire	Wickensimer	Williams
Willis	Wooten	Yow

Total--111

Those who voted in the negative are:

Total--0

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

S. 1005--ORDERED TO THIRD READING

The following Bill was taken up:

S. 1005 -- Senators Elliott, Stubbs, Walker, Blackmon and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 14-1-200, RELATING TO THE ESTABLISHMENT OF SALARIES OF SUPREME COURT JUSTICES AND COURT OF APPEALS, CIRCUIT COURT, AND FAMILY COURT JUDGES, SO AS TO PROVIDE A REVISED SALARY SCHEDULE FOR JUDGES.

Rep. BANNISTER explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 96; Nays 17

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bowers	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Caskey	Chapman
Clyburn	Cobb-Hunter	Collins
Cox	Davis	Dillard

[HJ]

TUESDAY, MAY 12, 2026

Erickson	Ford	Forrest
Gagnon	Garvin	Gatch
Gibson	Gilliam	Govan
Grant	Guest	Guffey
Haddon	Hager	Hardee
Hart	Hartnett	Hartz
Hayes	Henderson-Myers	Hewitt
Hiott	Hixon	Holman
Hosey	J. E. Johnson	Jones
Jordan	Kirby	Landing
Lawson	Ligon	Long
Lowe	Luck	Martin
McCravy	McGinnis	C. Mitchell
Montgomery	T. Moore	Moss
Neese	B. Newton	W. Newton
Oremus	Pedalino	Pope
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Schuessler	Scott	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teeple
Vaughan	Waters	Wetmore
Whitmire	Wickensimer	Williams
Willis	Wooten	Yow

Total--96

Those who voted in the negative are:

Cromer	Duncan	Edgerton
Frank	Gilreath	Harris
Huff	Kilmartin	King
Lastinger	Magnuson	McCabe
D. Mitchell	Pace	Sanders
Terribile	White	

Total--17

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

TUESDAY, MAY 12, 2026

ABSTENTION FROM VOTING

May 12, 2026

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 S. 1005 amending the South Carolina Code of Laws by amending Section 14-1-200, relating to the establishment of salaries of Supreme Court justices and Court of Appeals, Circuit Court, and Family Court judges, so as to provide a revised salary schedule for judges, out of an abundance of caution.

I will abstain from this vote because of a potential conflict of interest as an economic interest of myself and/or a family member may be affected. Please note this in the House Journal.

Sincerely,

Representative William "Bill" Clyburn
House District Number 82

RECORD FOR VOTING

I inadvertently voted for S. 1005, but I meant to abstain due to a potential conflict of interest and wish to have my abstention noted for the record in the House Journal.

Rep. William Clyburn

S. 556--DEBATE ADJOURNED

The following Bill was taken up:

S. 556 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3830 SO AS TO PROVIDE FOR A TAX CREDIT FOR RENEWABLE NATURAL GAS.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

TUESDAY, MAY 12, 2026

S. 420--DEBATE ADJOURNED

The following Bill was taken up:

S. 420 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-5-10, RELATING TO AUTHORIZED INVESTMENTS BY POLITICAL SUBDIVISIONS SO AS TO ALLOW A QUALIFIED RETIREE POST-EMPLOYMENT BENEFIT TRUST MAINTAINED FOR THE BENEFIT OF POLITICAL SUBDIVISION RETIREES TO INVEST IN CERTAIN CORPORATE DEBT ISSUED BY UNITED STATES CORPORATIONS.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 829--ORDERED TO THIRD READING

The following Bill was taken up:

S. 829 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-25-20, RELATING TO DEFINITIONS, SO AS TO PROVIDE APPROPRIATE DEFINITIONS; BY AMENDING SECTION 6-25-50, RELATING TO APPLICATION FILED WITH SECRETARY OF STATE, SO AS TO REVISE APPLICATION REQUIREMENTS; BY AMENDING SECTION 6-25-60, RELATING TO APPOINTMENT OF COMMISSIONERS, SO AS TO PROVIDE FOR ALTERNATIVE METHODS OF COMMISSIONER APPOINTMENT AND CONDITIONS OF SERVICE AS COMMISSIONER; BY AMENDING SECTION 6-25-70, RELATING TO CHANGE IN MEMBERSHIP OF JOINT SYSTEM, SO AS TO PROVIDE PROCEDURES FOR COMMISSIONER APPOINTMENT WHEN A NEW MEMBER IS ADDED TO A JOINT SYSTEM; BY AMENDING SECTION 6-25-80, RELATING TO DISSOLUTION OF SYSTEM, SO AS TO PROVIDE PROCEDURES FOR JOINT SYSTEM RECONSTITUTION AND MEMBER WITHDRAWAL; BY AMENDING SECTION 6-25-110, RELATING TO AUTHORIZATION TO INCUR DEBT AND ISSUE BONDS, SO AS TO PROVIDE PROCEDURES FOR BOND ISSUANCE BY A COMMISSION APPOINTED ENTIRELY BY THE GOVERNOR; AND BY AMENDING SECTION 6-25-128, RELATING TO CONTRACTS BETWEEN AUTHORITY AND JOINT SYSTEM;

[HJ]

TUESDAY, MAY 12, 2026

DURATION, SO AS TO PERMIT AUTOMATIC EXTENSION OF CONTRACT PROVISIONS COMMENSURATE WITH TERMS OF BONDS OR OTHER INDEBTEDNESS.

Rep. JORDAN explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 93; Nays 16

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Ballentine	Bamberg	Bannister
Bauer	Bowers	Bradley
Brewer	Brittain	Bustos
Calhoon	Caskey	Chapman
Clyburn	Cobb-Hunter	Collins
Cox	Davis	Dillard
Duncan	Erickson	Ford
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliard
Govan	Grant	Guest
Guffey	Haddon	Hager
Hardee	Hart	Hartnett
Hartz	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Holman	Hosey
Huff	J. E. Johnson	Jordan
King	Kirby	Landing
Lawson	Ligon	Long
Lowe	Luck	Martin
McCrary	McGinnis	C. Mitchell
Montgomery	T. Moore	Moss
Neese	B. Newton	W. Newton
Oremus	Pedalino	Pope
Rankin	Rivers	Rose
Rutherford	Sanders	Schuessler
Scott	Sessions	G. M. Smith
M. M. Smith	Spann-Wilder	Taylor
Teeple	Waters	Wetmore

TUESDAY, MAY 12, 2026

Whitmire	Wickensimer	Williams
Willis	Wooten	Yow

Total--93

Those who voted in the negative are:

Beach	Burns	Chumley
Cromer	Edgerton	Frank
Gilreath	Harris	Kilmartin
Lastinger	Magnuson	McCabe
D. Mitchell	Pace	Terrible
White		

Total--16

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

S. 922--DEBATE ADJOURNED

The following Bill was taken up:

S. 922 -- Senators Massey, Alexander, Hutto, Campsen, Leber and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-3-210, RELATING TO FILLING VACANCIES WHEN THE SENATE IS NOT IN SESSION, SO AS TO PROVIDE FOR WHEN THE GOVERNOR MAY MAKE AN INTERIM APPOINTMENT; BY AMENDING SECTION 7-3-10, RELATING TO THE STATE ELECTION COMMISSION, SO AS TO PROVIDE THAT THE MEMBERS OF THE ELECTION COMMISSION SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY ADDING SECTION 1-30-12 SO AS TO PROVIDE THAT CABINET MEMBERS WILL SERVE COTERMINOUS WITH THE GOVERNOR THAT APPOINTS THEM; BY AMENDING SECTION 1-13-40, RELATING TO THE COMMISSION ON HUMAN AFFAIRS, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 1-15-10, RELATING TO THE COMMISSION ON THE STATUS OF WOMEN, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 1-31-10, RELATING TO THE COMMISSION FOR COMMUNITY ADVANCEMENT AND ENGAGEMENT, SO AS TO REMOVE THE ADVICE AND

[HJ]

TUESDAY, MAY 12, 2026

CONSENT OF THE SENATE; BY AMENDING SECTION 6-19-30, RELATING TO THE COMMISSION FOR COMMUNITY ADVANCEMENT, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 13-1-370, RELATING TO THE ADVISORY COMMITTEE OF THE DIVISION OF STATE DEVELOPMENT, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 13-19-10, RELATING TO THE MIDLANDS AUTHORITY, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 13-21-10, RELATING TO THE EDISTO DEVELOPMENT AUTHORITY, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 25-21-20, RELATING TO THE BOARD OF TRUSTEES FOR THE VETERANS' TRUST FUND, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 38-89-160, RELATING TO THE DAY CARE JOINT UNDERWRITING ASSOCIATION BOARD OF DIRECTORS, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 40-7-10, RELATING TO THE BOARD OF BARBER EXAMINERS, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 40-13-10, RELATING TO THE BOARD OF COSMETOLOGY, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 40-20-40, RELATING TO THE PANEL FOR DIETETICS, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 40-30-40, RELATING TO THE BOARD OF MASSAGE THERAPY, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 40-35-10, RELATING TO THE BOARD OF LONG TERM HEALTH CARE ADMINISTRATORS, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 40-47-11, RELATING TO THE MEDICAL DISCIPLINARY COMMISSION, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 40-51-30, RELATING TO THE BOARD OF PODIATRY EXAMINERS, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 40-57-40, RELATING TO THE REAL ESTATE COMMISSION, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 40-59-10, RELATING TO THE RESIDENTIAL BUILDERS COMMISSION, SO AS TO REMOVE THE ADVICE AND

[HJ]

TUESDAY, MAY 12, 2026

CONSENT OF THE SENATE; BY AMENDING SECTION 40-60-10, RELATING TO THE REAL ESTATE APPRAISERS BOARD, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 40-63-10, RELATING TO THE BOARD OF SOCIAL WORK EXAMINERS, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 40-67-10, RELATING TO THE BOARD OF EXAMINERS IN SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 40-69-10, RELATING TO THE BOARD OF VETERINARY MEDICAL EXAMINERS, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 40-81-50, RELATING TO THE STATE ATHLETIC COMMISSION, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 43-31-40, RELATING TO THE STATE AGENCY OF VOCATIONAL REHABILITATION, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 44-43-1320, RELATING TO DONATE LIFE SOUTH CAROLINA, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 44-53-830, RELATING TO THE DARE FUND, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 46-41-260, RELATING TO THE AGRICULTURAL COMMODITIES ADVISORY COMMISSION, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 46-50-40, RELATING TO THE COMMISSIONER OF AGRICULTURE, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 48-23-10, RELATING TO THE COMMISSION OF FORESTRY, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 50-5-2700, RELATING TO THE ATLANTIC STATES MARINE FISHERIES COMPACT, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 51-13-1720, RELATING TO THE OLD JACKSONBOROUGH HISTORIC DISTRICT BOARD OF REGENTS, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 54-17-30, RELATING TO THE MARITIME SECURITY COMMISSION, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 60-11-40, RELATING TO THE COMMISSION OF ARCHIVES AND

[HJ]

TUESDAY, MAY 12, 2026

HISTORY, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 60-15-20, RELATING TO THE ARTS COMMISSION, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE; AND BY AMENDING SECTION 63-11-700, RELATING TO THE DIVISION FOR REVIEW OF THE FOSTER CARE OF CHILDREN, SO AS TO REMOVE THE ADVICE AND CONSENT OF THE SENATE.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 235--DEBATE ADJOURNED

The following Bill was taken up:

S. 235 -- Senators Kimbrell, Leber and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-90, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT PROSTITUTION BY A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16-15-100, RELATING TO PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT CERTAIN ACTIONS RELATED TO A PERSON WHO SOLICITS CUSTOMERS FOR A PROSTITUTED PERSON AND TO INCREASE THE PENALTY FOR VIOLATIONS; BY AMENDING SECTION 16-15-110, RELATING TO VIOLATIONS FOR PROSTITUTION, SO AS TO REVISE THE STATUTE TO PROHIBIT A PERSON FROM SOLICITING A PROTITUTED PERSON.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 399--DEBATE ADJOURNED

The following Bill was taken up:

S. 399 -- Senators Elliott, Hembree, Reichenbach and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-11-635 SO AS TO PROVIDE THAT A PERSON WHO, WITHOUT LEGAL CAUSE OR GOOD EXCUSE, ENTERS A TRANSPORTATION FACILITY, INCLUDING ANY PUBLIC TRANSPORTATION AND ANY PUBLIC TRANSPORTATION SYSTEM, AFTER HAVING BEEN WARNED

[HJ]

TUESDAY, MAY 12, 2026

NOT TO DO SO BY THE TRANSIT DIRECTOR OR HIS DESIGNEE, IS GUILTY OF A MISDEMEANOR TRIABLE IN A MUNICIPAL OR MAGISTRATES COURT, TO PROVIDE PROCEDURES FOR A WRITTEN WARNING AND FOR APPEALING THE WARNING, AND TO PROVIDE THAT THE PROVISIONS OF THIS SECTION MUST BE CONSTRUED AS IN ADDITION TO, AND NOT AS SUPERSEDING, ANOTHER STATUTE RELATING TO TRESPASS OR UNLAWFUL ENTRY ON LANDS OF ANOTHER.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 428--DEBATE ADJOURNED

The following Bill was taken up:

S. 428 -- Senators Allen, Hembree and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 34-11-90, RELATING TO JURISDICTION FOR OFFENSES INVOLVING CHECKS AND PENALTIES, SO AS TO PROVIDE A METHOD TO EXPUNGE CONVICTIONS; BY AMENDING SECTION 17-22-910, RELATING TO APPLICATIONS FOR EXPUNGEMENT, SO AS TO ADD MULTIPLE MISDEMEANOR OFFENSES OF CHECK FRAUD TO THOSE OFFENSES ELIGIBLE FOR EXPUNGEMENT; AND BY ADDING SECTION 17-1-43 SO AS TO REQUIRE THE DESTRUCTION OF ARREST RECORDS OF PERSONS MADE AS A RESULT OF MISTAKEN IDENTITY UNDER CERTAIN CIRCUMSTANCES.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 845--DEBATE ADJOURNED

The following Bill was taken up:

S. 845 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-11-1930, RELATING TO THE ESTABLISHMENT OF THE STATE CHILD FATALITY ADVISORY COMMITTEE, SO AS TO ADD THE EXECUTIVE DIRECTOR OF THE SOUTH CAROLINA COMMISSION FOR COMMUNITY ADVANCEMENT AND ENGAGEMENT; BY AMENDING SECTION 63-11-1930, SO AS TO

[HJ]

TUESDAY, MAY 12, 2026

INCLUDE THE EXECUTIVE DIRECTOR OF THE SOUTH CAROLINA COMMISSION FOR COMMUNITY ADVANCEMENT AND ENGAGEMENT, THE STATE CHILD ADVOCATE, A COUNTY CORONER OR MEDICAL EXAMINER, AND A SOLICITOR AS MEMBERS WHO WILL SERVE EX OFFICIO AND MAY APPOINT A DESIGNEE; AND BY AMENDING SECTION 63-11-1930, SO AS TO PROVIDE THAT THE MAJORITY OF THE COMMITTEE MUST BE APPOINTED AND DULY QUALIFIED.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 996--DEBATE ADJOURNED

The following Bill was taken up:

S. 996 -- Senators Young, Sutton, Reichenbach, Devine, Zell, Elliott and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-13-190, RELATING TO FINGERPRINT-BASED BACKGROUND CHECKS OF DEPARTMENT OF SOCIAL SERVICES PERSONNEL, SO AS TO REMOVE THE PROVISION THAT A PERSON WHO HAS DIRECT UNSUPERVISED CONTACT WITH A CHILD IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES SHALL UNDERGO A STATE FINGERPRINT-BASED BACKGROUND CHECK.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 823--DEBATE ADJOURNED

The following Bill was taken up:

S. 823 -- Senators Reichenbach, Hutto, Devine and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTIONS 63-7-2630 AND 63-9-765 SO AS TO REQUIRE FAMILY COURTS TO CONSIDER THE APPROPRIATENESS OF NO CONTACT ORDERS OR SUPERVISED-CONTACT ORDERS WHEN TERMINATING PARENTAL RIGHTS OR FINALIZING ADOPTIONS; TO AUTHORIZE THESE ORDERS; AND FOR OTHER PURPOSES.

TUESDAY, MAY 12, 2026

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 751--DEBATE ADJOURNED

The following Bill was taken up:

S. 751 -- Senators Sutton, Ott, Zell, Garrett and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-53-2510 SO AS TO DEFINE TERMS TO INCLUDE NITROUS OXIDE AND NITROUS OXIDE PRODUCTS; BY ADDING SECTION 44-53-2520 SO AS TO CREATE THE OFFENSE OF SELLING OR PROVIDING NITROUS OXIDE TO MINORS, AND TO PROVIDE PENALTIES, AND TO CREATE A CIVIL PENALTY FOR A MINOR THAT MISREPRESENTS HIS AGE TO ATTEMPT TO OR TO PURCHASE NITROUS OXIDE; BY ADDING SECTION 44-53-2530 SO AS TO CREATE A CIVIL PENALTY FOR RETAILERS THAT DISPLAY OR STORE NITROUS OXIDE IN A RETAIL LOCATION WHERE MINORS CAN ACCESS NITROUS OXIDE OR NITROUS OXIDE PRODUCTS; BY ADDING SECTION 44-53-2540 SO AS TO ESTABLISH EXCEPTIONS TO THIS ARTICLE FOR COMMERCIAL USE.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 222--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 222 -- Senators Ott and Stubbs: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-2-140 SO AS TO DEFINE THE TERM "UTILITY TERRAIN VEHICLE" AND PROVIDE FOR THE REGISTRATION AND OPERATION OF THEM ON THE HIGHWAYS AND STREETS OF THE STATE; BY AMENDING SECTION 56-1-10, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF THE TERM "OFF-ROAD USE ONLY"; AND BY AMENDING SECTION 38-77-30, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF THE TERM "INDIVIDUAL PRIVATE PASSENGER AUTOMOBILE" TO INCLUDE CERTAIN UTILITY TERRAIN VEHICLES.

Reps. RUTHERFORD and WOOTEN proposed the following

[HJ]

TUESDAY, MAY 12, 2026

Amendment No. 1 to S. 222 (LC-222.WAB0003H), which was adopted:

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

SECTION X.A. Section 56-2-90(E) of the S.C. Code is amended to read:

(E) Each golf cart passenger that is under the age of twelve years old, when it is being operated on the public streets and highways of this State, must wear a fastened safety belt. This subsection does not apply to a passenger of a golf cart owned by a golf course and being operated in conjunction with playing golf on the same course.

(F)(1) Notwithstanding any other provision of this section, a golf cart may be operated along a primary highway, secondary highway street, or road within a one-half mile radius of a Division I collegiate athletic event, or an event at a coliseum or arena that can hold a capacity of at least nineteen thousand individuals, for a period of three hours before the event commences until one hour after the event ends provided:

(a) a law enforcement agency is controlling traffic during such athletic event; and

(b) the golf cart and the person operating the golf cart are in compliance with subsections (A), (B), and (E).

(2) A golf cart operated at night pursuant to this subsection must operate with working headlights and taillights.

B. The provisions of this SECTION take effect upon approval of the Governor.

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 3

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bowers	Brewer	Brittain
Burns	Bustos	Caskey

[HJ]

TUESDAY, MAY 12, 2026

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

Total--109

Those who voted in the negative are:

Bradley	Erickson	Harris
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Total--3

[HJ]

TUESDAY, MAY 12, 2026

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

S. 688--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 688 -- Senators Massey and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-31-5, RELATING TO CONTRIBUTIONS AND PAYMENTS TO THE UNEMPLOYMENT TRUST FUND DEFINITIONS, SO AS TO CHANGE THE LOOKBACK PERIOD FOR THE BENEFIT RATIO; BY AMENDING SECTION 41-31-45, RELATING TO DEBT STATUS ESTIMATES, SO AS TO PROVIDE FOR A SOLVENCY TARGET FOR THE FUND; BY AMENDING SECTION 41-31-60, RELATING TO THE TAX RATE WHEN A DELINQUENT REPORT IS RECEIVED, SO AS TO CHANGE THE PENALTY FOR AN OUTSTANDING LIEN; BY AMENDING SECTION 41-31-350, RELATING TO THE PENALTY FOR FAILURE TO FILE A REPORT, SO AS TO REMOVE THE CAP ON THE PENALTY FOR FAILING TO FILE A REPORT; AND BY AMENDING SECTION 41-31-370, RELATING TO INTEREST ON UNPAID CONTRIBUTIONS, SO AS TO REMOVE THE CAP ON THE PENALTY FOR FAILURE TO PAY CONTRIBUTIONS.

The Committee on Ways and Means proposed the following Amendment No. 1 to S. 688 (LC-688.DG0002H), which was adopted:

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

SECTION 1. This act may be cited as the “State of South Carolina Small Business Tax Cut of 2026.”

SECTION 2.A. Section 12-37-220(B) of the S.C. Code is amended by adding:

(54) the first ten thousand dollars of the net depreciated value of business personal property owned by a small business. For purposes of this item, “small business” means a commercial retail service, industry entity, or nonprofit corporation, including affiliates, that: (a) the business’ ownership is comprised of taxpayers who pay income taxes in this State; (b) is independently owned and operated; and (c) employs fewer than one hundred full-time employees or has gross annual sales of less than ten million dollars.

B. This SECTION takes effect upon approval by the Governor and

TUESDAY, MAY 12, 2026

first applies to property tax years beginning after 2026.

SECTION 3.A. Section 12-37-900 of the S.C. Code is amended to read:

Section 12-37-900. (A) Every person required by law to list property shall, annually, between the first day of January and the first day of March, make out and deliver to the assessor of the county in which the property is by law to be returned for taxation a statement, verified by his oath, of all the real estate which has been sold or transferred since the last listing of property for which he was responsible and to whom, and of all real property possessed by him, or under his control, on the thirty-first day of December next preceding, either as owner, agent, parent, spouse, guardian, executor, administrator, trustee, receiver, officer, partner, factor, or holder with the value thereof, on such thirty-first day of December, at the place of return, estimating according to the rules prescribed by law.

(B) A manufacturer not under a fee agreement is not required to return personal property for ad valorem tax purposes if the property remains in this State at a manufacturing facility that has not been operational for one fiscal year and the personal property has not been used in operations for one fiscal year. The personal property is not required to be returned until the personal property becomes operational in a manufacturing process or until the property has not been returned for ad valorem tax purposes for four years, whichever is earlier. A manufacturer must continue to list the personal property annually and designate on the listing that the personal property is not subject to tax pursuant to this section.

(C)(1) Notwithstanding any other provision of this section, a taxpayer that meets the application requirements of item (2) is not required to pay business personal property taxes if the taxpayer has less than ten thousand dollars of net depreciated value of business personal property.

(2) To claim the exemption allowed by item (1), a taxpayer must annually certify, under penalty of perjury, to the department in a manner prescribed by the department that the taxpayer has less than ten thousand dollars of net depreciated value of business personal property. The form prescribed by the department must contain a conspicuous notation citing the State of South Carolina Small Business Tax Cut of 2026 as the source of the exemption.

B. This SECTION takes effect upon approval by the Governor and first applies to property tax years beginning after 2026.

SECTION 4.A. Article 5, Chapter 37, Title 12 of the S.C. Code is

TUESDAY, MAY 12, 2026

amended by adding:

Section 12-37-980. Notwithstanding any other provision of law, all business personal property required to be returned for ad valorem taxation must be returned to the Department of Revenue. The property is subject to the tax imposed by the taxing jurisdiction in which the property is situated.

B. This SECTION takes effect upon approval by the Governor and first applies to property tax years beginning after 2026.

SECTION 5.A. Section 12-20-50 of the S.C. Code is amended by adding:

(D)(1) A corporation subject to the provisions of this section whose corporate headquarters, as defined in Section 12-6-3410, is in South Carolina may exclude the first fifty million dollars of equity contributions from a qualifying entity from its paid-in or capital surplus subject to the annual license fee. To qualify for this exclusion, the corporation must obtain a certificate from the South Carolina Research Authority certifying that the exclusions result from equity contributions from a qualifying entity.

(2) For purposes of this subsection, a qualifying entity includes:

(a) a venture capital fund as defined pursuant to 17 C.F.R. Section 275.203(1) 1;

(b) an angel or accredited investor, as defined pursuant to 17 C.F.R. Section 230.501; and

(c) a private investment firm that does not solicit capital from investors, excluding another qualifying entity or the general public, and meets one of the exemptions outlined in the Investment Company Act of 1940.

(3) A corporation claiming this exclusion must:

(a) submit an annual report to the department that contains the name of each qualifying entity, the date of the equity contribution, the manner in which the qualifying entity meets the requirements of item (2), the amount of the paid-in or capital surplus for each year that is attributable to each qualifying entity, and any other information that the department may require; and

(b) keep detailed books and records, including segregating out equity contributions attributable to each qualifying entity and retaining information concerning the information required to be provided in subitem (a).

B. Section 33-44-409(b)(3) of the S.C. Code is amended to read:

(3) to refrain from competing with the company in the conduct of the company's business before the dissolution of the company. This item

TUESDAY, MAY 12, 2026

does not apply when a member is also a member of another LLC and there is not an enforceable noncompete provision in the operating agreement.

C. This SECTION takes effect upon approval by the Governor and first applies to the tax year beginning after July 1, 2026.

SECTION 6. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Rep. B. NEWTON explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 115; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bowers	Brewer	Brittain
Burns	Calhoon	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	Cox
Cromer	Davis	Dillard
Duncan	Edgerton	Erickson
Ford	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	Huff
J. E. Johnson	Jones	Jordan
Kilmartin	King	Kirby
Landing	Lastinger	Lawson
Ligon	Long	Lowe

[HJ]

TUESDAY, MAY 12, 2026

Luck	Magnuson	Martin
McCabe	McCrary	McGinnis
C. Mitchell	D. Mitchell	Montgomery
J. Moore	T. Moore	Moss
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Pope	Rankin	Reese
Rivers	Robbins	Rose
Rutherford	Sanders	Schuessler
Scott	Sessions	G. M. Smith
M. M. Smith	Spann-Wilder	Stavrinakis
Taylor	Teeple	Terrible
Vaughan	Waters	Wetmore
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

Total--115

Those who voted in the negative are:

Total--0

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

S. 933--DEBATE ADJOURNED

The following Bill was taken up:

S. 933 -- Senators Martin, Corbin, Williams, Jackson, Leber, Hutto, Devine, Graham, Zell and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-3-20, RELATING TO COMPENSATION OF MEMBERS OF THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT MEMBERS OF THE GENERAL ASSEMBLY SHALL RECEIVE LEGISLATIVE COMPENSATION AND AN IN-DISTRICT LEGISLATIVE SERVICE ALLOWANCE OF FORTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS, AND TO PROVIDE THAT THE MEMBERS' SALARY SHALL BE ADJUSTED EVERY TWO YEARS BY AN INFLATION FACTOR NOT TO EXCEED FIVE PERCENT; AND BY AMENDING SECTION 9-9-10, RELATING TO DEFINITIONS CONCERNING THE GENERAL ASSEMBLY RETIREMENT

[HJ]

TUESDAY, MAY 12, 2026

SYSTEM, SO AS TO PROVIDE THAT EARNABLE COMPENSATION FOR THE PURPOSES OF CALCULATING BENEFITS IS LIMITED TO ONLY THE MEMBERS' SALARY AS PROVIDED BY LAW.

Rep. HIOTT moved to adjourn debate on the Bill, which was agreed to.

S. 70--DEBATE ADJOURNED

The following Bill was taken up:

S. 70 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-710 SO AS TO ENHANCE LOCAL SCHOOL GOVERNANCE; BY ADDING SECTION 59-19-720 SO AS TO PROVIDE DEFINITIONS; BY ADDING SECTION 59-19-730 SO AS TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT AND REVISE AS NECESSARY A MODEL CODE OF ETHICS FOR LOCAL SCHOOL BOARD MEMBERS, AND REQUIRE THAT A LOCAL SCHOOL BOARD SHALL ADOPT A LOCAL CODE OF ETHICS AT A REGULARLY SCHEDULED MEETING AND SUBMIT A COPY TO THE DEPARTMENT OF EDUCATION WITHIN THIRTY DAYS OF ADOPTION; AND BY AMENDING SECTION 59-19-45, RELATING TO MANDATORY ORIENTATION FOR SCHOOL DISTRICT BOARDS OF TRUSTEES AND COUNTY BOARDS OF EDUCATION, SO AS TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT A MODEL TRAINING PROGRAM, WHICH MUST INCLUDE A LOCAL TRAINING PROGRAM.

Rep. B. NEWTON moved to adjourn debate on the Bill, which was agreed to.

S. 1011--ORDERED TO THIRD READING

The following Joint Resolution was taken up:

S. 1011 -- Senator Hutto: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF ADMINISTRATION, THE STATE FISCAL ACCOUNTABILITY AUTHORITY, OR THE APPROPRIATE AGENCY, TO TRANSFER THE NATIONAL GUARD ARMORY IN THE CITY OF BARNWELL, SOUTH CAROLINA, TO BARNWELL COUNTY.

[HJ]

TUESDAY, MAY 12, 2026

Rep. B. NEWTON explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 113; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bannister
Bauer	Beach	Bowers
Bradley	Brewer	Brittain
Burns	Bustos	Calhoon
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Cox	Cromer	Davis
Dillard	Duncan	Edgerton
Erickson	Ford	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
Huff	J. E. Johnson	Jordan
Kilmartin	King	Kirby
Landing	Lastinger	Lawson
Long	Lowe	Luck
Magnuson	Martin	McCrary
McDaniel	McGinnis	C. Mitchell
D. Mitchell	Montgomery	J. Moore
T. Moore	Moss	Neese
B. Newton	W. Newton	Oremus
Pace	Pedalino	Pope
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Scott	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teeple

[HJ]

TUESDAY, MAY 12, 2026

Terribile	Vaughan	Waters
Wetmore	White	Whitmire
Wickensimer	Williams	Willis
Wooten	Yow	

Total--113

Those who voted in the negative are:

Total--0

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

S. 851--REQUESTS FOR DEBATE WITHDRAWN

Reps. CROMER, TERRIBILE, GILREATH, BEACH, WHITE and KILMARTIN withdrew their requests for debate on the following Bill:

S. 851 -- Senators Alexander, Young and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 34-3-900 SO AS TO DEFINE TERMS PERTAINING TO THE FINANCIAL EXPLOITATION OF AN ELIGIBLE ADULT AND TO OUTLINE A PROCEDURE FOR ESTABLISHING EMERGENCY CONTACTS FOR AN ELIGIBLE ADULT TO PROTECT THE ELIGIBLE ADULT FROM FINANCIAL EXPLOITATION.

S. 935--RECALLED FROM COMMITTEE ON MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

On motion of Rep. SESSIONS, with unanimous consent, the following Bill was ordered recalled from the Committee on Medical, Military, Public and Municipal Affairs:

S. 935 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-1-320 SO AS TO REQUIRE THE DEPARTMENT OF PUBLIC HEALTH TO CREATE A PAMPHLET ON RENDERING SEIZURE FIRST AID TO INDIVIDUALS WHO HAVE SUFFERED A SEIZURE IN THE WORKPLACE AND TO REQUIRE STATE GOVERNMENTAL ENTITIES TO POST THE PAMPHLET IN A CONSPICUOUS LOCATION.

[HJ]

TUESDAY, MAY 12, 2026

OBJECTION TO RECALL

Rep. BRITTAIN asked unanimous consent to recall S. 355 from the Committee on Judiciary.

Rep. MCCRAVY objected.

OBJECTION TO RECALL

Rep. BRITTAIN asked unanimous consent to recall S. 1001 from the Committee on Judiciary.

Rep. MCCRAVY objected.

OBJECTION TO RECALL

Rep. SPANN-WILDER asked unanimous consent to recall H. 3202 from the Committee on Labor, Commerce and Industry.

Rep. HERBKERSMAN objected.

H. 3768--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE

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

H. 3768 -- Reps. Brewer, Gatch, Robbins, Schuessler, Sessions and Kirby: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ACT 36 OF 2019, RELATING TO HIGHWAY SYSTEM CONSTRUCTION, SO AS TO CHANGE THE SUNSET EXPIRATION PROVISION TO JULY 1, 2031.

Rep. BREWER proposed the following Amendment No. 1 to H. 3768 (LC-3768.DG0002H), which was adopted:

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

SECTION X.A. Article 7, Chapter 3, Title 57 of the S.C. Code is amended by adding:

Section 57-3-790. (A) The State waives its immunity under the 11th Amendment of the United States Constitution and consents to suit in a federal court for lawsuits arising out of the department's compliance, discharge, or enforcement of responsibilities assumed pursuant to 23 U.S.C. Sections 326 and 327. The waiver of immunity under this section is valid only if:

(1) the Secretary of Transportation executes a memorandum of understanding with the United States Department of Transportation accepting the jurisdiction of the federal courts as required by 23 U.S.C.

TUESDAY, MAY 12, 2026

Sections 326(c) and 327(c);

(2) before execution of the memorandum of understanding under subsection (A), the South Carolina Attorney General has issued an opinion letter to the Secretary of Transportation and the administrator of the Federal Highway Administration that the memorandum of understanding and the waiver of immunity are valid and binding upon the State;

(3) the act or omission that is the subject of the lawsuit arises out of or relates to compliance, discharge, or enforcement of responsibilities assumed by the department pursuant to 23 U.S.C. Sections 326 and 327; and

(4) the memorandum of understanding is in effect when the act or omission that is the subject of the federal lawsuit occurred.

(B) Within one year of submitting an application to assume administration of 23 U.S.C. Sections 326 and 327, otherwise known as the National Environmental Policy Act (NEPA) Assignment Program pursuant to this section, the secretary shall issue a NEPA Manual detailing the manner in which the department will carry out its NEPA responsibilities. The department must provide a public comment period of at least thirty days on a draft NEPA Manual prior to issuance of a final NEPA Manual.

(C) The department must annually publish a report describing the department's assumption of NEPA responsibilities. The annual report must be made available to the public and posted on the department's website. That report shall include, but not be limited to, an analysis of time savings, an analysis of positive and negative financial impacts, and a summary of any legal actions challenging the department's actions under the program.

(D) The Secretary of Transportation is given the authority to coordinate with the Director of the Department of Environmental Services, the Director of the Department of Natural Resources, the Director of the Department of Archives and History, and any other agency head whose agency may impact the issuance of environmental decisions necessary to expedite the delivery of transportation projects. Such agency heads must be responsive to such requests of the Secretary of Transportation. The department shall include in the report required in subsection (C) on all state agency activities related to permit and environmental decisions related to transportation projects.

B. This SECTION takes effect July 1, 2026.

Re-number sections to conform.

Amend title to conform.

[HJ]

TUESDAY, MAY 12, 2026

Rep. BREWER explained the amendment.
The amendment was then adopted.

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

H. 3195--DEBATE ADJOURNED

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

H. 3195 -- Reps. Haddon, Pope, Pedalino, Chumley, Taylor, Erickson, Bradley, Hixon, Ligon, Weeks, Oremus, Hartz, Williams, Luck, Gilliard, Rivers and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-10-10, RELATING TO STANDARDS FOR PHYSICAL ACTIVITY AND PHYSICAL EDUCATION IN KINDERGARTEN THROUGH EIGHTH GRADE, SO AS TO REQUIRE CERTAIN MANDATORY MINIMUM PERIODS FOR PHYSICAL EDUCATION AND OUTDOOR RECESS IN FOUR-YEAR-OLD KINDERGARTEN THROUGH EIGHTH GRADE EACH YEAR IN ADDITION TO OTHER CURRICULUM REQUIREMENTS, AND TO PROVIDE RECESS PERIODS MUST BE HELD INDOORS DURING TIMES OF INCLEMENT WEATHER; BY AMENDING SECTION 59-10-30, RELATING TO PHYSICAL EDUCATION ACTIVITY DIRECTORS AND VOLUNTEERS, SO AS TO MAKE CONFORMING CHANGES; AND TO REDESIGNATE ARTICLE 1 OF CHAPTER 10, TITLE 59 AS "PHYSICAL EDUCATION AND ACTIVITY."

Rep. B. NEWTON moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 5506--DEBATE ADJOURNED

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

H. 5506 -- Reps. Jordan, Williams, Atkinson, Kirby and Lowe: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 55-11-620, RELATING TO THE CREATION OF THE PEE DEE REGIONAL AIRPORT AUTHORITY, ITS MEMBERS, THEIR TERMS, AUTHORITY, VACANCIES, AND

TUESDAY, MAY 12, 2026

COMPENSATION, SO AS TO PROVIDE THE MEMBERS OF THE PEE DEE REGIONAL AIRPORT AUTHORITY SHALL BE APPOINTED BY THE GOVERNOR UPON THE RECOMMENDATIONS OF THEIR RESPECTIVE COUNTY LEGISLATIVE DELEGATIONS.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 4188--DEBATE ADJOURNED

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

H. 4188 -- Reps. Pope, B. Newton, M. M. Smith, Cox, Brewer, Ford, Davis, Robbins, Yow and C. Mitchell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-5-590, RELATING TO DISPOSITION OF REMAINS OF UNIDENTIFIED DEAD BODIES BY CORONERS, SO AS TO INCLUDE UNCLAIMED REMAINS IN THE PURVIEW OF THE STATUTE, AND TO AUTHORIZE CORONERS TO RELEASE REMAINS TO FAMILY MEMBERS, RATHER THAN THE NEXT OF KIN, WHEN THE NEXT OF KIN IS CHARGED IN CONNECTION WITH THE DEATH OR OTHERWISE UNCOOPERATIVE IN CLAIMING REMAINS.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 3874--DEBATE ADJOURNED

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

H. 3874 -- Reps. J. E. Johnson and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 42-15-90, RELATING TO FEES OF ATTORNEYS AND PHYSICIANS AND HOSPITAL CHARGES APPROVED BY THE COMMISSION, SO AS TO ALLOW THE COMMISSION TO ESTABLISH MEDICAL FEE SCHEDULES AND RELATED SYSTEMS.

TUESDAY, MAY 12, 2026

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 4270--DEBATE ADJOURNED

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

H. 4270 -- Reps. Schuessler, B. J. Cox, McGinnis, Yow, Jones, Vaughan, Kirby, Dillard, Wetmore, Bauer, Collins, Wickensimer, Brewer, Gilliard, Bernstein, Bannister, Willis, J. L. Johnson, Guest, King, Chapman, Herbkersman, Bradley, Brittain, Burns, Martin, Calhoun, Lowe, C. Mitchell, Oremus, Atkinson, Sessions, Haddon, Waters, Rivers, Scott and Govan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 60-2-60 SO AS TO PROVIDE FOR THE REMOVAL OF CERTAIN PUBLIC RECORDS.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 5179--DEBATE ADJOURNED

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

H. 5179 -- Reps. Erickson, McGinnis, Garvin, Grant, Yow, C. Mitchell, Wooten and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-101-440 SO AS TO CREATE THE SCHOOL MAPPING DATA PROGRAM WITHIN THE STATE LAW ENFORCEMENT DIVISION FOR THE PURPOSE OF FACILITATING EFFICIENT EMERGENCY RESPONSES IN PUBLIC INSTITUTIONS OF HIGHER LEARNING BY PUBLIC SAFETY AGENCIES, TO DEFINE NECESSARY TERMS, TO PROVIDE REQUIREMENTS FOR THE PROGRAM AND ITS IMPLEMENTATION BY THE DIVISION, AND TO PROVIDE RELATED REQUIREMENTS OF INSTITUTIONS OF HIGHER LEARNING AND LAW ENFORCEMENT AGENCIES.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

TUESDAY, MAY 12, 2026

H. 3387--DEBATE ADJOURNED

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

H. 3387 -- Reps. G. M. Smith, W. Newton, B. Newton, Robbins, C. Mitchell, Pope, Chapman, McCravy, Chumley, Taylor, Forrest, Long, Ligon, Guest, Crawford, Edgerton, M. M. Smith, Cox, Holman, Davis, Brewer, Murphy, Calhoon, Erickson, Bradley, Williams, Hixon, Burns, Hewitt, Gilreath, Cromer, Oremus and Hartz: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 27 SO AS TO ENTITLE THE ARTICLE "EJECTION OF UNLAWFUL OCCUPANTS OF A RESIDENTIAL DWELLING," TO DEFINE NECESSARY TERMS, TO PROVIDE AN ALTERNATIVE REMEDY TO REMOVE PERSONS UNLAWFULLY OCCUPYING A RESIDENTIAL DWELLING; TO REDESIGNATE CHAPTER 37, TITLE 27 AS "EJECTION PROCEEDINGS"; TO REDESIGNATE THE EXISTING SECTIONS OF CHAPTER 37, TITLE 27 AS ARTICLE 1, CHAPTER 37, TITLE 27 AND ENTITLE IT "EJECTION OF TENANTS"; AND BY ADDING SECTION 16-11-521 SO AS TO ESTABLISH THE OFFENSE OF CRIMINAL MISCHIEF.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

S. 52--DEBATE ADJOURNED

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

S. 52 -- Senators Davis, Cash, Gambrell, Grooms, Jackson, Devine, Climer, Johnson, Adams, Turner, Kimbrell, Sutton, Blackmon, Williams, Alexander, Verdin, Garrett, Zell and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-2930, RELATING TO OPERATING MOTOR VEHICLES WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS, SO AS TO AMEND THE PENALTY PROVISIONS TO PERMIT SENTENCES OF BOTH FINES AND INCARCERATION AND TO REQUIRE CONVICTED PERSONS TO ATTEND DUI VICTIM IMPACT PANELS; BY AMENDING SECTION 56-5-2933, RELATING TO DRIVING WITH UNLAWFUL ALCOHOL CONCENTRATIONS, SO AS TO PERMIT SENTENCES

TUESDAY, MAY 12, 2026

OF BOTH FINES AND INCARCERATION AND TO REQUIRE CONVICTED PERSONS TO ATTEND DUI VICTIM IMPACT PANELS; BY AMENDING SECTION 56-5-2941, RELATING TO IGNITION INTERLOCK DEVICES, SO AS TO DELETE THE PROVISION THAT PROVIDES NOTHING IN THE SECTION REQUIRES INSTALLATION OF IGNITION INTERLOCK DEVICES PRIOR TO CONTESTED CASE HEARINGS; BY AMENDING SECTION 56-5-2945, RELATING TO THE OFFENSE OF FELONY DRIVING UNDER THE INFLUENCE, SO AS TO CREATE THE OFFENSE OF FELONY DRIVING UNDER THE INFLUENCE SECOND DEGREE, ESTABLISH PENALTIES, AND DEFINE THE TERM "MODERATE BODILY INJURY"; BY AMENDING SECTION 56-5-2947, RELATING TO CHILD ENDANGERMENT, SO AS TO INCLUDE THE OFFENSES OF RECKLESS VEHICULAR HOMICIDE AND RECKLESS DRIVING AS VIOLATIONS SUBJECT TO A CHARGE OF CHILD ENDANGERMENT; BY AMENDING SECTION 56-5-2950, RELATING TO IMPLIED CONSENT TO TESTING FOR ALCOHOL OR DRUGS, SO AS TO REVISE THE CIRCUMSTANCES, PROCEDURES TO BE FOLLOWED, AND TEST SITES THAT CAN BE USED WHEN PERSONS ARE SUBJECTED TO TESTS FOR ALCOHOL OR DRUGS, TO PROVIDE THAT LABORATORY TECHNICIANS, PHLEBOTOMISTS, AND EMERGENCY MEDICAL TECHNICIANS MAY OBTAIN BLOOD OR URINE SAMPLES, TO REVISE THE PERIOD OF SUSPENSIONS OF DRIVING PRIVILEGES THAT MUST BE IMPOSED FOR FAILURE IF PERSONS REFUSE TO BE TESTED AND IF PERSONS HAVE CERTAIN ALCOHOL CONCENTRATIONS, TO REVISE THE PROVISION THAT ESTABLISHES ALCOHOL CONCENTRATIONS, AND TO DELETE THE PROVISION RELATING TO PERSONS INCAPABLE OF REFUSING TO CONSENT TO TESTS; BY AMENDING SECTION 56-5-2951, RELATING TO SUSPENSION OF LICENSES FOR REFUSAL TO SUBMIT TO TESTING OR FOR CERTAIN LEVELS OF ALCOHOL CONCENTRATIONS, SO AS TO PROVIDE THAT PERSONS ISSUED LICENSE SUSPENSIONS MAY INSTALL IGNITION INTERLOCK DEVICES WITHIN THIRTY DAYS AND OBTAIN TEMPORARY DRIVERS' LICENSES WITH IGNITION INTERLOCK RESTRICTIONS, AND TO PROVIDE THAT PERSONS WHO REFUSE TO SUBMIT TO CHEMICAL TESTS MUST HAVE THEIR DRIVERS' LICENSES SUSPENDED FOR ONE

[HJ]

TUESDAY, MAY 12, 2026

YEAR FOR A FIRST OFFENSE, AND TO PROVIDE INCREASED SUSPENSIONS FOR SUBSEQUENT OFFENSES, OR IF PERSONS TAKE THE TESTS AND REGISTER ALCOHOL CONCENTRATIONS OF OVER FIFTEEN ONE-HUNDREDTH OF ONE PERCENT OR MORE, THAT THEIR LICENSES ARE SUSPENDED FOR TWO MONTHS; BY AMENDING SECTION 56-5-2953, RELATING TO INCIDENT SITES AND BREATH TEST SITES FOR VIDEO RECORDING, SO AS TO PROVIDE THAT NOTHING IN THIS SECTION MAY BE CONSTRUED TO COMPEL OR AUTHORIZE A DISMISSAL OF A DUI OFFENSE IF THE OFFICERS SUBSTANTIALLY COMPLY WITH THE STATUTE AND THAT MOTIONS FOR SUPPRESSION OF EVIDENCE UNDER THE STATUTE MUST BE MADE PRIOR TO JEOPARDY ATTACHING; BY AMENDING SECTION 56-5-2920, RELATING TO RECKLESS DRIVING, SO AS TO CREATE THE OFFENSES OF FELONY RECKLESS DRIVING WITH GREAT BODILY INJURY AND RECKLESS DRIVING RESULTING IN MODERATE BODILY INJURY AND TO ESTABLISH PENALTIES; BY ADDING SECTION 56-5-2960 SO AS TO PROVIDE THAT PERSONS CONVICTED OF FELONY DRIVING UNDER THE INFLUENCE CAUSING THE DEATH OR DISABILITY OF PARENTS OR GUARDIANS MAY BE ORDERED TO PAY CHILD SUPPORT AS RESTITUTION FOR THE DURATION OF ANY PROBATION ORDERED, PERFORM COMMUNITY SERVICE, OR BOTH; BY AMENDING SECTION 56-1-286, RELATING TO THE SUSPENSION OF LICENSES OR PERMITS OR THE DENIAL OF ISSUANCE OF LICENSES OR PERMITS TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES WITH CERTAIN ALCOHOL CONCENTRATIONS, SO AS TO PROVIDE THAT PERSONS ISSUED NOTICES OF SUSPENSIONS MAY OBTAIN TEMPORARY LICENSES WITH IGNITION INTERLOCK RESTRICTIONS; AND BY AMENDING SECTION 56-1-400, RELATING TO THE SURRENDER OF LICENSES, SO AS TO REMOVE THE PROVISION THAT NOTHING IN THIS SECTION REQUIRES PERSONS OBTAIN IGNITION INTERLOCKS UNLESS THE OFFENSES ARE ALCOHOL RELATED.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

[HJ]

TUESDAY, MAY 12, 2026

H. 4477--DEBATE ADJOURNED

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

H. 4477 -- Reps. Landing, Cobb-Hunter, Rivers, Williams, Luck, King, Gilliard, Waters, Henderson-Myers, Collins, Schuessler, Herbkersman, M. M. Smith, Govan and Hart: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "HEIRS' PROPERTY TAX RELIEF ACT" BY AMENDING SECTION 12-37-3150, RELATING TO DETERMINING WHEN AN ASSESSIBLE TRANSFER OF INTEREST OCCURS, SO AS TO EXCLUDE TRANSFERS MADE AMONG FAMILY MEMBERS TO CLEAR THE TITLE OF HEIRS' PROPERTY.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 3863--DEBATE ADJOURNED

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

H. 3863 -- Reps. Davis, M. M. Smith, Rivers, Henderson-Myers, Waters and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STEM OPPORTUNITY ACT" BY ADDING ARTICLE 17 TO CHAPTER 1, TITLE 13, SO AS TO ESTABLISH THE SOUTH CAROLINA SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM) COALITION, THE SOUTH CAROLINA SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM) EDUCATION FUND WITHIN THE STATE TREASURY, AND THE SC STEM COALITION ADVISORY COUNCIL, AND TO PROVIDE THEIR RESPECTIVE PURPOSES AND FUNCTIONS.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

TUESDAY, MAY 12, 2026

H. 3841--DEBATE ADJOURNED

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

H. 3841 -- Reps. Hewitt, B. Newton, Yow, Hardee, Bailey, M. M. Smith, Teeple, Kirby, Bustos, Landing, Brewer, Hartnett, Lawson, Davis, Murphy and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-43-220, RELATING TO ASSESSMENT RATIOS, SO AS TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES, PROPERTY RECEIVING THE FOUR PERCENT ASSESSMENT RATIO SHALL CONTINUE AT FOUR PERCENT WHEN THE OWNER DIES; AND BY ADDING SECTION 12-37-460 SO AS TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES PROPERTY TAX EXEMPTIONS SHALL CONTINUE TO APPLY WHEN THE OWNER DIES.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 3551--DEBATE ADJOURNED

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

H. 3551 -- Reps. B. Newton, Gilliam, Pope, Taylor, Weeks, Bowers, Yow, M. M. Smith, Caskey, Kilmartin, Oremus, Ballentine, C. Mitchell, Hewitt, Hixon and Calhoun: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-1-10, RELATING TO DEFINITIONS APPLICABLE TO THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS TO PROVIDE EARNABLE COMPENSATION DOES NOT INCLUDE CERTAIN AMOUNTS PAID TO MANAGERS AND CLERKS OF ELECTIONS; AND BY AMENDING SECTION 12-6-1120, RELATING TO THE COMPUTATION OF SOUTH CAROLINA GROSS INCOME, SO AS TO EXCLUDE CERTAIN AMOUNTS PAID TO MANAGERS AND CLERKS OF ELECTIONS.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

TUESDAY, MAY 12, 2026

H. 3049--DEBATE ADJOURNED

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

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

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 3021--DEBATE ADJOURNED

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

H. 3021 -- Reps. Bradley, G. M. Smith, Herbkersman, Lawson, B. Newton, Wooten, C. Mitchell, Pope, Guffey, Neese, Martin, Chapman, Pedalino, McCravy, Chumley, W. Newton, Taylor, Hewitt, Schuessler, Davis, M. M. Smith, Long, Sanders, Teeple, Gagnon, Hixon, Erickson, Hager, Ballentine, Calhoun, Holman, Moss, Gilreath, Gilliam, Rankin, Vaughan, Cox, Ligon, Oremus, Hartz, Guest, Crawford, Robbins, Forrest, Magnuson, Willis, Brewer, Gibson and Hiott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SMALL BUSINESS REGULATORY FREEDOM ACT" BY ADDING SECTION 1-23-285 SO AS TO PROVIDE THE SMALL BUSINESS REGULATORY REVIEW COMMITTEE SHALL CONDUCT AN INITIAL REVIEW OF REGULATIONS PENDING REAUTHORIZATION AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR RETAINING OR REMOVING REGULATIONS, TO PROVIDE IT IS THE DUTY OF THE COMMITTEE WHEN REVIEWING REGULATIONS TO REDUCE THE OVERALL REGULATORY BURDEN ON BUSINESSES BY REDUCING THE NUMBER OF REGULATORY REQUIREMENTS BY TWENTY-FIVE PERCENT, AND TO PROVIDE THE COMMITTEE MAY REQUEST ANY

TUESDAY, MAY 12, 2026

NECESSARY INFORMATION FROM STATE AGENCIES AND TO REQUIRE THE COMPLIANCE OF AGENCIES WITH THESE REQUESTS, AMONG OTHER THINGS; BY AMENDING SECTION 1-23-110, RELATING TO THE PROCESS FOR PROMULGATING REGULATIONS UNDER THE ADMINISTRATIVE PROCEDURES ACT SO AS TO PROVIDE AGENCIES MAY NOT PROMULGATE REGULATIONS ABSENT EXPRESS STATUTORY AUTHORITY AND CITATION TO THE SPECIFIC STATUTORY AUTHORITY, TO PROVIDE FOR EVERY REGULATION AN AGENCY PROPOSES, IT MUST IDENTIFY AND PROPOSE TWO OF ITS REGULATIONS TO REMOVE, TO PROVIDE PERSONS AGGRIEVED BY A REGULATION MAY CHALLENGE THE VALIDITY OF THE REGULATION IN A COURT OF COMPETENT JURISDICTION, AND TO PROVIDE COURTS MAY DECLARE REGULATIONS INVALID UPON FINDING AN ABSENCE OF EXPRESS STATUTORY AUTHORITY TO PROMULGATE; BY AMENDING SECTION 1-23-115, RELATING TO ASSESSMENT REPORTS FOR REGULATIONS SUBMITTED FOR PROMULGATION, SO AS TO PROVIDE ALL REGULATIONS SUBMITTED FOR PROMULGATION MUST INCLUDE ASSESSMENT REPORTS, TO ALLOW LONGER REVIEW PERIODS IN CERTAIN CIRCUMSTANCES, TO PROVIDE DISCOUNT RATES MUST BE JUSTIFIED IF APPLIED IN AN ANALYSIS REPORT, TO PROVIDE PROMULGATING AGENCIES MUST CONDUCT RETROSPECTIVE ASSESSMENT REPORTS IN CERTAIN CIRCUMSTANCES, TO PROVIDE ASSESSMENT CONTENTS MUST BE MADE PUBLICLY AVAILABLE IN A CERTAIN MANNER, TO PROVIDE CERTAIN STANDARDIZED ANALYTIC METHODS AND METRICS MUST BE APPLIED TO ALL REGULATIONS, TO REQUIRE RETROSPECTIVE ASSESSMENT REPORTS BE CONDUCTED WHEN REGULATIONS ARE REVIEWED FOR RENEWAL, AMONG OTHER THINGS; BY AMENDING SECTION 1-23-120, RELATING TO DOCUMENTS REQUIRED TO BE FILED TO INITIATE THE REVIEW PROCESS FOR A REGULATION, SO AS TO REQUIRE THE DOCUMENTS INCLUDE AN AUTOMATIC EXPIRATION DATE, AND TO PROVIDE FOR THE AUTOMATIC EXPIRATION AND PERIODIC REVIEW OF REGULATIONS; AND BY AMENDING SECTION 1-23-380, RELATING TO JUDICIAL REVIEW UPON EXHAUSTION OF ADMINISTRATIVE REMEDIES, SO AS TO PROVIDE REQUIREMENTS FOR

[HJ]

TUESDAY, MAY 12, 2026

JUDICIAL REVIEW OF AGENCY INTERPRETATIONS OF REGULATIONS.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 5069--DEBATE ADJOURNED

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

H. 5069 -- Reps. T. Moore, Bradley, Wooten, Brittain, Bernstein, Holman, Ford, Wetmore, Stavrinakis, B. Newton, Rivers, Anderson, Kirby, McDaniel, Caskey, Erickson, Reese, Chapman, Govan, Yow, Bustos, Martin, Sessions, Gatch, M. M. Smith, D. Mitchell, Guest, Neese, Pedalino, Bauer, W. Newton, Gilreath, Gilliam, Luck, Pope, Ligon, Cox, J. L. Johnson, Guffey, Bowers, Jordan, Collins, Duncan, Teeple, Lawson, Sanders, Montgomery, Ballentine, Brewer, Gagnon, Haddon, Hartnett, Hartz, Herbkersman, Hiott, Hixon, Jones, Lowe, Robbins, Cromer, Oremus, Davis, Gilliard, Gibson, McCravy and C. Mitchell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 61 TO TITLE 48 SO AS TO ESTABLISH THE "SOUTH CAROLINA PROTECTED LANDS AND CONSERVATION COORDINATION ACT"; TO PROVIDE DEFINITIONS; TO RECOGNIZE CONSERVATION OF NATURAL RESOURCES AS AN IMPORTANT STATE INTEREST; TO ESTABLISH A STATEWIDE PROTECTED LAND BENCHMARK; AND TO PROVIDE FOR COORDINATION OF LAND PROTECTION PROJECTS AND ANNUAL REPORTING TO THE GENERAL ASSEMBLY.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 4305--DEBATE ADJOURNED

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

H. 4305 -- Rep. Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 25 TO CHAPTER 71, TITLE 38 ENTITLED "WELLNESS REIMBURSEMENT PROGRAMS" SO AS TO DEFINE TERMS,

TUESDAY, MAY 12, 2026

PROHIBIT CERTAIN ACTS BY WELLNESS REIMBURSEMENT PROGRAMS, REQUIRE REGISTRATION INCLUDING AN APPLICATION AND FEES WITH THE SECRETARY OF STATE, EXEMPT BROKERS FROM REGISTERING, AND TO PROVIDE FINES FOR FAILING TO REGISTER WHEN REQUIRED.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 4248--DEBATE ADJOURNED

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

H. 4248 -- Reps. Herbkersman, Bradley, Erickson, Hixon, Pope, Hewitt, Cobb-Hunter, Forrest, M. M. Smith, Hartnett, Luck, Gilliard, Rivers, W. Newton, Guest, J. Moore and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-25-220 SO AS TO REQUIRE THAT ALL SHRIMP AND SHRIMP PRODUCTS SOLD IN THIS STATE HAVE A LABEL NOTING THE COUNTRY OF ORIGIN OF THE SHRIMP.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 5573--DEBATE ADJOURNED

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

H. 5573 -- Reps. Long, Chumley, Edgerton, Magnuson, Lawson and Moss: A BILL TO AMEND ACT 813 OF 1946, AS AMENDED, RELATING TO THE CREATION OF THE SPARTANBURG MEMORIAL AUDITORIUM COMMISSION SO AS TO CHANGE THE COMPOSITION OF THE COMMISSION.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

TUESDAY, MAY 12, 2026

H. 5093--DEBATE ADJOURNED

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

H. 5093 -- Reps. Caskey, Bannister, Long, Lawson, C. Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-90, RELATING TO THE DEFINITION OF GROSS PROCEEDS OF SALES, SO AS TO EXCLUDE AMOUNTS PAID BY STATE AND LOCAL GOVERNMENTS FOR THE EMERGENCY SERVICES IP NETWORK.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 4635--DEBATE ADJOURNED

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

H. 4635 -- Rep. B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-79-60, RELATING TO PHYSICAL FITNESS SERVICE CONTRACTS, SO AS TO ALLOW THE USE OF ELECTRONIC NOTIFICATION FOR AUTOMATIC RENEWAL OF CONTRACTS.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 5537--DEBATE ADJOURNED

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

H. 5537 -- Rep. Hayes: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF ADMINISTRATION, THE STATE FISCAL ACCOUNTABILITY AUTHORITY, OR THE APPROPRIATE AGENCY, TO TRANSFER THE NATIONAL GUARD ARMORY IN DILLON COUNTY, SOUTH CAROLINA, TO THE CITY OF DILLON.

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

TUESDAY, MAY 12, 2026

H. 5006--DEBATE ADJOURNED

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

H. 5006 -- Reps. B. Newton, Long, Hewitt, M. M. Smith, Gatch, Schuessler, Stavrinakis, Hiott, Pope, Erickson, Hixon, Neese, Wooten, Ligon, Chapman, Forrest, Hartz, Guffey, Ford, Willis, Cox, Sanders, Vaughan, Oremus, Duncan, G. M. Smith, Bowers, Sessions, Bannister, Bailey, Brewer, Weeks, Landing, Moss, Bradley, Lawson, Rankin, Guest, Brittain, Lowe, T. Moore, Ballentine, Robbins, Martin, Caskey, Pedalino, Calhoun, Davis, W. Newton, C. Mitchell, Holman, Hardee, Taylor, Yow, Jordan, Haddon, Wickensimer, Bamberg, King, McDaniel, J. L. Johnson, Cromer, Gilreath and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "STATE OF SOUTH CAROLINA SMALL BUSINESS TAX CUT OF 2026"; BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT THE FIRST TEN THOUSAND DOLLARS OF NET DEPRECIATED VALUE OF BUSINESS PERSONAL PROPERTY OWNED BY A SMALL BUSINESS; BY AMENDING SECTION 12-37-900, RELATING TO PROPERTY TAX RETURNS, SO AS TO PROVIDE THAT A TAXPAYER IS NOT REQUIRED TO RETURN BUSINESS PERSONAL PROPERTY FOR TAXATION IF THE TAXPAYER HAS LESS THAN TEN THOUSAND DOLLARS OF NET DEPRECIATED VALUE OF BUSINESS PERSONAL PROPERTY; BY ADDING SECTION 12-37-980 SO AS TO REQUIRE THAT ALL BUSINESS PERSONAL PROPERTY REQUIRED TO BE RETURNED FOR TAXATION TO BE RETURNED TO THE DEPARTMENT OF REVENUE; BY AMENDING SECTION 12-20-50, RELATING TO THE LICENSE TAX ON CORPORATIONS, SO AS TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, THE FEE DOES NOT APPLY TO ANY PORTION OF THE FIRST FIFTY MILLION DOLLARS OF CERTAIN CAPITAL STOCK AND PAID-IN OR CAPITAL SURPLUS; AND BY AMENDING SECTION 33-44-409, RELATING TO STANDARDS OF CONDUCT OF A CORPORATE OFFICER, SO AS TO PROVIDE AN EXCEPTION TO REFRAINING FROM COMPETING.

TUESDAY, MAY 12, 2026

Rep. HIOTT moved to adjourn debate on the Senate Amendments, which was agreed to.

RETURNED TO THE SENATE WITH AMENDMENTS

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

S. 508 -- Senators Verdin, Goldfinch, Martin, Peeler, Bennett, Young, Blackmon, Kimbrell, Zell, Nutt, Fernandez, Alexander, Turner, Adams, Leber, Corbin, Grooms, Hembree, Rice, Massey, Garrett, Chaplin, Cromer, Johnson, Gambrell, Kennedy, Davis, Climer, Campsen, Reichenbach, Bright and Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 10-1-165, RELATING TO THE PROTECTION OF CERTAIN MONUMENTS AND MEMORIALS, SO AS TO EXPAND THE TYPE OF MONUMENTS OR MEMORIALS THAT MAY NOT BE RELOCATED, REMOVED, OR DISTURBED, TO WITHHOLD DISBURSEMENTS FROM THE LOCAL GOVERNMENT FUND FOR ANY COUNTY OR MUNICIPALITY THAT VIOLATES THIS SECTION, TO PROVIDE FOR THE CARE AND PRESERVATION OF MONUMENTS AND MEMORIALS BY CERTAIN PEOPLE OR ORGANIZATIONS, TO PROVIDE STANDING TO CERTAIN PEOPLE OR ORGANIZATIONS TO BRING A CIVIL ACTION IN RESPONSE TO A VIOLATION OF THIS SECTION OR TO PREVENT SUCH VIOLATION, AND TO PROVIDE FOR LIMITATIONS ON THE TRANSFER OF REAL PROPERTY UNDERNEATH A MONUMENT OR MEMORIAL OR THE TRANSFER OF REAL PROPERTY NECESSARY TO MAINTAIN, ACCESS, OR VIEW A MONUMENT OR MEMORIAL.

H. 5664--ADOPTED AND SENT TO SENATE

The following Concurrent Resolution was taken up:

H. 5664 -- Rep. Hosey: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF PATTERSON MILL ROAD FROM SOUTH CAROLINA HIGHWAY 125 IN ALLENDALE COUNTY TO SOUTH CAROLINA HIGHWAY 64 IN BARNWELL COUNTY "VETERANS

TUESDAY, MAY 12, 2026

MEMORIAL HIGHWAY" AND PLACE APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Concurrent Resolution was adopted and sent to the Senate.

S. 1157--ADOPTED AND RETURNED TO SENATE WITH CONCURRENCE

The following Concurrent Resolution was taken up:

S. 1157 -- Senator Rankin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CATES BAY HIGHWAY FROM ITS INTERSECTION WITH HIGHWAY 134 TO ITS INTERSECTION WITH HIGHWAY 804 IN HORRY COUNTY "BOBBY LONG MARTIN 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.

Rep. FORREST moved that the House do now adjourn, which was agreed to.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 4086 -- Rep. Hager: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 IN HAMPTON COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 363 TO THE HAMPTON-ALLENDALE COUNTY LINE THE "HONORABLE JAMES RISHER SR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

H. 5176 -- Rep. Willis: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 76 (HILLCREST DRIVE) IN THE CITY OF LAURENS IN LAURENS COUNTY FROM THE INTERSECTION OF NORTH HARPER STREET TO

[HJ]

TUESDAY, MAY 12, 2026

HILLCREST SQUARE "JUDGE JOSEPH WILSON MCGOWAN III MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

H. 5352 -- Rep. Hosey: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME MOODY ROAD IN THE TOWN OF MARTIN IN ALLENDALE COUNTY FROM MILLET ROAD TO PATTERSON MILL DRIVE "SGT. ORENTHIAL J. 'O.J.' SMITH MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

ADJOURNMENT

At 2:10 p.m. the House, in accordance with the motion of Rep. MCCRAVY, adjourned in memory of Don "DJ" Keller, to meet at 10:00 a.m. tomorrow.

TUESDAY, MAY 12, 2026

H. 3021	110	S. 52	105
H. 3022	2	S. 52	105
H. 3049	110	S. 70	97
H. 3195	102	S. 70	97
H. 3202	100	S. 222	89
H. 3387	105	S. 235	86
H. 3551	109	S. 399	86
H. 3768	100	S. 420	81
H. 3841	109	S. 428	87
H. 3863	108	S. 436	76
H. 3874	103	S. 453	73
H. 4086	117	S. 508	116
H. 4188	103	S. 556	80
H. 4248	113	S. 688	92
H. 4270	104	S. 751	89
H. 4305	112	S. 765	76
H. 4477	108	S. 819	69
H. 4635	114	S. 823	88
H. 5006	115	S. 829	81
H. 5069	112	S. 831	12
H. 5093	114	S. 845	87
H. 5126	2	S. 851	99
H. 5176	117	S. 858	75
H. 5179	104	S. 894	71
H. 5352	118	S. 922	83
H. 5506	102	S. 933	96
H. 5537	114	S. 935	99
H. 5573	113	S. 958	75
H. 5664	116	S. 996	88
H. 5685	3	S. 1001	100
H. 5686	4	S. 1005	78, 80
H. 5687	4	S. 1011	97
H. 5688	5	S. 1038	76
H. 5689	5	S. 1048	10
H. 5690	6	S. 1157	117
H. 5691	7	S. 1162	10
H. 5692	7		